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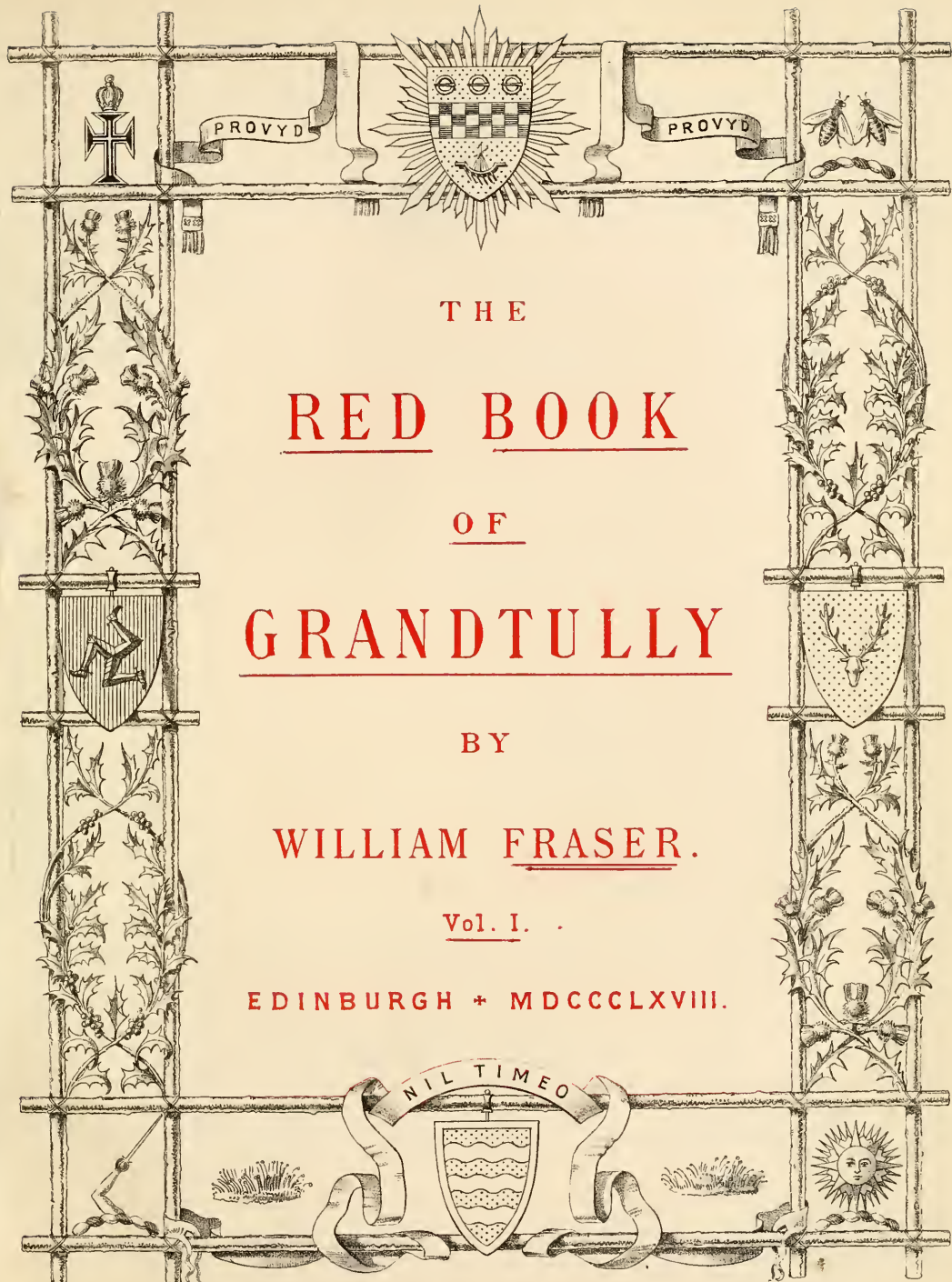
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THE
RED BOOK
OF
GRANDTULLY

BY
WILLIAM FRASER.

Vol. I. .

EDINBURGH + MDCCLXVIII.

THE RED BOOK OF GRANDTULLY.

1237367

Impression: One Hundred Copies, in Two Volumes.

*Printed for Sir William Drummond Steuart,
Baronet of Grandtully.*

No. 19.

Presented to

The Right Honorable

The Lord Epskinstone

CONTENTS OF VOLUME FIRST.

	PAGE		PAGE
INTRODUCTION,	v	Sir John Steuart, third Baronet of Grandtully—1759-1764,	clxxv
Origin of the Family of Stewart,	v	Lady Jane Douglas Steuart, his spouse,	clxxvii
Barony of Grandtully,	xiii	Archibald Steuart Douglas, their son,	ccv
Castle of Grandtully,	xvii	Sir James Mackenzie, Lord Royston,	ccxvii
Church of St. Mary of Grandtully,	xxi	Anne Duchess of Buccleuch and Mon- mouth,	ccxxi
Barony of Murthly—the three districts of Murthly—Hill and Forest of Bir- nam—The Range—Duncan's bed— Dunsinane Hill—Court Hill—Muir of Thorn—Houghmanstares,	xxiv	Pedigrees of the Steuarts, etc.,	ccxxvii
Old Castle of Murthly,	xlii	The Drummonds of Logiealmond,	ccxxxvii
New Castle of Murthly,	xlvi	Queen Margaret Logie,	ccxxxvii
Chapel of St. Anthony of Murthly,	xlv	Summary of Contents,	ccxxxix
Grounds of Murthly,	xlvi		
Barony of Strathbran and Castle of Trochrie,	xlvii	CHARTERS OF THE GRANDTULLY FAMILY,	1
Barony of Kercow,	liii	APPENDIX OF ADDITIONAL CHARTERS,	125*
Abthany of Dull,	lv	I. Charters of the Family of Logy of Logy, now Logiealmond,	125*
Family of Steuart of Grandtully,	lxx	II. Additional Charters of the Grand- tully Family,	184*
The early Lairds of Grandtully—Sir John Steuart of Innermeath, first Laird—Alexander Steuart, second Laird—Thomas Steuart, third Laird —Alexander Steuart, fourth Laird —William Steuart, ninth Laird— 1400-1600,	lxx	III. Miscellaneous Charters in favour of the Family of Steuart, etc.,	191*
		ABSTRACT OF CHARTERS OF THE GRAND- TULLY FAMILY,	199*
MEMOIRS OF THE FOLLOWING, VIZ.,—		ABSTRACT OF ADDITIONAL CHARTERS IN APPENDIX,	219*
Sir Thomas Steuart—1574-1610,	lxxvi	PEDIGREES OF—	
Sir William Steuart—1610-1646,	lxxix	I. The Family of Steuart of Grandtully,	236*
Sir Thomas Steuart—1646-1688,	lxxxvii	II. The Family of Archibald Lord Douglas,	240*
John Steuart of Grandtully—1688- 1720,	cxxviii	III. The Family of Steuart of Innernytie,	241*
Sir Thomas Steuart, Lord Balcaskie, —1640-1700,	clxiii	IV. The Family of Steuart of Fungorth and Balleed,	242*
		V. The Family of Steuart of Fondoynet,	243*
		VI. The Family of Drummond of Logie- almond,	244*

ILLUSTRATIONS IN VOLUME FIRST.

	PAGE		PAGE
TITLE-PAGE, containing the Badges and Armorial Bearings of the Families of Steuart of Grandtully, Drummond of Logiealmond, and Mackenzie of Cro-martie.		PORTRAITS <i>continued</i> —	
Portrait of Mary Queen of Scots, facing .	v	Sir John Steuart of Grandtully, Baronet.	
Engraved by R. C. Bell from the original Portrait at Murthly. It was obtained by the late Sir William Drummond of Logiealmond from the Scots College at Paris.		Married Lady Jane Douglas, 1746.	
Grandtully Castle, facing	xviii	Died A.D. 1764, aged 76, facing	elxxv
Armorial Bearings of Sir William Steuart in the Ceiling of the Church of St. Mary of Grandtully, 1636, facing	xxii	Lady Steuart of Grandtully, Heiress of Logiealmond, and mother of Sir William Drummond Steuart, by Martin, facing	cexxxvii
The last Oak of the old Forest of Birnam, facing	xli	John Lord Drummond, called fourth Duke of Perth. Died at Antwerp, A.D. 1747, facing	cexxxxii
The Old Castle of Murthly, facing	xlii	A Scene in the Rocky Mountains of America, representing a meeting between Sir William Drummond Steuart and the Cro Indians, by Miller, facing	cexlii
PORTRAITS—		Facsimile of Charter by Archibald Earl of Douglas to Alexander Steuart, of the lands of Garnetully, 30th March 1414, between	4-5
Sir William Steuart of Grandtully, 1613, facing	lxxxvi	Facsimile of Indenture by Andrew Mercer, Lord of Mckylhour, on the agreement between Robert Earl of Fyfe and Menteith and John of Logy as to the lands of Logy and Stragartnay, 15th May 1385, between	138*-139*
Sir Thomas Steuart of Grandtully. Born 1608. Died 1688, facing	cxxiv		
John Steuart of Grandtully. Born 1648. Died 1720, facing	clxii		



MARIE

INTRODUCTION.

ORIGIN OF THE FAMILY OF STEWART.

THE family of Steuart of Grandtully is an early branch of the house of Stewart, which for several generations held the hereditary office of Steward of Scotland, and which afterwards attained the royal dignity. The origin of that house, in which the Steuarts of Grandtully, like many other distinguished families, claim a common ancestry, may therefore appropriately be noticed in this Collection of Steuart Muniments.

The family is of high antiquity. But, as has happened in regard to other ancient families, much that is fabulous has gathered around its origin. Our older historians represent it as having sprung from Bancho, Thane of Lochaber, the son of Ferquhard, Thane of Lochaber, who again was a younger son of Kenneth the Third, King of the Scots. We are told that this Bancho was a person of great consideration in the reign of Duncan the First, King of the Scots, who succeeded to the throne in the year 1034; that he was one of the principal advisers of that monarch in all affairs of importance; that he was murdered by Macbeth, who usurped the crown of Scotland in 1040; that his son Fleance, whose life also was sought by Macbeth, fled to Wales, where, having married, he had a son Walter, who after the death of Macbeth came to Scotland, in the reign of King Malcolm

the Third, by whom, for his valorous conduct, he was created Steward of the royal household; that this Walter had a son Alan, who again had a son Walter, the High Steward.¹ The tradition of these four generations, which has been related with a circumstantiality not necessary here to repeat, was long received as genuine historical truth, but it has now been proved that it is wholly fictitious.²

Walter, the son of Alan or Fitz-Alan, the founder of the royal family of the Stewarts, being the first of that family who established himself in Scotland, came from Shropshire, in England. He had an

¹ History of the Royal Family of the Stewarts in Crawford's History of the Shire of Renfrew, edit. Paisley, 1782, p. 1; Robertson's edit. of that work, Paisley, 1818, p. 433.

² Chalmers, the author of the Caledonia, was the first who contributed authentic information on the origin of the Royal Family of the Stewarts. Pinkerton, in his History of Scotland, had previously indicated that the origin of the Stewarts pointed to the English family of Fitz-Alan.—[History, vol. i. p. 4.] But he was probably unable to trace the connexion, otherwise he would have stated it. Lord Hailes succeeded in proving that the traditions which had been long current regarding the remote ancestry of the Stewart family were not entitled to the smallest credit; but he could not fill up with well-established genealogical facts the blank caused by the rejection of the tales of fiction. He knew that Walter, who flourished in the reign of King David the First, and of his successor, Malcolm the Fourth, was the Steward of Scotland; but from what family this Walter was descended he could not trace. "In the reign of

David the First," he says, "before the middle of the twelfth century, the family of the Stewarts was opulent and powerful; it may therefore have subsisted for many ages previous to that time, but when and what was its commencement, we cannot determine."—[Annals, vol. i. App. No. VIII.] Andrew Steuart, in his Genealogical History of the Stewarts (p. 2), agrees with the opinions expressed by Lord Hailes, but he fails to shed a single new ray of light on the true origin of that family. Walter designates himself, and is designated by others, "the son of Alan;" but who was this Alan? was a question which baffled the researches of antiquarians, till Chalmers was enabled to answer it, proving that the family was originally of Norman descent, and that it settled in England, where it acquired considerable possessions.—[Chalmers's Caledonia, vol. i. pp. 572-77.] Riddell, in his Stewartiana [pp. 55-70], has corroborated, from other authentic documents, the evidence adduced by Chalmers; and the facts relating to the origin of the family of Stewart are now placed beyond all dispute.

elder brother, William, who added largely to his possessions by his marriage with Isabel de Say, the heiress of Clune, also in Shropshire, and who was the progenitor of the family of Fitz-Alan, the Earls of Arundel. Alan, the father of these brothers, was the son of Flaald, a Norman ; and he married, soon after the Norman conquest, the daughter of Warine, Sheriff of Shropshire, of which marriage William was the eldest son. He acquired the manor of Oswestrie, in Shropshire, on the Welsh border ; and that he was a person of some importance at the Court of King Henry the First, appears from his having been frequently a witness, with other persons of distinction in that Court, to royal charters.

On the death of King Henry the First of England in 1135, Walter strenuously supported the claims of the Empress Maud, daughter of the deceased monarch, and niece of David the First, King of the Scots, against Stephen, Earl of Mortaigne and Boulogne, who was nephew to the late King, and who claimed the crown in right of his mother Adela, a daughter of William the Conqueror. Walter's brother, William, co-operating with the Earl of Gloucester, an illegitimate son of Henry the First, and a powerful asserter of the claims of his sister, also zealously supported the Empress. Both the brothers, having thus actively engaged in the cause of his niece, rose high in favour with David the First, King of the Scots. When that King in 1141, after having taken part in the siege of Winchester, in the interest of his niece, was obliged to retire to Scotland, Walter probably then accompanied him, encouraged, on the part of the Scot-

tish monarch, by the most liberal promises, which were most faithfully fulfilled, whilst his brother, as the representative of his family, remained in England, steadfastly adhering to the Empress Maud, for which he was rewarded by her son, Henry the Second, King of England.

Before coming to Scotland, Walter held lands in appanage, being the provision made for him as a younger son, at Oswestrie, of the Fitz-Alan fief or barony, adjoining the lands of the Priory of Wenlock, and probably under its spiritual jurisdiction.¹

From the munificence of King David the First, Walter obtained large grants of land in Renfrewshire, and in other places, together with the hereditary office of *Senescallus Scocie*, Lord High Steward of Scotland, an office from which his grandson, Walter, took the surname of Stewart, which the family ever afterwards retained. King Malcolm the Fourth, continuing, after the example of his grandfather, King David, to extend the royal favour towards this English emigrant, confirmed and ratified to Walter and his heirs the hereditary office of

¹ In the *Liber Niger Scaccarii*, published by Hearne in 1771—a register next in age to the Domesday Book—containing a list of the noble English fiefs from 1100 to 1154, under the head of Shropshire, is given the great fief of “William, son of Alan of Salopescire,” and in the list of the respective vassals mention is made of “Walter, son of Alan,” as holding “a feu of two knights.” In an inquisition made in 1185 into all previous grants in favour of the Knights Templars, their possessions and revenues, etc., by Galfrid Fitz-

stephen, when he took upon him the bailiery of England, it is said that “William, son of Alan,” made a grant to the Knights Templars of the whole town of Carditon and Huchemerse, and half the town of Chattewelle; and that Walter, son of Alan, made a grant to the same redoubtable order of knights of a part of Coveton.—[Dugdale’s *Monasticon*, edit. 1830, vol. vii. pp. 821-831.] Both Carditon and Coveton formed part of the patrimony of Oswestrie, the last mentioned being within less than a mile from the site of Oswestrie.

High Steward of Scotland, and the numerous lands which King David the First had granted.

In the annals of that period, Walter is celebrated as the founder of the monastery of Paisley, in the barony of Renfrew. The exact time of the foundation of that monastery cannot now be ascertained, as the original charter bears the date neither of the month nor of the year ; but as it is dated at Fodrigeiam (Fotheringhay, in Northamptonshire), a castle which belonged to Malcolm the Fourth, King of Scotland, and as it is witnessed by the Chancellor of Scotland and the Chaplain of that monarch, it has with much probability been conjectured that it was made in 1163, when that King, attended by his Chancellor, Lord High Steward, and Chaplain, did homage to King Henry the Second of England at Wodstoke, which is not far distant from Malcolm's own castle of Fotheringhay. The monastery of Paisley was of the order of the brotherhood of Wenlock, that is, of the Cluniac order, which derived its name from the Abbey of Cluny, in Burgundy ; and Walter brought to it a colony of thirteen monks from the Priory of Wenlock, in Shropshire, which itself had been peopled from the Priory of the Cluniac order of La Charité, on the banks of the Loire. It was founded "for the soul of King David, King Henry, and Earl Henry," that is, David the First, King of the Scots, Henry the First, King of England, and Henry Prince of Scotland, Earl of Northumberland and Huntingdon.¹ It is remarkable, too, that it is dedicated to Saint Milburga, the daughter of King Merwald, and niece of Wolpher, King of Mercia

¹ Registrum Monasterii de Passelet, pp. 1, 2.

—the patron saint of Wenlock.¹ Thus we are enabled, from a knowledge of the history of Walter before coming to Scotland, which was unknown till a comparatively recent period, to explain various circumstances relating to his charter founding the monastery of Paisley, which would otherwise have been obscure or inexplicable.

At or after the time of his establishing himself in Scotland, Walter was followed to that kingdom by many English families from Shropshire. These families were no doubt encouraged by King David the First, who, during his residence at the Court of his brother-in-law, Henry the First, King of England, having been impressed with the superiority of that kingdom to his own in point of civilization, was anxious, with the view of elevating his subjects, that English families should transplant themselves to Scotland; and settling in Renfrewshire, they obtained lands as vassals of the Stewarts.²

Walter married Eschina de Londonia, Lady of Moll, in Roxburghshire, by whom he had a son, Alan; and dying in 1177, he was succeeded in his estates and office as hereditary Steward of Scotland by that son.

Having thus detailed the true origin of the family of the Stewarts, our subject does not require us to trace the subsequent history of the main line. Let it suffice to observe, that the seventh descendant in lineal succession from Walter was Robert the Stewart,

¹ Registrum Monasterii de Passelet, p. 249; Dugdale's Monasticon, vol. v. pp. 72, 73.

² Chalmers's Caledonia, vol. i. p. 576; Registrum Monasterii de Passelet, *passim*.

who married Marjory, daughter of King Robert the Bruce, and who, on the death of her brother, King David the Second, obtained in February 1370-71 the crown of Scotland, assuming the title of Robert the Second.

In tracing the Steuarts of Grandtully to the parent stock, it is found that they come from Alexander Lord High Steward of Scotland, the fourth generation from Walter, whose history has been now briefly related. Alexander's second son, Sir John Steuart of Bonkill, may be regarded as their immediate ancestor. His great-grandson, Sir John Steuart, Lord of Innermeath and Lorn, appears to have been the first of the family who possessed Grandtully as a separate estate. By his marriage with the daughter and heiress of John de Ergadia, Lord of Lorn, Sir John Steuart of Innermeath and Lorn had several sons. Robert, the eldest son, carried on the line of the Lords Innermeath and Lorn. Sir James, the second son, commonly called the Black Knight of Lorn, was ancestor of the Earls of Athole, Buchan, and Traquair.

The fourth and youngest son was Alexander, ancestor of the family of Grandtully.

The lands and barony of Grandtully have been the inheritance of this family from the end of the fourteenth century to the present time.

During these four centuries and a half there have been fourteen generations of the family. The history of these generations would

form a subject of considerable interest. It is not, however, the purpose of the present work to offer memoirs of the successive barons of Grandtully, but simply to give a selection of charters and correspondence from the Muniments of the family.

In the course of their long-continued descent, the Steuarts of Grandtully have intermarried with many important families, some of whom they now represent in the female lines; and by this means the Muniments of other families have been brought into the Grandtully charter-chest. Among these families is the knightly race of Drummond of Logiealmond, sprung from the accomplished second Earl of Perth, in the person of his second son, Sir John Drummond, the first of Logiealmond.¹ This accounts for the many letters of the Earls and Dukes of Perth which form part of the correspondence included in the second volume of this work.

Another family with whom that of Grandtully intermarried, was that of Sir James Mackenzie, third son of George first Earl of Cromartie, and a Lord of Session, under the title of Lord Royston, his daughter Elizabeth having been the first wife of Sir John Steuart of Grandtully, third baronet. The family of Lord Royston thus became united to that of Grandtully; and this explains how so many of the letters now printed are addressed to Lord Royston.

Besides this general explanation of the contents of the present work, it seems necessary, for a proper understanding of the charters

¹ The Pedigree of the Drummonds of Logiealmond, given in this work, shows the connexion between the families of Logiealmond and Grandtully.

and correspondence now printed, to give some account of the lands, baronies, and castles which have been successively acquired by this branch of the Steuart family, and which now constitute their principal barony of Grandtully.

THE BARONY OF GRANDTULLY.

The lands and barony of Grandtully are situated in the parish of Dull, or, as it is sometimes called, Dow, or Appindow,¹ in the shire of Perth. Grandtully may be said to be in the fine district of Strath-Tay, although it forms a distinct district known as Grandtully. So far as can now be traced, Sir John Steuart, Lord of Innermeath and Lorn, as has been before observed, was the first acquirer of Grandtully. He resigned the lands for a new charter to be made in favour of his fourth and youngest son, Sir Alexander Steuart. This charter was made by Archibald fourth Earl of Douglas, who was then the

¹ It is also called Apnadull, and anciently it received the name of Dullmagarth. According to the first Statistical Account of Scotland, published in 1793, the parish of Dull was then from south to north thirty miles in length, and in breadth twelve miles, and it was divided into five districts, the second of which was Grandtully. The name of the parish of Dull has sometimes given occasion for indulging a little in the humorous. Dean Ramsay, in his "Reminiscences of Scottish Life and Character," relates a sally of this sort, which he heard when he was travelling to Perth, in the old stage-coach days, and enjoying the society of a Scottish clergyman, full of amusing stories.

"When we had come through Glen Farg," he writes, "my companion pointed out that we were in the parish of Dron. With much humour he introduced an anecdote of a brother minister, not of a brilliant order of mind, who had terminated in this place a course of appointments in the Church, the names of which, at least, were of an ominous character for a person of imaginative temperament. The worthy man had been brought up at the school of *Dunse*, had been made assistant at *Dull*, a parish near Aberfeldy, in the presbytery of Weem, and had here ended his days and his clerical career as minister of *Dron*."—P. 3.

superior of these lands, and is dated 30th March 1414.¹ It bears that the Earl granted to his beloved cousin and shield-bearer, Alexander Steuart, son of Sir John Steuart of Lorn, knight, the lands of Garnetully, Kiltillieh, and Aberfeldy, in the Abthantry of Dull. The lands were to be held for rendering three suits of Court at the Earl's three Courts of Garnetully, upon the hill called the Courthill,² which the Earl reserved for holding these courts, and also for rendering to the lord of the Abthantry of Dull the service used and wont.

The lands of Grandtully and other lands thus granted, extended from Aberfeldy, or the falls of Moness, on the west, to Balnagaird on the east, along the south banks of the river Tay about eight miles.

That portion of the lands of Grandtully which lies along the banks of the Tay to the east of the castle of Grandtully is generally very level, and the more eastern portion is called the Haughs of Grandtully. These grounds are easily cultivated, and are capable of producing excellent crops of grain of all kinds. The land which lies away from the river, and forms the higher range, is very hilly, and generally used for pasturing cattle and sheep. In the grouse season these elevated ridges afford an exhilarating recreation.³ Towards the east

¹ Charters, p. 4, No. 5, *infra*.

² The Courthill was on the lands of Kiltillieh, about two miles to the west of the present castle of Grandtully. A standing stone was erected on the summit of the Courthill, where it still retains its upright position. The rents were collected, as well as legal questions settled, on the Courthill. In the parish of Dull, there are the remains

of many Druidical temples, and also of old castles, many of them like watch-towers. In one glen, which is appropriately called Fin-castle, or Fonnchaisteal—the land of castles, not less than fifteen are to be traced.—[First Statistical Account of Scotland, vol. vi. p. 155.]

³ In May last, a litter of young foxes was unearthed at Grandtully. Their den afforded

end of them are the remains of an old fortification called Castle Dhu, or the Black Castle, the history of which has not been ascertained.

On the farm of Kiltulloch or Cairntulloch there is a circle of rude stones, called Druidical Stones, and sometimes also Sanctuaries, as affording places of shelter for men and beasts. By the country people these sanctuaries are held in such veneration, that they consider it an act of desecration to destroy them. An instance of this occurred some years ago, when Mr. Campbell, factor for Sir Neil Menzies, wished to destroy one of them on the Menzies estate, that the large stones might be used for pillars to the gate leading to his own house. He ordered the labourers to remove the stones; but disliking the irreverent occupation, they indicated their reluctance to Mr. Campbell, upon which he himself took a lever and raised the stones. On his way homewards his horse ran off, and both he and the horse were killed: a melancholy fate, which the people superstitiously interpreted as a judgment of Heaven for his having violated one of the sanctuary stones. On archæological grounds, the destruction of such memorials of the past is too Gothic not to be regretted.

The lands of Grandtully, Kiltulie, Tullocrosk, and Pitoquharne, were first erected into a free barony by King James the Fifth. The charter of erection was granted by his Majesty on 4th March 1538, in favour of Thomas Stewart, son and apparent heir of Alexander Stewart of Grandtully, on the resignation of the latter. By that deed

an illustration of the ample larder with which they were provided: it consisted of thirty white hares, twenty rabbits, eleven grouse,

one curlew, one plover, four lambs, one kid, three water rats, and one mole.

the lands were erected into the free barony of Grandtully, with the manor-place thereof as the principal messuage.¹

In the year 1623, Sir William Steuart, who was then proprietor of the barony of Grandtully, obtained a new erection of the barony on his own resignation. By a charter dated 27th February 1623, King James the Sixth granted to Sir William Steuart in liferent, and to Thomas Steuart his eldest son in fee, the lands and barony of Grandtully; also the lands and barony of Murthly; and the whole was erected into one free barony, to be called the BARONY OF GRANDTULLY.

Sir Thomas Steuart, fiar in the above charter, obtained another erection of the barony of Grandtully by a charter from King Charles the Second, dated 22d December 1671. This charter included the lands and barony of Grandtully, namely, the lands of Grandtully, with the tower, fortalice, manor-place, houses, gardens, and orchards thereof; the lands of Kiltilyt, Tullockrosk, Pittoquharne, and Aberfeldie, and the lands of Carnbo Steuart; also the lands of Wester Balnagaird or Sketewin, and the fishings of the said lands; the lands and barony of Murthly; the lands and barony of Corecock, with the lands of Wester Balnagaird annexed thereto, the manse of Fearn; and the lands and barony of Strathbraan, comprehending the particular lands therein specified.² By that charter the mansion-place of Murthly was ordained to be the principal messuage thereof, and one sasine to be taken thereat was declared to be sufficient for any part

¹ Charters, p. 77, No. 45, *infra*.

² Original Charter at Murthly.

of the said lands, baronies, and others, even though the same should lie discontinuous.

This charter is the last and regulating grant of erection of the barony of Grandtully.

THE CASTLE OF GRANDTULLY.

Towards the centre of the lands, and on the Grandtully portion of them, stood the original castle of that name. It was situated upon a high table-land overhanging the Tay, opposite the present mansion-house of Cloichfoildoch, and about a mile to the east of the present castle of Grandtully. Of the original castle few traces now meet the eye. Portions of the foundations of the walls may still be seen, but these are the only visible remains.

No record is preserved of the date of the building of the original castle of Grandtully. It was probably built by Alexander Steuart soon after his father resigned the lands in his favour in the year 1414, as Grandtully was then the only estate which Alexander Steuart possessed in the shire of Perth, and by which he came to be known and designated.

There is a tradition in the family, that although the castle of Grandtully was separated from the mansion-house of Cloichfoildoch by the broad river Tay, the two lairds of these estates, who were not always on the most friendly terms, were still too near each other. A hostile arrow from the Cloichfoildoch banks proved fatal to one of the Grandtully family, on the opposite side of the river, while standing at

his own door. The inconvenience of being stalked and shot down like a mountain deer, by an unfriendly neighbour, induced the Laird of Grandtully to build another castle about a quarter of a mile south from the banks of the river Tay, and about a mile to the west of the original castle, which was then allowed to go to ruin, after it had served the family probably for a century and a half—that is, from 1414 to 1560, when the present castle is supposed to have been built by Sir Thomas Steuart, knight, the then Baron of Grandtully. No record, however, has been found of the date of the building of the new castle.¹

The present castle is a strong and an imposing structure. It is the largest mansion-house in the extensive parish of Dull, in which there are many castles. Grandtully Castle consists chiefly of two round towers, each five stories high, and the walls are generally about nine feet thick. The apartments in the tower are all arched. The dining-hall is the principal room in the castle, and it is large and spacious. It is lighted by three windows, and is boxed with wood panellings, which, till recently, were covered with fine old tapestry.

Grandtully Castle, as it now stands, contains several additions in the shape of turrets and roundlets made by Sir William Steuart in the year 1626, and subsequently. Above the principal door of the castle there is an armorial stone now much defaced. The shield has

¹ On the farm of Croftcat of Grandtully, which is situated to the south of the original castle, formerly stood a chapel, no part of

which now remains, although the site of it is still pointed out.



GRANDTULLY CASTLE.

on the dexter side three buckles in chief, and a fesse cheque. The sinister side is illegible. Above the shield is the family motto, "Provyd." The margin contains the name of "Sir Thomas Stevert of Garintvllie." The lettering is very old; older apparently than any part of the castle itself; and the stone may have been transferred from the original castle.

Besides the castle of Grandtully, it appears that in the time of Alexander Steuart, the fifth laird, there was on the lands of Grandtully a manor-house called Petquharne. It is mentioned in a notarial instrument dated 9th May 1533, and a charter is dated at Petquharne on the 3d of June in the same year.¹ By the retour of an inquest held on 5th July 1529, it was found that the lands of Petquharne and others were pertinents of the lands of Grandtully, and that they lay contiguous with the same "fra the front of the hill callit Strong Awnocht, suthtwart to the Month."²

No trace of the ancient manor-house of Petquharne is now to be found under that name, which, indeed, is quite unknown to every person connected with Grandtully. On the high ground, however, about half a mile to the west of the present castle of Grandtully, is a place called Upper Pitcairn, where is to be seen a ruin or cairn of stones which has the appearance of having been a mansion-house. This Pitcairn is probably another name for the Petquharne of the charter of the sixteenth century. The ruin at Pitcairn is also called Castle Lennox or Lennox Castle. The Earls of Lennox at one time,

¹ Pp. 72, 73, Nos. 42 and 43.

² P. 67, No. 40.

there is reason to believe, held lands in this district, but it is not known that they held Pitcairn.

It has been affirmed in an ancient history of the family of Drummond, that the family of Alwin who became Earls of Lennox in the twelfth century were hereditary seneschals of Stratherne, and bailies of the Abthantry of Dull, and that on the elevation of Alwin, the chief of the family, to a higher dignity, these offices, as was usual in such cases, were separated, and conferred on younger branches of the family. This separation, if the affirmation be correct,—which, however, is not supported by documentary evidence,—may be supposed to have been made, after Alwin was created Earl of Lennox by William the Lion, between the years 1165 and 1214. Posterior to this creation, the names of some of the hereditary seneschals of Stratherne can be traced ;¹ but this throws no light on the question. The fact that the bailies of the Abthantry of Dull held the lands of Finlarig in the barony of Glendochart, of Malcolm de Glendochart, as lord superior, who is said to have been a cadet of the Earls of Lennox, has been considered as strengthening other circumstances which lead to the conclusion that the Earls of Lennox originally possessed lands in this part of the country. It is not, however quite certain that he was a cadet of the Earls of Lennox.

¹ *Vide* Liber Insule Missarum, Index of Names.

THE CHURCH OF ST. MARY OF GRANDTULLY.

A little to the north-west of the ruin at Pitcairn, stands an ancient church or chapel, which existed in the year 1533, and was then called the Church of Saint Mary of Grandtully. On the 9th of May in that year, Alexander Steuart of Grandtully, from sentiments of devotion, and with the view of promoting Divine worship, with consent of his eldest son Thomas, gave sasine of the lands of Croftdawe, part of Grandtully, to the Sub-Prior of Saint Andrews, as representing the curate who was to officiate at the chapel built near the manor-place of Petquharne, and to be consecrated to God, the Virgin Mary, St. Andrew the Apostle, St. Adamnanus, and St. Beanus.¹ By a charter dated on the 3d of June following, Alexander Steuart, with consent of his son Thomas, granted to a chaplain, personally residing and celebrating Divine worship and the sacraments irreproachably in the church of St. Mary of Grandtully, the lands of Croftdawe, which are therein minutely described.² Croftdawe is now called Croftdavoeh, or the Alehouse Croft, and is situated about half a mile to the south of the church of St. Mary.

The church stands on a rocky mountain, from the summit of which, at the north end of the church, is obtained a splendid prospect of the surrounding country to the west, north, and east.

Externally the church of St. Mary is a plain edifice, with no pretensions to architectural effect. The interior, however, is more

¹ P. 72, No. 42.

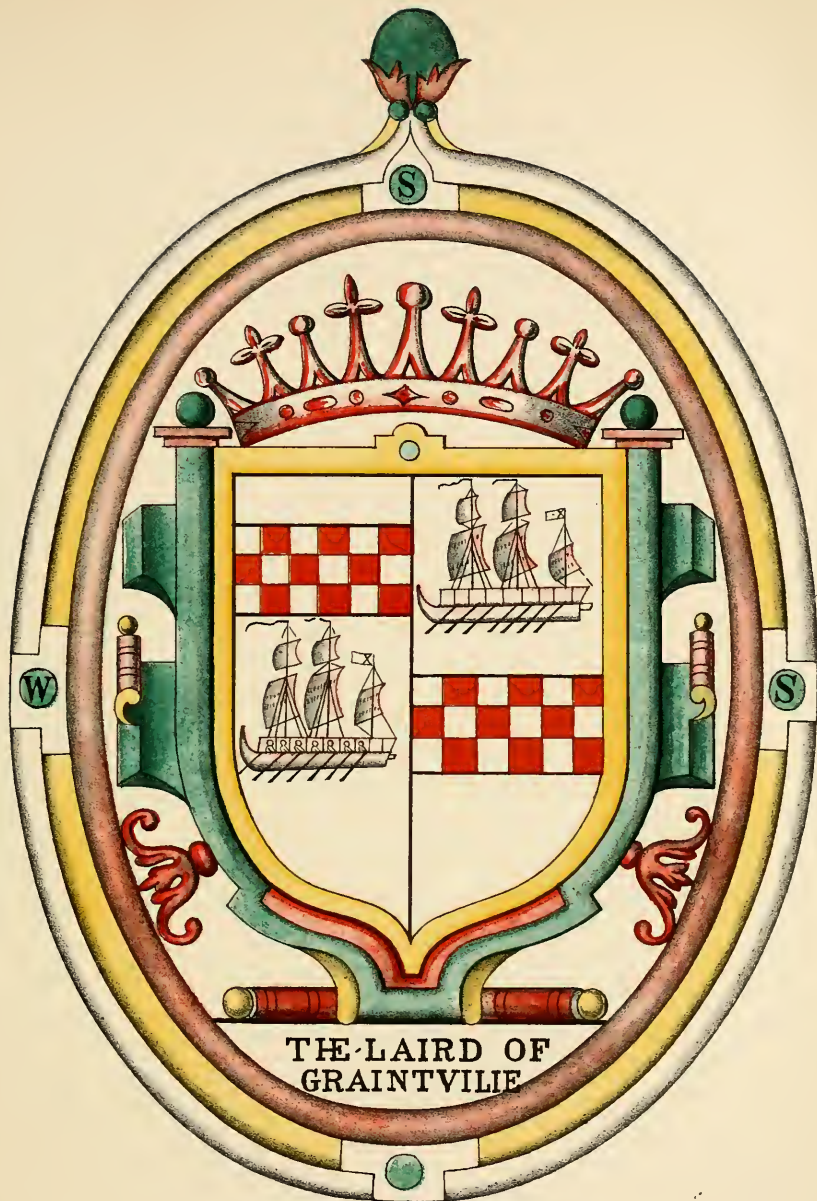
² P. 73, No. 43.

ornamental. The ceiling is arched. On the north side are two rows of medallions painted on wood, six being in each row. The lower row contains Scriptural subjects, with texts around each ; but several of these are now much faded. The second row also contains six medallions. The first and second are representations of the two Saints, Luke and John. Next to the latter are the armorial bearings of the Laird of Grandtully, of which, to afford a specimen of the drawings in the ceiling, a sketch is here given. Adjoining that coat is a large armorial shield, partly defaced, of the royal arms of England ; and next to that shield is another of the royal arms of Scotland.

On the opposite or south side of the ceiling, the first or lowest row contains medallions of six Scriptural subjects. The second row also contains six medallions, the first and second being representations of the two Saints, Mark and Mathew, and an angel. Next to the latter are the armorial bearings of Dame Agnes Moncrieff, who was the wife of Sir William Steuart of Grandtully, whose shield is on the opposite side ; and also the arms of the Earl of Athole. The adjoining two coats appear to be those of France and of Scotland.

Besides these two rows of medallions on each side of the chapel, there are in the centre of the ceiling five medallions containing the monograms of Sir William Steuart and Dame Agnes Moncrieff,—also the sun in his meridian splendour, and a large panel with architectural subject, and quaint figures—and at the foot, the fesse cheque of the Steuart family.

A stone in a window of the church, and also another stone



ARMORIAL BEARINGS OF SIR WILLIAM STEUART

IN THE CEILING ON THE NORTHSIDE OF THE CHURCH OF SAINT MARY OF GRANDTULLY.

now in the churchyard, but originally over the gate, contain the initials of Sir William Steuart and his wife, Dame Agnes Moncrieff, with the date 1636. This was probably the year in which the church was repaired, and the ornamental interior now described added.¹

St. Mary's church was the place of sepulture of the barons of Grandtully before they acquired the barony of Murthly, and around it, on the south side, is a graveyard still used for the parishioners in the district. Dean Macgregor of Fortingall records the deaths and burials of several of the barons of Grandtully, as appears from the following entries in his interesting "Chronicle":—

"Obiit venerabilis vir Thomas Stuart de Garintully apud eundem, sepultus desimo nono die Aprilis, anno Domini m^clviiij. Terras quas predicesores perdiderunt ipse recuperavit, sua prudentia et gubernatione, vt notum est. Orate pro anima eius."²

The widow of this venerable man was also buried in the church of St. Mary, as appears from the following entry in the "Chronicle":—

"Obiit domina de Grantully, sponsa Thome Stuart [de Grantully, xiiij die Junij anno Domini m^c sexto . . . et sepulta in ecclesia de Grantully."³

The death and burial of the son of these parents in the same church is recorded as follows:—

¹ Tradition informs us that the artist painted all the ceiling lying on his back. So intent was he on his work, that no visitor

could induce him, while so engaged, to speak a single word.

² Black Book of Taymouth, p. 127.

³ *Ibid.* p. 129.

“Obiit Willelmus Stuart de Grantully apud eundem, quarto die Mertii, et sepultus in ecclesia de Grantully, sexto die Mertii, viz., in Dominica die anno Domini millesimo v^c lxxiiii. Requiescat in pace, quia bonus fuit.”¹

THE BARONY OF MURTHLY.

The lands of Murthly² were erected into a barony at a very early period. The charter of erection is not known to exist; but Murthly was a barony before the year 1336, when Duncan Earl of Fife granted a charter in favour of John of Ireland, Baron of Murthly, fixing the marches of the baronies of Strathurd and Murthly. King David the Second confirmed that charter on 22d August 1342.³

The family of Ireland continued to possess the barony of Murthly till the following century, when it was acquired by Thomas Abercromby of that Ilk, in the county of Fife. He resigned the barony of Murthly into the hands of the Crown for new infeftment in favour of his son Robert of Abercromby, who obtained from King James the Second a charter of the barony, dated 22d March 1445.⁴

¹ Black Book of Taymouth, pp. 139, 140. The “Chronicle” records that William Steuart died on the 4th of March 1574. The testament testamentar of the deceased states that he died on the 2d of March 1574. This discrepancy of two days is not very material, and the “Chronicle” may be correct, as the testament was not confirmed until five years after the death, that is, on 13th July 1579.—[Commissariat, Edinburgh, vol. 7.]

² The Gaelic *Mortulaeh*, compounded of the word *Mor*, great, and *Tulach*, mount.

³ Original Charter at Murthly. Printed p. 1, No. 1. A Notarial Transumpt of the charter and relative precept, dated 21st March 1344, was made in the year 1432.—[Original Transumpt at Murthly.]

⁴ Original Charter at Murthly. Printed p. 10, No. 9.

The family of Abercromby continued to possess the barony of Murthly till the beginning of the seventeenth century, when they sold it to Sir William Steuart of Grandtully. By a contract entered into on 8th, 9th, 10th, and 18th July 1615, between Thomas Abercromby of that Ilk and Alexander Abercromby, his eldest son, and others, on the one part, and Sir William Steuart of Grandtully, Knight, on the other part, the former sold to the latter the barony of Murthly for the price of sixty-two thousand merks Scots, which is equivalent to £3444, 8s. 10 $\frac{2}{3}$ d. sterling.¹ This acquisition of Murthly by purchase corrects a mistake committed by some genealogists, who assert that Murthly was acquired by the Grandtully family through the marriage, about the year 1545, of William Steuart of Grandtully and Margaret Abercromby, heiress of Murthly.

At the period of this purchase, the transference of large territorial baronies from one family to another was comparatively rare. The treaty for carrying into effect the transference of the barony of Murthly from the Abercrombies to Sir William Steuart is a very formidable document. It is in the form of a roll of paper, which measures nineteen feet four inches in length, and one foot, or twelve inches, in breadth. Except a margin of two and a half inches, the roll is wholly engrossed with the terms of the treaty of sale, thus giving fifteen square feet of writing, about as close as print of ordinary sized type of the present day. Besides enumerating the various lands, with their fishings, teinds, and other perti-

¹ Extract Contract, registered in the Books of Council and Session 25th Sept. 1615, at Murthly.

nents, which form component parts of the barony of Murthly, the contract contains many formal clauses which were necessary with reference to the feudal position of the barony. The provisions are detailed with great minuteness, every article acquired by the purchaser, even articles of the smallest value, being specified with scrupulous care, as appears from the following description :—

Thomas Abereromby sells and dispones to Sir William Steuart “the hail tumber wark as beddis and burdes, furmes, chyres, stuillis, brew caldron or brew leid, and hail brewloomis, and als all and hail the remanent wark within the said place of Murthlie, chalmeris, barnis, byres, stabillis, and otheris, office houss thairof, togiddir with the hail durris, lockis, keyis, windowis, bandis, and als the irne chymney and copeburde in the hall, togiddir with the salmond fisching, cobill and nett, to be intromettit, vsit, and disponit vpoun be the said Sir Williame and his foirsaidis, as his awin propir guidis and geir at his pleasure.” Thomas Abereromby further bound himself “to flitt and remove himself, his wyfe, bairnis, and servandis, familie guidis and geir, furth and fra the said place of Murthlie,” and others, and to enter the said Sir William into the same, delivering to him the “hail keyis of the said place, and office houss thairof, with the hail insicht, tumber wark, and irne chimney forsaid,” and others; and that they “sall remove nor away tak nathing furth of the said place except only thair clothis and bedding of woll and linyng, with thair kistis, cofferis, buikis, wreittis, and trunkis.”

The terms of the sale now stated show how the seller was

to remove from an old barony which his ancestors had enjoyed for centuries ; the portion of the furniture of the mansion which he was to retain ; and what part of it was to belong to the purchaser.

On a resignation by the Abercrombies in terms of that contract, a charter of confirmation, novodamus, erection, and annexation was granted by King James the Sixth on 19th July 1615, in favour of Sir William Steuart of Grandtully, Knight. This charter comprehended the lands and barony of Murthly, with the salmon-fishing thereof in the river Tay ; the lands of Sloginhole, Colra, and part of Murthly, with the fishing and pasturage thereof, and also the lands of Nether Obney, Over Obney, and Wester Burnbane, with the right of fishing belonging thereto. It of new erected the lands and barony of Murthly into a barony, to be called the barony of Murthly ; and the lands of Sloginhole, Obneys, and others above mentioned, were thereby united and annexed thereto.¹

The acquisition of the barony of Murthly was a very important addition to the other baronies already acquired by Sir William Steuart. On the death of his brother, Sir Thomas Steuart, in the year 1610, he succeeded to the old family barony of Grandtully. Sir William Steuart had previously acquired in his own right, as will afterwards be shown, the barony of Strathbran. These three baronies were geographically connected, and extended along the banks of the rivers Tay and Bran, from Aberfeldy on the west to Kinclaven on the east, embracing a stretch of land extending to about twenty-

¹ Original Charter at Murthly.

five miles. Sir William Steuart also owned the lands of Banchory, in the county of Clackmannan, and he also acquired the lands of Dalbeatie, Kercow, Fungorth and others in the county of Perth.

Seven years after his purchase of the barony of Murthly, Sir William Steuart made a resignation of the barony, and also of the barony of Grandtully, and other lands, into the hands of King James the Sixth, by a procuratory of resignation dated 19th December 1622.¹ The King granted a new charter, on 27th February 1623, to Sir William Steuart in liferent, and Thomas Steuart, his eldest son and apparent heir, in fee ; whom failing, to William, James, Harie, and John Steuart, the second, third, fourth, and youngest sons of Sir William, and the heirs-male of their bodies respectively, whom failing, to the other heirs therein specified.

This charter erected the whole lands into one free barony, to be called the BARONY OF GRANDTULLY.²

In the year 1671, Sir Thomas Steuart, then of Grandtully, obtained a new erection of the barony of Murthly, with other lands and baronies, into the barony of Grandtully, by a charter granted by King Charles the Second, on 22d December 1671, in favour of Sir Thomas in liferent, and John Steuart, his only son, in fee. This charter included the lands and barony of Grandtully, with the tower, fortalice, manor-place, houses, gardens, and orchards thereof ; the lands of Kiltullyt, Tullochrosk, Pittoquharne, and Aberfeldie,

¹ Original Procuratory at Murthly.

² Original Procuratory of Resignation and Instrument of Sasine, *ibid.*

and the lands of Carnbo Stewart: Also the lands of Wester Balnagaird or Sketewin, the fishings of the said lands; the lands and barony of Murthly; the lands and barony of Corcock, with the lands of Wester Balnagaird annexed thereto, the Manse of Fearn, the lands and barony of Strathbran, comprehending the particular lands therein specified.¹ By this charter the manor-place of Murthly was ordained to be the principal messuage thereof, and one sasine to be taken thereat was declared to be sufficient for the whole of the lands, baronies, and others, even though the same should lie discontinuous.

This charter is the last and regulating grant of erection which includes the barony of Murthly.

The barony of Murthly is situated in the parish of Little Dunkeld² and county of Perth. To Little Dunkeld was united a former parish, lying chiefly in the district of Strathbran, called Laganallachie, a name compounded of the two Gaelic words Lagan and Alachie, from the traditionary saint called Alachie, or Aulachie.³ Nature, as observed in the first Statistical Account of Little Dunkeld, has divided that parish into three districts, each of which would make a parish of ordinary magnitude, both in respect of extent and population. The first district begins at the eastern extremity, next the

¹ Original Charter at Murthly.

² Little Dunkeld, differently from what the name would seem to imply, is much more extensive than the parish of Dunkeld.

³ A chapel still exists for the benefit of the inhabitants of the Laganallachie part of the

parish. It is situated about three miles from Dunkeld, and near the Rumbling Bridge, which is a special object of attraction to strangers. In this chapel the minister of Little Dunkeld preaches in the Gaelic language every third week.

parish of Kinlevin, and ends at a small village called Invar, about a quarter of a mile west from the church. This district is generally called Murthly, from the barony of that name, which occupies the greater portion of it.

The second district stretches into a valley along the Tay about ten miles, till it joins Grandtully, in the parish of Dull. The greater part of this district originally belonged to the See of Dunkeld, and is known as the Bishopric.

The third district is a valley extending nine miles westward from Invar to Amulree. It is called Strathbraan, from the river Braan, which runs through it, and joins the Tay opposite Dunkeld.

The barony and district of Murthly, along the banks of the Tay, are very beautiful and romantic. The celebrated Hill and Forest of Birnam, or, as it was originally called, Brannan, form part of the barony of Murthly, and give a grandeur to the scenery of the district. This hill was originally a Royal Forest, and part of it was granted by King Malcolm the Maiden to Duncan Earl of Fife as a marriage portion with his niece, the Princess Ada, on her marriage, about the year 1160. This will be more fully explained in the account of the barony of Strathbran, which is included in the charter by King Malcolm.

Portions of the Hill and Forest of Birnam originally belonged to the See of Dunkeld, and continued the property of the Bishops till the beginning of the seventeenth century, when they were acquired by the Abercrombies of Murthly. By a charter of sale and alienation

dated 24th May 1611, Alexander Bishop of Dunkeld, with consent of the Dean and Chapter of the Cathedral Church of Dunkeld, in consideration of certain great sums of money paid by Laurence Blair in Over Durdie, and Patrick Blair in Geddynis, granduncles, on the mother's side, of Alexander Abercrombie, son and heir of Thomas Abercrombie of that Ilk, in name of the said Alexander Abercrombie, sold to Alexander Abercrombie, and his heirs-male, the lands of Wester Inshewins and Easter Inshewins, otherwise called Middle Inshewins ;¹ also the wood called the Tor ;² and the wood commonly called the Hill of Birnam, all in the lordship of Dunkeld. It appears from the deed of sale that the Bishops had been accustomed to dig turfs on the Hill of Birnam for thatching the Cathedral of Dunkeld and their own special buildings, as well as for their own proper use, when they happened to reside in the city of Dunkeld.³

A portion of the wood of Birnam, called the Range, also belonged to the See of Dunkeld. The Range is situated to the east of the Hill of Birnam, and now forms the wooded ground adjacent to the Hospital of Murthly, on the west. This Range was acquired by Alexander Abercrombie of that Ilk and Murthly from Robert Bishop of Dunkeld by charter dated 13th and 16th January 1584.⁴ This charter also included the lands of Easter Inshewin, or Dalpowie, with

¹ The burn of Inshewin forms the boundary between the properties of the Duke of Athole and Sir William Drummond Steuart. It is said that formerly to the west of this burn the Gaelic language was spoken, and to the east of it the Scotch.

² Saint Mary's, the beautiful mansion of Lord John Manners, M.P., is erected on part of the Torwood.

³ Original Charter at Murthly.

⁴ Original Charter, *ibid.* Printed p. 102, No. 54.

the fishings in the Tay, in the Garthpool¹ and Tronarquheis,² all in the barony of Dunkeld. The Bishopric lands had then extended to the march with Murthly proper, which was probably the burn that runs into the Tay about half a mile to the east of the Hospital of Murthly.

On the east side of Birnam Hill, about half-way to the summit, are the ruins of the Castle of Old Rohallion, or, as it was called in Gaelic, Forhaillon. They consist of a square tower, with two roundlets at alternate corners. From its elevated situation, this castle dominated over the whole district of Murthly, including the Muir of Thorn, now called the Chase, and commanded, to the east, the distant view of the great valley of Strathmore, as far as the hills above the Castle of Kinnaird, near Montrose.

The view of the surrounding country of the Tay from this part of Birnam, as well as from its summit, is perhaps unrivalled in Scotland, presenting one of the most extensive and magnificent landscapes upon which the eye can gaze.

Birnam Forest has become classic ground by the historical events with which it has been associated. King Duncan, who succeeded his grandfather, Malcolm the Second, King of Scotland, in the year 1034, is said to have held his court and camp on Birnam.

¹ The Garth pool is a famous salmon-cast in the Tay, nearly opposite the Church of Caputh.

² The Tronach pool is another fine salmon-cast in the Tay, immediately to the north of the Hospital of Murthly. The Hill or Craig of Tronach is on the north side of the Tay,

adjoining the pool, on the estate of Dalbathie. The Tronach Hill is a high conical-shaped mountain, covered with wood. From its solitary and peaked appearance, it is a very prominent object, even beside the great hill of Birnam.

On the same east side of Birnam Hill there is a large mass of conglomerate rock, on the prominent peak of which, it is said, was the camp of King Duncan. Tradition points out the spot where Duncan passed the night before going to Dunsinaue Hill, the fortress of Macbeth, which is seen from this spot, although about twelve miles distant. On the west side of the rock is a shelf which is still popularly known as *Duncan's Bed*. Duncan reigned four years, when he was assassinated in the year 1039 by Macbeth, who thus obtained the Scottish throne, to which he founded his claim on his alleged descent from King Malcolm the Second, through that King's daughter, Doda, so that, if this allegation is correct, he was the cousin-german of Duncan, whom he dethroned. Duncan left, by his wife, who was a sister of Siward Earl of Northumberland, two sons, Malcolm, called Canmore, and Donald, called Bane the Fair, who were expelled from Scotland by Macbeth.

The real history of Macbeth is involved in obscurity : He reigned seventeen years, which was a long tenure of royalty for one that is uniformly called a usurper, and in those rude and troubled times, when thrones were maintained more by might than by right. During the seventeen years of Macbeth's reign, however, repeated attempts were made by the adherents of Malcolm Canmore to restore him to the Scottish throne. These attempts proving unsuccessful, only tended to consolidate the power of Macbeth. But in the year 1056 a successful rising was arranged on behalf of Malcolm, through the exertions of Macduff Thane of Fife, and Siward Earl of Northumberland,

encouraged by Edward the Confessor, King of England. Having planned the expedition, Malcolm, Macduff, and the Earl of Northumberland, with a body of English soldiers, entered Scotland, crossed the Forth, advanced to the Tay, increasing their force in their onward march, and went up that river to Birnam Wood, where they remained for some time concerting their measures against Macbeth. Having been told that Macbeth, in conformity with the superstition of the age, placed great faith in fantastic "freits," believing, as some witch or wizard had assured him, that he would never be vanquished till Birnam Wood came to the hill of Dunsinane against him, which he understood as meaning that he would never be vanquished at all, they had recourse to a stratagem suggested by Macbeth's superstitious belief. Each soldier having taken from Birnam Forest a bough, which he bore on his arm, the army marched towards Dunsinane, where Macbeth was fortified in the strong and lofty castle which he had there erected. Observing from his battlements their advance, it seemed to him as if Birnam Wood was literally moving towards Dunsinane; and becoming alarmed for his safety, as if a fatal augury, in what he had regarded as an assurance of security, was about to be fulfilled, he immediately betook himself to flight, and was pursued northward over the Mounth to the wood of Lumphanan, in Aberdeenshire, where he was overtaken and slain on 5th December 1056. Malcolm was crowned at Scone on the 25th of April thereafter.

These traditions respecting this part of Scottish history have been preserved by Andrew of Wyntoun in his valuable and curious

Chronicle, which was written about the beginning of the fifteenth century; and here we may quote his own simple narrative. After relating that Malcolm, accompanied by Macduff the Thane of Fife, Siward Earl of Northumberland, and English troops, consisting chiefly of the retainers of that nobleman, had left the King of England on the enterprise of recovering his inheritance, the Kingdom of Scotland, he thus proceeds :—

1267367

“ Dan wyth yame of Northumbyrland
 Dis Malcolme enteryd in Scotland,
 And past oure Forth, doun strawcht to Tay,
 Wp yat Wattyre ye hey way
 To ye Brynnane to-gyddyr hale.
 Dare yai bad, and tuk cownsale.
 Syne yai herd, yat Makbeth aye
 In fantown Fretis had gret Fay,
 And trowth had in swylk Fantasy,
 Be yat he trowyd stedfastly,
 Nevyre dyscumfyt for to be,
 Qwhill wyth hys Eyne he suld se
 De Wode browcht of Brynnane
 To ye hill of Dwnsynane.
 Of yat Wode [yare] ilka man
 In-til hys hand a busk tuk yan :
 Of all hys Ost was na man fre,
 Dan in his hand a busk bare he :
 And til Dwnsynane alsa fast
 Agayne yis Makbeth yai past,
 For thai thowcht wytth swylk a wyle
 Dis Makbeth for til begyle.
 Swa for to cum in rewate
 On hym, or he sud wytryd be.

De flyttand Wod yai callyd ay
 Dat lang tyme eftyre-hend yat day.
 Of yis quhen he had sene yat syecht,
 He was rycht wa, and tuk ye flycht :
 And owre ye Mownth yai chast hym yan
 Til the Wode of Lunfanan."¹

Wyntoun next commemorates the resolution and intrepidity of Macduff in the pursuit, and records that Macbeth, who boasted that the "spirits that know all mortal consequents" had pronounced that no man born of woman should ever kill him, fell under the stroke of a knight who was never born, but who had been untimely ripped from his mother's womb,² thus extorting from Macbeth the execration which Shakespeare puts into his mouth :

"And be these juggling fiends no more believed,
 That keep the word of promise to our ear,
 And break it to our hope."

It may be added that King Malcolm Canmore, for the services rendered to him by Macduff Thane of Fife, in planning and carrying out this successful expedition for the recovery of the crown from Macbeth, granted to him and his successors the right of placing the Kings of Scotland on the throne at their coronation, the leading of the Scottish armies wherever the royal banner was unfurled, and other important privileges, many of which, after the forfeiture of the

¹ Wyntounis Cronykil of Scotland. Edition 1795, vol. i. pp. 238, 239.

² From the quotation made from Wyntoun's Chronicle, it will be perceived by the reader that Shakespeare, in his inimitable

tragedy of Macbeth, was indebted in his description of the circumstances connected with the overthrow and death of the usurper to the traditional information supplied by Wyntoun.

Earls of Fife, were conferred on the great family of Douglas. Macduff was the ancestor of a subsequent proprietor of Birnam Forest, namely, Duncan Earl of Fife, who obtained Birnam from King Malcolm the Maiden.

To return to our description : Not far from King Duncan's Bed, to the eastward, is a high rounded ridge called the Court Hill. It was probably used for holding courts for the transaction of civil and criminal business, as being a place where a court could be held without the risk of the proceedings being overheard by those who had no right to take part in them.

The place of execution of criminals in the barony of Murthly is about half a mile below and to the eastward of the Court Hill. About half a mile north from it, at the east end of Rock-in-roy Wood, (the remains of the ancient Birnam Wood,) is the place where the criminals who had been executed were buried, for they were not allowed a resting-place in the usual burying-grounds. Their graves are indicated by a number of tumuli, or small heaps of stones, about the length of a human body. Among the graves is still to be seen an oak tree, called "the hanged man's tree."

On the Court Hill, the Ruthvens, who were sheriffs of Perth, had often to give sentence against the ringleaders of bands of thieves, which was not always done without difficulty or danger. In the year 1443, when Sir William Ruthven, sheriff of Perth, at the head of his guards, was leading a thief from Athole to the gallows, he was attacked by John Cormac of Athole, captain of a band of robbers,

who laid the surrounding country under contribution. A sharp skirmish ensued, in which Cormac and thirteen of his followers were killed, whilst the rest fled to the mountains.¹

To the south from the place of execution extends the Muir of Thorn, on which are many curious and interesting landmarks. One of these is called the Saddle Stone, which stands up in the form of a demipique saddle, about four feet above the surface. A rhyming couplet thus refers to a great battle to be fought on this wild plain :—

“There shall be a battle on the Muir of Thorn,
Ne'er such the like since man was born ;
The corbie shall sit on the saddle stane,
And drink the blood of gentlemen.”

About a mile to the south-east of the Saddle Stone is a fine spring well called the “Eye of Mourning.”

To the east of that well, and on the barony of Arntully, many remains have been found, consisting of wedges, spear-heads of indurated copper, and, curious to say, mingled in the ground with Druidical circles.

Near the camp of King Duncan on the hill of Birnam or Craighuish, the scene is exceedingly wild and desolate, and the pass up to the Highlands is a steep path which has been long known under the name of Houghmanstares. It lies at the north-west end of the Muir of Thorn, about half a mile west of the high

¹ Adamson's *Muses' Threnodie*, vol. i. p. 107.

road to Dunkeld; and near it is a large pond of water called Stare Dam, supplied from the hill of Birnam and the adjacent hills. This place appears to have received the name of Houghmanstares from the punishment of houghing which had there been inflicted on thieves and robbers. "It is so called from the pitiful looks of the houghed thieves left on the spot."¹ This agrees with the origin of the name given in the Muses' Threnodie, which relates that about the middle of the fifteenth century some Highlanders having killed a citizen of Perth, the burgesses flew to arms to take vengeance—

"Which they performe, chaffed in mind like beares,
And do pursue them unto Houghman's staires;
In memorie of this fight it hath the name,
For many men lay there, some dead, some lame."²

To Houghmanstares, where "many were gibbeted," and "which has still the name from the hangman work that was done there," Sir Walter Scott alludes in his *Fair Maid of Perth*, in narrating the skirmish already referred to between Sir William Ruthven, sheriff of Perth, and Cormac of Athole. Sir Walter again introduces a reference to Houghmanstares in the altercation between Henry of the Wynd in his smithy at Perth, and the stranger Highlander, to whom he bore a natural prejudice. "I whistle at my work," said

¹ Explanation of John Drummond at Luncarty Mill, who was born at Dalpowie, near the place, in *Introduction to Adamson's Muses' Threnodie*, vol. i. p. xx.

² Adamson's *Muses' Threnodie*, vol. i. p. 107.

the smith, "whatever comes uppermost, like an honest craftsman, and commonly it is the Highlandman's 'Och hone for Houghman-stares!' My hammer goes naturally to that tune." Sixty years ago this place was perhaps the most desolate of any in the neighbourhood. It was the practice of the drivers and the guards of the mail and stage coaches, when they came to this spot, which they said was the coldest place south of Inverness, to put on an extra outer coat, to enable them to withstand the northern blasts which were here first encountered.

But by the planting of wood, and by improved cultivation, the former bleak and dismal aspect of the district has passed away. Vast improvements have been effected on it by the present proprietor of Murthly. On the south of the base of Birnam Hill, Sir William Steuart has built the beautiful turreted castle of Rohallion. This is a delightful summer residence, beautified by a lake, anciently called Robin's Dam, on the west side, and surrounded with woods and mountains. The whole place is changed since the days of the author of the Fair Maid of Perth, the former desolation being now transformed into a finely wooded mountain scene.

Over a cataract which runs down the south side of the hill of Birnam, Sir William Steuart has built a handsome bridge, which is a very beautiful object as seen from Rohallion. From the bridge itself a fine view of the house and grounds of Rohallion is obtained, as well as of the country, as far as Perth.

Part of Birnam Hill, on the south-east side, is now used as a



THE LAST OAK OF THE OLD FOREST OF BIRNAM

bison park. These wild cattle thrive well, and are properly cared for by Sir William Steuart, who brought the first of them from America about the year 1840, after he had travelled for several years in the Rocky Mountains.

An old tradition exists that an attempt was made during the time that the Abercrombies were proprietors, to establish a seminary of Jesuits at Murthly. Its extensive woods, it was supposed, would afford a hiding-place from the searchings for priests that succeeded the era of the Reformation. But the scheme was discovered, and abandoned shortly before the Abercrombies sold Murthly to Sir William Steuart.

Two specimens of the old forest trees of Birnam still remain. They stand on the south bank of the Tay, near the Birnam Hotel. The one is oak, and the other plane-tree. The former is nineteen feet two inches, and the latter nineteen feet seven inches in circumference at six inches above the soil. They are both majestic trees, and very interesting from their great size and antiquity. A drawing of a part of the oak is here given, from a photograph made in 1867.

On the east side of Birnam Hill are slate quarries, which produce excellent slates, of a beautiful blue colour. Pieces of lead ore have occasionally been found in the hill, incrusting with a quartzose substance. In other parts of the parish there are indications of iron and lead being embedded under ground.

The north side of Birnam Hill is in the parish of Little Dunkeld, and the south side is in the parish of Auchtergaven. The march

between the parishes is formed by a small burn which runs down the south side of the hill, and through the arch of the new bridge built by Sir William Drummond Steuart above Rohallion. From the fact that a part of Birnam Hill is situated in the parish of Little Dunkeld, and another part in the parish of Auchtergaven, the hill is sometimes said to be in both parishes. It rises to an elevation of one thousand five hundred and eighty feet above the level of the sea. On the south side of the hill, wood has been largely planted, and its thriving condition has now rendered pointless the sarcasm of Mr. Tennant, that Birnam had never recovered the march to Dunsinane.

On the hill of Obney, which is on the south-west of the hill of Birnam, are the remains of a vitrified fort, which is called the Castle of Yan. At this fort were probably lighted the signal fires, which could be seen as far as Pitlochrie, and would speedily spread alarm among the mountains of Athole, and from thence to the low country around Perth.

THE OLD CASTLE OF MURTHLY.

On the south banks of the Tay stands the old Castle of Murthly.¹ The oldest part of it consists of a tower, five stories high, which is understood to have been built when the family of Ireland were the proprietors of Murthly. This would make the age of the tower five centuries. The tower is built of stones taken from a quarry situated

¹ There was another Murthly, which was adjacent to the lands of Kintully.—[Agreement, p. 14, No. 11.]



OLD MURTHLY CASTLE.

a short way to the east of the castle, called Gellyburn. It is very hard freestone, of a fine grain, and of an ash colour. The Cathedral of Dunkeld has obviously been built with stones taken from the same quarry, as the stones of the tower of the Cathedral have precisely the same appearance as those in the tower of Murthly. The great bridge of Dunkeld over the Tay, built in the year 1809, is also from the same quarry.

Sir William Steuart of Grandtully, the first Steuart who acquired Murthly, made some additions to the tower; and his son, Sir Thomas, who was the second Steuart of Murthly, considerably enlarged the old castle. The buildings added by Sir Thomas were chiefly on the east of the original tower. The last Sir George Steuart, second baronet of Grandtully, pulled down three courts, which had to be traversed before reaching the inner gate, which, in the time of Sir George, was kept by a dwarf, named Jemmy, obese and deformed, who was a curious specimen of the ancient privileged retainers in Scottish baronial mansions. His duties were to keep the court from weeds, and occasionally to open the second half of the gate. He had read much and could write, and these advantages, which were rarer than they now are, were of service to him. He was summoned from Grandtully to Murthly to take account of the number of the fowls which were to be sent by the tenants as rent. He was also employed to go every post day to bring letters and oral news. For this purpose a white mule was appropriated for his use. Jemmy and the mule were not always on friendly terms. On one

occasion, the mule being somewhat obstinate, he was seen knocking it down under him, and then sitting on its head vociferating terrible abuse, until the animal was subdued, when peace and a lasting affection ensued. The duties now mentioned not being employment enough for the active mind of Jemmy, he took to making his appearance in the dining-room, and sat on the floor, giving his opinion and animadverting with much quickness, sometimes with caustic bitterness, on any remarks he might not like. He used to go into the bedrooms of the aunts of Sir William, the present proprietor of Grandtully, before they were up, and converse with them till it was time to rise. But things changed at the marriage of the late Sir George Steuart, who often tried in vain to get him out of his way, and whom he hated, although he was his master. Occasionally the small servant would not condescend to speak to the Laird. At the funeral of his master, Sir George Steuart, in 1827, a new black kilt had been allowed to the dwarf, and he said that this was the most sensible thing ever done by Sir John Steuart, the heir of Sir George. Eating and making love to lady's-maids became Jemmy's occupation, and he died partly from the loss of his sweethearts, on whom he made verses, and partly from the discountenance of the cook. One of his love sonnets pronounced a lady's-maid to be,

"The sweetest lass that ere was born
Between Archangel and Cape Horn."

The dwarf had saved between £400 and £500 from his ministrations at Murthly.

THE NEW CASTLE OF MURTHLY.

The late Sir John Archibald Drummond Steuart of Grandtully built a new castle at Murthly, a little distant, to the south, from the old castle ; but the mason work only is completed, the interior being entirely unfinished. The new castle, which was planned by the late James Gillespie Graham, architect, is of the Elizabethan style of architecture, and it has a particularly fine effect, the beauty of which is much enhanced by the grand scale on which the grounds in front of the castle have been arranged and planted by the present proprietor. Had it been finished according to the original design, it would have been one of the most splendid mansions in the county of Perth.

THE CHAPEL OF ST. ANTHONY AT MURTHLY.

The mortuary chapel of the Murthly family is situated about 400 yards to the north of the old castle. It has been used by the Steuart family as a burying-place since they came to reside at Murthly. Adjoining it on the west end is a very handsome chapel, in connexion with the Roman Catholic religion, erected by Sir William Drummond Steuart in the year 1846, and called the Chapel of St. Anthony the Eremite.

The designs for the Chapel of St. Anthony, including those for the altar, and other carved work, and the whole architectural details, were prepared, and the execution superintended, by Mr. Gillespie

Graham. The altar-piece and other painted decorations were designed by the late Mr. Alexander Christie, A.R.S.A., and executed by him and his pupils in the School of Design of the Board of Manufactures for Scotland. This chapel, being built on a conspicuous site above the banks of the Tay, forms a beautiful architectural ornament in the landscape, with the old and new castles of Murthly.

In the year 1850, a beautiful volume, in large folio, was published, containing views of "The Chapel of Saint Anthony the Eremitic." In the Introduction, which explains the nature of the work, it is stated that, in the decoration of the chapel, the aid of art has been largely resorted to ; and the series of plates representing the building, and the principal details of its decorations, are believed to be of interest to the lovers of art.

THE GROUNDS OF MURTHLY.

The grounds of Murthly present every kind of Highland and Lowland scenery in the greatest beauty. The views from the summit of Birnam Hill, and also from many resting-places on the north, east, and south sides, are scarcely to be surpassed. They take in Dunkeld and the Athole grounds, and, in the distance, endless forests, with the Tay and lochs here and there diversifying the prospect, the hills of Ben-y-gloe and Ben-y-vrachie, and other lofty mountains, enhancing the grandeur of the scene.

The low grounds of Murthly are ornamented with many broad

grassy terraces along the banks of the Tay, carriage-drives and winding walks. From many parts of the terraces, the eye, on looking up towards Birnam and Dunkeld, is delighted with the great variety and beauty of the scenery, backed up in the distance by the sharp peaks of Craigybarns. A prominent object in this scene is the castellated tower of St. Mary's at Birnam, built about ten years ago by Lord John Manners, M.P., who has displayed great taste in the choice of so excellent a site, as well as in the style of architecture.

THE BARONY OF STRATHBRAN AND CASTLE OF TROCHRIE.

At the time of the encounter between King James the Sixth and John Earl of Gowrie and his brother at Perth, in August 1606, commonly called the Gowrie Conspiracy, Sir William Steuart of Banchry, afterwards of Grandtully, was one of the Gentlemen of his Majesty's Bedchamber, and on that occasion he rendered him valuable assistance. In reward for his services, the King appointed Sir William Captain and Keeper of his Majesty's House of Troquharie in Strathbran, with the orchards and yards, as also Forester and Keeper of the forests, parks, woods, and hanyings of the lands of Strathbran, namely, Torquhak, Cambruach, Caignacullich, and Glenfyndowr, with the moss of Tomnagrew in Strathbran, and forest of Glenshee, and bailie of Strathbran. This gift, which is dated at Holyroodhouse, 16th November 1600, bears that the house, lands, and office of bailiary formerly belonged to John, sometime Earl of

Gowrie, and were then in the hands of the King through his forfeiture.

The lands and barony of Strathbran are mentioned in charters at a very early period. Duncan, sixth Earl of Fife, who was Justiciary of Scotland, married Ada, a niece of King Malcolm the Fourth, and obtained with her in marriage the lands of "Strathbranen" and others, as appears from the Charter of Malcolm, granted in the year 1160, of which the following is a translation :—

"Malcolm, by the grace of God King of the Scots, to the bishops, abbots, earls, barons, justiciars, sheriffs, officers, and all men of his realm, French, English, and Scotch, both now existing and to come—greeting: Be it known to posterity, as well as to those now living, that I have given, granted, and by this my charter, have confirmed to Earl Duncan, and to his heir who shall be born of his wife Ada, my niece, Scradimigglock and Falecklen and Radhulit and Strathbranen, and all my rent of Cattel, in free maritage, in woods and plain, in meadows and pastures, in waters and mills, and in all liberties of town belonging to the same lands: wherefore I will and command that Earl Duncan and his heirs shall have and hold the foresaid lands freely and quietly in free maritage: In presence of these witnesses, Ernest Bishop of St. Andrews, William Abbot of Strevelin, Osbert Abbot of Jedburgh, William brother of the King, Countess Ada, Walter Chancellor, Gilbert Earl of Aneagus, Richard of Moreuil, Odonell of Umphravill, Richard Comyn, Philip of Colvill, William of Burdet, Mathew Archdeacon of St. Andrews, Ness son of the Countess, Orm son of Hugone, Robert of Quinci—at Edinburgh, the seventh year of the King's reign."¹

The lands of Strathbran continued the property of the Earls of Fife down to Duncan the twelfth Earl, who in the year 1345 granted a precept to Robert Steward of Scotland, bailie of all the

¹ From "The History Ancient and Modern, Sir Robert Sibbald, M.D., new ed. Cupar of the Shireffdoms of Fife and Kinross," by Fife, 1803, p. 228.

Earl's lands in Scotland, commanding him to cause to be observed inviolably in favour of John of Ireland the marches of Murthly and Strathurde, as fixed in a charter by the Earl. In compliance with this precept Robert the Steward granted a precept to Duncan, son of Andrew, the chief forester of Brannan, commanding him to cause the marches to be observed in terms of the charter and precept by the Earl.¹

In the charter by King Malcolm the Maiden, above quoted, the lands of Strathbran are included under the name of Strathbranen, which was thus the original name both of the strath and the river Bran, and also of the hill and forest of Birnam. The hill of Brannan terminated the strath of the same name on the north-east; and the name of Brannan continued to be used, under slight variations, for many centuries. Thus, Robert Steward, in a precept to Duncan, son of Andrew, dated 1345, names him as chief forester of Brannan.² This is two centuries subsequent to the grant by King Malcolm the Maiden, and the name of Brannan is still continued.

Wyntoun, in his Chronicle, which was written early in the following century, also continues the name as Brynnane. In the original edition of Shakespeare's *Macbeth*, the poet, slightly varying the spelling and pronunciation, twice mentions "Byrnanee wood" as coming to Dunsinane. In a contract of sale between Sir William Steuart and the Abercrombies, dated 9th, 10th, and 18th July 1615,

¹ Original Charter and Precept at Murthly.
Printed pp. 1-3, Nos. 1, 2, 3.

² Original Charter and Precept at Murthly.
Printed p. 3, No. 3.

among the subjects sold are, "All and hail the forrest and month or hill of Byrnane, with the wodis, schawis, glennis, scheillingis, and wodlandis of the samene, with all thair pertinentis, lyand in the saidis Lordschip of Dunkeld and Shirefdome of Perth." By the same contract a separate portion of the hill of Birnam is sold to Sir William Steuart under the description of "the wode of Byrnane callit the Ringwode."¹

In a charter granted by King Charles the First under his Great Seal, on 1st March 1644, in favour of Sir Thomas Steuart, Knight, fiar of Grandtully, part of the subjects thereby conveyed are described as the wood in Birnan called the Ring; and also the forest and month of Birnan called the hill of Birnan.²

Archbishop Spottiswoode in his History, which was written during the first half of the seventeenth century, in a notice of George Brown, Bishop of Dunkeld, who died in 1514, says that he was a man given much to hospitality, and withal very careful of the Church, for he recovered to the See the lands of Fordel and Muckarsie, with the forest of Birnan, which had been alienated before his time.³

The name of Branen or Birnan was continued in the feudal charters by which the forest was transmitted to the successive proprietors, till the eighteenth century, when the modern name of Birnan was first introduced, and it has now become a fixed popular local name.

¹ Original Extract Contract at Murthly.

² Original Charter, *ibid.*

³ The History of the Church and State of Scotland, fourth edition, folio, 1677, pp. 100, 101.

After the death of Duncan Earl of Fife, King David the Second made grants to William first Earl of Douglas of the lands of Strathurd, Logy, and Strathbran, and again of the lands of Strathurd and forest of Brenan.¹

Duncan twelfth Earl of Fife left an only child Isabel Countess of Fife. Probably in consequence of a claim on the part of the Crown, as appears from the grants to the Earl of Douglas, she resigned the barony of Strathbraun, Strathurde, and others, into the hands of King Robert the Second on 22d June 1389.²

From that date the lands of Strathbran continued the property of the Crown till 1st May 1499, when King James the Fourth granted them to Sir Patrick Hume of Polwarth, Comptroller of Scotland, and ancestor of the Earls of Marchmont.³ In the following year Sir Patrick Hume resigned the half of the lands of Strathbran to William first Lord Ruthven, who had a charter of them from the same King, dated 30th November 1500.⁴

Strathbran continued the property of the Ruthven family until the lands were forfeited by them for their alleged conspiracy against King James the Sixth at Perth, in the year 1600, when the King granted them to Sir William Steuart, as already mentioned.

Only six years after the gift of the office of Keeper of the Forest of Strathbran, King James granted a charter to Sir William Steuart of the lands of Strathbran, comprehending the particular lands therein

¹ Index of Missing Charters, p. 31, No. 43, p. 36, also No. 43.

John Skene, Clerk-Register, A.D. 1581, p. 9.

³ Reg. Mag. Sig., Lib. xiii. No. 384.

² "De Verborum Significatione," by Mr.

⁴ *Ibid.* Lib. xiii. No. 48.

specified, which were then of new erected into a barony, to be called the BARONY OF STRATHBRAN. This charter is dated 16th July 1606.¹

Sir William Steuart, and his son, Sir Thomas, obtained from King Charles the First a charter, dated at Holyroodhouse 20th July 1633, whereby he of new erected Strathbran into a barony.² Another charter, of the new erection of the barony of Strathbran, was granted by King Charles the First to Sir Thomas Steuart on 31st July 1638.³

Sir Thomas Steuart, by a procuratory dated at Murthly, 28th October 1662, empowered Sir James Mercer of Aldie, one of the Ushers of his Majesty's Privy Chamber, to resign the barony of Strathbran into the hands of King Charles the Second ; and a resignation was made at the Palace of Whitehall, in that room called the Privy Gallery in Whitehall, "where the King's Majesty was present in person," on 1st June 1663.⁴ On that resignation a signature was superscribed by King Charles, and doequeted by the Earl of Lauderdale as Secretary of State, dated 4th June 1663.⁵ But it does not appear that a charter was exped in terms of that signature, as no such charter is to be found among the progress of writs of Strathbran. A separate charter may have been considered unnecessary, in consequence of the erection of the barony of Strathbran, with other baronies, a few years after, into the barony of Grandtully, as already explained.

¹ Original Charter at Murthly.

² Original Charter, *ibid.*

³ Original Charter, *ibid.*

⁴ Original Signature at Murthly.

⁵ Original Instrument, *ibid.*

The Castle of Trochrie, in Strathbran, stood on the south bank of the river Bran. It is impossible to say by which of the successive Lairds it was built. It was occupied by Sir William Steuart, who obtained a grant of it in the year 1600 ; and he probably enlarged it for a residence, as his brother, Sir Thomas Steuart of Grandtully, was then alive, and resided at the Castle of Grandtully. Sir William put armorial stones in the castle, but since it was allowed to become a ruin these have been removed, and all that now remains of the castle is a circular tower near the river. This tower bears marks of antiquity. The ruin is preserved from further destruction by the care of the present proprietor. Before his time part of it was taken down to build cottages in the neighbourhood.

When Sir William Steuart was appointed Keeper of the Forest of Strathbran, in the year 1600, as already stated, the greater part of the Strath was probably under wood. Old inhabitants of Strathbran in the last generation said that formerly it was all covered with a thick forest of large oaks, which extended from Dunkeld to Loch Kennard, on the barony of Grandtully, a distance of about ten miles.

THE BARONY OF KERCOW.

Besides the three baronies now described, Sir William Steuart acquired, in or before the year 1627, the old barony of Kercow or Carcoke, which was situated in the parish of Kinclavin and shire of Perth. Kercow was erected into a barony previous to the 15th of May 1387, on which date King Robert the Second granted a charter

in favour of Alexander Barclay of Kercow, of the whole barony of Kercow, which formerly belonged to William of Barclay, his father, reserving the liferent of the father for the whole term of his life.¹

Previous to the acquisition of this barony by Sir William Steuart, it had been the property of Alexander Campbell, Bishop of Brechin. In the east end of the Church of Kinlevin, there is a large monument to the memory of that Bishop as "the Laird of Kerco." The inscription on the monument is now scarcely legible, but a part of it, which can be deciphered, states the marriage of the Bishop's two daughters—the "elder to Sir John Hubleton of Lerwick, and the younger to the Laird of Weem." The Bishop is there recorded to have died in 1608.²

The two co-heiresses of the Bishop appear to have sold the barony of Kercow soon after his death. In the year 1627, Sir William Steuart had acquired that barony. On the occasion of the marriage of his eldest son, Thomas Steuart, with Grizel Menzies in that year, Sir William became bound to resign the barony of Kercow in favour of his son Thomas and his spouse, and the heirs-male of their marriage. Resignation was made in the year 1644, when King Charles the First granted a Charter of Novodamus, erection, and annexation, under the Great Seal, in favour of Sir Thomas Steuart and his spouse. The old barony of Kercow, and also the patronage of the Chantry of Dunkeld, the Kirklands of Kinlevin, the lands of Easter and Wester

¹ Original Charter at Murthly. Printed
vol. i. p. 3, No. 4.

² Second Statistical Account of Scotland,
vol. x. p. 1136.

Inchewans, the Ringwood of Birnam, the lands of Wester Balnagaird, the Tor, the forest of Birnam, the Manse of Ferne in the city of Dunkeld, the lands of Sloginhole, the Obnies and Wester Burnbane, Deanshaugh, Bellichragane, Milltown of Innercochill, and others, were all united into one free barony, to be called the Barony of Carcoke (Kercow).¹

The barony of Carcoke or Kercow, thus extended, was united to the barony of Grandtully in the year 1671. The Honourable Sir John Drummond of Logiealmond, who married Grizel, daughter of Sir Thomas Steuart of Grandtully, obtained from the latter a right to Findowie in Strathbran, and to the barony of Kercow, as dower, or as security for dower. Kercow descended to the late Sir William Drummond of Logiealmond, and was sold by him to the grandfather of General Richardson Robertson of Tullybelton, the present proprietor of the old barony of Kercow.

THE ABTHANERY OF DULL.

As the lands of Grandtully, Kyltullyth, and Aberfeldy were situated in the Abthanery of Dull, it may not be out of place to give some explanation of abthanes and abthaneries, the existence of which in Scotland at a very early period is rendered certain from many ancient documents, but about which inquirers into Scottish antiquities have been somewhat divided in opinion.

The following additional notices of the Abthanery of Dull may

¹ Original Resignation. Charter, etc., at Murthly.

here be introduced. In a confirmation without date, granted by the Chapter of the Church of Dunkeld, of the donation of the Church of Dull, with its tithes and oblations, made by Hugh Bishop of Dunkeld, who flourished in the reign of King William the Lion, to the Priory of St. Andrews and the canons thereof, reservation is made of a rent of 20s. which fell to the Chapter of the Church of Dunkeld from the Abthantry (*de abthania*) of Dull.¹ A charter of the office of Bailiery of the Abthantry of Dull, in Athole, was granted by King David the Second to John Drummond. A charter was also granted by the same monarch to Donald Macnayre of the lands of Easter Fossache, in the Abthantry (*in abthania*) of Dull, in the shire of Perth.² In an Account of Thomas de Walehop, Sheriff-depute of Perth, of the contributions of that shire, dated 16th February 1373, are included £5 received by contribution from the land of Glenlyune, which is within the Abthantry of Dull. It is added, "Nor is there any thing from the Abthantry of Dull, because Sir Alexander Stewart intromitted with the said abthantry, nor did he permit taxation to be made and contributions to be levied for the King's necessity."³ Robert Duke of Albany, Earl of Fife and Menteith, Chamberlain of Scotland, received heritably yearly, according to a charter granted him by the King, 204 merks, or £136 Scots, for the land of the Abthantry of Dull. In the accounts of that Chamberlain, rendered at Perth in the years 1397, 1398, 1400, 1403, and 1404,

¹ Registrum Prioratus Sancti Andree, p. 296.

² Robertson's Index, pp. 46, 53, 90.

³ Accounts of the Great Chamberlains of Scotland, vol. ii. p. 71.

under the head of expenditure, is regularly entered the payment of a part or of the whole of that sum to the Duke, in terms of the charter.¹

It has been supposed that there was formerly an abbey or monastery in the parish of Dull, from which the Abthanery of Dull had its origin. The author of the history of the parish of Dull, in the Second Statistical Account of Scotland, argues, from various circumstances, that an abbey was anciently established in that parish. "The religious structure," he says, "we imagine to have been an abbey or monastery of a useful class of monks, being likely of the order of Tyronenses, who had here a college of industrious artisans, in which were to be found smiths, masons, joiners, etc. This conjecture is not only borne out by the names of different localities in and about the village of Dull, for which there existed no justifying cause, from time immemorial, such as *Sraid nan Gaibhnean*, *Sraid nan Clachairean*, etc., *i.e.*, the smiths' street, the masons' street, etc.; but there also existed, and still exists, a popular tradition in this country, that a college was established here at a very early period, but which was afterwards transferred to St. Andrews, a tradition which is so far founded upon fact, that Hugh Bishop of Dunkeld granted the Monastery of Dull to the Priory of St. Andrews by charter, upon condition of 'redditu viginti solidorum qui nos et clericos nostros contingit de Abthania de Dull.'

"The church or chapel attached to this establishment was dedi-

¹ Accounts of the Great Chamberlains of Scotland, vol. ii. pp. 415, 418, 481, 599, 605, 673.

cated to St. Ninian, the companion of St. Columba, and one of the fathers of the Scottish Church, but there is not a vestige of it now to be seen. There is a heap of ruins in the field below Dull, which is said to be the remains of the Abbey Church, but whether it is that or the ruins of a pit or tolbooth which was connected with the monastery, as was frequently the case in those times, is now entirely a matter of conjecture. The name of the locality tends to confirm the latter supposition, being still called *Ach an Toll-buth*, or the 'tolbooth's field.

“Dull had, and still has, what was then considered indispensable in all places of importance, a market cross. It is a tall time-worn stone, placed in a large round socket of the like material, and stands in the centre of the village. The most remarkable privilege attached to the monastery was perhaps connected with the erection of this obelisk or cross. A considerable part of the surrounding ground was constituted into a sanctuary, or sort of holy-rood, where debtors and offenders of all sorts were secured from molestation on fleeing to the above cross or its inviolable precincts.”

It was the church, not the monastery of Dull, as stated in the preceding quotation, which the Bishop and chapter of Dunkeld granted to the Priory of St. Andrews. In regard to the jurisdiction which that Priory exercised over the Church of Dull, it is recorded that, at a Court held, 14th February 1264, in the reign of Alexander the Third, by the Prior of St. Andrews, at Dull, in Athole, near a great rock on the west side of the house of Thomas, vicar, Kolinus, son of Anegus, shoemaker, and Bridin his son, and Gylis, the brother of the same

Kolinus, rendered homage to the prior and convent as their lieges. The persons in whose presence this was done were Maurius called of Dull, Ricardus called of Pethkery, canons, Thomas, then vicar of Dull, Rothryothir, Duncanus, clerk, called Makmulethir, Nicholaus Makduncan, Makbeth Makgilmichel, Ewanyn judex, Gilcolinus Makgugir, Makbeth Makkyneth, Kennauch Makyny, John son of Rothry, Makrath, priest, and many others whose names are unknown.¹ These witnesses form a list of curious names, in which it is observable that the prefix *Mac* predominates; and the "many others whose names are unknown" had probably patronymics as uncouth and unpronounceable as those here given.

Besides the Abthanery of Dull, other abthaneries are noticed in various charters, such as those of Kilmichael, Madderty, Monifeith, etc.

Mention is made of the land of the Abthanery of Kilmichael, in Strathardolf, in an agreement between the Abbot and Convent of Dunfermline on the one part, and John of Inchemartyn, son and heir of the deceased Sir Alexander of Inchemartyn, on the other, about the year 1279, in the reign of Alexander the Third. To compose the dispute between these parties with regard to the land of the Abbe-thayn of Kilmichael and of Lereuach, which the said abbot and convent claimed as belonging of right to their church of Strathardolf, it was, by the mediation of common friends, agreed between them that the abbot and convent should renounce in favour of John of Inchemartyn and his heirs all right and claim which they had or could

¹ Registrum Prioratus Sancti Andree, p. 349.

have on the said land, (the tithes, oblations, etc., which by the canon law are due to the parochial church, being reserved,) for three merks sterling, which the said John and his heirs should pay annually to the abbot and convent from the foresaid land of Abbethayn at two terms annually, namely, one half at Pentecost, and the other half at the feast of St. Martin, the first term of payment beginning at Pentecost, in the year 1279.¹

The following charters relate to the land of Machranin, anciently called Abbacia, and to the Abthanery of Madderty. Gilbert Earl of Stratheryn granted a charter, without date, but between the years 1171 and 1214, for the welfare of his own soul and the souls of Matilda Countess of Stratheryn, his spouse, and of his father and mother, and his heirs, to the Church of St. John the Apostle and Evangelist of Inschaffrin and the canons thereof, of various lands, including that whole land of Machranin, *que antiquitus Abbacia vocabatur*.² King William the Lion, on 5th April, (year not given,) granted to the Church of St. John of Inchaffery, and to the canons thereof, that donation which Gilbert Earl of Strathern made to them of that land of Maddirdyn, which was anciently called Abthane, as a free and perpetual alms.³ From comparing these two charters, it would appear that, if the lands of Machranin and Maddirdyn are the same, abbacia and abthania were, in remote times, synonymous terms. Abbacia may have been the original name which was applied to the lands

¹ Registrum de Dunfermlyn, p. 144.

³ Registrum de Inchaffery, p. 71.

² Registrum de Inchaffery, p. 26.

belonging to a monastery or abbey¹—probably a Culdee or Columbite establishment—and after the introduction of the term *thane* to denote the holder of certain lands from the Crown, *abthane* was gradually substituted for *abbacia*, to denote lands which were the property of an abbey. John Bishop of Dunkeld, who was bishop of that diocese in 1211, granted and confirmed to the same monastery “our land in Maddyrdyn, which land is called Abthane, at the request of Earl G[ilbert] of Stratheryn, and of his brother M[alisius], for redemption of the souls of us and our ancestors, and of the foresaid Earl G[ilbert], and his ancestors.”² Hugh Bishop of Dunkeld, who succeeded the preceding Bishop John, for ever freed the abbot and canons of the same monastery from the cane and custom which the clergy of the church of Dunkeld had been wont to receive at Maddirdyn, which *Scotice* is called Abthane.³ Galfrid Bishop of Dunkeld confirmed, 1st January 1238, the donations made by his predecessors, bishops of Dunkeld, to the same monastery, of the Church of Maddirdyn and of the land which is called Abthane of Maddirdyn, and of exemption from the cane and custom which the clergy of Dunkeld had been anciently accustomed to receive from that abthane, the bishop reserving to himself and his successors only one mark of silver annually from the same abthane.⁴ Similar confirmations in relation to the Abthanery of Madderty were made by other bishops of Dunkeld.⁵

¹ On the same principle bishoprick was applied to lands belonging to an Episcopal see. Thus a part of the parish of Little Dunkeld was called “the Bishoprick,” from the lands

included in that district having originally belonged to the see of Dunkeld.

² *Registrum de Inchaferry*, p. 73.

³ *Ibid.* p. 73. ⁴ *Ibid.* p. 72. ⁵ *Ibid.* pp. 74-77.

The Abthanery of Monifeith is also referred to in several charters. About the year 1220, Malcolm Earl of Angus granted to Nicholas, son of Bricius, priest of Kerimure, and his heirs, the land of the Abthein of Monifod (Monifeith), with mills, waters, fields, pastures, muirs, marshes, fishings, etc.; and this grant was confirmed by his daughter Maud or Matilda, who, on his death, became Countess of Angus, about 1242. In 1310, Michael de Monifeith, lord of the abthanery (*dompnus abbathanie*) thereof, bound himself to pay to the Abbot and Convent of Arbroath 6s. 8d. sterling for the toft and croft which he held of them in the territory of the foresaid Abthanery (*abthanie*) of Monifoth, together with half a boll of mustard seed.¹ The Abthanery of Monifeith seems here to be the same lands which, in a charter, about 1242 or 1243, were granted by Maud Countess of Angus to the monks of Arbroath, namely, "the whole lands to the south of the church of Monifod, which the Culdees (Kelledei) held in the lifetime of her father, with the whole croft on the east side of that church, for a free and perpetual alms."²

But besides the abthaneries now mentioned there were probably others in Scotland, or at least other lands to which the term abthane was applied. King William the Lion, in his great charter in favour of the Monastery of Arbroath, dated Selkirk, 25th May, (year not given but between 1211 and 1214,) confirmed to it various lands and churches, as a free and perpetual alms, including "the Church of St. Mary of Old Munros (Montrose), with the land of that church, which

¹ Liber S. Thome de Aberbrothoc, pars i. p. 278.

² *Ibid.* pars i. p. 82.

in Scotch is called Abthen."¹ The land here called Abthen appears to be what is called "terram abbacie de Muuros," in the charter which King William granted to Hugh de Roxburgh, the Chancellor, in life-
rent, to be held of the Monastery of Arbroath, for rendering three stones of wax.² If this supposition is correct as to the identity of the lands, the terms Abthen and Abbacia are here again, as in the previous instance, applied to the same lands. The monks of the Priory of St. Andrews also acquired the Abden of Kinghorn, which was contiguous. There were lands called Abden adjoining the churches of Ratho, Kettins, and Blairgowrie, and probably also the Monastery of Lindores, situated on the banks of its beautiful and romantic lake.³

The preceding documents serve to show that the term abthane was used to designate lands which were the property of, or connected with, an abbot or abbacy, perhaps a Columbite or Culdee establishment, under the management of its abbé or superior, for behoof of the whole brotherhood. Mr. Skene, who had been able to trace only three abthaneries in Scotland, namely those of Dull, Kilmichael, and Madderty, supports a very skilful theory, on the ground that these were the only abthaneries in Scotland. These, he argues, were the only three, because possessed by King Edgar's youngest brother, Ethelred, Abbot of Dunkeld, who received from Edgar three thanedoms, which, in consequence, were called abthanedoms, and to an

¹ Liber S. Thome de Aberbrothoc, pars i. p. 4, et pars ii. p. 539.

² Liber S. Thome de Aberbrothoc, pars i. p. 67.

³ Miller's Arbroath and its Abbey, p. 27.

abbot of the royal blood only would such a munificent gift be appropriated. But the abthanery of Monifeith, and others since discovered, tend to shake Mr. Skene's reasoning, founded on the assumption that there were only three abthaneries in Scotland.¹

With these abthanes or abthaneries, an office was connected. Michael de Monifeith, as we have seen, was Lord of the Abthanery of Monifeith. Murdoch Steward of Scotland, in a testimonial granted by him at Perth, 20th May 1392, bears the designation of Lord of Apthane,² which seems to denote an office relating to abthane lands. In the charter granted 30th March 1414 by Archibald Earl of Douglas, the Lord Superior, to Alexander Stewart, son of Sir John Stewart of Lorn, Knight, upon the resignation of the latter of the lands of Grandtully, Kyltullyth, and Aberfeldy, in the Abthanery of Dull, these lands were to be held of the granter, for the reddendo specified as due to him, and for rendering to the lord of the Abthanery of Dull the services used and wont.³ The lord of the Abthanery of Dull was certainly not the proprietor of these lands, but he had certain rights in them distinct from those of the proprietor and also from those of the lord superior. The Earl of Douglas, at the same time, granted a precept to his bailie of all his lands "infra Aphaniam de Dull," for infesting the grantee in the lands mentioned in the Earl's charter.⁴ These documents seem to lend some support to the opinion of

¹ The Highlanders of Scotland, vol. ii. pp. 132, 136, 137.

² Vol. i. pp. 143*, 183*, Nos. 84*, 106*.

³ Vol. i. p. 4, No. 5.

⁴ Vol. i. p. 7, No. 6.

Chalmers, author of *Caledonia*, the accuracy of which has been often questioned, that the term *abthane* denoted an office, that it meant the abbot's thane, in distinction from the king's thane, and that he was an ecclesiastical bailiff or steward.¹ The fact that *abthane* is generally applied as descriptive of land, and not of a person or office, has led some to conclude that it never denotes an office. But the documents now quoted would seem to show that such a conclusion is not well founded. A lay *abthane* as owner of an *abthanery*, either hereditary, or for a term of years, had no doubt certain duties to perform, some of which were analogous to those now discharged by official persons, such as sheriffs and stewards over certain districts of land, in which, however, they have no ownership. An *abthane* may thus be regarded both as an owner of land, and also as an officer, and thus the conflicting theories in regard to the real position of an *abthane* may be reconciled. The subject is confessedly obscure, and it has been frequently discussed by such as apply themselves to inquiries of this description.

Fordun, in noticing the marriage of Crinan Abbot of Dunkeld with Beatrice, daughter of Malcolm the Second, the issue of which was Duncan, who succeeded his maternal grandfather, and who was murdered by Macbeth, styles him "*Abthanus de Dull*." "In some annals," he says, "Crinan is mentioned, from a mistake of the transcriber, as Abbot of Dull, when *abthane* would have been the more correct designation." And he understands *abthane*, which he derives

¹ Chalmers's *Caledonia*, vol. i. pp. 456, 718.

form *abba*, father, and *thana*, numerans, as the superior officer of all the king's thanes, or a chamberlain who managed the king's rent and treasury.¹ This explanation is now generally admitted to be incorrect : for though there may have been an officer holding the position of the head of all the royal thanes, who would be simply identical with Lord High Steward or Seneschal, there is no ground whatever for believing that abthanus was the name given to that officer. Pinkerton, in commenting on this passage of Fordun's History, not only objects to that historian's explanation of abthanus, but denies even the existence of the Abthantry of Dull. "Who ever heard," he asks, "of an abthane? and who knows not that Dull, a village, could not give a title which was in that age territorial?"² Pinkerton had evidently not investigated this subject, nor had he seen any charters relating to it. Mr. Skene, in his *Highlanders of Scotland*,³ supposes that Fordun may have applied the designation of abthanus to Crinan by anachronism, before the title came into use, which he takes to have been in the reign of Edgar, because Crinan possessed that extensive territory which was afterwards called the Abthantry of Dull. Mr. Robertson maintains that Fordun was wrong in correcting the title of Abbas given to Crinan into Abthanus. "The contemporary Tighernach," he says, "Wyntoun, and the author of the Chronicle in the Reg. Prior St. And., (Imes, Ap. 5,) were ignorant that Crinan was known under any

¹ Fordun's History, Lib. iv. cap. 43, 48.

² Pinkerton's Enquiry into the History of Scotland preceding the reign of Malcolm III., vol. ii. p. 193.

³ Vol. ii. p. 137.

other title but that of Abbot." He adds, "Though *Abthanages* are to be met with in the charters, I have never yet chanced to light upon an *Abthane*. Such a name in fact would have been simply applicable to the maor of an abbot instead of the king,—the holder of an ecclesiastical thanage."¹ But abthane occurs in several of the charters above quoted.

The terms abthane and abthanery are derived from the Teutonic word thanage, which appears to have been a district held of the crown, and the holder of which was called a thane. But the Saxon names, thane and thanage, when applied to Scottish institutions, did not exactly express the same thing as in England. The Saxon thane held by a military service, while the Scottish held in feu-farm. A recent writer on the early history of Scotland, who has been already quoted, maintains that in Scotland a thane did not simply mean a landed proprietor, who held his lands of the crown. That he was different from the lord of the soil, appears from a deed by which King William the Lion, for the enforcement of the payment of tithes throughout the diocese of Moray, ordered that "if a villein will not pay his tithes, the thane under whom he is placed, or his lord, if he has one, shall distrain," etc., from which it is manifest that the thane, though invested with authority over the villeins, was not the proprietor of the lands tilled by the villeins.² A Scottish thane was a royal official placed over the crown or fiscal lands, or districts in immediate dependence

¹ Robertson's *Scotland under her Early Kings*, vol. i. p. 111.

² *Ibid.* vol. ii. p. 444.

upon the crown, the collector of the royal rents, accountable for the appearance of the royal tenantry at the yearly "hosting," and the magistrate or chief man of the district committed to his charge.¹ Buchanan incidentally notices in his History that in his time thanes of districts began to be called Stewards.²

Such being the meaning of the words thane and thanage, the terms abthane and abthanery came to be applied to such lands as originally belonged to an abbot or abbey, and abthane or lord of abthane, or lord of an abthanery, also came to express the person who had the management of such lands, their rents, and other rights connected therewith, for behoof of the ecclesiastical establishment to which they were attached.

From the loss of ancient records it is difficult, or impossible, now to determine with perfect accuracy the time when these terms were first introduced into Scotland. An influx of Saxons into Scotland took place in and subsequently to the reign of Malcolm the Third (Canmore), who was established on the Scottish throne by an English army, his reign beginning 3d April 1057, and ending 13th November 1093. But the reign of Edgar (lawful son of that monarch), who, after having for some time found refuge in the Court of England, was also placed on the throne of Scotland by the assistance of the English (1098), three years after the assassination of his brother, Duncan the Second, (natural son of Malcolm the Third,) by Mac-

¹ Robertson's *Scotland under her Early Kings*, vol. i. p. 103.

² vii. 86. Quoted in the *Book of the Thanes of Cawdor*, Preface, p. xi.

pendar, Earl of Mearns, at the instigation of the usurper Donald the Seventh, has been more particularly regarded as the era when this name was first applied to Scottish institutions. It may, however, be doubted whether so much was done during the reign of Edgar, which was comparatively short, having been nine years and six months, in Saxonizing Scotland, as has been sometimes represented. What has been said on this subject is rather conjecture or theory than well-ascertained historical truth.¹

It is a remarkable fact that thanedoms and abthaneries are rarely to be met with in the south of Scotland; they are to be found mostly in the shires of Perth, Angus, Mearns, Aberdeen, Banff, and Moray, the reason, it is supposed, being that at a subsequent period—in the reign of King David the First, (1124-1153,) who, from his strong partiality for Norman institutions, introduced them into Scotland—the lowlands were rapidly and extensively occupied by settlers from England, bearing the Norman title of barons, which supplanted that of thanes, while the titles ofthane and thanedom retained their place in the northern parts of the kingdom, which were but slightly affected by the changes introduced by that King into the south of Scotland.

¹ Robertson's Scotland under her Early Kings, vol. i. p. 185.

THE FAMILY OF STEUART OF GRANDTULLY.

THE EARLY LAIRDS, A.D. 1400-1600.

IN a preceding part of this Introduction, it has been shown that the ancestor of the Grandtully family who first held Grandtully as a separate estate was Alexander Steuart, fourth son of Sir John Steuart, Lord Innermeath, who died on 26th April 1421, leaving four sons. The eldest son of Sir John was Robert Steuart, Lord of Lorn, who was the ancestor of the Lords Lorn and Innermeath. His male descendants failed in 1625, on the death of James seventh Lord Innermeath, when the male representation devolved on the descendants of the younger brother of Robert, who was Sir James Steuart, the Black Knight of Lorn. He was the ancestor of the Earls of Athole, Buchan, and Traquair—all of the surname of Steuart. The male descendants of the Black Knight of Lorn failed on the death of Charles Earl of Traquair in 1861. A reference to the Genealogical Table will show these descents, and also that the next in order of succession to the line of the Black Knight was the Grandtully Family, sprung from Alexander Steuart, his immediate younger brother.

The eight successive generations in this line, from Sir John the first of Grandtully to William the ninth Laird, present few materials for memoirs of their personal history. They lived at an era too early for the preservation of their correspondence, and the notices of them are chiefly confined to the charters of their landed possessions.

Alexander Steuart, who first held Grandtully as a separate estate, appears to have been a person of considerable position. As already shown in the history of the Barony of Grandtully, he was the cousin and shield-bearer of Archibald fourth Earl of Douglas, afterwards Duke of Touraine, in France. On the resignation made by his father, Sir John Steuart, Lord of Lorn, Knight, he obtained from the Earl of Douglas a charter, dated 30th March 1414, of the lands of Garnetully, Kyltullyth, and Aberfeldy, in the Abthanery of Dull. The Earl styles Sir John his beloved cousin, and he also styles Alexander his beloved shield-bearer and cousin. The charter bears that the resignation had been made in the presence of the Duke of Albany, Governor of Scotland. The lands were to be held by Alexander Steuart and the heirs-male of his body, whom failing, by his father, Sir John, and his heirs whomsoever. Alexander was taken bound to render service to the Earl of Douglas at his courts on the hill called the Court Hill, which the Earl thereby reserved for holding his courts. The grantee was also bound to render to the Lord of the Abthanery of Dull the services used and wont. This charter is dated at Stirling, and the witnesses are the Duke of Albany, the Governor of Scotland, Sir John Steuart, Earl of Buchan, Chamberlain of Scotland, Robert Steuart of Lorn, and Sir William Borthuik, Knight, cousin of the granter. A facsimile of this charter, which is still entire, and to which the seal of the Earl of Douglas is appended, has been made for the present work ; and a separate engraving of the seal, which is a specimen of the many fine seals of the Earls of Douglas,

is annexed to the print of the charter.¹ In the centre of the seal is the figure of a savage holding in his right hand a club and a shield with the armorial bearings of Douglas quarterly, first, a human heart, and on a chief three mullets for Douglas, second, a lion rampant for the Lordship of Galloway, third, three mullets for Murray of Bothwel, and fourth, a saltire and chief for Annandale; and holding in his left hand the helmet, from which issues the crest, a plume of feathers. In the field is a monogram, probably A. D., for Archibald Douglas, thrice repeated. The legend on the margin of the seal is "S[igillum] Archibaldi comitis de Douglas, D[omi]ni Galivydie et Vallis Anandie."

Two years after, Alexander Steuart, having thus been provided to Grandtully, married Margaret Hay, sister of John Hay, Lord of Tullibody, in the county of Clackmannan, who, on 15th July 1416, granted to him a charter, in which he is designed son of Sir John Steuart, Knight, Lord of Lorn, of the lands of Banchrie, in the barony of Tullibody and shire of Clackmannan. The charter bears that the lands formerly belonged to Christiana of Mure, and had been resigned by her.² John Hay, Lord of Tullibody, also granted, on 28th July 1416, an obligation to Alexander Steuart, who is therein designated "my luffit frende Alisandyr Stewart, Squier," for £126, 13s. 4d. Scots, "because of maryage of Margarete my sistyr with him."³

Robert Duke of Albany, Governor of Scotland, confirmed the

¹ Vol. i. p. 6.

² Original Charter at Murthly. Printed, vol. i. p. 4, No. 5.

³ Original Obligation at Murthly.

charter by John Hay to Alexander Steuart, by a charter dated 19th July 1419, in which John Hay is referred to as then dead.¹

In addition to the lands of Grandtully and Banchrie, Alexander Steuart acquired the lands of Carnbo from Christiana of Mure, Lady of Brintschelis, in her pure widowhood, by a charter dated 1st June 1419.² The charter bears to be granted for the counsel and assistance thankfully and often rendered to the granter.

These transactions show that Alexander Steuart was a person of considerable importance.³ The lands of Grandtully and Kiltulloch which he acquired still form part of the barony of Grandtully. But the lands of Aberfeldy were sold by Sir Thomas Steuart in the seventeenth century to the ancestor of the Earl of Breadalbane, who is the vassal of the present proprietor of Grandtully in these lands. The lands of Carnbo continued to be possessed by the Grandtully family till within the last few years, when they were sold, to enable the present proprietor to acquire the lands of Stenton, which adjoin the barony of Murthly.

Thomas Steuart, who succeeded his father, Alexander Steuart, as the third Laird of Grandtully, is named in the charter of entail made

¹ Original Charter at Murthly.

² Original Charter, *ibid.*

³ The high consequence of the family of Grandtully in ancient times cannot be more fully exemplified than by the following fact, that a farm belonging to the family, in the now united parishes of Fossoway and Tullibole, although it lies in the centre of the barony of Carnbo, commonly called Carnbo-

Stewart, which was disjoined from Perthshire and added to Kinross, still belongs to the county of Perth, in which, as is supposed, it was retained, that the whole property of this family might be kept in that county, where their principal estates were situated.—[The Baronetage of Scotland, in British Family Antiquity, by William Playfair; London, 1811.]

by John second Lord Lorn, in the year 1452, of the lordship of Lorn and barony of Innermeath, etc. He is therein substituted after the Black Knight, and is called cousin to Lord Lorn.

The fourth laird of Grandtully was Alexander Steuart, who was served heir to his father Thomas on 2d June 1462. King James the Third, by a writ under his sign-manual and privy seal at Perth, 8th July 1470, for the great favour he bore to the blood and surname of Steuart, not wishing that the heritage to which Alexander Steuart of Grandtully was born should be given away from the surname, thereby invested John Steuart, his eldest son, in fee in the lands of Grandtully; and that they might remain with his surname, also granted that, should the decease of Alexander Steuart occur while his son was in his minority, his mother, Mald Steuart, and her father, John Steuart of Rannoch, and her brothers, and whomsoever she should be pleased to appoint, should have the tutory and keeping of her son till he attained majority. The original grant at Murthly is thus subscribed—

William Steuart, the ninth laird of Grandtully, having been provided by his father to the lands of Aberfeldy, was afterwards, during his father's lifetime, designated of Aberfeldy. This provision was probably made on the occasion of his marriage with Lady Isobel Steuart, daughter of John Earl of Athole. On 25th March 1552, William Steuart resigned the lands of Aberfeldy into the hands of Queen Mary, for new infeftment to be made in favour of himself and Isobel Steuart, his spouse.¹

The early lairds of Grandtully do not appear to have been actively engaged in public affairs ; and there is little to record of their connexion with State transactions. William Steuart, the ninth Laird of Grandtully, was a member of the Parliament or Convention held at Edinburgh on the 1st of August 1560, by which the Protestant religion was established.² In this Parliament the Confession of Faith, as professed by the Protestants of Scotland, was publicly read, ratified, and approved as wholesome and sound doctrine.

A tradition exists that William, the second son of this laird, at the time of the Reformation, went up to the high altar of Saint John's Church in Perth, and pulled down the altar and all the ornaments. The tradition adds, that such was the unwillingness of the people to violate the sanctity of the sacred altar, that no one could be found to undertake it but the son of the Laird of Grandtully. But the probability is that this act, if performed at all, was performed

¹ Original Resignation at Murthly.

² Acts of the Parliaments of Scotland, vol. ii. pp. 525-6, *et seq.*

by this laird himself, who appears to have entered warmly into the Reformation movement. His second son, William, was born only in the year 1567; and the Reformation having been practically accomplished seven years previously, and the iconoclastic scenes enacted at Perth having taken place at a period even earlier, the son could not have taken any part in them. This laird of Grandtully lived till the year 1574.

These early lairds of Grandtully made good matrimonial alliances with the families of Avandale, Athole, Tullibardine, Menzies, Mercer, and other Perthshire families.

With Sir Thomas Steuart, the tenth Baron of Grandtully, the family letters commence. Few of these letters, however, have reference to public affairs, or even to the personal history of the writers. In two published histories of the family of Grandtully, it is said that Sir Thomas Steuart was one of the Commissioners appointed by Queen Mary in the year 1568 to meet at York with the Commissioners appointed by Queen Elizabeth, and the statesmen selected as the adherents of Regent Murray.¹ That Sir Thomas was a Commissioner for Queen Mary on the occasion referred to, is an old tradition in the Grandtully family, and in confirmation of this it has been alleged that one of two portraits of the Scottish Queen preserved in the family was presented by her to Sir Thomas Steuart, in recognition of the services which he rendered to her as a Commissioner at York.

¹ History of the Surname of Stewart, by Duncan Stewart, Edin., 1739, p. 185; Baron- age of Scotland, by Sir Robert Douglas, Edin., 1798, p. 486.

No written evidence of the appointment of Sir Thomas as a Commissioner, nor of his acting as such, exists among the Grandtully Muniments. At the time of the appointment of these Commissioners, he was not Laird of Grandtully, as his father was then alive, and continued to be proprietor of Grandtully till his death, in 1574. Sir Thomas, the heir-apparent of Grandtully, may, however, have been appointed and have acted as a Commissioner for her Majesty along with the Bishop of Ross, and several others of her adherents, although the documentary evidence of the facts may not now be forthcoming.

When an examination of contemporary chronicles was made for the names of the Commissioners, and the record of their proceedings, the following notice was discovered: "Wpoun the xxv day of the said moneth (March) 1570, the Laird of Gairtullye come from Ingland, fra the Queenis grace of Scotland, to my Lord of Mar and otheris lordis, for retaining and keeping of her son in Scotland, and to adheyir to hir and hir assistaris within this realme; and assurit thame gif thai wald nocht, that the King of France and hir freindis wald reunge hir caus, and put hir in hir awne auctoritie in contrair thair myndis and willis, and that soner nor they belevit."¹

In the same work the names of the Commissioners are given under the date 2d October 1568, as John Bishop of Ross, Gavin, Commendator of Kilwinning, John Lord Herries, William Lord Livingstone, Thomas Lord Boyd, the Lairds of Lochinvar, Scirling, Roslin, and "Gartullie Barclay."²

¹ Diurnal of Occurrents in Scotland—Maitland Club, 1833, p. 139.

² *Ibid.*

The Laird of Gartullie Barclay, at the date in question, appears to have been George Barclay of that Ilk, who, on 24th October 1556, received from the Bishop of Moray a lease of the teinds of the parish of "Grantuly."¹ The Barclay family were proprietors of Grantully, in the parish of that name, now called Gartly, and shire of Banff, from an early period. Andrew de Barclay, Lord (Dominus) of Grantully and Birkquhill, is a witness to the homage made by Hugh Fraser, Lord of Lovat, to Alexander Bishop of Moray, on the 12th of December 1367.² Two years after, the same Andrew Barclay, Lord of Garnetoly, granted a charter to William of Leith of his lands of Drumrossy in the Gairoch.³

The Castle of Grantuly, or Gartly, continued to be the residence of the Barelays down to and after the days of Queen Mary. The castle is now a ruin, consisting only of a square tower. Queen Mary, on her return from an excursion to the shires of Inverness and Ross, repassed through the country of the Gordons, and remained a night at Gartly.⁴

It is thus evident that the Commissioner for Queen Mary, who is designated "Gartullie Barclay," was George Barclay, Laird of Gartully, in the county of Banff, and not Sir Thomas Steuart, then younger of Grantully. This is only one instance among many of the frequency with which old family traditions prove fallacious when critically tested by contemporary authentic evidence.

¹ Registrum Episcopatus Moraviensis, p. 407.

² *Ibid.* pp. 368, 369.

³ Collections on the Shires of Aberdeen and Banff, vol. iv. p. 720.

⁴ Second Statistical Account of Scotland, Parish of Gartly, vol. xiii. p. 97.

Sir Thomas Steuart was a person of considerable influence. Archibald seventh Earl of Argyll, father of the Marquis, entered into a bond of manrent, dated 5th April 1603, to his well-beloved cousin Sir Thomas Steuart, whereby the Earl bound himself to defend him, and to come to Grandtully with his forces, when necessary, for that purpose.¹

The successor of Sir Thomas Steuart was his only brother, William Steuart, who, from his long official connexion with King James the Sixth, was in a position to have made a history for himself. But, unfortunately, few of his letters are now preserved. In the history of the baronies of Grandtully, Murthly and Strathbran, which were acquired by William, some notices of him have necessarily been given in referring to the grants of these baronies. He was very prosperous both in his family and in his possessions. His success in life was, no doubt, so far attributable to his connexion from infancy with King James the Sixth. The King was born in the year 1566, and in the same, or in the following year, William Steuart was also born. The King was crowned on the 29th of July 1567, when he was little more than one year old. In a grant of a pension by King James the Sixth to William Steuart, dated 26th November 1602, it is expressly said to be granted for his long, true, and thankful service done to the King continually "sen his Hienes coronatioun."²

From this statement it is obvious that William Steuart had

¹ Vol. i. p. 106, No. 55.

² Register of Privy Seal.

been selected as a companion for the King even when both were infants. He became a page of honour to his Majesty, and King James, "for the gud, trew, and thankfull seruice done to ws be our weilbelouit Williame Stewart, oure page of honour," brother to Sir Thomas Stewart of Grandtully, knight, granted him, under the Privy Seal, 8th February 1585, a gift of a yearly pension for life of three hundred merks Scots, to be uplifted by him from the feu-farm, feu-mails, teind sheaves, etc., of the Bishopric of Ross.¹

Letters were also granted by King James, under the Privy Seal, dated Holyroodhouse, 15th May 1594, appointing him to the office of gentleman of his Majesty's chamber for life, and granting him all the honours, dignities, privileges, fees, and casualties belonging to that office, particularly the sum of five hundred merks yearly. In the letters he is described "oure louit familiar seruitour, William Stewart, callit of Garntullie."²

During his long services William Steuart was a very faithful servant and subject of his Majesty, and he received many substantial acknowledgments of his Majesty's gratitude. He obtained from King James letters of gift, under the Privy Seal, dated Holyroodhouse, 16th November 1600, formerly quoted, which embraced four distinct grants. These were—the liferent of the forty-shilling land of Tomnagrewe for the yearly payment of £5 Scots; the office of captain and keeper of his Majesty's House of Troquharie, in Strathbran, etc.; the office of forester and keeper of the forests, etc., of

¹ Original Grant at Murthly.

² Original Appointment, *ibid.*

the lands of Strathbran; and the office of bailie of the said lands of Strathbran.¹ In the letters of gift he is designated "William Stewart of Banchrie, brother of Sir Thomas Stewart of Grandtully, knight," "our trustie and weilbelouit seruitoure," "gentelman in oure chalmers," and they were made to him in consideration of his "lang, trew, and thankfull seruice heirtofoir done to ws," "and for his lang continewing in oure seruice and spending of his tyme thairintill, and for his lait seruice done, being at the preserving of oure persoun fra the lait conspiracie of vmquhile Johnne, sumtyme Erle of Gowrie, and Maister Alexander Ruthuen, his brother-germane, devisit be thame within the burgh of Perth, vpoun the fyft day of August last bipast."

King James granted, by letters under the Privy Seal, dated Holyroodhouse, the same 16th November 1600, to "oure daylie seruitoure, William Stewart of Banchrie," a liferent of two chalders of oats out of the lands of Schirrestown, as his fee for discharging his office as bailie of the lands and barony of Strathbran.

The gift of the forty shilling land of Tomnagrewe, made by King James to William Steuart, could not take effect, inasmuch as a tack of that land had been granted by the deceased William Earl of Gowrie, father of the late John, sometime Earl of Gowrie, to the deceased Alexander Ruthven of Freland, for two liferents and nineteen years longer. His Majesty, therefore, on being credibly informed of this tack, granted to William Steuart, 30th July 1601, in liferent, the town and lands of Little Trochrie, then occu-

¹ Original Letters of Gift at Murthly.

pied by Katherine Craingelt, and her sub-tenants, in the barony of Strathbran.¹

In or before the year 1606, William Steuart was dignified with the honour of knighthood by King James. His Majesty still farther rewarded the good and faithful services rendered to him by his well-beloved familiar servant, Sir William Steuart of Banchry, knight, gentleman of his Privy Chamber. Having, in the Parliament held at Perth, in July 1606, with the advice and consent of the Three Estates of the Kingdom, disjoined and separated from his crown and the patrimony thereof, the lands and barony of Strathbran, his Majesty, in consideration, among other things, of a certain sum of money, in name of composition, granted to Sir William Steuart, a charter of the lands and barony of Strathbran, which had been let to him in feu-farm, and thereby also erected, united, and incorporated them anew into one barony, to be called the barony of Strathbran.² Sir William was appointed by King James the Sixth, by a letter dated 2d April 1610, to attend a meeting of the General Assembly of the Church of Scotland, to be held at Glasgow, on the 8th of June that year, "in regarde of your knowne affection and love to the weill and peace of that Church, and of the manie good proofes we have had of your forwardnes in our service."³ He seems, however, to have taken little part either in political or in ecclesiastical affairs. He chiefly confined himself to the duties of his office at Court, and if he did not rise so high as the political favourites of the King, he was left

¹ Original Gift at Murthly.

² Original Charter, *ibid.*

³ Vol. ii. p. 134, No. 80.

more at leisure to attend to his own private affairs, to extend and consolidate his landed estates, and to set out his family in the world, which he did with considerable success. Douglas, in his Baronage, after noticing several of the Crown charters of baronies in favour of Sir William, adds that he appears to have had "vast possessions in land."

After the death of King James the Sixth, Sir William Steuart, it is probable, was relieved of his duties at Court; and although then well advanced in years, he was, in 1630, appointed by King Charles the First to the important office of Sheriff-principal of the shire of Perth for one year. This appears from the following letter, addressed by the Lords of the Privy Council to Sir William on the occasion:—

"After our verie heartilie commendaciouns—Whereas the King's majestie hes made choise of yow to be shireff principall of the shiref-dome of Perth for the yeere to come, These ar thairfoir to requiest and desyre yow to make your addresse heere to his Majesteis counsell vpoun the aucht day of September nixt, to accept the office vpon you, and give your oath for faithfull administratioun thairof, quhilk looking assuredlie yow will do, we committ yow to God. From Halyrudhous, the twentie seven day of July 1630.

"Your very good freinds—

WINTOUN.

MORTON.

LINLITHGOW.

ANNANDAILL.

MONTEITH.

SEAFORT."

"To our right trust freind the Laird of Garnetullie."¹

¹ Original Letter at Murthly.

He was reappointed to the same office by the gift of King Charles the First, dated 17th September 1634.¹

Sir William Steuart married Agnes Moncrieff, daughter of Sir John Moncrieff of that Ilk ; and they had a family of five sons and one daughter. The eldest son was Sir Thomas, of whom a full memoir is here given. The second son was Sir William Steuart, who was provided by his father to the lands of Innernytie, in the parish of Kinlevin. Sir William Steuart died in March 1672, and was interred on Tuesday, the 19th of that month, in the family burial-place in the Kirk of Kinlevin, the funeral taking place at 9 o'clock in the morning.² His grandson, John Steuart of Innernytie, headed the clan of his family in the insurrection in the year 1715, for which he was attainted, and his estate forfeited to the Crown. He married Mary Mercer, daughter of Sir James Mercer of Aldie, by whom he had an only child, Ann Steuart, who married David sixth Viscount of Stormont. From the marriage of Ann Steuart with David Viscount of Stormont the present Earl of Mansfield is lineally descended ; and he is the heir-general and representative of the Steuarts of Innernytie. He is the proprietor of Innernytie by purchase.

The third son of Sir William Steuart and Agnes Moncrieff was James, who appears to have died young, as he was not, like his brothers, provided to any estate, and there is no trace of his being married or having descendants.

¹ Original Appointment at Murthly.

² Original Funeral Letter, dated Perth, 11th March 1672, signed J. Stewart, at Murthly.

The fourth son of Sir William Steuart was Mr. Henry Steuart, advocate, who was prebendary of Fungorth in the year 1655. He married Mary, daughter of Colin Campbell of Aberuchil. He was the father of Sir Thomas Steuart, Lord Balcaskie; and carried on the line of the family, as afterwards shown.¹

The fifth and youngest son of Sir William Steuart was John Steuart, who was provided to part of the lands of Fungorth, and the lands of Balleed, in the county of Perth. He was first designated of Fungorth, and afterwards of Balleed. By his wife, Isabel Steuart, daughter of James Steuart of Ladywell, he had two sons and two daughters. The sons were—William, his heir, and James, who was a writer to the signet. The daughters were—Margaret, who married John Steuart of Balnakellie, and Anne, who married Alexander Menzies of Rotmell, brother to Menzies of Weem. William Steuart, who succeeded his father as laird of Balleed, married Marjory Menzies, daughter of Colonel James Menzies of Kildares, by whom he had four sons, John, advocate; Archibald, doctor of medicine; Patrick, a merchant in Edinburgh; and William, who all died without surviving male issue; and three daughters.

¹ In several published accounts of the Family of Grandtully it is stated that Henry Steuart was younger than his brother John. But this is a mistake. In the Procuratory which was made by Sir William Steuart on 19th December 1622 for resigning the Barony of Grandtully for new infeftment in favour of himself and his sons, the sons are enumerated as Thomas the eldest, William the second, James

the third, Henry the fourth, and John the youngest.—[Original Procuratory at Murthly.] John Steuart is also called youngest lawful son of Sir William in the contract between Thomas Abercromby and Sir William for the sale to the latter of the half of Dalbeattie, dated 17th September 1622.—[Original at Murthly.]

The only daughter of Sir William Steuart was Grizel, who, on 18th March 1608, received from King James the Sixth a charter under the Great Seal of the wood of Ordis and Craigwood, which formerly was part of the patrimony of the prebendary of Fungorth.¹ Grizel Steuart died unmarried, before 10th August 1614, on which date a precept was issued from Chancery for infefting her brother Thomas Steuart as heir to her in the said two woods.²

Agnes Monerieff, Lady Steuart of Grandtully, survived her husband, Sir William, and was living in 1656.

An original portrait of Sir William Steuart, painted with oil on panel, is preserved at Murthly. It bears the date of the year 1613, and is remarkable for the dress in which, according to the fashion of the time, Sir William is painted. A lithograph of the portrait is given in this work. The silk coat, which is so carefully slashed in the sleeves, is still preserved at Murthly. The breadth of linen and laced ruffles round his neck is quite equal to the general display of Queen Elizabeth in that article of dress. His fancy for finery in dress had no doubt been learned at Court, and his son and grandson continued to dress in remarkable costumes.

¹ Original Charter at Murthly.

² Original Precept at Murthly.



Died 1642

James Stewart of Grantully

SIR THOMAS STEUART OF GRANDTULLY, KNIGHT—
1646-1688.

Sir Thomas Steuart was the eldest son of the marriage of Sir William Steuart and Agnes Moncrieff, daughter of Sir John Moncrieff of that Ilk. He was born about the year 1608. On the death of his father, Sir William, about the year 1646, he succeeded to the baronies of Grandtully, Murthly, and Strathbran. Having survived till the year 1688, he was thus in possession of these baronies nearly half a century, and during that long period he appears to have managed his landed estates with considerable success. Much of his correspondence has been preserved, and it forms the largest section of the letters printed in the present collection. It commences in 1638, eight years before his succession to his father, while he was heir-apparent, and it is continued till the year of his death, in 1688, thus extending over a period of half a century.

The earliest letter to Sir Thomas is from his kinsman, John first Earl of Traquair, requesting him to attend the Marquis of Hamilton, who had been appointed his Majesty's Commissioner to the General Assembly, which met at Glasgow in 1638.¹

Highly displeased with the proceedings of that Assembly, Charles the First, in the following year, declared the Covenanters rebels, and immediately levied an army, at the head of which he marched towards

¹ Vol. ii. p. 136, No. 83.

Scotland to subdue them, setting up his standard at York. In self-defence the Covenanters raised an army of between 26,000 and 30,000 men, of which they appointed Sir Alexander Leslie of Balgonie, general.¹ The Covenanters' army came near the border, and encamped on Duns Law, whilst the Royal army lay on the Birks of Berwick-on-Tweed. A pacification, however, was concluded, and signed by the King, and then by the Commissioners on both sides, on the 19th of June 1639, and both armies returned without the shedding of a drop of blood.

The noblemen, gentlemen, burgesses, and others of the shire of Perth, were recommended by the General Council of War, or General Committee of War, sitting at Edinburgh, to elect some worthy and able man to be Colonel, in that war, of the shire of Perth, and over all the inhabitants thereof. In compliance with this recommendation, and for the maintenance of our National Covenant, "Actis of Assemblie maid at Glasgow in the moneth of November 1638 zeires, puritie of religioun, the laudable lawes, liberteis, and freedomes of this kingdome," they, at a meeting held at Perth on the 2d of May 1639, six weeks before the Pacification, elected and constituted James Earl of Montrose to that office, during the whole time of the said war, granting him all the honours, prerogatives, and privileges belonging thereto, and further, faithfully promised to obey him and his officers in matters of military discipline, furnishing men, victuals, arms, bestial, moneys, and all other things necessary or requisite for maintenance of that

¹ Balfour's Annals, vol. ii. p. 324.

war, as they should be required, with their persons, lands, rents, goods, tenants, vassals, and servants, proportionally according to their estate and rents, as they should answer to God Almighty, and under pain of incurring the punishment of military discipline.¹

This appointment has appended to it numerous signatures, among which appears the name of "T. Steuarte," the handwriting being that of the subject of this sketch.

In this quarrel Sir Thomas, however, although thus committed, showed, according to reports current at the time, a disposition to hang back from the support of the Covenanters. This drew from the Earl (afterwards Marquis) of Argyll, who was distinguished for the fervour of his zeal in the cause, a gentle admonition and an earnest inculcation of duty, in a letter written to him before the pacification between the King and the Covenanters, above referred to, was concluded, dated 4th June 1639. In this letter, after alluding to divers reports made of Sir Thomas's unwillingness to favour the cause then in hand, being the defence of religion, the crown, and country, the Earl earnestly requests him to be an example to other gentlemen, by diligently performing the orders given him by the Lord-General and some of the Estates of the kingdom.² What these orders were is not stated in this letter, but it is certain, as we shall afterwards see, that he did not obey them. At that time James fifth Earl (afterwards Marquis) of Montrose, who was then zealous for the Covenant, was marching towards

¹ Original Appointment in Montrose Charter Chest.

² Vol. ii. p. 137, No. 84.

Aberdeen with a force to oppose the inhabitants of that town, who had taken up arms against the Covenanters—the only burgh in Scotland which did so; and perhaps Argyll's letter referred to that expedition. But whether it did so or not, the Earl of Montrose wrote a letter to Sir Thomas Steuart from Dunnottar, dated 7th June 1639, desiring him, with all the people that he could muster, to accompany the Earl of Athole, whom Montrose had also desired to bring with him all the forces of the Highlanders he could collect for that service. That Sir Thomas was reluctant to embark in that undertaking may be inferred from the threatening tone in which Montrose concludes his letter:—"As for these that are unwilling, and refractarye, he [the Earl of Athole] has warrand to take such order with them as he shall think expedient."¹

Sir Thomas, it is probable, was not more obedient to the commands of Montrose than he had been to those of Argyll. How averse he was to take an active part on the side of the Committee of Estates against the King is also apparent from a letter written to him by the Earl of Argyll, from Edinburgh, 30th May 1640, after the war had been renewed between the King and the Covenanters. Hearing how strongly Sir Thomas was censured by the General and Committee for not giving satisfaction to their reasonable desires in going on to obey the common instructions for subscribing the general band, and doing such other things as were required thereby, the Earl thought good, out of his respect for and interest in him, to desire him in time,

¹ Vol. ii. p. 138, No. 85.

before some hard course should be taken with all such as were refractory, to give content to the Estates, "and the rather," he adds, "that I be not charged with any thing which may prove greivous to my friendis."¹

Sir Thomas's father, Sir William, was not less reluctant than his son to aid the Committee of Estates in prosecuting the war against Charles the First, though from their great and seemingly irresistible power he did not venture to oppose them. He murmured at the heavy burdens imposed by the Committee of Estates for conducting this undertaking. The general, Sir Alexander Leslie, felt and expressed himself disappointed that Sir William did not send one of his sons to attend him. Sir William, in a letter to his son Sir Thomas, 28th July 1640, complains that he could hardly afford to send his son James, since he could scarcely obtain money to give to those whom he was forced to send, and new burdens were daily imposed. He had been shown an Act of Parliament to the effect that all who had money concealed, and who would not lend it for the public service, were liable to incur its forfeiture, upon its being discovered, and whoever revealed it was to obtain the half of it. "As for my self," he adds, "I caire nocht whatt they mey doe ; they sall haue pattend dores open whomever they please to send to reape and sie quhatt they find."²

As the civil war proceeded, Sir Thomas's backwardness to support the cause of the Committee of Estates continued. This is mani-

¹ Vol. ii. p. 138, No. 86.

² Vol. ii. p. 139, No. 87.

fest from the following letter addressed to him about four years after the date of the remonstrance of Argyll :—

“HONORABILL SIR,—I thawght to have mett vith yow befor yowr going out of the town. I am directit to mak ane count of my diligence on Munday, and to give in thes that are deffisient. I shall be loth either to bring yow in heiring or to trubill yowr lands vith quartering, or according to my leat varrant to exact four hundreth merkis for yowr hors as deffisient, quhilk ye vill be declar’d to be efter my oup-giving of yow vith the rest. Quhairfor I vald intret yow to tak sum spidie cowrs theranent befor that tyme to give me, and so the Comittie, contentment. So expecting yowr answer, I rest,

“Yowr affectionat freind and servant,

“Perth, 16 of May 1645.

J. BLAIR.”

“To the Right Honourabill the Laird of Gairntullie, younger—Theiss.”¹

But whilst the repeated remonstrances and threatenings addressed to Sir Thomas bespeak a strong disinclination on his part to mingle himself with the Marquis of Argyll and the Committee of Estates in their quarrel with the King, it is to be observed that when Montrose deserted the Covenanters and raised an army on behalf of the King, whose interests he thenceforth maintained with all the impetuous ardour of his character, Sir Thomas did not give him any assistance ; and indeed he was indebted to the Marquis of Argyll for the protec-

¹ Original Letter at Murthly.

tion of his house of Grandtully in these unsettled times. This we learn from a letter written to him by Argyll, dated 17th August 1645, from Burntisland, where, after his defeat at the battle of Kilsyth, on the 15th of that month, he had taken refuge: "Upon some consideratioune I have resolved to remov my people in your house of Garnetully to Campel." And from the opening sentence of that letter,— "I am confident the late disaster our army received will not discourage zow," it is evident that the Marquis of Argyll claimed him as an adherent.¹ Yet Sir Thomas does not appear to have taken an active part on the side of the Marquis any more than on that of the other party.

The real explanation seems to be, that Sir Thomas's personal feelings were secretly in favour of the Royalists, in opposition to the Committee of Estates, but that, overawed by the power of Argyll, and actuated by a prudent caution for which he was remarkable throughout life, he did not actively support the Royalists, and yet was reluctant to assist Argyll's party, who were anxious to claim him as a supporter; a policy which gave to his conduct a doubtful or vacillating aspect, that excited the suspicions of the leaders of the Covenanters, and drew from them sharp reprehension and even direct threatenings.

Three days after the defeat of the Covenanters under Argyll at Kilsyth, a letter was written to Sir Thomas by one of the colonels of the forces of the Committee of Estates, dated at Perth, 18th

¹ Vol. ii. p. 142, No. 89.

August 1645, in which occurs the following paragraph, relating evidently to the party of soldiers referred to in Argyll's letter just quoted, who, under Colonel Dennisoun, were protecting the house of Grandtully:—"Please to receive from the bearer ane letter directed to zow from my Lord Marques, and this inclosed oblesiment, quhilk if it be zowr will ze may subseryve, and lett it be directed to Leutennent Dennisoun, to zour hous of Garnteillye, this nyecht, failyng theroff he must fulfill quhat ordoris he has received from the Leutennant-Generall."¹

At the old castle of Murthly, the officers of the army of the Committee of Estates were hospitably entertained. We obtain a glimpse of what sometimes took place there from an agreement, by way of frolic, dated Murthly, 3d May 1647, between Lieutenant-Colonel John Innes and Sir Thomas Steuart, when on one occasion that Colonel, Mr. Andrew Monerieff, Captain James Colvill, and Major George Meldrum were present as guests, the three last being witnesses to the agreement. Colonel Innes bound himself, if Sir Thomas, from that date to 1st May 1648, did not drink more than a quart of ale every day, with a moderate quantity of *aqua vite* for his health, to give him the best beaver hat and band of gold in Edinburgh. Sir Thomas, if he failed in this, bound himself to give the Colonel two such hats and bands, whilst the Colonel was to drink not more than a quart of ale in a day, nor any other strong drink, "two days being reserved, either at the christening of or marriage of any of his

¹ Original Letter at Murthly.

own children.”¹ Thus did Sir Thomas adroitly gain the good graces of the generals of the Committee of Estates, and turn the talk far away from the civil and ecclesiastical questions of the time, with which he did not care to entangle himself.

About the end of the year 1648, a party of troops, under the command of Hew Nicoll, came to, and lived at free quarters, on the lands of Sir Thomas, on the alleged ground that he had not paid the amount of money expected or required from him by the Committee of Estates. He complained of this to Nicoll, whom he stigmatized as an oppressor, asked from him a warrant for the removal of the party, and threatened him with the censure of the Committee of Estates. Nicoll, in his reply, vindicated, in terms not very deferential, what had been done by the soldiers, inasmuch as Sir Thomas had not paid his proportion of the money required for the public service ; bade defiance to his threat to summon him before the Committee of Estates ; and gave him only a few days for payment of his account, failing of which he might expect to be put to greater trouble, by a party of soldiers, than he had yet experienced.²

James Menzies, a lieutenant-colonel in the Marquis of Argyll's regiment, was also rigorous in his exactions, according to the instructions of the Committee of Estates, and Sir Thomas, who still required prompting, was warned in the following letter of the danger likely to ensue to himself and his house if he did not obey the orders which had been given by the Colonel :—

¹ Vol. i. p. 114, No. 61.

² Original Letter at Murthly.

“ RYCHT HONOURABILL,—I have thocht gude to acquaint [zou] of the danger that ze will sustein if ze give not obedience to the Livenent Collonell his letter, quhich will be a distructione to that house, and it sould be my earnest desyre that ze wold prevein the samen. In soe doeing I rest,

“ Zoure lowing freind and servand,
 “ Menzies, 19 August 1649.¹ J.A. MENZIES.”

Colonel Menzies, by his rigorous proceedings in various places to which he came with his troops, had created much dissatisfaction ; and Sir Thomas, who, like others, considered himself aggrieved by that Colonel, made complaints, and instituted inquiries respecting his conduct.

In answer to inquiries respecting Colonel Menzies's exactions, John Blair of Lethindie wrote to Sir Thomas from Lethindie, 23d February 1650, informing him that, at the command of Colonel Menzies, Captain Dougall Campbell, without advertising him, came upon him with eighty soldiers, the second day after the Committee of the shire of Perth had ordered an exaction of £100 for a foot soldier on proprietors of land of a certain extent, and told him that he would not remove them for twenty days to come unless he paid him £100 ; so that Blair was forced, as they injured his whole ground, to pay what was demanded, whereof he had sent the discharge to Sir Thomas.² Nairne of Cragie wrote a like answer, dated Cragie, 23d

¹ Original Letter at Murthly.

² Original Letter, *ibid.* The Discharge is

in the following terms :—I, Captaine Dowgall Campbell, under the command of Livenent

February 1650, to similar inquiries on the part of Sir Thomas, saying that he would testify under his hand, and prove it by the laird of Aldie's man, James Menzies, that he delivered to one Sergeant Orrock, one of Colonel Menzies's officers, £63, 6s. 8d.; and that had he had more, they would have exacted from him a larger sum.¹

In answer to a complaint against Menzies made by Sir Thomas, William Steuart, his relative, wrote to him the following letter:—

“RYCHT HONOURABILL COVSING,—When Menzies gott that order from me, I knew not your interest ther. Withall he told me that they were bot to stay some few days, till he was redie to goe to the Isles for listing my lord Argyll his regiment, bot since he hes not ansuered his undertaking, bot thinks to make my warrand a cloake to his oppressione, receaue heir inclosed ane order for ther marching from thence. This is all I haue to say att present. With my loue and seruice to your Lady, my ant, I rest,

“Your honoring Covsing and Seruant,

“Perth, the 24 of Januar 1651.

WILL. STEUART.”

“For his much honored Covsing, Sir Thomas Steuart of Gairntillie —Theis.”²

Collonell James Menzies, in my Lord Argylls regiment, grantis me to haue receavit fra Johne Blair of Lethindie and James Blair, his brother, the soume of ane hundreth pundis mony for the outraiking of ane man to the said regiment, according to the ordovris of the Committie of the shyre at Perth, the

day of 1648, quhilk I grant me to haue resaut full contentment be this my discharg, subscrivit with my hand at Lethindie, the 6 of November 1648. DOW. CAMPBELL.—[Original Receipt at Murthly.]

¹ Original Letter, *ibid.*

² Original Letter, *ibid.*

This last letter was written shortly after Charles the Second was crowned at Scone 1st January 1651. But the complete victory gained by Cromwell at the battle of Worcester on the 3d of September that year entirely prostrated, in the meantime, the power of Charles, and Scotland was reduced to total subjection by the conqueror, who rapidly quelled all opposition, and established order and tranquillity. To resist the English Commonwealth was now hopeless, and Sir Thomas Stewart of Grandtully, like many others, submitted to the new Government. A letter in reference to the redress of injuries done to his lands and tenants, apparently by some of Cromwell's troops, was addressed to him by one of Cromwell's officers, James Denning, dated Balloch, 3d March 1654. "I receaved yours," says the writer, "with the General's, wherein I am ordered to take cognizance of your wast lands and losses. I am also prescribed a way that one tennant shall depone for another. This way will be verie troublesome and echargable in regard of the distance this garrison is from you. Sir, if you please to name the time and the place, when and where I shall meete yow and yowr tennants, I shall be verie readie to wate vpon yow."¹

Archibald Lord Lorn, eldest son of Archibald first Marquis of Argyll, and afterwards ninth Earl of Argyll, having been excepted from the benefit of Cromwell's general indemnity to the Scots, in consequence of the effect with which, in support of Charles the Second, he had opposed the forces of the Parliament and the new

¹ Original Letter at Murthly.

Government; and having been required, on his submission, to find sureties, bound jointly in the sum of £5000 for his peaceable deportment, he applied, 6th June 1655, to Sir Thomas to become one of his sureties.¹

Cromwell having restored the office of Justice of the Peace, which James the Sixth had introduced, but to which he had never been able to give efficiency, Sir Thomas Steuart was invested with that office. In the year 1656 he appears acting as a justice of the peace, and as a commissioner for raising the cess in the shire of Perth, under Cromwell's government. Robert Andrew, clerk to the Commissioners of the Cess, in a letter to him, dated Perth, 14th May 1656, accompanied with an abridgment of the Session's resolutions and the intimation concerning the valuations of property and the cess, addresses him:—"For the right worshipful the Laird of Garntully, one of his Highnes Justices of Peace and Commissioner of Asses in Perthshire."²

After the restoration of King Charles the Second in 1660, it might have been expected that Sir Thomas would have found little difficulty in securing the favourable consideration of the new Government. He was in heart a royalist. He had never been a zealous Covenanter or Parliamentary man, nor had he been an active promoter of the Government of Cromwell. He had, indeed, when it was in vain to attempt to resist, submitted to that Government, and had acted as a justice of the peace under it; but many who were cor-

¹ Vol. ii. pp. 150, 151, Nos. 95, 96.

² Original Letter at Murthly.

dially attached to the house of Stewart had been equally submissive. This, however, gave his adversaries an opportunity, which, it will be seen, they industriously improved, of traducing him to serve their own private ends; and when, almost immediately after the Restoration, the intention seems to have been formed by the Government of inflicting fines upon such as had resisted the royal authority during the civil war that preceded the execution of King Charles the First, or such as had been active in supporting the Government of Cromwell, it was intended to include Sir Thomas among the number, though this description did not properly apply to him.

Sir James Mercer, his son-in-law, being at Court, had the means of knowing what was secretly going on there, and a few months after the Restoration he wrote to Sir Thomas a letter from London, 2d August 1660, expressing his apprehensions that fines would be inflicted by the ensuing Parliament on obnoxious parties, and that Sir Thomas would probably be included in the list of the selected victims. "I intend," says he, "God willing, to take journey the next week for Scotland, and I think it is best ye stay now till the Commissionares be chosen to the Parliament, which sittes the 12 of October,¹ for wpon that dependis much, seing the Committee of Estates has no power of fynyng or forefaulting. Ther is aspersions wpon many heir, and

¹ The first Parliament of Scotland, in the reign of Charles the Second, was not held till the 1st of January 1661, when it met at

Edinburgh, John Earl of Middleton being his Majesty's Commissioner.—[Acts of the Parliaments of Scotland, vol. vii.]

wpon yow in particular, and your brother, Sir William, that ye sould haue receivit money from Colonell Daniell, or sume of the officers, and delyvered it agayne to sume of ther intelligencers or freindis, and this they say will be made out, which I boldlie contradicted, and am confident of the contrarye.”¹

The first session of Parliament which met in the beginning of the year 1661 closed without any measure for inflicting fines having been introduced. But the project was too tempting to those who expected to participate in the plunder, to be allowed thus quietly to rest. It was apparently delayed simply to give the Government more leisure to select their victims, and to make the measure more productive than it could have been had it been hastily adopted.

Sir James Mercer, in a letter to his father-in-law, Sir Thomas, dated 12th December [1661],² after referring to the obstruction offered by the Earl of Lauderdale to the success of an application which Sir Thomas had made to the King, in reference to a matter not stated, informs him of the activity of his enemies in maligning him, and returns to the old topic of the fines to be inflicted by the Parliament. “As for that ye wreat of,” says he, “I wreatt to yow tuyse that the King is willing, and my difficultie layes with the Erle of Lautherdale, for ther is no seeming to doe any thing without him, who has the drawing wp

¹ Original Letter at Murthly.

² The year in which this letter was written is determined from a statement at the close, —“As for the bishops, ther is four to be

consecrate on Sondag nixt, to witt, St. Androis, Glasgow, Galloway, and Dumblyayne.” These bishops were consecrated on Sabbath, 15th December 1661.—[Brodie’s Diary, pp. 232, 233.]

and presenting of all thingis passes, so that will tak an tyme, and I wisse that your enemyes be not busie to traduce yow heir or draw your name in question att home, for that will marr all, and doe me great prejudice, for ther is great report of fying in Scotland, and the King has remitted it to the Parliament. I wisse ye were with my Lord Middleton, his Majestie's Commissioner, when he cumes home.”¹ Sir James, in another letter to Sir Thomas, from London, 22d March 1662, recurs to the same subject: “I ame to acquent yow agayne that ther is fynes, but not aboue a yeare's rent, and also they are to fyne such as haue been on the Whiggemer read and Parlament fortie nyne, or haue served Olipher actively, so that I know ye are free of all, if the being ane justice of peace doe not prove active service, and if that be, few will escape.”²

The second session of the first Parliament of Scotland, in the reign of Charles the Second, commenced on the 8th of May 1662. By the Parliament in this session, an Act of indemnity was passed, clogged with the imposition of fines upon 700 or 800 noblemen, gentlemen, burgesses, and others, to the amount of upwards of £1,017,000 Scots, and Sir Thomas was fined in the sum of £18,000, and his brother Henry in the sum of £600.³ A committee had been appointed by Parliament to pitch upon the persons to be fined, and to fix upon the amount of their fines, and they were solemnly bound not to discover any of those upon whom they pitched till the Act was

¹ Original Letter at Murthly.

² Original Letter, *ibid.*

³ Acts of the Parliaments of Scotland, vol. vii. p. 426.

passed. "A good many," says Wodrow, "were put into the Act as much from private pique as for any activity in the late times."¹

After being informed that Sir Thomas had been fined, Sir James Mercer, in a letter to him from Whitehall, without date, says, "I had notice of your being fyned on Monday the 15 instant. The King's Majestie, as I did heere him say, does not meddle in any thing relating to the fynes, either of remitting or disposing of the soumes till the Parliament's proceedings do come from my Lord Commissioner, and this day my Lord Duke of Richmond, the Erle of Dumfreis, and my Lord Tarbit, wayted on his Majesty with theis proceedings, so that within an day or tuo ye sall know more of it. In the meane tyme, I intreat yow not to be troubled, for it is but a matter of gear, as we say. . . . For your cuming heir I cannot take on me to advyse yow till ye see what others does and I know further. I intreat yow present my best respects to my Lord Commissioner's Grace, and shew his Lordship that as I did only intreat of him to be a kynd freind to yow, so I now begg that your soume may be moderated att least, and take my Lord Advocate alongs with yow. I ame so amazed, and it is so wnexpected to me, that I know not what more to say, but that I ame, and sall approve my selfe att all occasions, as becomes your most affectionat sonne and humble servant."²

Towards the close of the year 1663, Sir Thomas suffered from severe bodily indisposition, arising from a pain in the stomach of long standing. His son-in-law, Sir James Mercer, on hearing of his

¹ Wodrow's History, vol. i. p. 275.

² Original Letter at Murthly.

illness, consulted Sir Alexander Fraser, the eminent physician to King Charles the Second, from whom he received a written prescription, to be transmitted to Sir Thomas.¹ The doctor's prescription is dated 24th November 1663.² Sir Thomas gradually recovered. Sir James Mercer, in a letter to him, 10th December following, says,—“We are all much refreshed with the good newes of your recovery,” and informs him that Sir Alexander Fraser, to whom he had gone that morning, would take no money from him on any terms.³

To obtain for his father-in-law a remission of his fine, the efforts of Sir James Mercer were indefatigable. The situation he held at Court afforded him many favourable opportunities of pleading in behalf of Sir Thomas with the King and the principal members of the Government; and the following extracts from the letters which he wrote to Sir Thomas at this time prove the earnestness and unrelaxing perseverance with which he urged the claims of his father-in-law upon the leniency of his Majesty and the Government:—“I haue received no ansuer,” he says, in a letter to him, without date, “as yet of my letter I wreat the 24 of Januar. I haue gotten your certificate from Commissary Beanes, as ye desyred, that ye never received any money from him att any tyme or wpon any accompt whatsoever, which I sall shew to my Lord Commissionayre.”⁴ “As for the fynes,” says

¹ Original Letter, undated, at Murthly. “Sir Alexander Frazer,” says Sir James, “is in very great esteeme heir for many late experiments, as the recovery of the Queen, my Lord Chancellour, Mr. O'Neill, Mr. Blaukford, and many

eminent persons in this citie.”

² Original Prescription at Murthly.

³ Original Letter, *ibid.*

⁴ Original Letter, *ibid.*

he, in another letter to him, without date, "ther is no doing any thing of them as yet, and my Lord Secretary says he sall give me fayre warning, so I sall doe my best, be the successe what pleases God, and I will not give it over easilie, since ye cannot cume at present."¹ In another letter to him, from London, 21st January 1664, he writes :— "I haue begun to move anent your fyne agayne, and I sall be as diligent as I can with the King's Maiestie and his Ministers of State, but the cuming of the fynes to the Exchequer dois make thois relates to it not so indifferent as if it had been otherways. To be short, the King's Majestie said yesterday to me, that ye sould haue an hearing, which was my desyre, and I sayd that ye wold not be found under theis qualifications that Session of Parliament went by when they fyned. I sall say no more, but that I sall use my wttermost endeavours, succeed as it will, and I hope the best."²

Writing again to Sir Thomas from London, 4th February 1664, Sir James says :—"As for your fyne, I presse on your desyre to haue an hearing, and the King sayes ye sall be heard, but I know nothing of thois qualifications they went wpon in laying on of the fynes. I doe heare of on[e], which is the Committee of the shyre 49, and I think ye were none of thos. As for that of Commissary Beans, if it bee obiected, I can cleare that. God knowes the many hungrie people are looking for the fynes, and giving in petitions to haue an share."³ In another letter to Sir Thomas from London, 4th March 1664, Sir James

¹ Original Letter at Murthly.

² Original Letter at Murthly.

³ Original Letter at Murthly.

writes :—" I haue agayne spoken the Erle of Lautherdeall, who says he will doe yow all the service he can. I haue told him that the King hade sayd ye sould haue an hearing, and that I desyred to know if I sould presse it to be heir or not. He sayd it wold not be heir but att home. I told him that ye hade wreaten to me that ye wold be content to be forfated, if ye sould be found within the qualifications that Session of Parlament were to goe wpon. And I asked him if theis were not strong reasones. He thought ye were fayre to cume af, if ye gett but a weill sitting sheriff to whom the Commission is graunted, or to be graunted."¹

Besides orally making application to the King, Sir James prepared a petition in the name of Sir Thomas praying for a remission of his fine, to be presented to the King. The petition set forth how loyally Sir Thomas had carried himself in all the troubles, how great a sufferer he had been by imprisonment, in the loss of his house of Grandtully and in the wasting of his lands, his father's good service to King James the Sixth, and his Majesty's royal promise to Sir Thomas that he should be heard, and, if not found within the qualifications the Parliament went by in the imposition of the fines, that he should obtain remission of the fine.² " I haue hade your petition ready this long tyme," writes Sir James to Sir Thomas, 4th March 1664, " and Commissary Beans certificate of new, and now I most presse your deliverance."³ This petition the King bade Sir James deliver to

¹ Original Letter at Murthly.

² Vol. ii. p. 177, No. 112.

³ Original Letter at Murthly.

the Earl of Lauderdale, that he might give it an answer; but Sir James, as he writes to his father-in-law, 28th March 1664, kept it till he himself, Lauderdale, and the King should meet together. "Now, your hearing," he says in the same letter, "will be att home by my Lord Thesaurer ;¹ therefor," he significantly adds, "all the fatt kiddis and venison and wyld fould that ye can gett, be sending to my Lord Thesaurer, for he has said to me he wold be your freind."² Sir James, writing again from London to Sir Thomas, 13th April 1664, says:—"I cannot omitt to wreat to yow and shew yow that my Lord Lautherdale promises I sall haue ane hearing for yow in your fyne befor ye be summoned, and bids me mynd him when he is by the King; but he is slow, and I am much impatient in delayes, so that in a short tyme ye sall haue an accompt of it, God willing."³

The exertions of Sir James Mercer, who was certainly a man of ability and address, in behalf of his father-in-law, so prevailed with the King, and with the other leading men of the Court, especially Lauderdale, whose influence was paramount, that orders were given by his Majesty that Sir Thomas should not be prosecuted for his fine at Lammas, but that he should be left to be tried by a commission about to meet for that purpose. This very agreeable intelligence Sir James had the satisfaction of communicating to his father-in-law, Sir Thomas, to whom so much uneasiness had been caused by this heavy fine, in the following letter, without date, to which he subjoins the

¹ John seventh Earl of Rothes.

² Vol. ii. p. 177, No. 112.

³ Original Letter at Murthly.

letter of Lauderdale to the Earl of Rothes, Lord Treasurer, containing his Majesty's command :—

“RIGHT HONOURABILL,—After many assaults in relation to your fyne, it has pleased his Maiestic to command the Erle of Lautherdale to wryte to my Lord Thesaurer that ye be not summoned or charged att this Lambes for your fyne, and if ye be summoned befor this can cume, intimate this to the messenger, and see that he give no execution against yow. I haue wreaten to the Erle of Rothes, and haue for surenes sent the letter directed to him from the Erle of Lautherdale be the King's command and myne together to Mr. William Sherp.



It is but folly to me to think that my wreateng can doe good with the King's command, but the letter making mention of my addresse I could not but oune it, and wreat to his Lordship and shew him that he lyk it not the worse it proceeded from me.”¹

The following is the letter of Lauderdale to the Earl of Rothes referred to by Sir James Mereer :—

“Whythall, 22 Julie 1664.

“MY LORD,—Upon an humble addresse from Sir James Merser to his Majestic in behalf of his father-in-law, his Majestic commanded me to signifie his gracious pleasure to your Lordship that Sir Thomas

¹ Original Letter at Murthly.

Stewart be not charged for his fyne att Lambes, but that he be left to be tryed by the insuing commission.—I am,

“Your Lordship’s most humble servant,

“LAUDERDAILL.”

After this Sir Thomas’s fine was either mitigated or, what is most likely, wholly remitted, as it is never afterwards referred to in the correspondence between him and Sir James Mercer.

Sir Thomas’s correspondent on covenanting business, the Marquis of Argyll, who was the great leader of the Covenanters, was treated in a very different manner. Having been tried and condemned for high treason, he was beheaded by the Maiden at the Cross of Edinburgh, 27th May 1661. His decapitated body was put into a coffin by his friends, carried to Dunoon, and buried in Kilmun Church. His head was placed on the top of the Tolbooth, where the head of the Marquis of Montrose had been exposed. It remained there for three years, namely, till the 8th of June 1664, when, in terms of a warrant from King Charles the Second, it was taken down and carried to Kilmun, where it was buried beside his body. The following letter, written to Sir Thomas Steuart on the very day, states the taking down of the bleached head of the unfortunate Argyll :—

“RYCHT HONOURABILL,—I am sory thos ribans did not content your honour. Att the wryting heiroyf, which is the cause of my breuity, I am goeing to accompany my Lord Marquis of Argyll’s head

to the beurlial place, which was takne doune this morneing. The Earle of Tiniot is for certanty kil'd by the Mors, bot the place is kept by the remander of his forces, and thought they cannot doe it long. I hest.—I rest, your honour's most humble servand,

“JA. CAMPBELL.

“Edinburgh, 8 June 1664.

“For the Ryeht Honorabill the Leard off Grantully—thes.”¹

Sir Thomas Steuart and Sir John Drummond of Perth were members of the Convention of Estates for the shire of Perth in the years 1665 and 1667.²

Sir Thomas's eldest daughter, Jean, became the wife of Sir James Mercier of Aldie and Meiklour, knight-baronet, one of his Majesty's gentlemen ushers. Sir James, a few years before his death, which took place in the year 1671, executed a deed of tailzie and provision, by which, failing heirs-male, he settled his estates on his eldest daughter without division, the heirs-female being bound to marry a gentleman who was of the surname of Mercier, or who should assume that surname, and their heirs always to bear the surname and arms of Mercier. Whoever married the eldest daughter was also bound to pay the debts and portions of the family.³ There being none of the name of Mercier in Scotland, it would seem, of sufficient wealth to pay the debts and

¹ Original Letter at Murtilly.

² Acts of the Parliaments of Scotland, vol. vii. pp. 527, 537.

³ Ratification in favour of Mrs. Grissell

Mercier, Lady Aldie, of the lands and barony of Meiklour, 6th September 1681, in Acts of the Parliaments of Scotland, vol. viii. p. 330.

portions of the Mercer family, the Dowager Lady Aldie sent a natural son of her deceased husband to Ireland, to Lieutenant-Colonel William Mercer, a near relation (son of Mr. John Mercer, minister at Slains, in Aberdeenshire), author of a poetical work entitled "*Angliæ Speculum ; or, England's Looking-Glass,*" London, 1646, with propositions that a matrimonial alliance should be formed between her eldest daughter and the eldest son of the Colonel. The Colonel, who was favourable to the proposed match, came to Scotland and had conferences both with Sir Thomas Steuart and his daughter, Lady Aldie, on the subject. Whether he personally obtained the good graces of Lady Aldie is not quite clear, but she was amused on learning from him his matrimonial achievements as having been the husband of four wives. In one of his poems, to be afterwards more fully quoted, he says :—

“ For in my tyme I married four fyne wives,
 For by such matches many bad men thrives ;
 Two maids between two widows, first and last ;
 The first three fail'd, but now the fourth holds fast :
 A Murray, Mervyn, Connway, and a Duff ;
 My Lady¹ smyles, and says these wer enuffe ! ”

Thomas Steuart, afterwards Lord Balcaskie, in a letter to Sir Thomas, dated Edinburgh, 24th June 1673, thus writes, in furtherance of Colonel Mercer's object :—“ I have been causally in company with a civile and sagacious-like gentleman, one Colonell Mercer, who lives in Ireland, and is a cadet of the familie of Aldie, as is credibly informed, who has much sollicitated me to let

¹ Lady Aldie.

him know of ane occasione to convoy a letter for you, sir, and ane other for the Lady Aldie, for he tells me he has seen the Lady and you both of late, and M'Knaire being here I told him of it, and he has sent the two letters with him. The gentleman is exceeding earnest to have returns to both, so soon as may be, and has his service to you."¹ The same correspondent, whose friendly offices Colonel Mercer had secured, again writes to Sir Thomas from Edinburgh, on 4th July 1673, encouraging the proposed marriage:—"I must creave leave to give you this trouble a purpose to show you, sir, that Mr. Mercer wondrous very much that ye are not pleased to let him have a return to his for your honor and the Lady Aldie, and sayes he is afraid ye have taken offence aither at him or it. . . . My Lord Chancellour and severall others of good qualitie, and well-wishers to the familie of Aldie, thinkes the proposals he speaks of worthie the entertaining, and takes much notice of the gentleman, and, as I am credibly informed, my Lord Craigy has concerned himselfe so farre in him as to writ to you, sir, in his behalfe, who really, sir, has been my Lady's good friend all alongs."²

William Wallace, another friend of the Aldie family, wrote to Sir Thomas Steuart of Grandtully in a similar strain, in a letter dated 26th July 1673. He again pressed the subject on his attention in a letter written from Newtown, 6th September same year. "I have sene," says he, "both the young gentillman and the security profered for that estate which his father spoke of. I have lykwayes

¹ Original Letter at Murthly.

² Original Letter at Murthly.

had leteres from very good hands signifeing ther esteeme of the gentillman and certainty of the meins, and in my humble oppinione, with submissione to better judgments, a better occasione cane hardly offer for preserving the family in both name and right lyne, and in the persone of a very hopefull young gentillman, with a very considerable portione.”¹

Colonel Mercer’s proposals were afterwards entered into; he was hospitably entertained at Murthly by Sir Thomas; and he went to Dublin to raise the sum of £2000 sterling, and to bring his son to Scotland that the contemplated marriage might be solemnized as soon as possible. The money was procured by the son’s maternal relations, and both the father and the son came to Scotland in the hope that all would proceed to a prosperous issue. But Lady Aldie, for some reason not explained, had changed her mind, and the youthful lover, whose heart Grizel had so inflamed that he declared he would marry her “had she ne’r a groat,” was not permitted even to see her. The Colonel, chagrined at this change of plan on the part of Lady Aldie, after he had, in compliance with her invitation, come to Scotland on that errand, opened his mind freely in a letter to Sir Thomas, dated Edinburgh, 22d January 1673:—“Let me onely in modesty say this, before I be befool’d in it, I will make more of the mater then it is all worth, and how ever it goes, put it upon record, untill tyme shall be swallowed up into eternity.”² Colonel Mercer raised an action of damages against Lady Aldie, for breach

¹ Original Letter at Murthly.

² Vol. ii. p. 214.

of a verbal treaty of marriage, before the Court of Session. To incline the Lords of Session to give their decision in his favour, he composed and addressed to them a poetical piece, comparing them to the most distinguished Greeks and Romans of antiquity.¹ In the "Penman's Apologie," towards the close of the poem, while urging his son's claims to the heiress of Aldie, and imploring their Lordships to support them, he expresses his willingness, should the friends of the lady not be satisfied, as she herself was, to refer the question with the utmost confidence to a Parliament called by the Ladies :—

" My son grows melancholie,
And when yow find he doth deserve the woman,
Then make the Lady to the lad furth comen,
And if all parties be not well content,
Then let the Ladyes call a Parliament,
And put to votes, i'le pand my life upon
A hundred voyces for the ladye's one ;
Nor shall they think to bring me to that pass,
To come to Scotland and turn back ane ass."

Should obstructions continue to be thrown in the way of the match, the Colonel resolved to appeal to the King ; but upon reflection he hesitated :—

" I have made joyfull journeys to Whithall,
But am affraid this will be worst of all,
Because the Echo answering at the tower
May blow a bullet and break doune Micklour,

¹ " A compendious comparison of the lives and lawes of the Senators of Rome, with the lives and lawes of the Senators of the Colledge of Justice, Edinburgh, in Familiar Lynes and Poems. By a Servant of Mars and a Lover

of the Muses, Lieut^t Col^l William Mercer, Edinburgh, 1673," " Penman's Apologie " towards the end. MS. 4to, in Advocates' Library.

And doing so make massacrs and slaughters,
 Then I must save my Lady and her daughters,
 For greed of Grissell, and I vow so will I,
 As weel for Grissell as for Gairntully.”

For Grandtully himself, or rather for Grandtully's good entertainments, the Colonel had a warm heart, and he eulogizes in glowing terms, of the truth of which we have no doubt, the open-hearted and open-handed hospitality with which he had been treated by Sir Thomas at Murthly :—

“ He feasted me a month at Murthly House,
 And I gave him good Latin for a goose,
 Making a match I had a goose in hansell,
 But with the goose he gave the goose a gansell.
 No man in Fyfe nor Angus, being able,
 Doth keep so fair and full a furnisht table ;
 I say by sight, for I with him have bene,
 And in this land the lyke have seldome seen,
 So well-drest dishes, wynes to much, and more,
 Nor lock, nor key, ther stands ane open door.”

It was the young lady, of course, who was the great attraction to the son, but as for the Colonel himself, it was the sumptuous entertainments—the luxurious viands with which he had been regaled, that made him remember Murthly House with special favour :—

“ Bot now this talk¹ doth me intoxicate,
 I have forgot the thing I aimed att,
 My sone through Grissell swel'd about the throte,
 He says he'll have her had she ne'r a grote,

¹ About Sir Thomas's well-furnished table.

And I am willing wer it for no more
 But to be dwelling nere Sir Thomas' dore :
 Young fools affirme it is for love they wow,
 My courting is for cake and pudding now :
 With Grantully and with Lethanty, I allege,
 Best courting now for men that's of our age.
 But all this time I talk lyke to an ass,
 And tells my mind, *Post vinum veritas.*"

After referring to Grizel's father's will, respecting her marriage, the Colonel mentions with pride the antiquity of his family, which had existed for nine hundred years ; flatters himself that his son and Grizel would increase that number to a thousand ; and hopes that no honourable man would attempt to woo a lady on whom his son had set his heart :—

" I hope this new's gift now is well nere gone,
 Then be it so, for I will now goe on,
 For Grissal's of a graver compositione ;
 She grives to be provock'd by oppositione ;
 Nor is it in her father's will exprest.
 He sayes, she marying Mercer that is best,
 A Mercer man and meens, as now appeers,
 They have bene Mercers nere nyne hundred years.
 All I shall ask is, ad unto the store
 My sone and Grisall yet one hundred more.
 But I am sure, though Grissell grow so good,
 That for her worth a prince may be allowd,
 Yet in this caise no man of worth or honour
 (Since my young sone hes set his hert upon her),
 Will ever aime it, or intend to woo,
 But do to him as he wou'd do to yow."

Whether the hope expressed in these last lines was generously

acted upon or not, we have not learned ; but if it was not, Grizel declined every other matrimonial proposal ; for she lived and died unmarried.

Some years after this, Grizel, who was dissatisfied with the agent to whom her law affairs had been intrusted, believing that he neglected them, wrote to her uncle, Sir Thomas, from Paris, 26th November 1680, desiring that a new agent, whom she named, might be appointed :—

“ MUCH HONOURED AND DEAR UNCLE,—I can never be sensible enough off the many favours and obligations by you put upon me, and that yow are pleased to mind my affairs in absence ; for the which I shall never be wanting to acknowledg my self your debtor, but in particular, for your very much care off my concern in the parish off Kinrosse. . . . I shall not need to writ any mor off my law concerns, seeing Mr. Jonstoun most still be employed, that delays and neglects all my concerns. I had taken all the papers from him, and was resolved never to employ him any mor. I know I ame at a considerable loss by his neglect. I confess I cannot understand wherein I can be at a loss by changing such an agent. I desired that Mr. Colvile might be employed, that I heard always cal'd a carfull, dilligent agent. I ame necessitat to give yow the trouble of this, that you may please doe me the favour to speak to my Lord Ballcaskie off it ; for I cannot tell how often I have written of it, and all the answer I get is that his Lordship thinks it very unfit to imploy

another. I would willingly have given power to any friend to have ordered and given directions as they thought fit in all my concerns ; but seeing I doe not deserve that favour, I think it's fit Mr. James Mercer and Couldon obey such directions as I can give, which is not don ; for as I have so often written, it is to my losse to delay any affair wherein I am persewer, I most remotte them to justice, which I know will not be denyed me ; for I ame not to be judge in them when I am there. I intend to writ no mor off thes affairs, for it is to no purpos, seeing Mr. Jonstoun most needs be imployed, after I have written so often and so positively to imploy another, for many reasons. Dear uncle, I beg your pardon for giveing yow this trouble.”¹

In those times there still existed in the remote parts of the kingdom, especially in the Highlands, traces of the same tendencies to plunder which had been so conspicuous in those days, when, in the feuds of clanship, the rights of property were so completely disregarded. Writing to his son John from Dunkeld, 24th December 1675, Sir Thomas says :—“ Yow may show Glenwrquhie that his men hes stolline tuentie horss from my tennantis and my selff, and I will doe my best to see give I can geatt aue redress of his tennantis.”²

After Sir Thomas had been in possession of his family estates for several years, his finances were in a very satisfactory state, and he was enabled on several occasions to accommodate his neighbours.

¹ Original Letter at Murthly.

² Vol. ii. p. 228, No. 157.

Amongst those who sought such assistance from him was the celebrated Sir John Campbell of Glenurchy, afterwards successively Earl of Caithness and Earl of Breadalbane. In the year 1677, this laird of Glenurchy wrote to John Steuart, younger of Grandtully, stating that he had applied to his father, Sir Thomas, for a loan of ten thousand pounds Scots upon "ane extraordinarie occasion" he had for it, and the writer earnestly urged the young laird to use his influence to induce his father to grant the loan.¹ On comparing dates, some knowledge is obtained of the "extraordinarie occasion" which pressed the Laird of Glenurchy. His letter is dated 14th June 1677. Sir John Campbell was created Earl of Caithness by a patent dated at Whitehall, 28th June 1677, only fourteen days after the date of his letter asking the loan. It is not improbable that the ten thousand pounds were required in connexion with this creation, which must have been under negotiation at the time, since it was finally arranged so soon after.

On subsequent occasions Sir John Campbell applied to Sir Thomas Steuart for pecuniary assistance; and even after he was elevated to the dignity of Earl of Breadalbane, he continued to obtain from him the loan of money, as appears from the correspondence on the subject.²

These borrowed moneys the Earl of Breadalbane probably employed in the acquisition of additional lands, for which he was famous.

¹ Original Letter at Murthly. Printed, vol. ii. p. 233, No. 164. Lithographed.

² Vol. ii. pp. 237, 238, 240, 253, 256, 278, 279, 288; Nos. 169, 170, 171, 191, 209, 210, 221.

Mackay, in his *Memoirs of Scotchmen*, gives the Earl this remarkable character:—"It is odds if he live long enough but he is a Duke. He is of a fair complexion, and has the gravity of a Spaniard; is as cunning as a fox, wise as a serpent, and as slippery as an eel."¹

Other letters of the Breadalbane family which are printed in this collection give some glimpses into the domestic life of a chief in the central Highlands in the seventeenth century.

In 1679, Mary Countess of Caithness, wife of Sir John Campbell, Earl of Caithness, afterwards Earl of Breadalbane,² sent to Sir Thomas Steuart a present of a few apricots, with an apology for sending so few, that the trees had not been so fruitful, and that, besides, some of the best and biggest had been plucked off without her permission. She also sent Sir Thomas a little wax candle, which was made by her at Balloch, offering, if he liked it, to provide him with more of the same sort when the bees were drowned.³

The next letter from the Countess is an acknowledgment, 23d January 1680, to Sir Thomas for a present of oysters which had arrived at Balloch very fresh and good. The Countess says that she is a great lover of oysters, but she had not previously enjoyed the luxury of them at Balloch, and had despaired of ever seeing any there.⁴

¹ Mackay's *Memoirs*, p. 199.

² Lady Mary Campbell, then Countess of Caithness, was the third and youngest daughter of Archibald Marquis of Argyll. She married, first, George Sinclair, Earl of Caith-

ness, and secondly, John, first Earl of Breadalbane.

³ Vol. ii. p. 247, No. 180.

⁴ Vol. ii. p. 248, No. 181.

In the same year the Countess sent a kind letter to the Laird of Grandtully, with a pot of ointment prepared by herself. She assures him that it is a sovereign cure for all stitches and pains in any part of the body, and she explains to him the mode of using it. She also sent to him a pot of oranges and a few orange and lemon cakes, which she had made on purpose for him.¹

In her correspondence the Countess of Caithness writes to Sir Thomas in very familiar terms. After inviting him to pay her a visit at Balloch, where she had a room for him, which she hardly had on the occasion of his last visit, she alludes to a jest she had indulged in with Sir Thomas, who put too serious a meaning upon it. She is quite out of countenance if he took it in earnest; and she assures him that she would not have used such freedom had she supposed that it would give him offence, for she is very desirous to live in his favour, and shall never do anything to displease him.²

Another neighbour and correspondent of Sir Thomas Steuart was Lady Amelia Stanley, then Countess, afterwards Marchioness, of Athole. Like the Earl of Breadalbane, the Countess of Athole was a borrower from Sir Thomas. Her requests were chiefly for the loan of horses, in which she was unlucky, as one of them died while in charge of her ladyship, and she had difficulty in procuring a suitable horse in its stead.³ But the Countess of Athole, like her neighbour at Balloch, also occasionally had recourse to the purse of the

¹ Vol. ii. p. 252, No. 186.

² Vol. ii. p. 248, No. 181.

³ Vol. ii. pp. 198, 199, Nos. 131, 132, 133.

Knight of Grandtully. When about to travel, she asked him for the loan of English money, for there was none to be had in Edinburgh.¹ At the present day it seems strange that a Highland knight should have a reserve of English money, when none could be obtained in the capital of Scotland.

One of the most constant correspondents of Sir Thomas Steuart was his nephew, Lord Balcaskie, who held him in great estimation, and treated him with the most profound respect. A more particular reference is made to the correspondence between them in the sketch of the life of Lord Balcaskie, afterwards given.

During his long possession of Grandtully, Sir Thomas Steuart added to the family estates by the purchase of other properties. In the years 1656 and 1657 he acquired, from John Steuart of Arntully, the lands of Arntully, in the lordship of Dunkeld and shire of Perth. Sir Thomas resigned the lands of Arntully, and others, into the hands of Henry Bishop of Dunkeld, who, by a charter, dated 8th November 1670, erected them into one free barony or tenantry of Arntully. The barony still forms a portion of the Murthly estates.

Sir Thomas Steuart also acquired from Thomas Ireland the lands of Easter Burnbane, in the barony of Murthly, by a disposition, dated 6th May and 6th June 1664.

Various other lands were acquired by Sir Thomas in and about the city of Dunkeld for the improvement of the estate of Murthly.

A good many years previous to his death, Sir Thomas Steuart

¹ Vol. ii. p. 236, No. 168.

complained of indisposition in various forms ; sometimes he was a little “crazy,” or infirm, sometimes he had attacks of the gout, and at other times he was afflicted with the ague. But he lived to the good old age of eighty years. He died on the 10th of August 1688. His son John was then in England at the baths, and the corpse was embalmed in order to preserve it five or six weeks to await the return of his son.¹ Sir Thomas was buried in the mortuary chapel at Murthly, where his son erected a handsome monument to his memory, with the following filial inscription :—

D[eo] O[ptimo] M[aximo.]

In spem Beate Resurrectionis, conduntur hic Cineres Thomae Stuarti de Grandtully Equitis Aurati ; Qui splendidissimi Stuartorum olim Lorensium Stemmatis, per longam avorum, Equitum de Grandtully, seriem, germen habuit de genere summo candore, antiqua probitate, fide erga reges (sacrosanctos illos) Carolos (dum prospera nonnunquam, nunquam non foeda dirisque devoventa, cuncta divina, humana, sterneret perfidia), prorsus inconcussa, necnon liberalitate prona, hospitalitate semper prompta, concives, qua fas, quosvis demerendi studio pertinaci (rei interea familiari sedulo providendo, tantum non ad invidiam ea aucta) : cum vixisset ad exemplum insignis, IV. idus Augusti anno Redemptionis humanæ MDCLXXXVIII animum Deo reddidit octogenarius.

Hoc, cum virtutis paternæ, tum pietatis suæ, monumentum posuit Joannes Stuartus de Grandtully.

(TRANSLATION.)

To God, all good and all great.

In the hope of a blessed resurrection, are here laid the ashes of Thomas Stuart of Grandtully, knight, with gilt spurs, who was descended of the most illustrious family of

¹ Vol. ii. p. 289, No. 223.

the Stuarts, formerly of Lorne, by a long series of ancestors, knights of Grandtully, from a race distinguished for the utmost candour, for pristine probity, for the most unshaken fidelity to those most sacred kings, the Charleses (whilst perfidy, sometimes prosperous,—always foul and meriting execration, was overthrowing all things, divine and human), for ready liberality, for a hospitality always prompt, for a constant desire to merit the good opinion of all his countrymen, as far as consistent with rectitude (whilst sedulously attending to the interests of his family, though not increasing their fortune so as to excite envy): when he had lived illustrious by his example, on the 10th August, in the year of the redemption of man MDCLXXXVIII, he yielded up his soul to God, having attained the age of eighty years.

This monument John Stuart of Grandtully has raised in commemoration of his father's virtue and of his own piety.

A medallion portrait of Sir Thomas forms part of the monument. A portrait of him is also preserved at Murthly. The knight is somewhat grim in aspect, and gorgeous in his apparel—a taste no doubt inherited from his father, the life-long courtier. A lithograph of the portrait is given in this work.

By his wife, Grizel Menzies, Sir Thomas Steuart had a family of one son, John, of whom a memoir is afterwards given, and eight daughters. The daughters were—

Jean, the eldest, who married, as already mentioned, Sir James Mercer of Aldie, in the county of Kinross, and Meiklelour, in the county of Perth. Their contract of marriage is dated 1st February, and recorded in the Books of Council and Session 22d November 1648.¹ They had one son and three daughters. The son was

¹ Extract Marriage Contract at Murthly.



SIR THOMAS STEUART OF GRANDTULLY:

BORN 1608: DIED 1688.

named Charles, by King Charles the Second at his christening, in Sir James's house, in Axe Yard, London, in the beginning of June 1667. On the 8th of that month Sir James communicated the intelligence in a letter to his father-in-law, Sir Thomas. He wrote that His Majesty on the occasion was very jovial, without any sort of drinking,—only drunk to him (Sir James) the young laird's good health. Next morning he presented to his godson eighty ounces of gilt plate. The Duchess of Monmouth, with many lords and ladies, was present with the King. The Duke of York was prevented from attending through the death of his son, the Duke of Kendal, and the expected death of his other son, the Duke of Cambridge.¹ Grizel, the eldest daughter of Sir James Mercer and Jean Steuart, remained, as we have seen, unmarried. The second daughter, Jean, married Sir Laurence Mercer, and inherited her father's estates. Cecil, the youngest daughter of Sir James, died unmarried.

Marjory Steuart, the second daughter of Sir Thomas, married David Fotheringhame of Pourie, in the county of Forfar. The contract for their marriage is dated 20th November 1656.² Walter Thomas James Scrymgeour Fotheringhame, now of Pourie, who was born 7th December 1862, is the descendant and representative of that marriage.

Grizel Steuart, the third daughter of Sir Thomas, married the Honourable Sir John Drummond of Burnbank, in the lordship of

¹ Original Letter at Murthly. Printed, vol. ii. p. 178, No. 113.

² Original Contract at Murthly.

Kincardine and shire of Perth, afterwards of Logiealmond in that county, younger brother of James Drummond, third Earl of Perth, and elder brother of William Drummond, second Earl of Roxburgh, who was the grandfather of John the fifth Earl, who was created Duke of Roxburgh in the year 1707. The contract for the marriage of Sir John Drummond and Grizel Steuart is dated 18th August 1664, and recorded in the Books of Council and Session 11th January 1666.¹ Sir Thomas Steuart thereby became bound to pay to Sir John Drummond the sum of twenty thousand merks, in name of tocher, with his daughter. Sir John Drummond of Logiealmond died in June 1678, and was interred at the chapel of Logy on Tuesday, 2d July, the funeral being at ten o'clock in the morning.² He was survived by his wife.

Sir William Drummond Steuart, now of Grandtully, and formerly also of Logiealmond, is the descendant and representative of that marriage.

Cecil Steuart, the fourth daughter of Sir Thomas, married John Stewart of Arntully, in the county of Perth.

Anna Steuart, the fifth daughter, married James Seton of Touch, in the county of Stirling. The contract for their marriage is dated 20th April 1664.³ This marriage was dissolved about four years after by the death of "Lady Touch" in December 1668.⁴

¹ Original and Extract Contract at Murthly.

² Funeral Letter to Grandtully younger, dated Logy, 27th June 1678. Original at Murthly.

³ Sasine on Precept in Contract at Murthly.

⁴ Letter, vol. ii. p. 185, No. 119.

Helen Steuart, the sixth daughter, married James Crichton of Ruthvens, in the county of Forfar. Their post-nuptial contract of marriage is dated 20th May 1669.¹ Lamont thus notices their marriage in his Diary:—"1666. April.—The old Laird of Ruthven, in Angus, surnamed Crichton, departed owt of this life at his dwelling howse ther; and his son, young Ruthven, married Gerntilly, youngest daughter except one, about 4 houris before his father's death, vpon the accownt the warde of the mariage might not fall."²

Elizabeth Steuart, the seventh and youngest daughter, married David Leslie, Master of Newark, eldest son of David first Lord Newark. Lamont records in his Diary that this marriage took place on 26th May 1670 at the house of Sir Thomas Steuart; and that the Lord Chancellor, the Earl of Rothes, was at the wedding.³ The minute for their contract of marriage is dated 1st June 1670.⁴ Jean Leslie, the eldest of five daughters of this marriage, succeeded her father, as Baroness of Newark in her own right.

We have been thus particular in stating the marriages of the daughters of Sir Thomas Steuart, as their descendants are included in the line of the succession to the barony of Grandtully under the entail which was executed by John Steuart of Grandtully in the year 1717.

¹ Original Contract at Murthly.

² Diary of John Lamont, Edinburgh, 1830, p. 188.

³ Diary of John Lamont, Edinburgh, 1830, p. 220.

⁴ Original Minute at Murthly.

JOHN STEUART OF GRANDTULLY—1688-1720.

John Steuart of Grandtully, the only son of Sir Thomas, of whom some account has now been given, held the family estates nearly thirty-two years. Never having been knighted like his ancestors, he was, when advanced in life, familiarly known as "Old Grandtully." The precise date of his birth has not been ascertained. But as his parents were married in the year 1627, and as he had entered as a student at the University of St. Andrews in the year 1663, it may be assumed that he was born about the year 1643. Several letters, written by his father, in the years 1663 and 1664, addressed to "his loving son John Steuart, at St. Andrews," are preserved at Murthly. These letters relate chiefly to the moneys transmitted for the payment of the young Laird's board and his college fees, and to articles of clothing, and they evince the tenderness of Sir Thomas's paternal affections, and his anxiety to promote in all respects the comfort of his son, whom he was willing to gratify by every reasonable indulgence, and about whose personal appearance, on the score of dress, he was particularly solicitous. In a letter to him, written from Perth, 5th February [1664], he says,—“I have sent to Mr. John Oman your quarter's board, quhilk begins not till after the 20 of this month, with four pound sterlin for defraying of your coall and candle, beds, and other necessaries, and seven dolloris to be given to your regent, and tuentic rex-dolloris to

your selfe, for spending money, and if ye think fitt, in the lent tym, ye may boord your selfe in the toun, and if ye want any other thing let me know, and I shall send it to yow from Edinburgh, in respect that I mynd to goe ther, God willing, myselfe, within eight or ten dayes, for if I had not been necessitat to goe ther, I intended to have bein at St. Andrews the next weik." He adds, with paternal pride,—“ Mr. Robert Learmonth, at Edinburgh, told me that yow had the handsomest suit that was in all the Universitie. Let these present my service to him and the rest of the regents in the colledge.”¹

Another letter of Sir Thomas to his son John at this time we give entire :—

“ Edinburgh, 29 February 1664.

“ LOVING SONE,—I received yours ; and as for your cloathes, if ye get them about the midle of Apryll it is tyme enough for an summer soote, for non can tell yit what stuffis is in fashione, for I have written to London to know quhat stuffis is most fashionable, and how they ar mounted, for if I can get ane suit broght hom to yow, I mynd to cause mak them at London. Ye shall receive from the bearer ane pair of fyne whyt worsit stokins, quhilk is most fashionable, and ane hatt. As for your Holland shirts and drawers, I intend to buy them in Perth. I wold have yow to com home eight or ten dayes beffor Cowper race, that I may cause tak your measure either to cause mak them heir or elsewher ; and if ye can not spair so much tym, lest ye should be behind the rest, ye may cause an tailzeor ther

¹ Original Letter at Murthly.

take your meassur, according to your last soote. So having no mor at present bot my service remembred to all the regents, I rest,

“ Your loving father,

“ S. T. S., Granttully.”

“ For his loving sone John Stewart, att St. Andrews.”¹

Writing again to his son John, at St. Andrews, from Murthly, 11th April 1664, Sir Thomas says :—“ I have sent thir horses to yow this night, so ye may com in to-morrow morning, and put on your best cloathes, and put up your old cloathes in the cloak-bag, and let John Ros carie them behind him. I have sent the grein wallet to put in your linings in.”²

In the following winter John Steuart again attended the University of St. Andrews. Sir James Mercer, in a letter to Sir Thomas Steuart, dated Aldie, 9th April 1665, says,—“ For your sonne’s visite I ame no farther ingaged then that he sould make it when he sould cume from the Colledge.”³

In the beginning of the winter of the year 1668, John Steuart left Scotland for London, with the intention of travelling in France. At London he had an opportunity of visiting his sister Jean, her husband, Sir James Mercer of Aldie, and their children.

John left London for France on the 26th of October 1668. Sir James Mercer, in a letter to Sir Thomas, dated Whitehall, 27th October, thus writes :—“ Your sonne is in good health, and parted

¹ Original Letter at Murthly.

² Original Letter, *ibid.*

³ Original Letter, *ibid.*

from this yesterday morning, being the 26 of October. Ther fell out the occasion of a French gentleman, a great friend of myne, who had both English and French, which made me haste him away. . . . He did make no clothes, neither did appeire to the King, but went and visited my Lord Lautherdale, who was verie kind to him.”¹ Sir James, in another letter to Sir Thomas, dated 17th November 1668, again writes concerning John :—“ I wonder I haue not heard from you, I hauing wreaten when your sonne was heir, and when he parted, and when he was safe arryved att Caleis, and now he is att Paris, and my Lord Drummond mett him the last week within fiftie myles or thereby of Paris. He is verie weill, and will prove a compleit gentleman, and I houpe he sall be a credit to all his relations ; and I think ye sould rejoyce that he is compleiting himselfe to succeed to so worthie and vertuous a father. . . . My Lord Drummond came heir on Saturday the 14, and his brother John, who are very brave gentlemen.”²

Lord Drummond, when at Calais, wrote a letter to John Steuart, dated Calais, 21st November 1668, in which he says,—“ I have heir sent yow the letter I promised for M^r de la Fuy at Angiers. I assure yow, yow will find him very civill, and at his house yow will be at your oune freedome. Present my service to him and al thos at his house. As for the masters’ names, the fencing master is Monsieur du Parc, the dancing master Monsieur le Conte, and the master of the academie Monsieur de Hallot. I wish yow a good jurney, with al con-

¹ Original Letter at Murthly.

² Original Letter at Murthly.

tentment and happiennesse. I shal tell your relatans I have seine yow well.”¹

Having arrived in Paris, the young Laird travelled thence almost immediately to Angiers, where he lodged in the house of Monsieur de la Fuye, minister of that place, who had been highly recommended to him. Sir James Mercer, in a letter to Sir Thomas Steuart, dated Whitehall, 4th December 1668, thus writes:—“Theis are to accompany the inclosed from Paris. I heare your sonne and Charles Stewart are fallen out. They were a litill heir in mistake, but I putt them right agayne. Your sonne says he has wreaten it to me in a former letter, which I haue not receivit as yet. He hade a Scottis boy from this, but did not prove good, so that now he wreatts he has gotten an verie good servant, and I think he cares the lesse, for he is to live in the minister’s house att Angiers, wher my Lord Drummond and his brother did lodge. I houpe he sall spend his tyme weill, and eume home verie compleit in all his exercises.”²

John Steuart stayed at Angiers that winter, and in the following summer, applying himself to the acquisition of the French language and other accomplishments. During his sojourn in France, for nearly two years, he and his father frequently corresponded by letters, the most of which are still preserved at Murthly, and a considerable number of which are printed in the second volume of this work. In a letter to his father, dated Angiers, 15th January 1669, John writes:—“I hav been heer thes six weeks bygon, and am in a very honest hous,

¹ Original Letter at Murthly.

² Original Letter at Murthly.

wher my Lord Drummond stay'd the tym hie was hear, and lykuays I ame following all exercise that becoms a gentilman, and has my masters of dancing, fencing, of the languag, and gittarr evry day usuall. . . . This place is the best and the chepest in France to live in, and especialy for dancing, fencing, and all other exercise, a third cheper then Paris, as Aldie can inform you, and others that has been hear. This place is sixtie four lygs from Paris, and evry lyg is rekned to be thrie English myls." He adds in a postscript,—“ I shall and have obeyed your aduyse in not frequenting debosht company, and in not drinking to excess; for, Sir, I can declar to you with an good conscience that I hav comited no kynd of ecess since I cam from hom.”¹

Sir Thomas Steuart appears to have been anxious for the return of his son to Scotland sooner than the latter anticipated; and in a letter to his father, dated Angiers, 2d February 1669, John pleads with much plausibility for the extension of the time of his residence in France. “SIR,—Saving your pleasur, I think ther is no need of my coming to Paris so soon, and from thence to London, in respect that the tym yee ar pleased to alou me hear in France is so short that I cannot learen the language, which is, as I supos, the principall thing; nether can I learn my other excercise such as fensing, dancing, and other excersises that gentlemen learns when they com hear; and I beleave thir wer the reasons uhy I did com hear for to learn my excercises, which tends very mutch to the acomplishment of a gentleman, and to me to com hom befor I get anay of thir in som

¹ Original Letter at Murthly.

exact maner, I had rather never to hav comed hear, for the ordinar tym that is aloued to sty hear is an year and ane half at least, and it is litel enough to learne the French toung, as Aldie can inform you,¹ and others that has been hear, and if I should com hom befor I can speak French, it wer ane great sham for me. My Lord Drummond uas hear in France ane year at least, and I beleav hie uold hav stayed a great deall longer if hie had had his health, but hie was never an moneth weel together. I thank God for it I never had my health beter nor since my coming to France. My Lord Drummond has been ane year and eight moneths from home or ther abuts. Sir, the tym that I desir to stay hear in France, if it be consistent uith your pleasur, is till the nixt spring. . . . Sir, the uay hou I intend to spend this tym that I desir by your permissione, is to stay hear thrie or four moneths, becaus I hav my maisters ane half cheper hear then at Paris, and my dyet a great deall cheper lykuays ; I can learn mor of the French toung hear in ane moneth, then I can in Paris in four moneths, in respect ther is but tuo or thrie Englishmen in all this toune, and ther is abov fortie in Paris ; my Lord Drummond can inform you of all this ; and then nixt to Orliens or som other toune upon the river of Loer, and sty till September or October ; and then goe to Paris and sty, God uilling, all this nixt uinter, and com hom by London the nixt spring.”²

William Steuart, younger of Ballecl, eldest son of John's paternal

¹ This Aldie confirms in a letter to Sir Thomas, dated Whitehall, 20th February 1669.—
[Original Letter at Murthly.]

² Original Letter at Murthly.

uncle, John Steuart of Balleed, was married in March 1669 to Marjory, daughter of Colonel James Menzies of Culdares.¹ William, in notifying the happy event to his cousin, John Steuart, younger of Grandtully, 24th March 1669, informs him that on the 17th of that month he received two letters from him, dated the 11th and 20th of December and January, with which he was overjoyed; that at that time he was contracted with Colonel Menzies's daughter, with whom he was now married; and that the lady presented her respects very heartily to John. "In which choise," he adds, "(blissed be God,) I have so much satisfacione, that I cannot but render you thanks for your approbatione therof as not the smallest of the considerable courtesies and favors conferred on me."²

Sir Thomas Steuart, who placed entire confidence in his son, was liberal and prompt in sending him remittances of money; "for," says he in one of his letters to him, "I know ye spend non bot what ye can not hold in, and what ye spend in good companie, and learning of your exercisses, I think it verie weill bestowed."³ In another letter to him, dated Edinburgh, 25th June 1669, he writes, "I am verie glaid to heer . . . that ye take such paines in your

¹ In reference to Colonel Menzies, Thomas Steuart, afterwards Lord Balcaskie, communicates to John Steuart, younger of Grandtully, in a letter without date, but written in 1671, the following melancholy piece of intelligence: "We have hot and tragick reports here of ane slaughter committed on the Laird of Lochnell Campbell, (Colonell Menzies and severall other gentlemen being in companie at the time),

and the truth of it is too certane."—[Original Letter at Murthly.] Brodie in his Diary (p. 312) has the following entry on this subject: "I heard of the death of Lochinzeal in the L. Argyl's house, slain, as is thought, by Colonel James Menzies."

² Original Letter at Murthly.

³ Vol. ii. p. 187, No. 121.

exercises, which I wold have yow to doe moderatlie, lest it wrong yowrselfe.”¹

In the prospect of John's returning to London, his brother-in-law, Sir James Mercer, in a letter to him from Whitehall, 24th November 1669, gives him an item of advice from his father, relating to the article of dress, about which all of them were specially careful: “Your father does desyre yow to be sparing in buying many clothes att Paris, seing they will not serve heir at the Court, they being heir in long vestes, and his advyse is good; so ye will do weill to take sume of it. But ther is another reason; the Court is all in mourning heir, and will not be, as I heare, in laced linning till Easter; so I cannot as yet advyse yow till I know your dyet of cumming home.”²

In a letter to his father, 22d October 1669, John expressed it as his intention to come by Flanders and Holland to England. But his father in his reply, 15th January 1670, dissuaded him from carrying out that intention, in consequence of the troubles existing at that time in those parts, and he would have him to return to England about the close of March, that he might be in Scotland towards the end of April.³ John Steuart appears to have returned to London from France in the month of April. In a letter to his father, 30th April 1670, he requested that he might be permitted to stay two or three months longer in London. His father assured him that he would gladly have consented to this request had he been able to travel himself about on business, and desired him to

¹ Vol. ii. p. 190, No. 124. ² Original Letter at Murthly. ³ Vol. ii. p. 193, No. 127.

come down to Scotland with Aldie, that he might be there on the 1st of June.¹ He returned to Scotland about the time that his father desired.

Whilst John was in London, his sister Jean, Lady Aldie, gave him "a watchword" on the head of matrimony, which she recommended to his serious consideration. His brother-in-law, Sir James Mercer, in the name of Lady Aldie, reverted to the subject in a letter to him after his arrival in Scotland from Whitehall, 2d December 1670. "My wyfe longes much to heare of your being fitted with a wyfe, and she gave yow ane watchword concerning one, and now ther being ane report wpon your being in Balbedie, she thinks that does not sute your qualitie and condition. I sall be glad to know if ye haue any thoughtis of present settlement, or if ye intend to look about yow till the spring."² John, however, did not follow his sister's advice on the subject of matrimony, having lived and died unmarried.

After he had left the College of St. Andrews, the young Laird of Grandtully was not unmindful of his *Alma Mater* and the professors under whom he had studied. James Rymer, Professor of Philosophy in the old College, in a letter to him from St. Andrews, 10th January 1671, thanks him that he had not forgotten that Lent was kept in the College. He jocularly adds, "I shall remember in *aqua vitæ* your lady, Miss —, and yet I wish with all my heart that soone I may want the opportunity of doing so by your turning M. into such a wife as is deserved by you, and desired by, right

¹ Vol. ii. p. 195, No. 129.

² Original Letter at Murthly.

honourable, your most humble servant."¹ In 1673, John contributed £66, 13s. 4d. towards erecting an observatory and purchasing mathematical instruments for the University of St. Andrews, which he transmitted to Mr. James Rymer, who had been empowered by the University to receive contributions for that object.²

On the death of his brother-in-law, Sir James Mercer of Aldie, which took place at London, on Sabbath the 19th of February 1671, John was requested by his sister Jean, Lady Aldie, to superintend the funeral of her husband, whose remains, embalmed, were sent down to Scotland for interment in his burial-place at Perth, and to provide that the last duties should be performed as creditably and honourably as became a person of his quality and worth; a request with which he readily complied, and for which his sister expressed to him her warmest thanks.³

One of John Steuart, younger of Grandtully's, most frequent correspondents from early life to advanced age, was his cousin, Thomas Steuart, afterwards Lord Balaskie. During the time that John was on the Continent, in the years 1668 and 1669, Thomas often wrote to him, giving him the news from home. After the return of John to Scotland, Thomas, in one of his letters to him, dated Perth, 25th October 1671, says,—“Mr. Malcome and Mr. Rymer conjured me to present their respects to you, Sir, and I find them most sensible of your kindness and civilities to them, for they have

¹ Original Letter at Murthly.

² Original Receipt by Mr. Rymer, dated 10th December 1673, at Murthly.

³ Vol. ii. pp. 201-204, Nos. 136-138.

enlarged thereon to my heareing with the greatest resentment imaginable, speciallie on your yesterday's great complement in seeing them so farre in their way. As for my selfe, Sir, I must lay up your innumerable favoures and undeserved kindnesses in a deep silence, and groane under the sense of them till such time that I be in some capacity to express the same."¹

When Thomas was a student at Leyden, and travelling in France, one of the persons with whom he most frequently corresponded was John Steuart, younger of Grandtully; and he then executed for him some small commissions. Thomas, in one of his letters to John, dated Paris, 15th May 1675, informs him that he had sent him the four and a half French yards of velvet, and the periwig which he had written for. "As to the periwick," he says, "you de-syred it, Sir, of a dark colour, which I took for a good chessnute, which is the colour most in fashione in France, and non lighter, except, if onie, of that which they call *la couleur cendrée*, Monsieur, that some strangers weares, specially the English. I bought it thicke and long in the haire, judgeing it better then aither too thine or too short. It is well put up for carrying, and the long curles thereof wrapt up with papers, if it be not spilt on the way by that damned crew of hellhounds, the waiters, by their opening it, whereof its bearer has promised to be carefull."²

Among the friends and correspondents of John Steuart of Grandtully may also be noted John Graham of Claverhouse. Two of Claver-

¹ Original Letter at Murthly.

² Original Letter at Murthly.

house's letters to him, written in March 1676, relating to the purchase of a horse from him, are printed in the collection of letters.¹ Claverhouse was then about to sail for Holland, to serve under the Dutch, in whose service he continued till the year 1677, when he returned to Scotland. The following letter, written by the desire of Claverhouse to the Laird of Grandtully, younger, explains the good understanding which existed between them :—

“Dundie, 4 Aprill 1676.

“RIGHT HONNORABL SIR,—The Laird off Clawerhous hid his service presented to yow, and did intend till haw wreittin to yow himself, but was much strained with tym, for hie intended not till haw sailed till Munoday last, but was forsed to seall upon Saterdag, and went a litell in heast. But I hop this day hie is in Holland. Sir, your hors giws him good satisfaction at present, and I hop the longer he keeps him the better. Sir, Clawerhous commanded me to intreit yow if ye culd help Collonell Graham with any men who wold go to Holland with him willingly, hie wold tak it as a favor dun to himself. Hie is heir for the present, and the Collonell his writin to the Laird, your father, himself. Hie wants sum men, which trubells him much; and send them to me, and I shall haw a cair of them, and

¹ Vol. ii. pp. 229, 230, Nos. 159, 160. These two letters, as may be concluded from a comparison of them with the letter that here follows in the text, as well as from internal evidence, were written to John Steuart, younger of Grandtully, not to his father, Sir Thomas. The alleged illiterate style of Claverhouse's

letters has formed a subject of controversy. Both Sir Walter Scott and Lord Macaulay have animadverted, in strong language, on his bad spelling; while Mr. Mark Napier, in his *Life of Dundee*, takes exception to their remarks as unwarranted by the letters of Dundee.

pay them a dollar in hand and sex pence ewery day ; and if thos men be not plaised with the service at the end of this campain, they shal haw their pas till cum hom or go where they plais. Sir, I shall again most earnestly intreit yow to doe Collonell Graham all the favor ze can, which is earnestly [what] I intreitt for, Sir,

“ Your most obedient servant,

JA. GRAHAM.”¹

John Steuart accompanied the Highland host which was raised by the Marquis of Athole and the Earls of Mar, Murray, Caithness, Perth, Strathmore, and Airlie, according to a Commission issued by Charles the Second, on 26th December 1677, for the purpose of enforcing conformity on the western counties of Scotland, and which advanced to Stirling, where they were joined by the militia under the command of the Earl of Linlithgow. Writing on 11th December 1677 to Sir Thomas Steuart of Grandtully, Thomas Steuart, afterwards Lord Balcaskie, alludes to the formation of the Highland host. He says that the Marquis of Athole, the Lord Caithness, and some others had reported their diligence in putting some highlandmen in a posture of war, and to be ready at command.² On the 25th of January 1678, this formidable host, consisting of 10,000 men, of whom 8000 were Highlanders, marched from Stirling,—although “a great many gentlemen had come from the West to use all possible endeavours for preventing their march,”³—and, directing their course by Glasgow to the western counties, spread consternation wherever they went. But

¹ Original Letter at Murthly. The leaf containing the address is torn away.

² Original Letter at Murthly.

³ Vol. ii. p. 234, No. 165.

the people having offered no resistance, there was no fighting ; and the only achievements of the host were living at free quarters, pressing the bond for conformity, in which, however, they had little success, seizing horses, and committing other depredations. Towards the end of February 1678, the Highland host was ordered by the Committee of Council to return. They returned except 600, who, with the Angus militia and standing forces, continued till the end of April, when orders came to dismiss them. Thomas Steuart, afterwards Lord Balcaskie, in a letter to Sir Thomas Steuart of Grandtully, dated Edinburgh, 28th February 1678, thus writes :—" Within these four dayes I have account from the hoste that your sone is in good health, and that he is to be shortly home with the rest of the gentlemen. Only are to leave six hundred of the Highland men, whereof 200 [are] my Lord Athol's, a 100 of Marr's, a 100 of Caithnes's men, and 50 of Perth's, with as many of the Earl of Murry's."¹

This laird of Grandtully appears to have been open, accessible, willing to do a friend a good turn, and withal disposed to indulge in that kind of conviviality which was peculiar to his time. Parties who, in their difficulties, were desirous of borrowing money from his father, often solicited and obtained his favourable interposition ; but in cases of this kind he always acted with a wise discrimination. His cousin, Sir Thomas Steuart, Lord Balcaskie, in a letter to him dated 4th November 1684, before he had succeeded to his father's estates, addresses him, " My most generous patron and no less kynd benefactor,

¹ Vol. ii. p. 234, No. 166.

which I am very proud to owne before the world.”¹ His sister Jean, Lady Aldie, in one of her letters to him, 24th February 1686, tenders to him the following advice :—“ I earnestly intreat you to have a care what company you keep, upon severall accounts, for I hear that my Lord Panmure, tho’ he was as moderate a man as many in Scotland, yet it was after drinking he fell in that feaver whereof he died.”²

John, in so far as he had been intrusted with the management of his father’s affairs, seems to have acted with prudence and judgment. He thought, however, that he was invested with less power by his father than what he was entitled to, and offended at this he proposed to go abroad. Lord Balcaskie in a letter to his uncle, Sir Thomas, 5th November 1687, informs him, under secrecy, that such was the intention of his son, unless he had more of his will in the management of his father’s affairs at home and elsewhere ; but he begs Sir Thomas not to seem to know any such thing, and to give his son more liberty of action than he had done. He had ground to assure Sir Thomas that John would do nothing of the least consequence, even after he had been indulged herein, without his father’s knowledge. “If he should leave you now,” he adds, “it would certainly be unspeakable matter of trouble and griefe to you, besydes the talkeing and noise it would make in the country, whereat enemies would laugh and friends pity and regrate, and be ready enough to blame and mis-report you in the thing, and say it is the misfortune of the family.”³

¹ Vol. ii. p. 263, No. 198.

² Vol. ii. p. 281, No. 212.

³ Original Letter at Murthly.

Another of John Steuart's correspondents was William Hay, who was an adjutant in the Scottish regiment in England, in the service of King James the Seventh, shortly before, and at the time of, the Revolution of 1688. From the letters of this correspondent, who usually subscribes himself "your faithful (or loving) comrade," we learn that John was in England at the baths in the summer of the year 1688. In a letter to him from London, 9th June 1688, Hay writes:—"I am glad that you are in health, and continowes in your resolution to come to the beathes, where I shall be readdie to weatt on you." This letter and another dated 26th June 1688 are addressed "to John Stewart of Grandtully, younger, at John Greme's house in the head of the School Wynd, Edinburgh." The next letter to him from William Hay, dated 28th July 1688, is addressed "For the Laird of Grandtully, at Mr. Haywood's, hard by the Cross Bath, at the Bathes." He returned to Scotland in the month of September. Hay, in a letter from Hull, 24th August 1688, addressed to him at London, says, "This day our battallion come to Hull, wher we receaved neues of our marching to Scotland again the 4th of the next mounth. . . . I houp you shall overtak us upon our way."¹

From the letters of this correspondent some additional extracts may be given relating to the state of public affairs at that time. The revolution was then imminent, and the sentiments both of Hay and the Laird of Grandtully were strongly in favour of King James the Seventh, in opposition to William Prince of Orange. In a letter to

¹ Original Letters at Murthly.

Grandtully from Hull, 30th October 1688, Hay writes:—"I received yours this morning, and was warrie glad of your saeff arreywall in Scotland, and randeres you manney thankes for your kyndnes as to weatt on my spoues. The neuces this day by privatt letteres . . . beares that the Doutish for certane hath losed two men of war, four hounderreath horses throne over board, and severall of the fley boates a missing, and that the souldeares had taken the fleux, and that the States had sent for the Prince, . . . who deny'd to go ashoare, but att last went privatelie, and if they be att sea agaein, I houpe they shall have the same succes." The Prince of Orange set sail for England from Helvoetsluys on 19th October 1688. His fleet consisted of sixty-four ships of war, more than 500 transports, upwards of 15,000 troops, and spare arms for 25,000 men. But the whole fleet was dispersed and driven back by a dreadful hurricane, and after struggling two days with the tempest, the Prince returned to port with only four ships of war and sixty transports. The damage sustained having been repaired, he again left the shores of Holland on the 1st of November with a favourable wind, and on the 5th of that month he landed at Torbay.¹

In another letter from Hull, 9th November 1688, Hay writes thus to John Steuart of Grandtully:—"This day we march towardes the Duncing, for yow certainlie know be this tyme of ther landing, and I houpe in God to give you anc accountt of these rebealles befor itt be long." Again, writing to him from "Houmtentoune," 22d

¹ Aikman's History of Scotland, vol. v. p. 266.

November 1688, he says,—“ We never have stayead a day be the way since we marchead from Hull, and blissead be God, both officeres and souldeares are all in health, and going with as good will to serve thair King, as ever one thought long for meatt when they weare houngrie. All your freandes heare dрынkes your health, and in a short tyme trouistes in God to geave you ane account of the rebealles. The King, God preserve him! is gone to the armie.” And in a letter to Grandtully younger, from London, 8th December 1688, Hay writes :—“ I receaved youres this night. I am glad you are in health. Our battalion is att Madenhead, 24 mylles from this. I thank you for the good neues in your letter. The Major, Captain Murray, Lauthian, and all the restt of our commerades drank your health the pastt days.”¹

On receiving intelligence of the intended invasion of Britain by William Prince of Orange, the Privy Council of Scotland took steps for calling out the forces of the kingdom. Orders were given that the militia should be mustered, and the Highland chieftains were required to raise a number of men in proportion to their estates, who were to be brought to Stirling for the assistance of his Majesty in this alarming conjuncture of affairs. The number of men whom Grandtully was required to raise was fifty. On this subject his relative, Sir Thomas Steuart, Lord Balcaskie, wrote to him on the 1st of November 1688, the day on which the Prince of Orange embarked from Holland on his expedition into England, the following letter :—

¹ Original Letters at Murthly.

“ DEARE SIR,—Had any thing occurred worthy the expence of ane express, I had sent one to yow without faile, but now that I have the occasion of this express sent by the Councile for raising of a thousand Highland men to be brought to Sterling with all the dispatch that may be, whereof your proportion is fiftie, I believe, as your letter for that effect will informe. It is too many to have putt on you, but it could not be helped, specially now that you have the power to raise them your selfe, and to appoint officers for them, which I assure did create a great deale of hate in the Councile, but Weime and the other gentlemen has you to thanke for being exemed from that vassallage, whowever I owne it as motione from the Councile. I am glad that this express will find you at home, because it will be the easier to raise your men that you are at home, and those who brings their men first to Sterling will be considered as most franke and forward in the King’s service ; and they need bring no more money or provisione alongs with them then what will serve to come to Sterling, or a day more or so, for the King gives each of them thrippence a day, and a pecke of meale in the week, with a paire of new shoes so long as they continue in his Majestie’s service, which certainly will be a greate encouragement for their coming chearefully out, and if it were otherwise the burden were unsupportable. I have not a word other newes of the Hollanders but as you left us ; they are daylie expecting to heare of their landing, and I hope you will be here about the beginning of the week, with a resolutione to stay till the event of these hurries be better known. . . . I can give

you no other newes, but that it's certainly believed that the Hollanders will land onne this week, specially now that the wind favours them so much, so that the sooner your conveniency can allow you to come here it will be the better, and prevent all hurry and trouble that accompany the same, and I doe thinke it a greate comfort to friends to be neare one another at any time, but farre greater in time of confusione and hurries. This, with my beast and choicest wishes being with you, I am, till death, Sir,

“ Your most obliged and faithful humble servant,

“ T. STEUART.”

“ Edinburgh, 1st November [16]88.”¹

The Hollanders landed in England, as we have seen before, and so rapid and complete was the success of William Prince of Orange that the Government of James the Seventh fell almost without a struggle, and he fled to France. By the Parliament of England it was declared that he had abdicated the throne ; and William, the Prince of Orange, and his Princess Mary were invested with the crown of England. By the Convention of Estates in Scotland, on 3d and 4th April 1689, it was resolved that James had forfeited his right to the crown, and the throne was declared vacant, and an Act was passed on 11th April settling the crown of Scotland on the Prince of Orange and his Princess Mary.

Whilst the majority of the people of Scotland were in favour

¹ Original Letter at Murthly.

of the new Government, there was a large party in the kingdom, including the great majority of the Highland clans, who were devotedly attached to the house of Stuart, and prepared, whenever a suitable opportunity occurred, to draw the sword for the restoration of the exiled monarch or his son to the British throne. On the death of Queen Anne, this party, conceiving that circumstances favoured such an enterprise, projected a rebellion in favour of James, commonly called the Pretender, son of King James the Seventh. The battle of Sheriffmuir, near Dunblane, between the Pretender's army, commanded by the Earl of Mar, and George Duke of Brunswick's army, commanded by John second Duke of Argyll, was fought on the 13th of November 1715. Both parties claimed the victory; and though the power of the Earl of Mar was so weakened that he could never again gather such an army as he then commanded, this uncertainty as to the side with which the victory lay, served to keep alive the rebellion till the Pretender landed in Scotland in the following month.

John Steuart of Grandtully, whose political opinions favoured the House of Stuart in opposition to that of Brunswick, was not with the insurgents at the battle of Sheriffmuir. His advanced age—for he was then about seventy-two—prevented him from joining the Pretender's army under the Earl of Mar, and sharing in the fatigues of battle, and a body of Grandtully men was on that occasion headed by his cousin, John Steuart of Innernytie. It was from the cause now explained, not from a prudent policy, or in order to save his lands in the event of the insurrection being suppressed,

that the Laird of Grandtully stayed at home.¹ We shall presently see that, so far from standing aloof from the Pretender, he actually entertained and lodged him in his house. When the Pretender arrived at Peterhead, on the 22d of December 1715, the Laird of Grandtully united with others in congratulating him on his return to his native and hereditary kingdom, and addressed him as one of his loyal and dutiful subjects. On coming from the north to the south, the Pretender, on Friday the 6th of January, about eleven o'clock in the morning, made a public entry on horseback into Dundee, with a retinue of about 300 cavaliers, having the Earl of Mar on his right and the Earl Marischal on his left. At the desire of his friends, he continued about an hour on horseback in the market-place, the people kissing his hand all the while. Having gratified his adherents in this public form, James retired to the house of John Steuart of Grandtully, who then resided for the winter season in Dundee. During his stay in Dundee, James was the guest of Grandtully; he dined with him on the day of his entry, and he slept in his house the same night.²

¹ Sir Walter Scott, in one of his notes on "Memoirs of the Insurrection in Scotland in 1715, by John Master of Sinclair" (p. 77), adduces the fact that John Steuart of Innernytie, descended from a cadet of the family of Steuart of Grandtully, was at the battle of Sheriffmuir, while the Laird of Grandtully was absent, as one instance among many, of the policy exercised by the more prudent Jacobites in those uncertain times. "The chief or representative of a great family staid

at home and professed submission, while it often happened that some cadet, or younger brother possessed influence enough to bring out his followers and clan. Thus *lands and tenements* committed no treason." But Sir Walter is incorrect in applying this policy in the present case to the Laird of Grandtully.

² Rae's History of the Rebellion, p. 355. The house in which the Laird of Grandtully received James at Dundee was acquired from

By thus intercommuning with, entertaining, and harbouring the Pretender, John Steuart of Grandtully rendered himself obnoxious to the Government, and he was fined in the sum of £10,000. The estate of his cousin, John Steuart of Innernytie, who headed the Grandtully men at Sheriffmuir, was declared to be forfeited.¹

There is a tradition that after the suppression of the rebellion of 1715 the Laird of Grandtully, to escape falling into the hands of the Government, concealed himself in the Old House of Murthly. To arrest him, a troop of horse, it is said, was quartered in the two outer courts of the House, but he was never apprehended.

Grandtully's friend, Alexander Carnegie, fifth Laird of Balnamoon, joined the rebellion, and was at the battle of Sheriffmuir, at which he was made prisoner; and he was one of the prisoners who were carried to the castle of Carlisle. When incarcerated there he wrote the following letter to Thomas Drummond, the Laird of Logiealmond, which we here introduce, from the references which it contains to Grandtully, whose infirm health Balnamoon regrets, and whose numerous proofs of friendship toward him he warmly acknowledges:—

“ Carlisle Castle, April 2d, 1717.

“ DEAR SIR,—Being told that you was to be in Edinburgh, I did gladly imbrace this opportunity to make ane offer of my hearty service and best wishes to your lady and you. I'm sorry to hear

David Kinloch of Killre. It is included in the entail of the Grandtully estates made by John Steuart in the year 1717, under the

description of that tenement and lodging in Dundee as possessed by him.

¹ Aikman's History, vol. vi. App. p. 13.

that Grandtully, honest man, is turned infirm of late. I hear he is to settle all his affairs anew, which indeed is very reasonable. As matters stands, I have but a melancholy view, altho' I gett out of my present confinement. Ye know how I'm stated as to the worldly affairs, and that I have no friend that is capable to doe me a kindness now, unless Grandtully, from whom I have had abundance already. I shall say no more upon this subject, but refer you to Mr. Drummond's letter. I shall make you noe complements, but allow me to say I am, with great truth and sineerity,—Yours, etc., A. C.

“All the prisoners are well.”

“To the Laird of Logie Almond, to the care of Mr. William Drummond, Edinburgh.”¹

During his possession of the estate of Grandtully, John Steuart purchased several other properties. In the year 1704, he acquired the lands of Graystane from John Young of Graystane. In the year 1707, he purchased from James Carnegie of Balnamoon the lands and barony of Balnamoon, comprehending the lands and barony of Caraldston, now Careston, in the shire of Forfar, with the office of Dempster and Solieitor in the particular Circuit Justice Courts and Sheriff Courts of Forfar, and the lands and barony of Menmure, also in the shire of Forfar. In the year 1709, he purchased from his cousin, John Steuart of Innernytie, the lands and barony of Raitt, and the lands of Fingask adjacent thereto, sometime held to be in the shire of Clackmannan,

¹ Original Letter at Murthly.

by annexation, though locally in the shire of Perth. In the year 1713, he purchased from James Earl of Southesk the lands of Waterston, in the parish of Fern and county of Forfar.

These acquisitions formed a large estate of themselves, particularly the baronies of Careston and Balnamoon. About the year 1714, the Laird of Grandtully made considerable additions to the mansion-house of Careston, and greatly enlarged and improved the policies. His armorial bearings, carved in bold relief, are still conspicuous from their commanding position in the front of the castle, and many of the quaint carvings in wood in the different apartments were executed in his time, all bespeaking his cultivated taste.

The Castle of Careston, even before the additions made to it by John Steuart, was described by Mr. Ochterlony of Guynd, in his account of Forfar, about the year 1685, as "a great and most delicat house, well built, brave lights, and of a most excellent contrivance, without debait the best gentleman's house in the shyre."

A late writer on Forfarshire laments the present neglected state of the old castle of Careston, which he fears will soon become a total ruin. But even in its dismal appearance the castle presents traces of the stately grandeur which it had acquired when finally decorated by the taste of the Laird of Grandtully.

Although the baronies of Balnamoon and Careston are included in the entail of Grandtully, which was made by John Steuart in the

year 1717, he appears to have sold them shortly before his death, which took place in the year 1720, as these baronies did not descend to his successor in the other entailed estates. He was probably induced to sell Careston to meet the payment of the large fine which was inflicted upon him in connexion with the insurrection in 1715.¹

On the 31st of March 1717, the Laird of Grandtully executed a bond of taillie, whereby, for the regard he had to the wellbeing and standing of his family, and that his estate might remain with his own posterity, whom failing, with the other heirs of taillie and provision therein mentioned who were to bear the surname of Steuart, he bound himself and his heirs, as well male as of line, taillie, conquest, and provision, to make resignation of the lands and baronies of Grandtully, Murthly, and others, in favour of and for new infeftment, to be made—

(1.) To the granter himself, and the lawful heirs-male of his body, and the lawful heirs whomsoever of their bodies ; whom failing, to the lawful heirs whomsoever of the granter's own body, and the lawful heirs whomsoever of their bodies, the eldest heir-female succeeding without division ; whom failing,

(2.) To any person or persons that the granter should then, or

¹ The purchaser of Careston was Major Skene, a cadet of the family of Skene of Skene. The Major had two daughters, the elder of whom was married to the Laird of Skene, and the younger to Sir John Forbes of Foveran. Both the daughters were married at the same time, and their father de-

clared that he would provide Careston to the daughter who should first have a son. Mrs. Skene had a son before her sister, and their father made her heir to Careston, which now belongs to the Earl of Fife, as descended from that successful son.

at any time thereafter during his life, or in the article of death, nominate to succeed to the said lands, baronies, and others ; and failing of any such nomination, or the same being made and afterwards revoked or cancelled, or if the persons therein named, or to be named, should fail, then

(3.) To the eldest son, John Stewart, late of Innernytie's body, and the heirs-male of the said eldest son's body ; whom failing, to the second, third, fourth, and remanent sons of the said John Stewart, late of Innernytie's body, and the heirs-male of the said second, third, fourth, and remanent sons' bodies, successive and in order after each other, according to the priority of their birth ; whom failing,

(4.) To Sir George Stewart, eldest lawful son to the deceased Sir Thomas Stewart of Balcaskie, late one of the Senators of the College of Justice, and the heirs-male of his body ; whom failing,

(5.) To the eldest lawful son of John Stewart, second brother to the said Sir George, and the heirs-male of the said eldest son's body ; whom failing, to the second, third, fourth, and remanent sons of the said John Stewart, and the heirs-male of the said second, third, fourth, and remanent sons' bodies, successive and in order after each other, according to the priority of their birth ; whom failing,

(6.) To Kenneth Stewart, third brother to the said Sir George Stewart, and the heirs-male of his body ; whom failing,

(7.) To Archibald Stewart, only lawful son to the deceased Patrick Stewart, factor in Edinburgh, and the heirs-male of his body ; whom failing,

(8.) To Thomas Fotheringhame, eldest lawful son to the deceased Patrick Fotheringhame, younger of Powrie, and the heirs-male of his body ; whom failing, to David, John, and James Fotheringhame, sons of Thomas Fotheringhame of Powrie, successively in their order, and the heirs-male of their bodies respectively ; whom failing, to the eldest, second, third, fourth, and remanent sons of Archibald Fotheringhame, fifth lawful son to the said Thomas Fotheringhame, successively in their order, and the heirs-male of their bodies respectively ; whom failing, to Alexander, Charles, George, Eugene (the sixth, seventh, eighth, ninth), and to the tenth and remanent lawful sons of the said Thomas Fotheringhame, successively in their order, and the heirs-male of their bodies ; whom failing,

(9.) To Thomas Drummond of Logiealmond, and the heirs-male of his body ; whom failing, to John Drummond, eldest lawful son to William Drummond of Ballathie, and the heirs-male of his body ; whom failing, to the second, third, fourth, and remanent sons of the said William Drummond, and the heirs-male of their bodies respectively ; whom failing,

(10.) To Thomas Crichtoun of Ruthven, and the heirs-male of his body ; whom failing, to Thomas Crichtoun, the eldest son, and to the second, third, fourth, and remanent sons of Mr. Patrick Crichtoun, chirurgon-apothecary in Dundee, second brother to the said Thomas Crichtoun of Ruthven, successively in their order, and the heirs-male of their bodies respectively ; whom failing, to the eldest son, and the second, third, fourth, and remanent sons of William Crichtoun, third

brother to the said Thomas Crichtoun of Ruthven, successively in their order, and the heirs-male of their bodies respectively ; whom failing,

(11.) To James Carnegie,¹ the eldest, and David Carnegie, the second, and the third, fourth, and remanent sons of John Carnegie of Boysack, successively in their order, and the heirs-male of their bodies respectively ; whom failing,

(12.) To James Carnegie, the eldest son, and the second, third, fourth, and remanent sons of Alexander Carnegie, late of Balnamoon, successively in their order, and the heirs-male of their bodies respectively ; whom failing, to return to the granter and his nearest and lawful heirs-male whomsoever ; whom failing,

(13.) To his other heirs and assignees whomsoever, under the reservations, provisions, and limitations therein specified.

Of the same date, John Steuart executed a nomination of heirs. This deed proceeds on the narrative of the said bond of taillie, and of the destination of heirs therein contained, and of a disposition and assignation of the same date, by which the granter had disposed to the said heirs of taillie his personal and moveable estate. It further

¹ The Carnegies of Boysack and Balnamoon appear to have been named heirs of entail to Grandtully through the marriage of John Carnegie of Boysack and Jean daughter of David Fotheringham of Pourie. She married, secondly, James Carnegie third of Balnamoon.—[History of the Carnegies, Earls of Southesk, and their kindred, vol. ii. pp. 429-431.] Mr. Henry Steuart, brother of Sir Thomas Steuart, in a letter to his nephew,

John Steuart, younger of Grandtully, dated Perth, 8th December 1668, adds the following postscript :—“ My sone-in-law, Doctor Carnegie, is dead within thir ten or tuell days.” This Doctor Carnegie was probably of the Boysack or Balnamoon family. But his exact position in the Carnegie pedigree has not been ascertained.—[Original Letter at Murthly.]

narrates that in the foresaid destination the granter had for certain causes and considerations passed by and left out in the order of succession John Steuart, late of Innernytie; John Steuart, brother-german to Sir George Steuart, eldest lawful son to the deceased Sir Thomas Steuart of Balcaskie, late one of the Senators of the College of Justice; Thomas Fotheringham of Powrie; Archibald Fotheringham, his fifth lawful son; William Drummond of Ballathie, brother-german to Thomas Drummond of Logicalmond; Mr. Patrick Crichtoun, chirurgion-apothecary in Dundee, brother-german to Thomas Crichton of Ruthven; William Crichton, also brother-german to the said Thomas Crichton of Ruthven; John Carnegie of Boysack; and Alexander Carnegie of Balnamoon. The deed of nomination of heirs further narrates that the granter, not only as absolute fiar, but also as having power to dispose of his estate and the succession thereof as he should think fit, being resolved in the events underwritten that the abovenamed persons should succeed in their proper rank, according to the nomination and destination underwritten, therefore, in case King George or his royal successors should be pleased to receive the said John Steuart, late of Innernytie, Archibald Fotheringham, fifth lawful son to Thomas Fotheringham of Powrie, and Alexander Carnegie, late of Balnamoon, into their royal favour, and to grant them remissions or indemnities of the crimes for which they stood convicted or attainted, by which they might be rehabilitated, and participate, like others, in the benefits and privileges of His Majesty's true and faithful subjects; and in case the said John Steuart, brother-german to the said Sir

George Steuart, Thomas Fotheringham of Powrie, William Drummond of Ballathie, Mr. Patrick Crichton, chirurgion-apothecary in Dundee, William Crichton, brother-german to the said Thomas Crichton of Ruthven, and the said John Carnegie of Boysack, should give evidences of their being free from any suspicion of treasonable practices against the Government, or should be free and safe from any conviction or attainder against them for the same, in these cases, and not otherwise, the granter, under the reservations and provisions particularly expressed in the said bond of taillie, nominated and appointed the persons underwritten, failing the heirs of the granter's own body, male or female, and failing any other nomination to be made by him, to succeed to him in his lands and estate contained in the said bond of taillie, and in his personal and moveable estate, disposed by the foresaid disposition and assignation of the same date, viz., the said John Steuart, late of Innernytie, and the heirs-male of his body ; whom failing, the said Sir George Steuart, and the heirs-male of his body ; whom failing, the said John Steuart, his second brother, and the said Kenneth Steuart, his third brother, in their order, and the heirs-male of their bodies respectively ; whom failing, the said Archibald Steuart, only lawful son to the said deceased Patrick Steuart, merchant and factor in Edinburgh, and the heirs-male of his body ; whom failing, the said Thomas Fotheringham of Powrie, and the heirs-male of his body ; whom failing, the said Thomas Drummond of Logiealmond, and the heirs-male of his body ; whom failing, the said William Drummond,

his brother-german, and the heirs-male of his body ; whom failing, the said Thomas Crichton of Ruthven, the said Patrick Crichton, his second brother, and the said William Crichton, his third brother, in their order, and the heirs-male of their bodies respectively ; whom failing, the said John Carnegie of Boysack, and the heirs-male of his body ; whom failing, the said Alexander Carnegie of Balnamoon, and the heirs-male of his body ; whom failing, to return to the granter, and his nearest and lawful heirs-male whomsoever ; whom failing, to the granter's other heirs and assignees whomsoever, under the reservations, provisions, and limitations, particularly expressed in the said bond of taillie.¹

The entail made by John Steuart in 1717 continues to be the regulating entail of the Barony of Grandtully.²

After enjoying the family estates from the death of his father in 1688, for a period of nearly thirty-two years, this laird of Grandtully died in February 1720,³ aged about seventy-seven years. He died in

¹ Extract Registered Bond of Taillie and Nomination of Heirs at Murthly.

² In the year 1851, the present proprietor of Grandtully raised in the Court of Session a summons of declarator of the invalidity of the entail. Defences were lodged for the next heirs of entail, and the Lord Ordinary (Cowan) sustained the defences by an interlocutor, dated 19th March 1853. Against this interlocutor a reclaiming note was presented to the Second Division of the Court of Session on 27th April 1853. But this proceeding was not followed out to a conclusion on the part of the pursuer.

In the summons of declarator the following persons were called as defenders, being the whole heirs of entail then in existence, so far as known to the pursuer ; viz., William George Drummond Steuart, son of the pursuer ; Archibald Douglas Steuart, only surviving brother of the pursuer ; John and Robert Steuart, both residing in Perth, grandsons of the deceased Sir John Steuart of Grandtully ; James Lord Douglas, of Douglas ; Thomas Frederick Fotheringham, of Powrie ; Frederick Fotheringham, residing in Edinburgh.

³ "The Laird of Gairntully died last week at Dundee, and is succeeded by Sir George

his mansion in Dundee, in which he had received the Pretender as a guest five years previously. Dying unmarried, and the male line of his uncle, Sir William Steuart of Innernytie having failed, he was succeeded in the baronies of Grandtully, Murthly, and Strathbran by his cousin, Sir George Steuart, Baronet, the eldest son of Sir Thomas Steuart, Lord Balcaskie. Sir George is expressly named in the deed of entail of the late Laird of Grandtully.

Some time before his death, John Steuart of Grandtully mortgaged the sum of 20,000 merks Scots for the support of twelve poor men on the estates belonging to him, of the communion of the Episcopal Church of Scotland. His own heirs, and the heirs of the families of Fotheringham of Powrie and Carnegie of Balnamoon, were appointed administrators of the fund, which was called the Grandtully Mortification. About the year 1740, an hospital was erected near the policies of Murthly as a residence for the recipients of this charity. This hospital, however, was found to be unsuitable, and the original destination having been in many respects inexpedient or impracticable, the fund, which through careful management has considerably increased, is applied to the relief of poor people on the estate, without reference to their religious persuasion.

A portrait of John Steuart, the entailer of Grandtully, is preserved at Murthly. A lithograph of it is here given. According to the portrait, he was of a dark, swarthy complexion. This was a family

Steuart, the late Lord Balkassky's eldest son." son, Lord James Murray, 5th March 1720, at
—[Letter, John first Duke of Athole to his Dunkeld.]

characteristic till the alliance between Sir Thomas Steuart and Lady Jean Mackenzie, who brought fair hair into the Grandtully family. John Steuart, the entailer, was the first cousin of Lord Balcaskie, who was the grandfather of Archibald Steuart, afterwards Lord Douglas of Douglas, only surviving son of Sir John Steuart and Lady Jane Douglas. Lord Douglas had a striking resemblance to old Grandtully, the entailer. On first seeing Lord Douglas on a visit at Bothwell, the present representative of the Grandtully family was much struck with the resemblance between his Lordship and the portrait of old Grandtully, and this would have convinced him, had he ever doubted, that Lord Douglas was really the son of his great grandfather and Lady Jane Douglas.



JOHN STEUART OF GRANDTULLY:

BORN . C . 1643 ; DIED 1720 .

SIR THOMAS STEUART, LORD BALCASKIE—c. 1640-1700.

Thomas Steuart, who was a man of eminent abilities and learning, was the eldest son of Henry Steuart, fourth son of Sir William Steuart of Grandtully, one of the gentlemen of the bedchamber of King James the Sixth. Having completed his literary studies, and attended the classes for law, with the view of engaging in practice as an advocate at the Scottish Bar, he proceeded to the Continent in the year 1674, as we learn from his letters, some of which are dated from Paris in May and July that year,¹ for the purpose of studying law at the University of Leyden, which, from the fame it had acquired, was resorted to by many of our countrymen, especially by such of them as had devoted themselves to the study of law and medicine. He appears to have remained abroad about two years.

After Thomas had been on the Continent nearly a year, his father was urgent that he should come home. This, however, Thomas was very reluctant to do, as he would thus, from the shortness of his stay abroad, be deprived of the advantages he had expected to derive from attending the University of Leyden. His father, however, mainly through the interposition of John Steuart, younger of Grandtully, yielded to Thomas's earnestly expressed desire to be allowed to remain in Holland for the period originally contemplated. Thomas, in a letter

¹ Vol. ii. pp. 217, 218, 220, Nos. 148, 149, 150.

to his cousin, John Steuart, younger of Grandtully, dated Paris, (to which he had come about the end of March,¹) 16th April 1675, thanks him for having been at such pains to obtain the consent of his father for his stay abroad during the time he with solid reason begged for, and for his free and generous offers as to advancing him money; but he was unwilling to put him to the performance, and if his father could not do it, he behoved to suffer.² In another letter to John, dated London, 15th May, same year, Thomas says, "Finding my father has condescended to my earnest desyre as to my stay abroad, and knowing that you have been pleased to be the chiefe instrument thereof, whereby I assure you, Sir, you have crowned all the kindnesses and special favours that formerly you so aboundantlie heaped on me, for all of which my soul thanks you, and the constant tract of the good deeds and gratuities that your father and you are pleased to multiply on me, calls for a head and pen infinitely beyond what I can pretend to, to sett off, . . . wherefore I shall let my deep silence speake for my sensibly affected heart." In a postscript he says that he would be in London only till the beginning of June.³

In this letter, Thomas communicated the following curious piece of intelligence concerning the King of France:—"Notwithstanding . . . that it be not my ordinary to write newes, yet I shall plead liberty to give you a short touch of a signall instance of the King of France's Christianity and devotion, tho', perhaps, you have already heard it,

¹ One of his earlier letters to John is dated Geneva, 18th January 1675. Original Letter at Murthly.

² Original Letter at Murthly.

³ Original Letter, *ibid.*

and runnes thus : On the Wednesday before Good Friday, he had a long and serious conference with the father Jesuite, his confessour, and a little after the result thereof, he called for Madam Montespang, and told her he would dally no more with her at the rate he has done, but that henceforward he intended to consider more seriously the interest of his salvatione, and commanded her to retire herselfe from Court, which she did nixt morning, being Thursday by the point of day, but she beged on her knees that he would let her see him twice before he went to the campagne, whereunto he condescended, after much importunity, and the first time thereof was ten dayes or he went to the campagne, at a privat review he had of some of his guards, and the other time, that Saturday morning, he parted from St. Germaines to make the campagne, both of which was at a greate distance, and it's talked she is to retire herselfe to a monastery, whereby he will let the world see that he is justly called the most Christiane King, and for courage, bravour, and conducte at warre, Alexander and Cæsar are but apprentices to him, and for counsell, and policy, and wisdome he emulats Solomon ; and what may be his fortune this summer, the Lord knows, but he is for the tyme at Louxembourg, and it's in vaine for me to talke of him to you, seeing you know his accomplishments much better than I." ¹

Returning again to the Continent, Thomas continued there till the summer of the year 1676. One of his letters, which is addressed to his cousin, John Steuart, younger of Grandtully, is dated Leyden,

¹ Original Letter at Murthly.

27th June 1676.¹ Another is written to his uncle, Sir Thomas Steuart, from Edinburgh, 29th July same year.² He had returned to Scotland in the interval between these two dates.

To his uncle, Sir Thomas, who had a warm affection for him, and who interested himself in his welfare as if he had been his own son, he appears to have been largely indebted for pecuniary resources during the time that he was on the Continent. In a letter to Sir Thomas, dated 16th April 1676, he thus expresses himself:—" I did my selfe the honour as to write to you the close of February, showing my receipt of the last three hundred guilders you was againe pleased to gift me, for which I heartily thanke your honour, as well as for all former markes of honour and kindness of whatsoever nature, not daring to insist in that behalfe, and were I able to express my thankfulness in a better way, I should be very loath to trouble you so much and so frequently, by doeing it aither by word or write, tho' all I have hitherto witnessed by aither of the aforesaid ways be farre short of my most sincere and deep sense thereof, and if ever I be treisted with an occasion I shall make it effectually to appeare so to the world, so long as my blood is warme, and let me die in the minute that interest or any other by-end or consideration obliges me to flatter or dissemble with you in point of love, duty, honesty, and honour for you and all your reall concerns. . . . Were I to give you my thoughts of your very letters alone, I would be yet much more tedious then ever, there being few words of them that does not speake openly more honour

¹ Original Letter at Murthly.

² Original Letter at Murthly.

and kindness to me-ward then might make many proud, and creaves leave to tell ingenuously that suppose I had never got a crown of your money, as I have got, I may say, thousands, yet your other endearements put on me does justly challenge the sacrifice of what's dearest to me in a world, if it came in competition with your true service, honour, or interest.”¹

In a letter to his uncle, Sir Thomas, 29th July 1678, accompanied with two pounds of tobacco, he informs him that he had sprained his foot when dancing. But, to allay his uncle's suspicions as to the way in which he had met with the accident, he says, “It was in the forenoone I gotte it, not that I thinke you would misconstructe the occasion, which, the truth is, was while I was making a foole of my feet.”²

Upon his return from the Continent, Thomas Steuart, following the profession of his father, commenced practice as an advocate at the Scottish Bar. To the kindness of his uncle, Sir Thomas, in furthering his prospects in that profession, he probably refers, in a letter which he wrote to him from Perth, 25th December 1679 :—“I thank you, from my hearte, for one and all of the expressions of undeserved kindness and honour you have been pleased to favour me with, . . . more particularly for the singular encouragements you was pleased to indulge me with in order to my settlement in some . . . honest way for my subsistence and livelihood in a world.” He adds, “When it shall please the Almighty to put me in a condition whereby I can

¹ Original Letter at Murthly.

² Vol. ii. p. 243, No. 177.

be able to acquite my selfe your servant as becomes me, then I shall think my selfe arrived at the height of my ambition while my blood is warme. In the mean while, though every haire of my head were as capable to serve you as I my selfe, I ingenuously judge my duty, sir, to yow-ward challenges yet more.”¹ In similarly strong terms he expresses his sentiments of gratitude in a letter to his uncle, Sir Thomas, dated 3d July 1680 :—“Before I were found to write or speak a wilful and deliberate lye to any living, and farre less to yow (who has been pleased, I may justly say, both to breed and to maintaine me,) I should farre rather wish to be in my grave, by the Lord’s assistance.”²

Other letters of Thomas Steuart to his uncle, Sir Thomas, are pervaded by the warmest acknowledgments of the obligations under which he was laid by the multiplied tokens of affection which he had received from him ; and all of them are remarkable for the uncommon deference which he showed to that relative, whom he almost worshipped as a demigod, and whom he approached and addressed with something like the homage that is paid to an Eastern prince.

In his letters to his cousin John he wrote in a similar strain. This, John thought, might be proper enough, as addressed to his father, but it provoked a smile, and seemed to savour of affectation and adulation when addressed to him. He jeered Thomas for having “written complimentally, and superfluous speeches,” and for having

¹ Original Letter at Murthly.

² Original Letter at Murthly.

expressed himself as distempered because of the loss of his company. "I thanke your honoure likewise," says Thomas, in writing to John, 8th March 1665, "for that ironically locution and derision ye was pleased to give me in saying give I had been distempered by the deprivation of your companie I had before this time stood in need of on physitian; but, sir, ye knove better than I can informe you, that give ve should imploy physitians vhen ve are affected vith every malade and distemper, ve should spend the most of our pilgrimage here in medicinating, and yet not perfectly cured."¹

Many of the letters of Thomas to his uncle, Sir Thomas Steuart, are occupied about matters of business. But these often close with some of the news of the day. Writing to him from Edinburgh, 16th February 1680, on business affairs, he concludes by informing him of some circumstances relating to the departure of the Duke of York from Scotland, which he had visited:—"The Duke went only aboard his yaughts this afternoone in the road of Leith, and sailes but to-morrow morning, wind serving. Severals of the nobilitie and gentry goes alongs with them in the secound of his yaughts, for he has three here, which came but up on Friday's night and Saturday morning, and yesterday's morning the last came. The Provost of Edinburgh was knighted this forenoone in the Duke's presence at the Abbay, by vertue of a comissione direct to my Lord Chancellour for that effect, and was done with the sword of honour, which was brought out of the Castle a purpose for the greater solemnity thereof."²

¹ Original Letter at Murthly.

² Original Letter at Murthly.

In July 1682, Thomas Steuart married Lady Jean Mackenzie, third daughter of George first Earl of Cromartie. Lady Jean was born on the 11th of July 1661.¹

After practising a number of years at the Bar, Thomas Steuart was created a baronet, by letters patent, dated 2d June 1683, and on the 7th of December following he was admitted an ordinary Lord of Session, in place of Sir David Nevoy, for some time Lord Reidy, and afterwards Lord Nevoy, who died in the autumn of that year. Sir Thomas Steuart assumed the title of Lord Balcaskie, taking it from the lands of that name in Fifeshire, which he had acquired in the same year. He sold Balcaskie to Sir George Nicolson of Kemnay in the year 1689.²

Lord Balcaskie was an ardent cavalier. From the exuberance of his devotion and loyalty to Charles the Second, he regarded that monarch as the *beau idéal* both of a man and of a king. Upon the death of Charles, on 6th February 1685, Lord Balcaskie, in a letter to his cousin, John Steuart, younger of Grandtully, dated 12th February 1685, describes the deceased King as "our great and incomparable good and no less wise King, who was not only the best of kings bot the best of men, and died as the best of Christians." Charles, he observes, under his last illness, "spock with the greatest divine raptures that ever any did," "express the greatest and holiest contempt of the world imaginable," said "that he made it his bussines, as it was his

¹ Edinburgh Register.

the Rev. Walter Wood, p. 179. Edinburgh,

² History of the East Neuk of Fife, by 1862.

duty, to take care to governe his people aright, and keep them in peace and quiet, . . . and recommended religione, pietie, and vertue to these about him, with all imaginable zeall and constancie.”¹ Panegyric so exaggerated and indiscriminate as this may attest Lord Balcaskie’s personal and political attachment to Charles the Second, but history will not accept it as a true portrait of a monarch in whose character, as a man and a ruler, there is so little to applaud and so much to censure.

Lord Balcaskie and Lord Forret were chosen by the barons of the county of Fife to represent them in the Parliament which was about to meet on the 28th of April 1685. When the Duke of Queensberry, who was appointed King’s Commissioner to that Parliament, and the Earl of Perth, who was Lord Chancellor, were expected in Edinburgh, Lord Balcaskie, with Lord Balcarras, the Lord Register, and the Lord Justice-Clerk, (Sir James Foulis of Colintoun,) hired a coach to go to meet them on their way from Berwick to Edinburgh. Lord Balcaskie, in a letter to his cousin John Steuart, younger of Grandtully, dated Edinburgh, 1st April 1685, after communicating to him this piece of news, adds, “ Since you are to cause bring over your chesnut horse, however, if you please to doe it some few dayes before the Parliament, I will trye if I might adventure to ryde the Parliament upon him, after he had been a whyle used upon the street.”² In that Parliament Lord Balcaskie was elected a Lord of the Articles, and a member of a commission then appointed for the

¹ Vol. ii. p. 266, No. 199.

² Vol. ii. p. 267, No. 200.

encouragement of trade between the kingdoms, and also a Commissioner for the Plantation of Kirks.¹

Before this Parliament had finished its labours, the public tranquillity was disturbed by the expedition of Archibald Earl of Argyll, undertaken, as the Earl's declaration bears, for the protection of the religion, rights, and liberties of the kingdom, against King James the Seventh, "a usurping and persecuting tyrant." But Argyll, having been joined by no considerable body of his countrymen, was speedily defeated by the superior numbers with which he was resisted by the Government, and he himself was made a prisoner. With this enterprise Lord Balcaskie, whose political sentiments were so different from those of Argyll, could have no sympathy, and, after the defeat and capture of Argyll, he announces the intelligence with great satisfaction to his uncle, Sir Thomas.² The Earl of Argyll, as is well known, was beheaded at the Market Cross of Edinburgh, on the 30th of June 1685.

After this, in the same year, Lord Balcaskie made a journey to London, at which he arrived on the evening of the 4th of September, having "had very good weather and good companie all alongs the journey." The King being at Windsor, his lordship went thither to kiss his Majesty's hand.³ On the night of the 7th of that month he did himself that honour, and he was much gratified at the civility with which he was received by his Majesty. "Ther is such a world

¹ The Acts of the Parliaments of Scotland, vol. viii. pp. 452, 457, 478, 481.

² Vol. ii. p. 268, No. 201.

³ Vol. ii. p. 273, No. 205.

of our covntriemen here," he remarks, "they cannot all thryve." As for himself, looking at the cost of this scramble for Court favour and patronage, which might result in nothing, he prudently adds, "I beginne to weary here allready, for money melts away lyke snow before the sun."¹

Lord Balcaskie, on 28th July 1688, succeeded Sir Roger Hog, Lord Harcarse, as a Lord of Justiciary, that Judge having been removed by a letter from the King, in consequence of his having voted in Parliament against the wishes of the ministry, in a cause regarding the tutors of the young Marquis of Montrose.²

At the Revolution of 1688, Lord Balcaskie, like other Senators of the College of Justice who were hostile to the new Government, and strenuous supporters of the abdicated monarch, was deprived of his offices as a Lord of Session and of Justiciary.

The exact date of the death of Lord Balcaskie has not been ascertained, but it occurred before the year 1717, as he is mentioned as dead in the entail of Grandtully, which was executed in that year by John Steuart.

Lord Balcaskie had by Lady Jean Mackenzie a family of four sons and one daughter:—

1. Thomas Steuart, who was a twin with Margaret, and was baptized on 21st July 1685.³ He was named after his great-uncle,

¹ Vol. ii. p. 274, No. 206.

Senators of the College of Justice, pp. 407, 417.

² The Acts of the Parliaments of Scotland, vol. viii. p. 214. Brunton and Haig's

³ Edinburgh Register.

Sir Thomas Steuart, who was his godfather. As no further notice of Thomas occurs among the family papers, it may be concluded that he died in infancy; and his younger brother George became the heir of their father.

2. George, who was born 12th and baptized 16th October 1686.¹ He succeeded his father in his baronetcy, and afterwards succeeded his cousin, John Steuart, in the estate of Grandtully. Sir George was for some time an officer in the Royal Navy, and he was at one time captain of Her Majesty Queen Anne's ship the "Delight." He married Anne, daughter of Sir Archibald Cockburn of Langton, Baronet, but he died without issue, in November 1759, and was succeeded in his baronetcy and in the barony of Grandtully by his brother John.

3. John, who was born 29th September, and baptized on the 6th of October 1687. He carried on the line of the family, as is shown in the memoir of him which immediately follows.

4. Kenneth, who died unmarried, before 20th January 1721, on which date his brother John was served heir of line and conquest in general to him.²

5. Margaret, who, as said before, was a twin with Thomas, and was baptized on 21st July 1685. Her father, in communicating to his uncle, Sir Thomas, the tidings of her birth, says:—"My daughter's name is Margaret, after her great-grandmother, my Lady Collingtowne, who assisted and was witness to her birth and christning."³

¹ Edinburgh Register.

² Index to Retours, 1863, vol. i. p. 28.

³ Vol. ii. p. 272.



SIR JOHN STEUART OF GRANDTULLY, BARONET.

Married Lady Jane Douglas, 1746.

Died A.D. 1764, Aged 76.

SIR JOHN STEUART, THIRD BARONET
OF GRANDTULLY—1759-1764.

John Steuart, who on the death of his eldest brother, Sir George, second Baronet of Grandtully, in 1759, became third Baronet of Grandtully, was the second son of Sir Thomas Steuart, Lord Balcaskie. He was born 29th September 1687. At the time of his succession he was consequently far advanced in life, and he possessed the Grandtully estates only a few years. True to his Steuart clanship, he espoused the cause of the exiled royal family of Steuart, and in the Rebellion of 1715 he joined the Earl of Mar for their restoration by force of arms. At the battle of Sheriffmuir, which took place on the 12th of November that year, he fought on the side of the Pretender, whom he considered to be his lawful sovereign. He was then twenty-eight years of age. Allusion is made to his being liable to forfeiture in the entail executed by his cousin, John Steuart of Grandtully, in 1717.

John Steuart entered the Swedish military service, in which he rose to the rank of a colonel in the army, and he was commonly designated Colonel Steuart till he succeeded to his brother Sir George as the third baronet of Grandtully. In the Life of Charles the Twelfth mention is made of a Steuart, who was an officer near the person of that sovereign; and John, if he did not enter the Swedish service late in life, was probably in Charles the Twelfth's army. His sword-belt, of a yellow colour, and garnished with silver, the Swedish

uniform, is still at Murthly. It is of considerable breadth, and has a massive buckle. It is evidently such as would have been worn by a superior officer.

Colonel Steuart is conspicuous in history for one of his three matrimonial alliances, which, from the peculiar circumstances attending it, gave rise to much discussion.

The first wife of Sir John Steuart was Elizabeth Mackenzie, daughter and heiress of Sir James Mackenzie of Royston, third son of George first Earl of Cromartie, one of the Senators of the College of Justice. By this lady he had two sons: George, who died young, and Sir John, who became his heir.

The following letter which he wrote, some years after his first marriage, to his brother, Sir George Steuart of Grandtully, dated Edinburgh, 21st November 1728, relates to domestic matters and to some of the news of the day:—"Betty's arme is still ill. . . . What with her ilnes, dunns, and difficultys, I have pass'd my time very ill of late. Butt I think I'm in a fair way of leaving all uneasines, by gitting from this damned toun, to my quiet retreat in the country, wher I propos to live a happy philosopher. The bairnes ar well, and wee all join in wishing sister Steuart and yow many merry Christ-messes. Our toun has no news, butt that Sir James Dick is to be buried this day. He has left great riches, butt how is not knoun till after the burial. Lord Carnwath was married to Peggy Bang¹ some

¹ This probably refers to Margaret Hamilton, daughter of John Hamilton of Bangour,

in the county of Linlithgow, who became the third wife of Robert sixth Earl of Carnwath.

days ago, and Peggy Hoome of Blackator will in eight days be married to John Hamilton, Hadinton's sone. I went in last night to Freebairn's auction to see how your books went of, and herried my self rather then lett some of them go for nothing. I hav got some more to divert yow, which yow shall hav when I gett some of last October, which I want much."¹

Colonel John Steuart, when fifty-nine years of age, married, secondly, on the 4th of August 1746, Lady Jane Douglas, daughter of James second Marquis of Douglas, and sister of Archibald third Marquis and first Duke of Douglas, one of the most accomplished ladies of her age and country, handsome in person, gifted with strong natural talents improved by education, and most elegant and engaging in manners. She had then nearly completed the forty-eighth year of her age, having been born on the 17th of March 1698. The marriage was celebrated privately at Edinburgh, in her own house, by the Rev. Mr. Keith, and it was kept secret, because it was feared that Lady Jane's brother, the Duke of Douglas, who had already become alienated from his sister, would be the more irritated against her the moment he knew that she had married Colonel Steuart, who being a younger son, having neither an estate nor a settled profession, and who consequently could not maintain her in a position suitable to her rank, would be considered by him an unsuitable match for his sister, who was the heiress of the extensive estates of the Douglas family.

The story of the chequered life of Lady Jane Douglas is very

¹ Original Letter at Murthly.

affecting ; hardly exceeded in interest, in the touching picture it gives of suffering and injured innocence, by the most tragic tales of romance. In order to understand her history after her marriage to Colonel John Steuart, it will be necessary to notice some particulars respecting it previous to that event.

Placed in a position that commanded so many of the elements of human happiness, and possessing so many personal attractions, it might have been thought that she would be one of the happiest of her family, and would be courted by persons of the first rank. But some strange fatality, which appears to have followed her throughout life, disappointed her in this last particular. In early life she had the prospect of a most advantageous marriage with a nobleman of the first rank and fortune in Scotland, Francis Earl of Dalkeith, afterwards second Duke of Buccleuch, on the death of his grandmother, Anne Duchess of Buccleuch and Monmouth, in 1732. To this alliance, Anne Duchess of Buccleuch was highly favourable, as we learn from her correspondence with Lord Royston. In a letter to him, 2d February [1720], she says that she had written to him some weeks before to inform him of a most agreeable undertaking she was about, which was a projected marriage of Lord Dalkeith with Lady Jane Douglas, sister of the Duke of Douglas, a young lady whom she had heard much commended before she saw her, and who since had lost no ground with her.¹ Circumstances, however, prevented this marriage from taking place. The Earl of Dalkeith married another Lady Jane Douglas, who was

¹ Letters, vol. ii. p. 306, No. 237.

the second daughter of James second Duke of Queensberry, and a sister of Charles third Duke of Queensberry ; an event brought about, it would seem, by the match-making management of the Duchess of Queensberry, Lady Catherine Hyde, daughter of Henry Earl of Clarendon and Rochester. Anne Duchess of Buccleuch thus writes to Lord Royston, 4th March [c. 1720] :—“ Mr. Somervill has acquainted you with my disapointment in the marage of my grandson. Her nobll Grace of Queensberry I imput it to, becaws she has the same fait which some others has in this worald, more powr then they deserve.”¹ Had the wishes of her Grace of Buccleuch been fulfilled, the heirs of the marriage would probably have inherited the estates of the Duke of Douglas ; and there might also have been a line of Dukes of Buccleuch and Douglas. Matters, however, were otherwise destined. But if the Dukedom of Douglas did not pass into the Buccleuch family, the marriage of the Earl of Dalkeith and Lady Jane Douglas of Queensberry happily led, in their grandson, Henry third Duke of Buccleuch, in the year 1810, to the junction of the Dukedoms of Buccleuch and Queensberry.

At the disappointment on the breaking off of her marriage with Lord Dalkeith, Lady Jane Douglas was so greatly chagrined, that, from that time, till considerably advanced in life, she acted as if

¹ Letters, vol. ii. p. 306, No. 238. Catherine Duchess of Queensberry was the wife of Charles third Duke. She was celebrated for her great beauty by Pope, Prior, and other poets. Her portrait was engraved, having

underneath the well-known lines of Horace Walpole :—

“ To many a Kitty Love his car
Would for a day engage,
But Prior's Kitty, ever fair,
Obtained it for an age.”

resolved to refuse whatever other offers of marriage might be made to her.

For many years Lady Jane Douglas was peculiarly the favourite of her brother, Archibald Duke of Douglas. On 15th March 1718, he executed three deeds, which bespoke his affection for her, first a disposition containing a procuratory of resignation in favour of his own heirs of entail, whom failing, to Lady Jane, etc.; secondly, a nomination and disposition to Lady Jane, appointing her his sole executrix; and, thirdly, a bond of provision to her for 30,000 marks. On the 7th of May 1718, he made to her an additional bond of provision, and a further nomination and disposition of executry. On the 11th of June same year he executed another disposition of his estate of Dudhope, or Dundee, to the heirs-male of his body, failing whom to his heirs-female, and their heirs whomsoever, taking solely, and not as portioners; failing whom, to Lady Jane and the heirs-male of her body; failing whom, to Lady Jane's heirs-female, taking in the same manner as his own; failing whom, to the other heirs therein mentioned. Having made other purchases, the Duke, in 1726, settled them, together with his ancient estate, in the same manner. On 7th February 1736, the Duke gave Lady Jane a bond, reciting that 50,000 merks were due to her, the interest of which was £138, 17s. 9 $\frac{1}{3}$ d., and that by the death of the Marchioness, her mother, with whom she lived, it having become insufficient to maintain her, he intended to give her in addition £161, 2s. 2 $\frac{3}{4}$ d., both sums amounting to £300. He accordingly bound himself to pay to

her £300 a year, revocable, however, as to the last sum of £161, 2s. 2 $\frac{2}{3}$ d.¹

But certain parties about the Duke who possessed his confidence, intent on their own interest, and acting as partisans of the Duke of Hamilton, who was a Douglas in the male line, and the next collateral male heir of the Duke of Douglas, had conspired to make every effort to induce him to alter the succession in favour of the Duke of Hamilton, in the hope that in that event they would share in the management. As, however, they could not accomplish their purpose so long as Lady Jane possessed the confidence and affection of her brother, they had recourse to innumerable arts by which to infuse jealousies and suspicions against her into the mind of her brother, the Duke of Douglas, who, from his peculiarity of temper, was extremely prone to receive such impressions. The plotters were only too successful. If Lady Jane happened not to be at home when he came to visit her at Edinburgh, it was insinuated that she neglected him. It was represented to him that she had been contriving to have him put under restraint, that she might get possession of his estate; and though this imputation was proved to be wholly unfounded, it took possession of his mind, and he vowed resentment against her. Having been insulted by the mob in his house in Edinburgh, where he was unpopular, the Duke was made to believe that the populace, headed by Colonel John Steuart, with whom Lady Jane was at that time on friendly terms,—and the idea of her alliance

¹ Douglas Case, 4to, p. 6.

with whom offended his family pride,—had been hired by her to murder him, or to carry him off to St. Kilda, that she and the Colonel might get possession of his estate. In 1745, the rebels invaded Douglas Castle, and to this the Duke was assured Lady Jane had incited them, in order to rob him of his money and arms ; a story which he the more readily believed, from his dislike of Colonel John Steuart, who, he understood, was courting his sister, and whom he regarded as a Jacobite and Papist, and as deeply involved in the rebellion.¹

Under these circumstances, the situation of Lady Jane was a very unhappy one. She resolved to marry Colonel John Steuart, attracted by his gallant bearing, his handsome personal appearance and lively conversation, and to leave the scene of her troubles.

Accordingly, after their marriage, Mr. Steuart and Lady Jane went to the Continent ; but they left Scotland separately. Lady Jane, who assigned as her reason for going abroad that travelling and mineral waters were necessary for her health, set out for England, accompanied by Mrs. Hewit, as her lady attendant or companion, and by two maid-servants, Isabel Walker and Effie Caw. At Huntingdon, in England, they were joined by Mr. Steuart ; and thence they went to Harwich, where they embarked for Holland. Having arrived at the Hague about the beginning of the month of September, they took up their residence in that town, and continued in it to the end of December that year. After their arrival at the Hague, they made application to

¹ Douglas Case, 4to, pp. 7, 8.

the British Minister resident there for a passport for Lady Jane to go to the waters of Bourbon, in France. But this was refused. From the Hague they went to Utrecht, where they resided till April 1747. During the whole time of their stay in Holland, their marriage was kept a secret. In the letters written by both, whilst resident in Holland, to their friends, no allusion is made by them to each other. Mr. Steuart, writing to his son, John Steuart of Farnese, afterwards of Grandtully, from the Hague, 7th (N.S.) February 1747, informs him that he had left the Hague, "the prettiest village in the world," for Utrecht, in the hope of finding the air there less moist, as it stood higher ; but the difference, if any, was scarcely perceptible. He proposed to go for the season, sometime in the month after, to Aix-la-Chapelle, where he hoped to find things better and cheaper.¹ Lady Jane Douglas, in a letter from Utrecht, 10th February 1747, N.S., to Mrs. Carse, writes :—"This place stands high, and is very wholesome, which made me choose it till the season for Aix return. I left the Hague only because it was damp, and not without a good deal of regret, having got several acquaintances ; and some amongst the Dutch I found mighty well-bred, agreeable people. I have been as lucky since I came here in meeting with a great many Scots and English gentlemen. They are indeed chiefly of the younger sort, who choose this place for their education ; but they have so great a share of good sense, and so much wit, they render themselves acceptable to much older people."²

¹ Vol. ii. p. 352, No. 289.

² Letters of Lady Jane Douglas, London, 1767, p. 6.

Having stayed at Utrecht for some time, Mr. Steuart and Lady Jane set out for Aix-la-Chapelle, where they arrived on the 26th of April 1747, and where, with the exception of a fortnight which they passed at Spa, they remained till the 21st of May 1748. It was during the time of their stay at Aix-la-Chapelle, sometime in the month of March 1748, that they made known to several persons their marriage, which hitherto they had kept secret, and the reason given for making it known was that Lady Jane's advanced pregnancy could no longer be concealed.

Having resolved on going to Paris, Lady Jane and Mr. Steuart, after providing themselves with a letter of credit upon a banker in Paris for 1978 livres, departed from Aix-la-Chapelle on 21st May 1748 ; and, attended by Mrs. Hewit and their two maid-servants, they travelled through Liège and Sedan, continuing some days at each of these places, for Rheims, at which they arrived on the evening of the 7th of June. From Rheims they started on the 2d of July for Paris, in the public stage-coach, attended by Mrs. Hewit, leaving behind them their two maid-servants ; and on the evening of the 4th of July they arrived in the French capital, where, after staying two or three days in the Hotel Chalons, kept by one Godfrey, they removed to the house of a woman named La Brune, who let lodgings, and in this house Lady Jane gave birth to twins—two boys, on the 10th of July. About the 19th or 20th of July, they took lodgings in the Hotel d'Anjou, kept by one Michelle, where they stayed till they left Paris, about the 3d or 4th of August.

For the benefit of fresh air, they went from Paris to the village of Dammartine. Lady Jane having convalesced, they proceeded to Rheims on the 14th of August 1748, taking with them one of the infants—Archibald, a strong, healthy child, who was there publicly baptized in regular form, and leaving the other, who was born weak and sickly, with a nurse in the neighbourhood of Paris, under the inspection of Pierre la Marre, who had acted as her accoucheur.

Lady Jane now strongly desired to communicate the facts of her marriage, and of the birth of the children, to her brother, the Duke of Douglas, from a hope that, forgetting the past, he might now relent, and restore her to her former place in his fraternal affections.

Availing herself of the friendly offices of John seventeenth Earl of Crawford and fourth Earl of Lindsay,¹ she wrote a letter to her brother, which the Earl of Crawford enclosed in one from himself to the Duke.

The Earl, whose letter is without date, thus writes :—“ As it has providentially been my fate to pass these six last months confined to a place, where the ir retrievable misfortunes it has pleased the Almighty to afflict me with, could only be rendered supportable to me by the most agreeable society of so deserving people as that of your sister Lady Jane and Mr. Steuart ; and as, during the space of time we have been together, I have, from a regard I have for your Grace’s family I cannot conceal, so far merited my Lady Jane’s con-

¹ This Earl of Crawford-Lindsay adopted the military profession, and when in the imperial army as a volunteer, he received, in a battle fought against the Turks in the year

1739, a dangerous wound in his thigh, from which he never recovered, and which caused his death in the year 1749.

fidence, as to be intrusted with the alteration there has happened in her state of life, as also the notifying of it to your Grace, by the enclosed, a service that the same regard I have mentioned I ever shall have for your family, has even prompted me to offer, on so important an occasion, recommending, with the greatest earnestness, all its consequences to your Grace's most mature deliberation ; I say, as my undertaking proceeds from the most warm affection to your Grace's family, I'm hopeful my representations will not only meet with forgiveness, but with all their wished-for success, in reconciling your Grace to an event, all the well-wishers of your Grace's family may have the greatest reason to rejoice at, as there is such visible hopes of its being attended with the natural consequences so much longed for by all who are fond of seeing the family of Douglas multiply ; and since I have thus far ventured upon my dear Duke's goodness, he must forgive me if I proceed a little further, and represent, that a sister tenderly fond of your Grace as she is, and in the situation my Lady Jane is in at present, a favourable answer from your Grace is more necessary than may be at first, perhaps, adverted to ; wherefore, allow me once more to entreat you will, neither by silence nor indifference, hazard the bad consequences that may follow either the one or the other. I can assure your Grace she does great honour to her family wherever she appears, and is respected and beloved by all that have the honour of her acquaintance. She certainly merits all the affectionate marks of an only brother to an only sister." ¹

¹ Letters of Lady Jane Douglas, London, 1767, p. 11.

Lady Jane's letter to her brother, the Duke of Douglas, enclosed in that of the Earl of Crawford to him, we have not seen. But the Duke returned her no answer. She therefore wrote to him a second letter, dated Rheims, 7th August 1748. "Though not a little discouraged," says she, "by your favouring me with no answer to that under cover of Lord Crawford's, acquainting your Grace with my change of state, and in whose favours I think it my incumbent duty, as well as natural inclination, to acquaint you further with the happy consequences of it, which I am hopeful may be a means to replace me, in some measure, to the share of your favour I was once happy in, and never willingly forfeited; but, to the contrary, have regretted my ill fortune in that particular more than all the others of my more than ordinary cross fate. If want of title and estate in the gentleman I have chosen seems surprising, your Grace well knows no subject could add to me; and a gentleman as well born as any can take nothing off. Please know then, my Lord, that the tenth of last month, I was blessed with ¹ boys, one a promising child; the other, poor thing, so weak, that I fear is little to be reckoned on. God's will be done: the other my hopes centre in, and want but the pleasure of your approving his having your name, with that of Sholto to the younger to be happy; for, thank God, I have philosophy enough not to place happiness on superfluous riches or pomp, and faith enough to hope they nor I shall never want a decent competency." ²

¹ A blot on the paper which cannot be read. It means two.

² Letters of Lady Jane Douglas, p. 9.

This letter, like Lady Jane's former one to her brother, remained unanswered.

The Earl of Crawford continued to take the warmest interest in the welfare of Lady Jane, and was assiduous in his endeavours to bring the influence of others to bear upon her brother, in order to reconcile him to a sister whom, had she ever wronged him, which it does not appear that she ever did, it was his duty to forgive. Having returned to London, he recommended her condition to the attention of the Duke of Argyll, who promised that he would speak to Lord Milton about bringing the Duke of Douglas to think of the matter as he ought to do. He also wrote to the Duke of Douglas a second letter, though he had received no answer to his first, intimating the safe delivery of Lady Jane, "thundering in his ears his family's cause, and trying to rouse up all that was Douglas in him." He engaged the Earl of Home, who had gone down to Lord Mark Kerr's, to endeavour to conciliate the Duke, and he intended to go himself as soon as he was well, in order to talk to him about some supplies for Lady Jane. He had also spoken to the Master of Ross, son of Lord Ross, who had lately come over from Prussia, and who had gone down to Scotland to see his father, urging him to talk with his father and the Marquis of Lothian to take the proper steps with the Duke of Douglas, to induce him to act a right part towards Lady Jane; and the Master of Ross undertook the thing very willingly.¹

¹ Letter of the Earl of Crawford to Colonel August 1748, O.S., among Letters of Lady John Steuart at Rheims, dated London, 12th Jane Douglas, p. 15.

In the meantime, Lady Jane and Mr. Steuart abode at Rheims till the beginning of November 1749, when they went again to Paris for their child Sholto, and having brought him to Rheims, they left that city with their two children on the 29th of that month, on their way to England, and arrived at London about the end of December. Soon after their arrival in England, Sholto, who, immediately on his birth, in consequence of his being weak and sickly, had been baptized by the accoucheur, was baptized by a clergyman, in presence of the Countess of Wigtoun and others.

Upon her return Lady Jane found herself involved in great pecuniary distress. The allowance of £300 sterling *per annum*, which had been formerly given her by her brother, the Duke of Douglas, was withdrawn in July 1749, whilst Mr. Steuart, who was overwhelmed in debt, was thrown into jail by his creditors. Thus reduced to destitution, she met with all but universal sympathy, and, with the advice of friends, she applied to his Majesty King George the Second for a pension, till her circumstances became better. Mr. Pelham, the Prime Minister, though personally unknown to her, on being made acquainted with her case, generously compassionated a lady who, though the presumptive heiress of a great estate and family, was, with her two children, destitute of bread ; for which she returned him thanks in a letter dated St. James's Place, 15th May 1750. He warmly pleaded her cause with the King, who received her application in the most friendly manner, and granted her a pension of £300 a year. "Whatever share," says Mr. Pelham, on informing her of the grant in

a letter dated 3d August 1750, "I may have had in procuring to your Ladyship this mark of the King's goodness, cannot but be very pleasing to me, as it furnishes me with an opportunity of testifying the great respect with which I have the honour to be,"¹ etc.

This pension, however, does not seem to have been adequate to provide for Lady Jane's necessities. Whilst living at Chelsea with her children, she was often in great pecuniary embarrassment, for she had not only herself and her children to support, but also her husband, who was then living according to the rules of the King's Bench Prison in Southwark. At this time the correspondence between her and Mr. Steuart was almost daily, and the letters which passed between them, many of which have been printed, present an affecting picture not only of their pecuniary difficulties, but of the tenderness of their affection towards each other, and of their solicitude for their children.

Meanwhile, the twin brothers continued in good health. Lady Jane, in a letter to her step-son, John Steuart of Farnese, afterwards of Grandtully, dated St. James's Place, 24th June 1751, says,— "Your two little brothers, Archy and Sholto, thrive hitherto very well;" and in another letter to him from Chelsea, she writes,— "Your two little brothers are very well, and talk pretty distinctly. In a little time they'll be able to send you their affectionate compliments."²

In the year 1752, Lady Jane made a journey with her children

¹ Letters of Lady Jane Douglas, p. 74.

² Note of two letters by Lady Jane Douglas at Murthly.

to Scotland, with the design chiefly of renewing her solicitations for a reconciliation with her brother, the Duke of Douglas, whose estrangement from her had caused her so much distress, and to vindicate herself from certain calumnies, the import of which, as she understood, was, that she was not the mother of the children which she had brought from France, and that she was attempting to impose upon him supposititious children as her own.

She arrived in Edinburgh on the 17th of August 1752. Writing to Mr. Steuart from that city on the 18th of that month, she says,—“I am now in my own country once more, and, blessed be God! arrived there in perfect safety, and in perfect good health; the children, too, are mighty well, and in great good spirits, delighted with everything they see; and the people, as we came along, and here, seem, in indulgence to me, to be highly delighted with them. We came to town yesterday, the 17th, so that our journey was not a tedious one, and was a very agreeable one in all respects.”¹ In a letter to her step-son, John Steuart of Farnese, afterwards of Grandtully, dated Edinburgh, 16th September 1752, she writes:—“I arrived here a fortnight ago with your two little brothers, Archy and Sholto, after having made a very safe and prosperous voyage;”² a statement which does not exactly agree with the preceding letter as to the date of Lady Jane’s arrival in Edinburgh, but the discrepancy is unimportant. Again, writing to her husband on the 3d of September, she says,—“I’m mighty well

¹ Letters of Lady Jane Douglas, p. 84.

² Note of a letter by Lady Jane Douglas at Murthly.

lodged, and commodiously, at Mrs. Maitland's house, in Bishop's Land, and at a pretty easy rate, it being the vacance."¹

After remaining in that lodging about two months, her own health and that of her children not being good, she removed with them to Hope Park, on the south side of Edinburgh, which was then considered to be in "the country," but is now incorporated with that city. "As to your anxiety about my living in the country," says she, in a letter to Mr. Steuart from Hope Park, 15th November 1752, "imputing it entirely to economy, which I do assure you is the least consideration; my dear children's and my own health being the chief motive that made me leave Edinburgh, neither they nor I agreeing with the place. We were truly indisposed almost all the while we were in town; and Sholto had a little fever upon him when I brought him here; he is now, I bless God, very well and hearty. But it was full time to leave a place that impaired our health; but for all that, I made no great haste to leave it, being eight weeks in town, lodging in the best house in it in Bishop's Land, where I saw all my friends and acquaintances that were then in town; nor will they grudge to step a quarter of a mile out of it to see me here; and when I choose to wait on them, a chair can carry me in five minutes. I hope, after reading these reasons, you'll be persuaded that it is best for me to live in the country; so pray be satisfied and easy as to that article." She adds,— "Archy and Sholto send you their humble duty. They speak frequently of you, and are

¹ Letters of Lady Jane Douglas, p. 87.

perpetually writing letters to you, especially Archy ; it is his chief employment.”¹

A large fashionable assembly having been held at Edinburgh on the 16th of November 1752 in celebration of the anniversary of the birth of King George the Second, Lady Jane, though, from the circumstance of Mr. Steuart's imprisonment for debt, having little heart for mingling in scenes of amusement, yet to testify her gratitude to the sovereign who had graciously bestowed upon her an annual pension in her necessity, joined in this demonstration of loyalty, and took her children along with her. The marked attention which was shown her on that occasion, and the strong interest and sympathy with which her children were regarded, afforded her much gratification. This intelligence she communicates in a very pleasing manner in a letter to Mr. Steuart, dated 18th November 1752 :—

“ I went to the assembly this last Thursday, the King's birth-day being solemnized here on that day, because the week before was set apart on account of the holy sacrament. I deal not much in public diversions ; it would ill become me, as you're in confinement ; but our dear little ones and I, as well as you, are under such great obligations to his Majesty, that I thought it my indispensable duty to be present on the day that was appointed for solemnizing his birth-day, that I might, by that demonstration, express publicly to the world the sense I have of his Majesty's great goodness to me and mine ; and for that reason I took the children along with me ; and I cannot

¹ Letters of Lady Jane Douglas, pp. 94, 95.

really express the warm and kind reception we met with from the whole assembly, which was extremely crowded and full of company. Archy and Sholto behaved to a wonder, and were caressed beyond measure. I thought the people would have eat them up; and very many that I did not know complimented me upon their account, and upon my being returned to my own country; so that I wanted nothing to make me perfectly happy on this occasion, but your being there to share in my satisfaction, and so to make it complete.”¹

Immediately on her arrival in Scotland, Lady Jane wrote to a person who had constant access to her brother a letter, which she wished to be shown to him; but up to the 20th of September 1752,² N.S., she had got no answer from that person, and she therefore intended to write directly to her brother to see what effect that might produce. She penned and despatched to him a most submissive letter, of which she informs her husband, after she had removed to Hope Park, “out of the smoke of the town.”³ In order to propitiate her brother, she also delivered up certain valuable papers of her own to Mr. Archibald Stuart, (father to Mr. Andrew Stuart, agent for the Duke of Hamilton in the Douglas case, to be afterwards noticed,) to be delivered to her brother. To her second letter to him, as to the first, her brother did not vouchsafe to return an answer. In a communication to a person whose name is now unknown, 8th December 1752, she says,—“I received the favour of both your letters, that just on my

¹ Letters of Lady Jane Douglas, p. 96.

² Letter from Lady Jane to Mr. Steuart of that date, *ibid.*, p. 88.

³ Letters of Lady Jane Douglas, pp. 90, 91.

arrival in Edinburgh, and the other some weeks ago. It gives me inexpressible pain to find by them that my brother continues still inflexible ; nay, seems to be more than ever incensed against me, notwithstanding that I have made him all the submissions, by writing in the most humble, as well as affectionate manner, and in giving up my papers, which were of great consequence and advantage to me to have kept ; yet, to please him, I have resigned them, without being compelled by any other motive than my inclination to do everything that might contribute to his satisfaction, if happily, by these concessions, I might gain back his favour again, which is all my desire, and the utmost of my wishes.”¹

The deep feelings of her brother against her, Lady Jane learned in another way. She thought it proper to go and pay a friendly visit to the Duchess of Hamilton when the Duchess came to Edinburgh ; but she was not admitted to her presence. The Duke of Hamilton had written to the Duke of Douglas to inquire whether, in case Lady Jane offered a visit to the Duchess, it would be agreeable to him that it should be accepted or not ? The Duke of Douglas replied that he did not pretend to dictate or to lay down rules to the Duke of Hamilton, but that since he never intended to see his sister, he would take it well if the Duchess of Hamilton did not see her. This Lady Jane was told by Dr. Clerk, an eminent physician in Edinburgh, to whom the Duke of Hamilton had shown the letter he had received from her brother.²

¹ Letters of Lady Jane Douglas, p. 106.

² *Ibid.* pp. 102, 109.

Lady Jane had resolved to wait upon her brother, and was only prevented from doing so by several persons, who told her that such an attempt would incur his displeasure. When, however, she was under the necessity of going to England “to seek out a cheap place to live in,” she could not think of leaving Scotland “without making an effort to see him once before she died,” in order to vindicate herself from the cruel, false aspersions which her enemies had cast upon her. She repaired to Douglas Castle with her children, but was refused admittance to her brother the Duke. Upon this she wrote to him a touching letter, in which, after informing him that she had come down from London on purpose to pay her dutiful respects to him, and referring to his not having honoured with an answer the letter which, on her first arrival in Edinburgh, she wrote to him, and to the other facts now stated, she says,—“What, then, must my sorrow be, and what an additional torment do I now feel, when in your house with my children, come to throw ourselves at your feet, we are debarred access to your presence! Recal that cruel sentence, I beseech you, if you don’t intend to render me all my life miserable, and to shorten it too, which must be the case; for it is impossible to live any time with a load of such exquisite grief as mine is. All I beg is to be permitted to speak but a few moments to your Grace; and if I don’t, to your own conviction, clear up my injured innocence, inflict what punishment you please upon me, I shall receive it willingly, and shall think I deserve your utmost rigour, if I cannot justify myself fully of all that is basely and falsely laid to my charge. In hopes that

your Grace will, with great goodness and humanity, allow this my petition to take place in your heart, and you will call me back again, I shall remain this day, and the following night, in Douglas town.

“The children, poor babies, have never yet done any fault ; may I not, then, plead for their being admitted and allowed to see you, and to kiss your hands ? The youngest, Sholto, is thought to resemble you much when you were a child ; and Archie is thought by a great many to have the honour too of resembling you much when you became a man.—I am, dear brother, your ever affectionate sister,—
“JANE DOUGLAS STEUART.”¹

But affecting as was this letter, the Duke of Douglas continued obdurate, and would not admit his sister into his presence. The disappointment of not being permitted to see her brother, with whom she was so extremely desirous to come to a good understanding, threw Lady Jane into such deep mental affliction as greatly to impair her health, and she felt as if it would be impossible for her to live any length of time under the crushing weight of the bitter anguish she endured.

In a communication to one of her correspondents, Lady Mary Menzies, sister to the Earl of Bute, and lady of Sir Robert Menzies, Baronet, dated Hope Park, near Edinburgh, 23d January 1753, she probably alludes to her brother's feelings against her, when she apologizes for not having, immediately on her arrival in Scotland, written to her Ladyship, on the ground that “various things came in

¹ Letters of Lady Jane Douglas, p. 124.

the way (not mighty delightful) which prevented her." "My stay here," says she in that letter, "is uncertain, having thoughts of going to the north of England ; but before I leave these parts, I shall certainly give your Ladyship notice."¹

Some time after this she returned to London, leaving her children at Edinburgh, under the care of her maid-servant, Isabel Walker, and of some friends. In May 1753, the youngest of her twin children, Sholto, died of a fever ; an event which greatly aggravated her mental distress, and gave a severe shock to her health, which was before in a very precarious state. The Rev. Mr. Gustard, one of the ministers of Edinburgh, wrote to her a consolatory epistle on the afflictive event. From the reply of her husband to Mr. Gustard, London, 15th May 1753, we learn that Lady Mary Hamilton had acquainted Lady Jane's brother, the Duke, by express, with the distress of his sister by that unexpected severe stroke.² While at London she was attended in her sickness by Mr. James Pringle, surgeon to the Guards, and when he left that place, by Mr. Fordyce. Both these gentlemen declared that Lady Jane's disease was a broken heart.³

In August 1753, Lady Jane came from London to Edinburgh, sad in mind and afflicted in body. She made another unsuccessful effort to obtain admission to her brother, the Duke of Douglas. The Duke was inexorable, continuing to believe that she was attempting to impose upon him a supposititious child as her own ; he repelled

¹ Letters of Lady Jane Douglas, p. 120.

² *Ibid.* p. 140.

³ Deposition of Mrs. Hewit, in Letters of Lady Jane Douglas, p. 154.

her most earnest entreaties for permission to vindicate herself in his presence from the calumnies by which she believed his mind had been poisoned against her.

Lady Jane was now fast hastening to the grave. To Mrs. Mary M'Crabbie, milliner in Edinburgh, she declared "that the shock which she had received by the death of Sholto, and other griefs that she had met with, were so severe upon her, that she was perfectly persuaded she would never recover, but considered herself as a dying woman, and one who was soon to appear in the presence of Almighty God."¹ A few days before her death, though then suffering much from pain, she joined in the observance of the Sacrament of the Supper in one of the churches of the city of Edinburgh. To her only surviving son, Archibald, she showed much attachment; and she expressed her anxiety as to what should become of him after her decease.² About four hours before she expired, having ordered him to be brought to her bedside, she laid her hand upon his head, and, expressing the warmest concern for his welfare, recommended him to God as her son in the most tender and pathetic manner. "God bless you, my child!" she said; "God make you a good and an honest man! for riches I despise. Take a sword in your hand, and you may one day be as great a hero as some of your predecessors."³ She died at Edinburgh on the 22d of November 1753.

¹ Deposition of Mrs. Mary M'Crabbie, milliner in Edinburgh, in Letters of Lady Jane Douglas, p. 153.

² Deposition of Dr. Martin Eccles, physician

in Edinburgh, in Letters of Lady Jane Douglas, p. 154.

³ Deposition of Mrs. Hewit, *ibid.* p. 154.

The melancholy intelligence of the death of Lady Jane was immediately communicated to her husband, Mr. Steuart, by Dr. Martin Eccles, the physician who attended her, in a letter dated Edinburgh, 21st¹ November 1753 :—"With very great grief and concern, I take this opportunity to inform you that Lady Jane Douglas Stewart died this day at noon, very much emaciated and decayed. She bore her sickness with Christian patience and resignation, accompanied with that remarkable sweetness of temper, and affable behaviour, so natural to her."²

The corpse of Lady Jane was buried in the Abbey Church, Edinburgh.³

After the death of Lady Jane, Mr. Steuart's affairs did not improve ; they seem to have gone on from bad to worse, and there was no imaginable prospect of their being retrieved, unless in the event of his succeeding to the estates of Grandtully on the death of his brother, Sir George. In the following letter which he wrote to his son John in 1759, he gives a melancholy picture of the distressing condition to which, from the want of money, he was reduced :—

"London, 26th March 1759.

"MY DEAR CHILD,—You would see by my last, or rather by the enclosed for Logie, how unhappie my present situation is, and how that I may, for a tryfling sume, be brought from greater difficultys

¹ Another correspondent says 22d. Letters of Lady Jane Douglas, p. 128. The 22d is also the date of her death, as reported in the

Scots Magazine, vol. xv. p. 581.

² Letters of Lady Jane Douglas, p. 127.

³ Scots Magazine, *at supra*.

thane I can bring my self to name, to so affectionat a sone, not only into opulence and affluence, but be even enabled to make all whom I have intrest in, easy and independent of the caprices of fortune, and unkind relations, and this at no distance of time, for I have a morall certainty that it will turne owt as I say, befor midsummer. I know well how, by your inconsiderat youth, and indulgent opinion I had of your conduct, your affairs have been mismannaged, which wee both now see too late.

“ Butt, my dear creature, there is no looking back ; all may be recover’d, and more thane recover’d, if I can have but one hundred and fifty pounds sent me soon ; and I hope, that on your credit and mine join’d, so small a sume may be raised ; this is in case Logie refuses to act the frendly part I hope and expect from him, from his behaviour and great good will towards me. I woold gladly flatter myself, that if you should find difficulty in bringing this desired and much wanted anc affair to bear, that Clark MackEuen and your frend his sone will contribute their frendly assistance to bring it about ; which may turne owt much to their advantage, and can not possibly hurt them, or any of them. Great, many, and long have been my sufferings befor I could bring my self to apply even to you, my dear sone, for relief, knowing, in the first place, how you was streitned, and next, being unwilling to give you the peine of knoing my difficultys, which I might give a stronger name to. I have still some possibility of raising the small sume wanted here ; but I have been so often disappointed from promessing apearances of this kind,

that I now unwillingly desir your assistance in it, which nothing of my own suffering could bring me to, if I had not a morall certainty of making you and yours all happy by it.

“My dear Sone,—You must excuse me from telling how great my pressing difficultys are, which I could not doe without the dooble displeasure of giving and feeling more peine thane I have resolution for. Let it suffice to tell you that things with me are come to the worst you can imagine; and that a two penny affair will bring me above the world; consequently, make you as happy as if neither you nor I had acted imprudently. I wrote you so lately, shall not give the trouble of repeating my compliments to Ballechin and family. Accept of my blessing and best wishes, which is all I have as yet to offer to my dear daughter, you, and the dear little ones.

“Expecting soon to hear from you effectually, I am, my dear sone, your fond father, etc.,
Jo. STEWART.”

In a postscript he adds:—“Remember how I am situat, what is at stake, and then judge with what impatience I shall wait for a letter from yow.

“I am besiged, or rather blokaded in my lodging, which I choose to stand owt, rather than be obliged to change them for a worse, which I have tasted too much of these last thre years, and what makes it 'still worse, very ill provided for such a defence, having neither mony nor credit, and there is no living on air but for the camelions.”¹

¹ Original Letter at Murthly.

Nine months after the date of this letter, an important event occurred in the history of the unfortunate colonel. This was the death of his eldest brother, Sir George Steuart, without leaving children, by which the colonel was put in possession of the Grandtully estates and title. He was the third baronet. One of his first acts after his succession was to grant a bond of provision for upwards of £2500 to his son, Archibald Steuart, by Lady Jane Douglas.

Sir John Steuart married, thirdly, at Edinburgh, on 12th September 1761, The Honourable Helen Murray, daughter of Alexander fourth Lord Elibank, by whom he had no issue. This lady survived him, and died at Ormiston, East Lothian, on 29th December 1809, in the ninety-fourth year of her age.

A few days before his death, Sir John made the following declaration in reference to his sons, Archibald and Sholto, by Lady Jane Douglas :—

“ Murthly, 7th June 1764.

“ HAVING lately had some severe fits of the gout in my stomach, with my health in other respects much impaired, these, with my great age, going seventy-six, make it appear incumbent on me to make the following declaration, as aspersions have been thrown out by interested and most malicious people as to the birth of Lady Jane Douglas her children, in order to rob the surviving child, Archibald, of his birthright, by making his parents, Lady Jane and me, appear infamous, to make them illegitimate.

“ I, Sir John Stewart of Grandtully, do solemnly declare, before

God, that the forementioned Lady Jane Douglas, my lawful spouse, did, in the year 1748, bring to the world two sons, Archibald and Sholto, and I firmly believe the children were mine, as I am sure they were hers. Of the two sons, Archibald is only in life now. I make this declaration, as stepping into eternity, before the witnesses aftermentioned : James Bisset, Minister of the Gospel at Caputh ; James Hill, Minister at Gourdie ; John Steuart of Dalguise, Esq., Justice of Peace ; Joseph Anderson, tenant in Slogenholl.

“JAMES BISSET, witness.

JO. STEWART.”

JAMES HILL, witness.

JOS. ANDERSON, witness.

JO. STEWART, witness.”¹

Seven days after making this declaration, namely on the 14th of June 1764, Sir John Steuart died at Murthly, and his body was interred in the mortuary chapel there. The hatchment which was made on his death is now in the chapel in tolerable preservation, considering the lapse of time and the frail materials of which it is composed.

¹ Scots Magazine, vol. xxvi. p. 350.

ARCHIBALD STEUART DOUGLAS, afterwards
LORD DOUGLAS OF DOUGLAS.

We subjoin a notice of Archibald Douglas, the son of Sir John Steuart of Grandtully, by Lady Jane Douglas, afterwards Lord Douglas of Douglas Castle, who was notable from the famous Douglas case, or the attempt made on the part of the Duke of Hamilton to wrest from him the Douglas estates, on the ground that he was a supposititious child. This action, which sprung out of the false reports that were circulated during the lifetime of Lady Jane Douglas, and that excited against her so strongly the resentment of her brother, the Duke of Douglas, forms, indeed, a part of her history, and having resulted in favour of her son, it afforded a triumphant vindication of her reputation from the cruel calumnies by which it had been assailed, and from which she had suffered so much.

After the death of Archibald's mother, Lady Schaw, one of her most intimate friends, in testimony of the affection she bore to Lady Jane, and compassionating the unhappy state of her infant son, whom his uncle, the Duke of Douglas, disowned, and whose father's affairs were in confusion, took him under her protection, and continued to support and educate him while she lived. Lady Schaw, in a letter to Colonel John Steuart, father of Archibald, dated Edinburgh, 21st February 1754, in reply to one from him, in which he expressed his grateful sense of her generous friendship, says,—“I received your letter of 10th January last some

time ago, . . . which I would have answered before this time, if I had not delayed it on purpose to see how your child agreed with his new quarters. I can now assure you, that not only I, but others who see him, think that he is improved both in growth and spirit ; for, as he is a very sensible child, he was extremely cast down for the loss of his dear mother. . . . It was mere Providence that sent me to this place of the country when my Lady left this world for a better one, which gave me the opportunity to hear of the destitute condition her poor infant was in, whom I brought home, and [it] is my intention to use him as my own child so long as I live ; but as I am old, that probably will not be many years. I wish your affairs may be settled, so as to take care of your child at my death ; till then, neither I, nor none of mine, have any demands upon you, nor none of yours ; and I think myself happy to have it in my power to say that it gives me the greatest satisfaction to show any part of the regard and honour had for the dear deceased.”¹

On the death of Lady Schaw, a nobleman, probably the Duke of Queensberry, who afterwards left Archibald the estate of Ambresbury, in Wiltshire, generously took him under his care, and continued to extend to him the same friendly assistance which that lady had extended.

Meanwhile Archibald's uncle, the Duke of Douglas, whose feelings continued unsubdued to the last moment of the life of his sister, persisted in refusing to acknowledge him as his nephew. In the year 1754, he executed a settlement of his whole real estate

¹ Letters of Lady Jane Douglas, p. 144.

upon the Duke of Hamilton, failing heirs of his own body ; and in the year 1757 he executed a second deed in favour of the same series of heirs, expressly excluding the children of his deceased sister, Lady Jane Douglas, from any part of his estate whatsoever.

But circumstances more favourable to the prospects of young Archibald were about to arise. His uncle, the Duke, who was considered averse to matrimony, having, in the year 1758, contrary to expectation, married Margaret, eldest daughter of James Douglas of Mains, an ancient cadet of the house of Morton, this event proved highly auspicious to the fortunes of the repudiated child of Lady Jane Douglas. The Duchess of Douglas had certainly no inducement to take the side of an impostor, and to graft him upon the family of the house of Douglas, to which she now belonged ; but perfectly convinced that Archibald was the son of Lady Jane Douglas, she espoused his cause with all the ardour of an honourable and generous mind bent on doing what justice and humanity demanded. That the nearest relation of the house of Douglas should be cast off, and the inheritance which rightfully belonged to him given to more distant kindred, was an idea she could not endure. Intent, therefore, on setting the Duke right on this question, she endeavoured to disabuse him of the suspicions which, by the misrepresentations of interested parties, had taken possession of his mind respecting his sister and her children. By her influence, he began with some degree of activity to make inquiries as to the truth, and discovering that he had been imposed upon, he seemed satisfied that the children who had been represented

as spurious were in reality his sister's. Being informed of her distress on the death of Sholto, and of the poverty and neglect under which she had died, he was much affected, and expressed regret for the part he had acted towards her, owning that she had been the most injured of women.

But whilst the Duchess seemed to succeed in what she aimed at, other parties were strenuous in their efforts to revive his old suspicions regarding his sister and her children, and to persuade him that all that the Duchess had said in favour of Archibald proceeded from hatred to the family of Hamilton. In this they were only too successful. From his peculiar temper of mind, the Duke was but too apt to receive the kind of impressions which they sought to communicate, and his former embittered feelings against his sister and her children returned. The consequence was a quarrel between him and the Duchess on this very point, and a formal separation, which took place in February 1759. But this separation, contrary to what was anticipated, proved a fortunate event both for the Duchess and Archibald. The Duchess having, with much good sense and disinterestedness, accepted of a deed which the Duke, after their separation, executed, settling upon her much less than the half of what she would otherwise have been entitled to, her conduct in this respect produced on his mind an impression so strong in her favour, that he became convinced that she had been equally disinterested in her solicitations in behalf of Archibald, and the more he reflected on the story of his sister, Lady Jane, he saw the more

reason to believe in its truth. He sought a reconciliation with the Duchess, which, by the good offices of friends, was speedily effected.

Soon after matters were made up, the Duke entered into a post-nuptial contract of marriage with the Duchess, wherein, failing issue of his own body, and the heirs whom he had appointed or should appoint, he left his whole dukedom of Douglas to his own nearest heirs and assignees whomsoever, without making any exception as to the son of his sister, Lady Jane. On the 5th of January 1760, he revoked and cancelled the settlements of 1754 and 1757, whereby, failing heirs of his own body, his estates were to fall to the family of Hamilton. On the 11th of July 1761, believing that he was dying, he executed an entail of his whole estate in favour of himself and the heirs whomsoever of his body, failing whom, of the heirs whomsoever of the body of his father, James Marquis of Douglas, failing whom, of Lord Douglas Hamilton, and the heirs-male of his body, with other remainders. He executed another deed, setting forth that, as in the event of his death without heirs of his own body, Archibald Douglas *alias* Stewart, a minor, and son of the deceased Lady Jane Douglas, his sister, would succeed to him in his dukedom of Douglas, he therefore by that deed appointed the Duchess of Douglas, the Duke of Queensberry, and others to be his tutors and guardians.

Upon the death of the Duke of Douglas, which took place on the 21st of July 1761, ten days after he had executed the last-mentioned deed, Archibald's tutors, without delay, got him served heir

of entail and provision to his uncle. Reports having been circulated that he was a supposititious child, such witnesses as had the means of knowing the facts relating to his birth were called to give evidence before a jury, upon whose verdict it was to depend whether he should be served heir or not to the deceased Duke of Douglas. The proofs brought on the part of Archibald's guardians that he was the son of Lady Jane Douglas appeared so satisfactory to the jury, that he was immediately served heir to the Duke of Douglas. The retour was expedite 9th September 1761. On the 10th of December following he obtained a charter from the Crown of the estates of Douglas, as heir to his uncle the Duke of Douglas, and he was infefted therein on the 17th of the same month.¹

The Duke of Hamilton was served nearest heir-male to the Duke of Douglas on 1st December 1761. That Duke and the Earl of Selkirk procured writs to be served heirs in special to the late Duke of Douglas, and they brought actions of reduction and declarator to set aside the title of Archibald to the earldom of Angus and Douglas, and the lands of Dundee, on the ground of certain deeds, the right of Archibald to the deceased Duke's own purchases being admitted. But the Court of Session, on the 9th of December 1762, pronounced judgment in favour of Archibald against the pursuers.²

Whilst these proceedings were going on, Archibald Steuart Douglas was being educated at a public school at Westminster,

¹ Douglas Case, p. 22.

² Douglas Case, pp. 22, 23.

London. Several of his letters to his brother, John, afterwards Sir John Steuart of Grandtully, are written from Westminster. In one of them, dated 16th January 1762, he informs him that he was learning Virgil and Pinax, a Greek book, and verse exercises out of Horace, writing and dancing.¹ In another of them to his brother, dated 1st June 1762, he writes,—“I hope you will excuse my long silence, as I have been in the country and void of franks. I hope you have been very well since I wrote to you last. We have broke up for our holy-days a little while ago, and I have spent the most part of them as agreably as if I had been the greatest man in the world, even the King himself, who, one would think, enjoys all the happiness that can be had for love or gold.”² In another letter to his brother from Westminster, 19th November 1763, nearly a year after the Court of Session had decided in his favour in the action of reduction raised by the Duke of Hamilton and the Earl of Selkirk to set aside his title to the estates of Douglas, he writes,—“I have resolved stedfastly to regard those who have proved my truest friends in my adversity, and to despise those who have put on a false cloak of friendship since my prosperity, as some people of my acquaintances, and I don’t know but relations too, directly as this affair is decided in favour of the Douglasses, will fawn like a little dog about them, and at the same time they are wishing them joy at their success, wish them at the devil in their hearts.”³

Soon after the decision of the Court of Session in favour

¹ Original Letter at Murthly.

² Original Letter, *ibid.*

³ Original Letter, *ibid.*

of Archibald referred to in this letter, the contest was renewed against him in another form. Three separate actions of reduction of the service of inquest of Archibald as heir of his uncle, the Duke of Douglas, on the ground that he was not the son of Lady Jane Douglas, were brought before the Court of Session, one by the guardians of the Duke of Hamilton ; another by Lord Douglas Hamilton, founded upon the Duke of Douglas's entail of the 11th of July 1761 ; and a third by Sir Hugh Dalrymple of North Berwick, Baronet, one of the heirs of line in the event of Archibald's being set aside. These three actions were afterwards conjoined by the Court of Session.

“ It demanded strong proof,” as is justly observed in the case for Archibald Steuart Douglas, “ to maintain that a woman of remarkable delicacy and honour, highly born, religiously educated, and possessed of the general esteem, should plunge at once into a scene of falsehood, baseness, guilt, and shame ; to spend the whole residue of her life in the hourly practice of hateful dissimulation ; nature, conscience, pride, every just and every noble sentiment, of which nobody had more, constantly revolting.”¹ But proof was attempted, after the grave had closed over her. This was one of the greatest litigations that ever came before the Court of Session ; and from the magnitude of the interests depending upon it, as well as from the extraordinary circumstances of the case, it excited the greatest interest throughout the country. Six days—the 7th, 8th, 9th, 10th, 11th, and 14th of July 1767—were occupied by the Judges in de-

¹ Page 9.

livering their opinions. They were equally divided, and by the casting vote of the Lord President, the Court, on 15th July, pronounced their interlocutor, sustaining the reasons of reduction, and decerning and declaring accordingly. The Judges who sustained the reasons of reduction in favour of the Duke of Hamilton were—

The Lord President (Robert Dundas of Arniston).

The Lord Justice-Clerk (Sir Thomas Miller).

Lord Alemore (Andrew Pringle).

Lord Kennet (Robert Bruce).

Lord Barjarg (James Erskine).

Lord Elliock (James Veitch).

Lord Stonefield (John Campbell).

Lord Hailes (Sir David Dalrymple).

The Judges who repelled the reasons of reduction, thus pronouncing in favour of Mr. Douglas, were—

Lord Strichen (Alexander Fraser).

Lord Kames (Henry Home).

Lord Pitfour (James Ferguson).

Lord Gardenstone (Francis Garden).

Lord Auchinleck (Alexander Boswell).

Lord Coulstoun (George Brown).

Lord Monboddo (James Burnet).

The young Douglas himself was not discouraged by the adverse decision of the Court of Session, and his guardians having determined to carry the case by appeal to the House of Lords, he anticipated a

juster judgment by the higher tribunal.¹ He thus animadverts on the conclusion reached by the Court of Session, in a letter to his brother, Sir John Steuart of Grandtully, written from Edinburgh 28th July 1767 :—"Our cause is indeed lost here, but there is another court, where justice and impartiality must prevail. The final decision here is not so great a stroke upon us as I believe upon most of our friends. Every person's character here is pretty well known, as well as their motives for their behaviour, but time and a little patience show every thing and every man in their proper light."²

The appeal was entered in the House of Lords. About a month before the case was heard, Archibald Steuart Douglas thus wrote to his brother, Sir John Steuart, from Pall Mall, 15th of December 1768 :—"It will not be two months longer before our cause is finally determin'd here. The House of Lords have fix'd the 16 of January for the hearing of it, and they say will finish it in less than a fortnight. . . . There can be no certainty how the cause will end, but our hopes are very sanguine. You shall know of every-thing that passes here as soon as possible."³ Having heard the case, the Lords unanimously reversed the interlocutor of the Court of Session,⁴ and decided in favour of Mr. Douglas on 27th February 1769.

¹ Letters, vol. ii. p. 369, No. 303.

² Vol. ii. p. 369, No. 303.

³ Original Letter at Murthly. Archibald's brother, Sir John, has written on the back of this letter :—"Received the 20th of Decem-

ber 1768, and answered the 28th of December 1768. I wrote a congratulatory letter to my brother dated the 4th of March, and another dated the 23d of March 1769."

⁴ Appeal Case.

Such was the interest excited by this case, and so strong was the popular belief that Archibald Steuart Douglas was the son of Lady Jane Douglas, and therefore the true representative of the ancient and noble family of Douglas, so distinguished in the annals of our country for the power they long wielded, the grandeur of their alliances, and the extent of their possessions, that, immediately on the arrival of the news in Edinburgh, the inhabitants spontaneously gave expression to their joy by a general illumination. James Steuart, in a letter to Sir John Steuart of Grandtully, Archibald's brother, from Edinburgh, 2d March 1769, writes:—"This will give you more pleasure than ever you felt in your [life]. Your brother has carried his cause unanimously; no division of the House. God make us all thankful! I have seen none of the letters yet to give you the particulars. Send off to Ballachin instantly. This is glorious. The joy here is beyond description. The express is not in above half an hour, and the windows are mostly illuminated already. I am so much overjoyed that I cannot write sense. I must conclude. May God bless you all!"¹

Nor was the interest in the case confined to Scotland. Many incidents connected with it having occurred in France and other foreign countries, and much evidence having been taken in France and Great Britain, the keen interest excited by it extended over Europe, and it is still referred to, like some important historical event, as the great Douglas Cause. Other celebrated cases, involving

¹ Original Letter at Murthly.

the highest titles of honour, such as the old dukedom of Montrose and the extensive estates of the earldom of Breadalbane, have been litigated since. But neither of these, nor any others, ever stirred society like the Douglas cause.

Having obtained possession of his extensive inheritance, Archibald Douglas took his position in the country as became the representative of the great house of Douglas. The titles of Duke and Marquis of Douglas, being limited to male heirs, were not of course inherited by him, although he petitioned the Crown, claiming his right to the ancient earldom of Angus, with which his ancestors had been so much identified. The title was also claimed by the Duke of Hamilton. No decision was pronounced on either claim.

Archibald Douglas entered the House of Commons as Member for the county of Angus, and he was appointed Lord-Lieutenant of that county. He was created a British Peer, by the title of Lord Douglas of Douglas Castle. His matrimonial alliances were made with two of the greatest Scottish families—his first wife being Lady Lucy Graham, daughter of William second Duke of Montrose, and his second wife was Lady Frances Scott, sister of Henry Duke of Buccleuch.

SIR JAMES MACKENZIE, LORD ROYSTON.

James Mackenzie was the third son of Sir George Mackenzie, who was raised to the peerage by King James the Seventh, under the title of Viscount Tarbat, and who was made Earl of Cromartie, and Secretary of State by Queen Anne. George Viscount of Tarbat executed, on the 28th of November 1688, an entail of the lands of Easter Grantown and certain other lands in the county of Edinburgh, which were erected into a barony, called the barony of Royston, in favour of this son, and the heirs-male of his body; whom failing, Kenneth Mackenzie, afterwards Sir Kenneth Mackenzie of Grandville, the Viscount's second son, and the heirs-male of his body; whom failing, John Master of Tarbat, afterwards second Earl of Cromartie, the Viscount's eldest son, and the heirs-male of his body; whom failing, the other heirs-male to be procreated of the Viscount's body; whom failing, any other person or persons to be nominated and appointed by him; whom all failing, his own heirs and assignees whomsoever.

James Mackenzie was admitted an advocate on the 19th of November 1698, and he soon became one of the most distinguished members of the Scottish Bar.

Previous to his creation as a peer, Sir George Mackenzie was a baronet by virtue of a title which was conferred on his father by King Charles the First, by patent, dated in the year 1628. Thinking,

possibly, that this minor title was now eclipsed by his higher honours, the Earl of Cromartie made resignation of his title of baronet into the hands of Queen Anne, who, by a patent, dated 8th February 1704, was pleased to continue the title of baronet in the person of Sir James Mackenzie. The succession to the baronetcy has since been regulated according to the terms of that patent.

On the resignation of his uncle, Roderick Mackenzie, Lord Prestonhall, as an ordinary Lord of Session, Sir James Mackenzie was appointed his successor, and took his seat on 7th June 1710 as Lord Royston. He obtained from her Majesty Queen Anne a royal commission, dated 22d July same year, as a Lord of Justiciary, in the room of James Erskine, Lord Grange, who succeeded, as Lord Justice-Clerk, Adam Cockburn of Ormiston, whom her Majesty had deprived of that office, though he retained his place as an ordinary Lord till his death. James second Duke of Queensberry, one of the principal Secretaries of State, in a letter to Lord Royston, which he sent along with the Queen's commission of the same date, informs him that as it was said that the late Justice-Clerk intended to dispute her Majesty's power of depriving him, it was the Queen's pleasure that his commission should not take effect till the other matter should be adjusted, and this was expressly mentioned in his patent.¹

In the year 1739, Lord Royston, with the concurrence of George Mackenzie, his son, obtained an Act of Parliament, authorizing him, with the consent and approbation of the Right Honourable Charles

¹ Vol. ii. p. 300, No. 229.

Erskine of Tinwall, his Majesty's Advocate, the Honourable William Maule of Panmure, and others, or any two of them, to sell the barony of Royston, for the avowed purpose of discharging the debts affecting it. In the Act it was declared that Lord Royston should not, by selling the barony of Royston, or any part of it, be considered as contravening the tailzie executed by his father in his favour, or any of the clauses thereof. The Act further provided that the trustees should lay out the surplus of the money arising from such sale in the purchase of other lands in fee-simple, which should be settled and disposed to Sir James Mackenzie of Royston and the other surviving heirs of entail, according to the different rights and interests, and in the same order and course of succession secured to them respectively in and by the said deed of tailzie. The estate of Royston was purchased by John Duke of Argyll, and the price was paid to Lord Royston.

Lord Royston possessed for some time the superiority of Little Farnese, which had been given him that he might have a freehold qualification in the shire of Cromartie. Some years before his death, he purchased the lands of Avoch from Mackenzie of Delvin, and to this property he gave the name of Farnese. It was commonly called Avoch *alias* Farnese.¹

Lord Royston married Elizabeth, youngest daughter of Sir George Mackenzie of Rosehaugh, well known as King's Advocate in the reigns of Charles the Second and James the Seventh, who, from the

¹ Original Letter by Jo. Gorry to Rev. Mr. James Robison, minister of Lochbroom, dated 20th February 1754, at Murthly.

severity with which he prosecuted the nonconforming Presbyterians, acquired the sobriquet of "the bloody Mackenzie." This lady was the widow of Sir Archibald Cockburn of Langton. On the death of Sir George Mackenzie, a dispute respecting his property arose between Lord Royston and James Steuart, first Earl of Bute, who had married Agnes, eldest daughter of Sir George, and the case was brought before the Court of Session. In this law-suit Lord Royston was unsuccessful.

By Elizabeth Mackenzie Lord Royston had two children, an only son and a daughter:—1. George of Farnese, who married Miss Isabella Stewart, daughter of Mr. Archibald Stewart, Writer to the Signet. George Mackenzie of Farnese died at Edinburgh on the 15th of May 1744, "after a tedious illness, without issue." In intimating the sad event to his grandson, John Steuart, son of Colonel John Steuart, Lord Royston adds, "My present distress does not permit me to write more but that I am, dear child, your afflicted grandfather."¹

Isabella Steuart survived George Mackenzie, and was married, secondly, on the 3d of October 1748, at Edinburgh, to Sir Robert Henderson of Fordel, Baronet,² to whom she had a son, Sir John Henderson of Fordel, Baronet. 2. Elizabeth, who, as already mentioned, married Colonel John Steuart, brother to Sir George Steuart of Grandtully, afterwards Sir John Steuart of Grandtully. Colonel Steuart, as representing Lord Royston, sold the lands of Avoch or

¹ Vol. ii. p. 350.

² Scots Magazine, vol. x. p. 458.

New Farnese, with some other superiorities which Lord Royston retained in Ross and Cromartie.¹

Lord Royston died at Edinburgh on the 9th of November 1744, aged seventy-three years. He is described as “a person of vast learning, honour, and probity; impartial in judgment, justly ranked among the first judges, in criminal causes, of the age, and in private life a most polite, friendly, agreeable, facetious and affable gentleman.”²

A copy of Sir George Mackenzie's Criminal Law, containing copious notes in the handwriting of his son-in-law, Lord Royston, is preserved in the Advocates' Library, Edinburgh. And in a catalogue of books, belonging to Sir George Steuart of Grandtully, Baronet, appears the entry, “Royston's (Lord) manuscript works, . . . 4 vol.” What has become of these manuscripts is unknown. They may have been sold in 1760 with the books of Sir George Steuart, which were then sold for £74. There is preserved at Murthly a portrait of Lord Royston, in oil, on canvas, having a very fine face, and a large broad brow, indicating great intellectual power. There is also at Murthly a portrait of Lord Royston's father, George first Earl of Cromartie, in oil, on canvas, showing a remarkably striking face.

One of Lord Royston's principal correspondents was ANNE DUCHESS OF BUCCLEUCH AND MONMOUTH, originally the heiress of the

¹ Original Letter by Jo. Gorry to Rev. Mr. James Robison, *ut supra*.

² Sir Robert Douglas's Peerage, Wood's Edition, vol. i. p. 398.

Earls of Buccleuch in her own right, and afterwards the wife of the unfortunate Duke of Monmouth.

A full memoir of this distinguished Duchess belongs not to this work. But as her letters form a large section of the correspondence printed in it, the circumstances in which they were written may be shortly explained.

After the marriage of the Duchess to Monmouth she resided chiefly in England, and her large estates in Scotland were managed by several noblemen and gentlemen resident in that kingdom. One of these was Lord Royston, in whom she greatly confided as a very able and upright man. This business relation between the Duchess and Lord Royston was probably brought about through the marriage of George first Earl of Cromartie, the father of Lord Royston, with Margaret Countess of Wemyss, who was sister uterine of the Duchess of Buccleuch.

Married in the year 1663, when little more than a child of twelve years, the Duchess of Buccleuch was carried into the gay Court of King Charles the Second, where her handsome husband and herself made as fine an appearance as any attending it, and, notwithstanding the enticements that might have influenced unfavourably so young a daughter-in-law of King Charles the Second, she triumphed over the temptations of his Court, of which her letters show the real secret, as they display a great grasp of mind and power of management, and are pervaded by that stern, sterling common sense—almost a genius in itself—which has long been the characteristic of her race.

To some of the Duchess's letters to Lord Royston, as serving to illustrate her character better than any formal description, it may not be uninteresting here briefly to advert.

Circumstances induced her to reside for the most part of her life in England, but she retained a warm affection for Scotland. No part of the world did she love so well as her own country. "The Scotts hart is the same I brought to England, and will never chang, as I find by long experience."¹ When Lord Royston was going to the south, on his circuit, as one of the Lords of Justiciary, in the spring of the year 1711, she regretted that she could not be at Hawick to make him welcome. She would have him to get a decret passed in the Court of Session against long letters and compliments, else he would be put to interminable trouble by her propensity in that direction, which nothing but the strong arm of the law of the land would keep in check.² At another time, in a similar humorous vein, she says that could she fly, as some ladies have done, she would be at Hawick to do the honours of the house to his lordship.³ Having informed him of the marriage of her grandson, Francis Lord Dalkeith, to Lady Jane Douglas, sister of the Duke of Queensberry, she ejaculates, "God bliss Francis, and give him sones, and no daughters!"⁴ She should be very glad to oblige the Marquis of Annandale with some deer, now that she had so many to spare; and as to Lord Royston himself, if he loved venison he would eat it oftener.⁵ She

¹ Vol. ii. p. 306, No. 306.

² *Ibid.* p. 302, No. 232.

³ *Ibid.* p. 317, No. 256.

⁴ Vol. ii. p. 308, No. 240.

⁵ *Ibid.* p. 310, No. 244.

had sent him the present of a buck, and she took it very ill that his Lordship thanked her for it, when he knew he might command as many as he pleased.¹

The parish minister of Yarrow had, it would seem, “coveted his neighbour’s grass,” and “advised the turning out of a tenant to please him.” “If the parson of Yarrow be of such a turblant spritt,” is the sage advice of the Duchess, “we should preach patience to him and justice; for it appears he wants both.”² The greatest compliment she could return to Lord Royston was in the Scotch proverb, that she found that he did equal his forbeers in his friendship to her.³ She owned it would be for her credit when she was dead that she had improved her estate, and that she had made choice of so good a friend to rely on.⁴

She added largely to the family estates by the purchase of various lands, and she often communicated to Lord Royston her design of purchasing them, and solicited his advice. She had heard that Scott of Harden was willing to sell an estate in the Forest, and she wrote to his Lordship that she longed, and, as if this English word were inadequate precisely to express her feelings, she subjoins the emphatic Scotch word, that she *greined* to hear more of the proposal.⁵ Few could furnish St. Boswell’s Fair with sheep better than she could.⁶ But in making purchases of new lands she found that

¹ Vol. ii. p. 313, No. 249.

² *Ibid.* p. 311, No. 246.

³ *Ibid.* pp. 314, No. 250.

⁴ Vol. ii. p. 314, No. 252.

⁵ *Ibid.* pp. 314, 315, 318, Nos. 252, 253, 259.

⁶ *Ibid.* p. 314, No. 252.

she was getting at the bottom of her purse or involving herself in debt, and that it would be necessary to suspend additional purchases for a time.¹

The Duchess's third son, Henry Earl of Deloraine, caused her some trouble by making demands upon her with which she was not disposed to comply; and in 1719 or 1720 he sued her before the Court of Session. He had received from her £24,000, and since she had left Scotland the building and furnishing of his house at Leadwell had cost her upwards of £9000. "He was acting the old Scotch proverb, 'Ens wod an' ey the war;'" and she supposed his purpose was to give her an opportunity of exercising a noble quality called patience. The law process terminated in her favour. "It was a melancholy victory against a son." Yet she was convinced that the world would see that she had not been a wicked parent. After the close of the action she requested Lord Royston to take the trouble to see that her lawyers were rewarded as they should be.²

The grand-daughter of the Duchess, Lady Jane Douglas, eldest daughter of James second Duke of Queensberry, the Countess of her grandson, Francis Earl of Dalkeith, died of the small-pox at Langley on Sabbath morning, 31st August 1729. In communicating the melancholy intelligence to Lord Royston, 4th September that year, she pronounces the following encomium on the departed Countess:—"I must say she was as good a young woman as ever I knew in all my life. I never saw any one thing in her that I could

¹ Vol. ii. p. 315, No. 252.

² Vol. ii. pp. 305, 316, Nos. 236, 254.

wish wer otherways. She had two sons and three dawghters, all living, and fine children.”¹

The Duchess at different times adopted different modes of subscribing her letters. Sometimes they were subscribed simply “Bucceleuch,” or “Anna Bucceleuch” or “Anna Bucceleuch and Monmouth.” After the death of Monmouth, and her marriage to Charles third Lord Cornwallis in May 1688, she generally subscribed her letters A. B. C., indicating her name and titles as Anna Duchess of Bucceleuch and Lady Cornwallis.

After a long life of much practical usefulness, and after having made with much judgment great additions to her paternal estates, the Duchess of Bucceleuch died on 6th February 1732, in the eighty-first year of her age. Her remains were deposited beside those of her ancestors in the burying-vault of the family at the east end of the old church of Dalkeith. Her large crimson-covered coffin, kept above ground, is still quite entire.

¹ Vol. ii. p. 311, No. 245.



LADY STEUART OF GRANDTULLY
AND HEIRESS OF LOGIEALMOND.

PEDIGREES OF THE STEUARTS, ETC.

IN the foregoing Memoirs the leading facts in the history of the most prominent of the Proprietors of Grandtully, whose names appear in the Charters and Correspondence contained in these volumes, are briefly detailed. In the Pedigree of the Grandtully family, which is printed at the end of volume first, the names of all the Proprietors, as well as the collateral members of the family, will be found, showing the succession of the Steuarts of Grandtully, from the earliest period of their coming into the possession of that estate down to Sir William Drummond Steuart, the sixth and present Baronet.

The other Pedigrees, which follow the general Pedigree of the Grandtully family, show the descendants of Archibald Steuart Douglas, son of John Steuart, third Baronet of Grandtully, and Lady Jane Douglas, and also the following Branches of the family :—the Steuarts of Innernytie, the Steuarts of Fungorth and Balleed, and the Steuarts of Fondoynet, which appear to be the oldest branches of Grandtully, and to be now extinct in the male line.

There is also given a Pedigree of the knightly family of Drummond of Logiealmond, the heiress of which, Catherine, sister of Sir William Drummond, fourth of Logiealmond, married Sir George Steuart, fifth Baronet of Grandtully. This family is now represented by Sir William Drummond Steuart. Sir John Drummond, the first

of Logiealmond, was the third son of John second Earl of Perth, and an elder brother of Sir William Drummond, second Earl of Roxburgh. Between him and his great-grandson, Sir William Drummond, the last Laird of Logiealmond, there were four male heirs, all men of distinction in various spheres.

Thomas Drummond, the second Laird of Logiealmond, actively engaged with the Earl of Mar in the unsuccessful enterprise for the restoration of the exiled family of Stuart. The Laird greatly distinguished himself at the battle of Sheriffmuir, where it is said that he "toomed sixteen saddles" of the enemy, and was wounded in several parts and taken prisoner, but escaped, it would appear, to a place of concealment. His bravery is specially commemorated in the Jacobite poetry of the times. In a contemporary Jacobite song, "The Battle of Sheriff-Muir," in which the chief persons in both armies are described, he is thus celebrated :—

" Grave Marshall and Lithgow, and Glengary's pith, too,
Assisted by brave Logie A'mon',
And Gordons the bright, sae boldly did fight,
The red-coats took flight and awa' man." ¹

After the failure of the rising of 1715, Thomas Drummond made his escape. He disguised himself as a cooper, and, in that capacity, resided for some time with one of his own tenants. His professed occupation on that occasion gave rise to the following song :—

¹ Chambers's *Songs of Scotland* prior to Burns, Edinburgh and London, 1862, p. 63.

" There was a cooper, they ca'd him Cuddie,
 He was the best cooper that ever I saw ;
 He coopit a coggie for our gudewifie,
 And heigho but he coopit it braw.
 O was na he a gallant young cooper ?
 And wasna he o' noble degree ?
 But gin our gudeman had kend o' Cuddie,
 He wad hae been hangit out oure a tree.

 O wae be to thee, thou silly auld carle,
 And aye ane ill dead met ye die.
 Thy house had never stood owre thy head,
 Gin it hadna been for the young Logie.
 But weel befa' oure true gudewifie,
 That kend the right side frae the wrang,
 And mony a Drummond shall bless the wifie
 That cheatit her fause and fickle gudeman.

 And hey the cooper, the cooper, the cooper,
 He was the best cooper that ever I saw ;
 He coopit a coggie for oure gudewifie,
 And, heighho ! he coopit it braw.
 Young Cuddie the Cooper can dance and fiddle,
 Young Cuddie can fight for honour and law,
 Young Cuddie can kiss a sonsy young lassie,—
 That our gudewifie lo'es best of a'." ¹

To Thomas Drummond, second Laird of Logiealmond, the following letter was addressed by Alexander Carnegie, fifth Laird of Balamoon, when, with others of the Chevalier's army, who had been made prisoners at the battle of Sheriffmuir, he was incarcerated in the Castle of Carlisle :—

¹ Drummond's *British Families*, vol. ii. p. 18. There is a portrait of Thomas Drummond at Murthly.

“ Carlyle Castle, 25 November 1716.

“ DEAR SIR,—I take this opportunity again to make ane offer of my humble duty to my Lady, you, and all my good friends with you. Allow me to tell you that I have no reason now to expect any favor by the solicitations that have been made for me by my great friends, quihich obliges me to be very pressing with you, to push that project without loss of time, as the only thing I have to trust too for my all ; and if that should fail, quihich I hope in God it will not, ye wou’d be pleased to use your intrest with your cousine, the maid of honor, to interpose for me att Court, quihich, I intreat, ye’ll doe as soon as possible, if the other affair be not like to succeed. All your friends here are very well, blessed be God ! and offer their hearty service to you. And I am, as ever yours, etc.

“ A. C.”

“ The Laird of Logie Almond, to the care of Mr. David Couper, writer in Edinburgh.”¹

Another letter, addressed by Balnamoon to this Laird of Logiealmond, has been already given.²

From the active part he had taken in the rebellion, Thomas Drummond of Logiealmond was in danger of losing not only his landed estate, but his life. By the interposition of friends, however, he obtained assurances that his life would be spared, and ultimately his estate was restored to him. On this subject a correspondent

¹ Original Letter at Murthly.

² *Vide* p. cli.

thus writes:—"I reckon now honest Logie's life is secure, and that is a great satisfaction. But without any estate, and a lady, what sort of life must it be? I have writ to the Duke of Roxburgh on that head, and to his mother and brother. . . . It appears now a very tender point to meddle with any body upon any thing concerning him, without my Lord Roxburgh's privicy, and therefore I think he should be acquainted with what is doing by his cousins, Mrs. Ballantines. . . . I am persuaded a word from the Duke of Argyle would make the matter of the estate goe easie. . . . I know I can get Ardkinlas to write and use all his intrest with the Duke hartily. . . . There is one great difficulty remains as to Logie, and that is, if he hath the misfortune to be brought to his tryall, I doubt much if he will plead guilty, and it's hard to tell what the consequence of his not doing so may prove, and that makes the obtaining a remission in time, or a *noli prosequi*, (if it will doe,) timeouslie the more necessary. As to what the Duke writes of the difference of circumstances betwixt those who have got remissions for life and fortune and Logie, I believe it will be found very true, and that there are few, if any, who have yet got both. There are, indeed, who have got life onlie,—such as Mr. Basill Hamilton,—who, I believe, are in the same circumstances with him, but I doubt if any have got both. The story of Mrs. Ballantine's¹ having obtained Logie's life, and of her being a favourite of the Duke

¹ This was Mary Ballenden, daughter of John second Lord Ballenden, son of William Drummond, second Earl of Roxburgh, who married in 1720 the Honourable John Camp-

bell of Mammore, who became fourth Duke of Argyle. She was Maid of Honour to the then Princess of Wales.

of Argyle's, is gone abroad, and therefore it will be necessary to doe the Duke of Roxburgh justice in that respect, since it's plain he hath done it with King George before he went beyond sea, and I am fully persuaded he hath not been forgetfull of his freinds." ¹

Thomas Drummond of Logiealmond was ultimately pardoned, by the interest of his relative the Duke of Roxburgh, and his estate continued in the family.

William Drummond of Grange, Writer to the Signet, Edinburgh, in a letter to the Laird, dated 11th July 1718, communicates, in regard to the drinking of Jacobite healths, the following extract from a letter which he had received from his brother John :—" This day I was told from a good hand, that ane information is come up against severall gentlemen for drinking of Jacobite healths, and that Logie is one of them who are informed against. I wish ye wouuld let Logie know of this. I am soore it's false, and I wish he wouuld write to me so, if it be so." ²

John Drummond, third of Logiealmond, was the eldest son of William Drummond of Ballathie, brother of Thomas Drummond, second of Logiealmond. His uncle, Thomas, having purposed to make him his heir, Lord John Drummond, afterwards Duke of Perth, in a letter to Thomas Drummond, second of Logicalmond, dated 24th November 1736, thus writes, recommending him to furnish his nephew with the means of travelling into France, and acquiring there such accomplishments as would be suitable to the prospects which now

¹ Copy. Part of young Blair's Letter, at Murthly.

² Original Letter at Murthly.



LORD JOHN DRUMMOND CALLED FOURTH DUKE OF PERTH.

DIED AT ANTWERP A . D . 1747 .

opened up before him :—" Mr. Forbess, who is lately come from Holland, tels me he left your nephew there in very good health. He says he is in great esteem with all that are acquaint with him. It gives me an occasion of joy, and consequently I cannot but congratulate with yow upon it; but he would want a little more than Dutch education to complete his breeding. I hope you'll forgive it in a freind to offer yow an advice upon that score, since yow have told me yow dessign him for your heir. Would it be amiss, in case yow think what I write yow proceeds from my freindship towards your family, as I'm sure yow must judge it so by all my actions and behaviour towards yow; would it be amiss, say I, to let him make a tour into France to see his relations there, and put him for some time into the accademic, to learn his exercises, and acquire any other qualifications may be wanting where he is at present, suttible for what yow dessign him for? 'Tis true it will require money, and should money be spar'd for the improvement of such a person?"¹

The same correspondent, writing to the Laird of Logiealmond four days after, 28th November 1736, on the same subject, says,— "I just received yours of the 26th instant. . . . No money ought to be put in ballance or sav'd to give a liberal education to one who gives so promising hopes of success. This is what I believe few will refuse for a maxim. Now, as your nephew has hitherto answer'd your expectation by the esteem he acquires dayly amongst those he frequents, I must leav the judgement of the time you'll allow him for

¹ Original Letter at Murthly.

his journey into France to yourself; and as for the money that's requisit for it, it would be very wrong in me to mention it, since I'm convine'd you know your own and his circumstances much better than I do, and that you'll have reason to think the money yow bestow that way, in all appearance for the purposes yow dessign him for, well lay'd out, so you'll forgive my not entring into a greater detail upon that scor. After I received your letter, I was so charmed with your sentements, that I went to see Mr. Symmer, to consult with him upon the subject, but unluckily he is out of the town."¹

John Drummond entered the service of the King of Prussia, under Marshall Keith, and in 1750 he was aide-de-camp to Frederic the Great, King of Prussia.² The Earl of Perth, in a letter to Thomas Drummond, second of Logiealmond, dated 13th of November 1747, thus writes:—"I have a letter from your nephew, Captain John, of the 27th of last month, in which he tells me of General Keith's arrival there, when his Prussian Majesty declar'd him as Field Marschall in his service. His letter is dated from Posdam, [Potsdam,] where the Court resides."³

After possessing the estate of Logiealmond nearly twenty-nine years, John Drummond died, on the 9th of September 1776, and was succeeded by his son, Sir William, the fourth and last laird, who was a man of great ability and accomplishments. He was distinguished

¹ Original Letter at Murthly.

² While the mansion-house of Logiealmond was inhabited by the Drummond family, several letters addressed by the King to John

Drummond were preserved there. But these letters are now lost.

³ Original Letter at Murthly.

as a diplomatist, and as the author of many literary works, including a dissertation on the Governments of Greece, and a translation of the Satires of Perseus. As the heir-male of the Drummonds, Dukes of Roxburgh, on the death of the fourth Duke in the year 1805, Sir William Drummond formally claimed the title of Duke of Roxburgh; but Sir James Innes was preferred by the House of Lords. Sir William's eldest sister, Catherine Drummond, as already observed, married Sir George Steuart, the fifth Baronet of Grandtully.

Of the printed charters, those contained in the Appendix to the first volume, relating to the family of Logy of Logy, afterwards of Logicalmond, are, perhaps, the most interesting in the collection.¹

A representative of the Logie family, Sir John Logie, is notable in history, from his having been implicated in 1320 in a conspiracy against the life of King Robert the Bruce. His fellow-conspirators were William de Soulis, Seneschal of Scotland, Sir David de Brechin, (nephew to the King,) who had distinguished himself by his achievements in the Crusades, four other knights and three esquires. The

¹ The existence of the Logie Charters only became known, from many inquiries for them, after the Grandtully Charters and Correspondence were printed. This will explain the double paging of the Logie Charters. All the originals belong to Sir William Drummond Steuart. The first Logie Charter, printed in the Appendix, was borrowed by the late George Drummond Steuart of Braco Castle from the Collection; and it was not returned before his death to his brother Sir William. The charter was accidentally included in the list of the personal effects of

Mr. George Drummond Steuart, probably from the auctioneer's not knowing exactly what it was. Being aware that it was in the custody of Mr. George Steuart, Mr. W. F. Skene, W.S., Edinburgh, ascertained that it was to be put up for sale, and he then acquired it for a small sum. In the year 1863, Mr. Skene presented it to the Lord Clerk-Register of Scotland, to be kept with the Public Records.—[The Seventeenth Report of the Deputy-Clerk-Register of Scotland, 1864, p. 15.]

object of the conspiracy, according to the testimony of Barbour, a contemporary of high authority, was to put the King to death, and place on the throne William Soulis, a lineal descendant of a daughter of Alexander the Second, whose claims, had the legitimacy of his mother been indisputable, would have been preferable to those of Bruce and Baliol. For this conspiracy, which was discovered by the confession of the Countess of Strathern, Sir John Logie, Sir David de Brechin, and two others, were executed as traitors.¹

To this Sir John Logie reference is made by David the Second, in a charter dated 5th April 1357, in which it is stated that he had infested "the deceased John of Logie" in the lands of Strongartnay, in Perthshire, but being subsequently apprised by his Council that his father, Robert the Bruce, had formerly granted these lands, which had fallen into the hands of the Crown "from the forfeiture of the deceased Sir John of Logie, Knight, father of the same deceased John of Logie," to the late Sir John of Meneteth, Knight, and Elen of Mar, his spouse, he now, therefore, recalled the grant alluded to, and restored the above-mentioned lands to Sir John de Meneteth, son of these parties, from whom the lands, by the suggestion of certain persons, had been thus taken.²

The Logie family acquired considerable note from Margaret Logy's having been the second wife of King David the Second. Previous to her becoming Queen of Scotland she was the widow of John Logy of Logy, probably the John Logy, son of Sir John Logy, the conspi-

¹ Tytler's *History of Scotland*, vol. i. p. 336.

² Mar Charter-Chest.

rator, mentioned in the charter now quoted, and to him she had a son. This we learn from a bond by John Kennedy of Dunure, dated at Edinburgh, 29th November 136 . . ., "To my most excellent Lady, Lady Margaret, by the grace of God Queen of Scotland," and "to her son, the noble and potent man, John de Logy, Lord of that Ilk," binding himself "to be of their retinue for the whole period of his life," and to assist and support them "with the whole power of his men." Fordun and Lord Hailes both represent her as a daughter of the Laird of Logy.¹ But this is uncertain.

In the records in which her name occurs she is always called Margaret Logy, and the fact of her having been the wife of John Logy renders it doubtful whether she adopted the surname of her husband, or whether Logy was her maiden name, which would be quite consistent with her marriage to Logy, as he might have been her cousin, or more remote relation. She is the only Queen of Scotland whose parentage has not been ascertained.

Margaret Logy was an able and an enterprising woman; and, aiming at political power, she formed a party for the aggrandizement of her son, whilst by her means the family of Stuart, as the next heirs to the Crown, were thrown into prison. It was probably to strengthen her faction that she sought and obtained the co-operation of such an intriguing chieftain as John Kennedy of Dunure. But being comparatively of humble extraction, and the affection of the King for her cooling, and degenerating into aversion, which issued in his applying

¹ Fordun's History, vol. ii. p. 370; Lord Hailes' Annals, 1797, vol. iii. p. 115.

for and obtaining a divorce from her in the chief ecclesiastical Court in Scotland, in 1369—upon what grounds is unknown—she failed in her political projects, and the Stuarts were liberated. Escaping to the Apostolic Court at Avignon, she prosecuted an appeal against the divorce; and the Pope, who, with his cardinals, warmly supported her cause, granted a sentence upholding her marriage and her status as Queen of Scotland. She died in the year 1374 or 1375, while on a pilgrimage abroad connected with her appeal to the Pope. But the accounts of the circumstances attending her death are vague and contradictory.¹

When the Logie lands fell into the possession of the Hays, through the marriage of Margaret Logy, Lady of Logyalmond,² to Thomas Hay, son of William fourth Earl of Errol, towards the close of the fifteenth century, it would appear that the neighbours of the old race of the Logies, who perhaps claimed propinquity, and bore the name, left the holdings of their fathers, and sought other homes. Like a tribe, they appear to have held together, and were even at a later day banded in a neighbourhood near Murthly. In appearance they were distinctive and remarkable, as their descendants still are, and were long-lived, but without kindred or neighbours of their own blood, and never sought to go back to the lands from which their first exodus was made.

¹ Riddell's *Inquiry into the Law and Practice in Scottish Peerages*, pp. 982, 987.

² Margaret Logie of that Ilk was infetted

as heir of her brother, John of Logie, in the barony of Logiealmond, 10th November 1486, vol. i. p. 166*.

SUMMARY OF CONTENTS.

It only remains to state shortly the contents of these volumes : The first consists of selections of Charters, Retours, Agreements, Notarial Instruments, Patents and other writs from the Muniments of the family of Grandtully, beginning with the year 1342 and extending to the year 1683, with an Appendix, consisting of similar writs, beginning about the year 1260 and continued to the year 1839, the whole amounting to one hundred and sixteen.

The second volume consists of a selection of Letters, extending to the number of two hundred and eighty-four. Two hundred and forty-two of these are from a large collection preserved in the Muniment Room at Murthly. They are arranged under the divisions, first, of Royal Letters, the earliest of which is a letter from King James the Fifth, in 1538, and the last of which is one from King James the Sixth, in 1610 : and, secondly, of Family and Domestic Letters, commencing in 1590 and brought down to 1838. To these is added an Appendix of Jacobite Letters, forty-two in number, many of which were written by the Chevalier James Francis-Edward, son of King James the Seventh, several by the Chevalier's nephew, James second Duke of Liria, and others by John Erskine, Earl of Mar, after the suppression of the rebellion in 1715. These letters, which form a fitting sequel to the preceding correspondence, are peculiarly interesting from the light which they throw on the per-

sonal history and character of the Pretender, and on the efforts made to induce foreign powers, particularly Russia, to assist him in prosecuting his claims for restoration to the throne of his ancestors. In Great Britain and Ireland, and particularly in the Highlands of Scotland, there still existed a numerous and powerful party who were prepared to rally around his standard, and there were many appearances, as detailed in his letters, which tended to buoy up his hopes of obtaining assistance from Russia, in the event of his making a new invasion of Britain. But neither Russia nor any other continental power could be prevailed upon either to recognize his claims or to promise him any support; and no attempt was made to draw the sword in the cause of the exiled House of Stuart till the lapse of a period of thirty years from the date of the late insurrection, when Prince Charles Edward landed in the Highlands, but only to have his hopes finally crushed by the complete victory which the royal army gained over his troops on the field of Culloden.

The collections in these two volumes, it is hoped, will be rendered more intelligible and more interesting from the description of the baronies, lands, etc., forming the estate of Grandtully, and from the Memoirs of some of the leading chiefs of the family, and others, contained in the Introduction.

All the original charters and letters printed are preserved in the Muniment Room at Murthly, unless when otherwise stated.

A full Abstract of the charters is given at the end of the first volume, and of the letters at the end of the second. These abstracts

readily indicate the principal points in the charters and correspondence.

Collections like the present have been highly valued, not only as gratifying the curiosity of such as have acquired a taste for this department of inquiry, but as of great utility, from the authentic materials which they furnish for biography and memoirs of the times. These volumes, the Editor flatters himself, form a not unimportant contribution to the history of the Baronial families of Scotland. Many works on the Royal House of Stuart and its numerous branches have been written. This work does not profess to embrace a plan so extensive. It is limited to only one branch of that family, the House of Grandtully, but a branch which, from its antiquity and position, is well entitled to have its history recorded from its own Muniments.

All such collections are liable to perish by accidents. Within the last twenty years the original muniments, from which these volumes are printed, were exposed to imminent risk of being entirely destroyed by fire, when an old tower of Murthly, in which the muniments were preserved, was burned, in the year 1848. To save them, the people employed in extinguishing the fire, hurriedly threw the papers from the tower to the ground, and in the confusion many of them were trampled upon and injured, whilst many perished in the flames. But, notwithstanding the serious loss and injury then sustained, there is still extant an almost unbroken series of charters and other feudal titles, from the reign of King David the Second

down to the present time, embracing a period of upwards of five centuries.

The printing of family records in the present form may be regarded as securing to posterity the valuable information which they contain. Limited as the impressions of such family records generally are, yet a judicious distribution of them in some of our principal public libraries, and even in private collections, where they will be cared for, renders it highly probable that some of the copies will be long preserved.

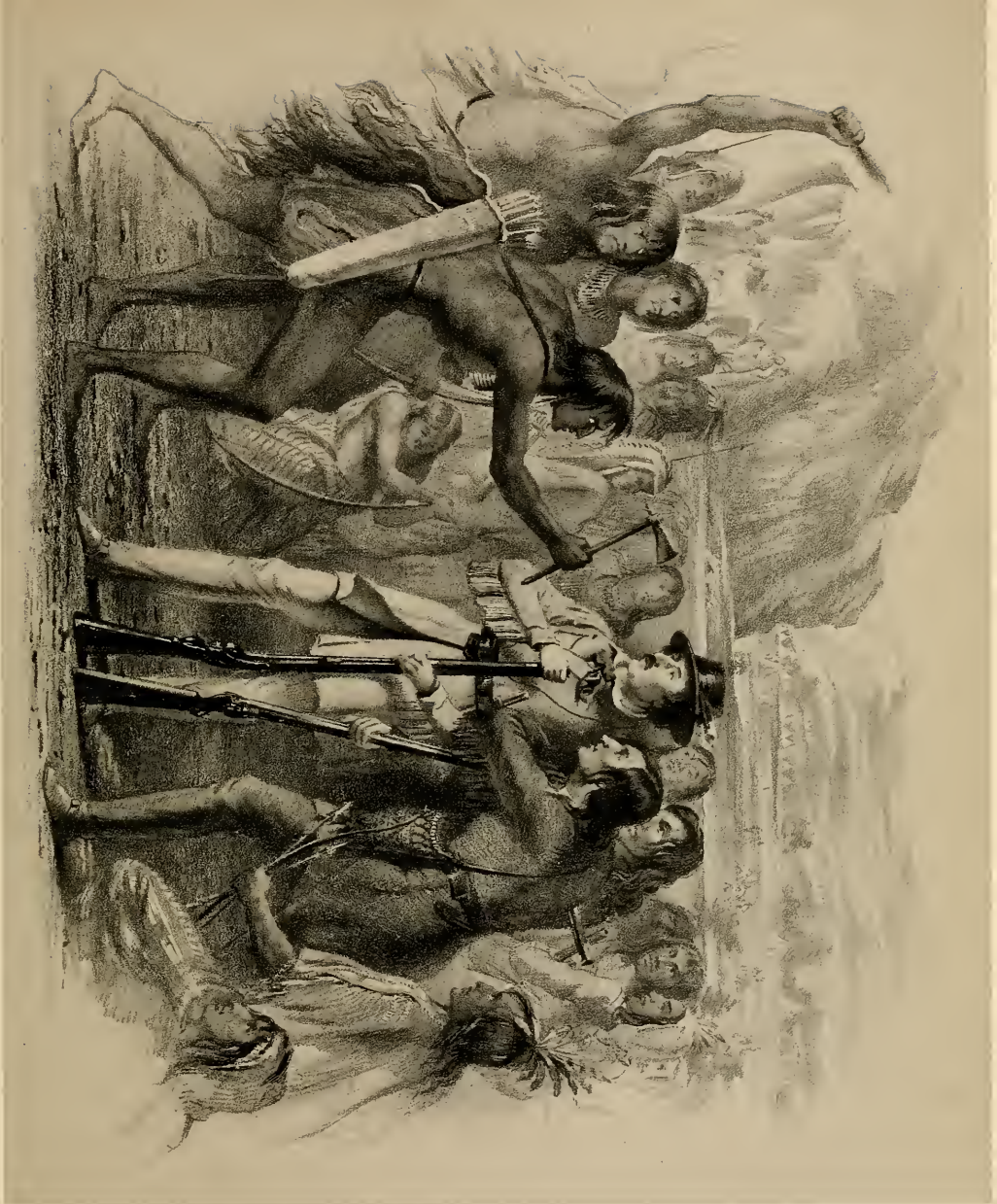
During the thirty years that the present proprietor of Grandtully has possessed that estate many outlays have been made, especially on the barony of Murthly. In the same space of time few estates have undergone so much embellishment.

Those who value such works as the present, will, we doubt not, judge that the same taste which has guided these conspicuous improvements has been exercised in recording in this form, and thereby securing, to all future times, the family muniments now printed. If there is any merit in this work it is due to the generous owner of these muniments, as its sole originator.

WILLIAM FRASER.

32 CASTLE STREET,
EDINBURGH, *December* 1868.

SCENE IN THE ROCKY MOUNTAINS OF AMERICA.



CHARTERS.

1. CHARTER by KING DAVID II., dated 22d August 1342, confirming a charter by DUNCAN EARL OF FIFE to JOHN OF YRELANDE, dated 20th January 1336, fixing the marches between the baronies of Strathurde and Morthely.

DAVID Dei gracia rex Scottorum, omnibus ad quos presentes littere peruenerint, salutem : Noueritis nos inspecsisse quasdam litteras sigillo Duncani comitis de Fyff sigillatas, formam que sequitur de verbo ad verbum continentes : OMNIBUS hoc scriptum visuris vel audituris, Duncanus comes de Fyff, salutem in Domino sempiternam : Quia quedam discencio fuit inter nos et antecessores nostros, ex vna parte, et Johannem de Yrelande et antecessores suos, ex altera, de quibusdam diuisis rectis inter terram nostram baronie de Strathurde et terram dicti Johannis baronie de Morthely, nos vero plenarie cognoscentes rei veritatem et sanitatem consciencie nostre considerantes, damus, concedimus, et hoc scripto nostro, pro nobis et heredibus nostris, in perpetuum confirmamus dicto Johanni de Yrelande et heredibus suis has metas et diuisas subscriptas ad dictam baroniam de Morthely hereditarie fore spectandas, videlicet, incipientes ad petram de Madeforne extendentes versus Crescholtre, et de Crescholtre extendentes versus austrum vsque Inchedawf, et de Inchedawf versus occidentem contra occursum riuli extendentes vsque Cragileth extendentes versus boream vsque Mongrethe, et de Mongrethe extendentes vsque Aachindarg, et de Aachindarg sicut riuulus currit vsque le lyn Ruebarbur, et de Ruebarbur ascendentes riuulum vsque le lyn de Cragtarsin, et de Cragtarsin sicut riuulus currit descendendo vsque

Tomford, et de Tomfod per quoddam mariseum descendendo vsque le Foresterhill, et del Foresterhil descendendo in aquam de Tay; ita quod nos nec heredes nostri aliquod ius vel clameum in dicta baronia de Morthly ultra metas prenomintas de cetero in futurum exigere valeamus. In cuius rei testimonium presenti scripto sigillum nostrum apposuimus: Datum apud Falcland, xx^{mo} die Januarij anno Gracie millesimo ccc^{mo} xxx^{mo} vj^{to}: DATUM apud Londors, sub sigillo nostro priuato, xxij^o die Augusti anno regni nostri quarto decimo.

2. PRECEPT by DUNCAN EARL OF FIFE to ROBERT STEWARD OF SCOTLAND, ament the fixing of the marches of the barony of Morthely. [21st March] 1345.

DUNCANUS comes de Fyfe, Domino Roberto Senescallo Scoeie, balliuo suo omnium terrarum suarum regni Scoeie, salutem: Vobis mandamus et precipimus quatinus, visis presentibus, has metas et diuisas subscriptas ad baroniam de Morthely a nobis et heredibus nostris Johanni de Hibernia et heredibus suis per nos concessas, et dicte baronie de Morthely de iure spectandas, videlicet, incipientes apud petram de Madforne extendentes versus Crescholtyr, et de Crescholtyr extendentes versus austrum vsque Inchedavfe, et de Inchedavfe versus occidens contra occursum riuuli extendentes vsque Cragyleth, et de Cragyleth extendentes versus boriam vsque Mongrethe, et de Mongrethe extendentes vsque Aachindarge, et de Aachindarge sicut riuulus currit vsque le lyn de Ruebarbur, et de Ruebarbur ascendentes riuulum vsque le lyn de Cragtarsin, et de Cragtarsin sicut riuulus currit descendendo vsque Tomfod, et de Tomfod per quoddam mariseum descendendo vsque le Forsterhil, et de le Forsterhil descendendo in aquam de Tay, faciatis dicto Johanni inuiolabiliter observari; ita quod nullus de cetero dictum Johannem vel suos heredes in premissis presumat perturbare vel molestare, sub pena omnium que erga nos

amittere possit. In cuius rei testimonium sigillum nostrum presentibus apposuimus: Datum apud Kylvenyn in die sancti Benedicti Abbatis, anno Gracie millesimo ccc^{mo} xl^{mo} quinto, presentibus reuerendo patre, Domino Thoma Dei gracia episcopo Sodorensi, nobili viro Domino Roberto senescallo Scocie, et Thoma de Lummysden et multis aliis.

3. PRECEPT by ROBERT STEWARD OF SCOTLAND, to DUNCAN son of Andrew, Head Forester of Brannan, anent the marches of Morthley. [1345.]

ROBERTUS Senescallus Scocie, ballius omnium terrarum Comitis de Fyfe infra regnum Scocie, Duncano filio Andree, capitali Foristerio de Brannan, salutem : Litteras Comitis de Fyfe nobis nuper directas recepimus patentes, quarum tenor subsequitur in hec verba : Duncanus comes de Fyfe [*etc., ut supra*, No. 2.] QUARUM QUIDEM literarum autoritate tibi et foristariis sub te constitutis mandamus et firmiter precipimus quatinus predictas metas et diuisas, vt premittitur, eidem Johanni et heredibus suis quatenus in vobis est, sine contradictione, sub pena omnium que erga dictum comitem amittere poteritis, inuiolabiliter obseruari faciatis in futurum.

4. CHARTER by KING ROBERT II., in favour of ALEXANDER OF BERCLAY of Kercow, of the barony of Kercow. 15th May [1388.]

ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laycis, salutem : Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse Alexandro de Berclay de Kercow integram Baroniam de Kercow, cum pertinenciis, infra vicecomitatum de Perth, que fuit Willelmi de Berclay, patris sui, et quam idem Willelmus, non vi aut metu ductus, nec errore lapsus, sed mera et spontanea voluntate sua per fustum et

baculum nobis per literas suas resignacionis sursum dedit pureque et simpliciter resignauit, ac totum ius et clameum que in dicta baronia cum pertinenciis habuit, vel habere potuit, pro se et heredibus suis omnino quietum clamauit imperpetuum : Tenendam et habendam eidem Alexandro et heredibus suis de nobis et heredibus nostris in feodo et hereditate, per omnes rectas metas et diuisas snas, cum omnibus et singulis libertatibus, commoditatibus, aysiamenis et iustis pertinenciis quibuscunque ad dictam baroniam cum pertinenciis spectantibus, seu quoquo modo iuste spectare valentibus in futurum, adeo libere et quiete, plenarie, integre, et honorifice in omnibus et per omnia sicut dictus Willelmus pater suus eandem baroniam de nobis tenuit ante resignacionem huiusmodi nobis factam : Faciendo nobis et heredibus nostris dictus Alexander et heredes sui seruicia inde debita et consueta : Saluo patri libero tenemento eiusdem pro toto tempore vite sue, et nobis et heredibus nostris releuio aut warda post mortem dicti sui patris. In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum ; testibus, reuerendissimo in Christo patre, Waltero Dei gracia Sedis Apostolice Cardinali, venerabili in Christo patre Johanne episcopo Dunkeldensi, cancellario nostro, Johanne primogenito nostro de Carric, senescallo Scocie. Roberto de Fyf et de Menteth, Jacobo de Douglas, filiis nostris dilectis, comitibus, Archebaldo de Douglas, et Thoma de Erskyne, consanguineis nostris, militibus, apud Edynburgh, quinto decimo die Maij, anno regni nostri septimo decimo.

5. CHARTER by ARCHIBALD EARL OF DOUGLAS to his shield-bearer and cousin, ALEXANDER STEWART, of the lands of Garnetully and others.
30th March 1414.

OMNIBUS hanc cartam visuris vel auditoris, Archibaldus comes de Douglas Dominus Galvidie et vallis Anandie, salutem in Domino sempiternam :

Quibus haec Cartae visum vel auditum Archibaldus Comes de Douglas domus
et haec parti carta sua confirmasse dilecto scutifero et consanguineo suo Alexandro Genes
finao nobis impeso et impendendo omnes et singulas terras nras de Garnetullis extrullis
ad pertinenziam p[ro]p[ri]as fuerunt p[ro]p[ri]a d[omi]ni Joh[ann]is fenestulli et quas ipse non vidit in metu d[omi]ni
n[ost]ri memorandi d[omi]ni d[omi]ni Albanic gubernatoris regni et aliorum multorum suorum nobis
quod in eis habuit vel habere potuit p[ro]p[ri]as partes suas suo sigillo sigillatim in p[ar]ti-
bus suis que clamantur impetuum Genevas et habendi p[ro]p[ri]as terras de garnetullis
sua de corpore suo legitime proceatibus seu proceatibus quibus forte deficiatibus p[ro]p[ri]a d[omi]ni
suam impetuum p[ro]p[ri]as omnes terras metas et diuisas suas in bestis plantis moris in
suis fenestis turbaris petariis et carbonariis fabulibus et brassiis aucupatoriis venatoriis
et ad omnes alios et singulis comoditatibus libertatibus et auxiliis ac iustis suis pertine-
ad p[ro]p[ri]as terras ad pertinenziam spectantibus seu iuste spectare dicitur in futurum libere et
animam p[ro]p[ri]a Alexander et heredes sui p[ro]notati quibus deficiatibus p[ro]p[ri]a d[omi]ni Joh[ann]es
garnetullis tenendus super monte d[omi]ni de courtchill que monte nobis et hereditibus n[ost]ris
nulli finium de d[omi]ni n[ost]ri debuit et consuetudine pro se alio scilicet finium finium ex parte
tunc exigi potuerunt vel recipere In cuius rei testimonium hunc parti carta n[ost]ra
nulli n[ost]ro d[omi]no quito p[ro]p[ri]as deo illustrissimo principi d[omi]no n[ost]ro regni gubernatori
scotie Roberto fenestulli de lorne scutifero et d[omi]no Willo de borghwick milite com-

Gulbidiē & dūllis Inaudie Salutem in dno sempiternā prouidē uos dedisse coassisse
filio nobilis dñi dñi Johis fenestalli dñi de lozy militis consanguinei nri tñi pro suo
abirfally ad suos ptinen infra abthamā & dūll & diacōtārd & pht n que quod ē
uet exore lapsus sed nra & spontanea sua uoluntate in puāā sciēssi p̄ncipis & dñi
iusti & batiū sursum reddidit pure q̄ & simpliciter resignauit ac totū n̄s & clame d
deozē sciēssi p̄ncipis & alioz duozē apud frenelū / pro se & hēdibz suis qui
tullit & abirfally cum suis ptinen p̄ dco Alexandro fenestalli & hēdibz suis mastu
am fenestalli & hēdibus suis quibuscūq̄ de nobis & hēdibus nris in feod & here
dīs pratis pasturis & pasturis aquis stagnis & molendinis multiplici & eoz sequel
p̄stacōibz curis & curiaz p̄ntibus & alijs effectibz ac ad fructus libē tenendū atq̄ dñi
ubuscūq̄ tād nō notatis q̄ notatis tam sub rā q̄ supra tērd & tād p̄cul q̄ p̄
te plenarie nri & honorificē bene & in pace in omnibus & p̄ omnia // reddendo nō
des sui quoz & nobis & hēdibz nris tres fcas annē ad tres nras nras de
nd r̄p̄at & p̄uauis p̄ curis nris ibid tenend // Et reddendo dno abthamē de
suetudinē uel demandā q̄ de dno dñi & garnētully bitullit & abirfally ad suos p̄
llid nri fecimus appon apud frenelū p̄ntio die mensis marcy Anno dñi
metuedo // Et nobilibus dñis Johē fenestalli comite bouthamē & caudario
nro nro tād multis alijs

Noneritis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto scutifero et consanguineo nostro, Alexandro Senescalli, filio nobilis viri domini Johannis Senescalli, domini de Lorn, militis, consanguinei nostri karissimi, pro suo seruicio nobis impenso et impendendo, omnes et singulas terras nostras de Garnetully, Kyltullyth, et Abirfally, cum suis pertinentiis, infra Abthanium de Dull et vicecomitatum de Perth: Quequidem terre cum pertinentiis per prius fuerunt predicti domini Johannis Senescalli, et quas ipse, non vi nec metu ductus, nec errore lapsus, sed mera et spontanea sua voluntate, in presencia serenissimi principis et domini nostri metuendi, domini ducis Albanie gubernatoris regni, et aliorum multorum dominorum, nobis per fustim et baculum sursum reddidit, pureque et simpliciter resignauit, ac totum ius et clameum que in eisdem habuit uel habere potuit, per suas patentes literas suo sigillo sigillatas, in presencia dictorum serenissimi principis et aliorum dominorum, apud Streuelin, pro se et heredibus suis quibuscunque quitum clamauit imperpetuum: Tenendas et habendas predictas terras de Garnetully, Kiltullyth, et Abirfally, cum suis pertinentiis, predicto Alexandro Senescalli et heredibus suis masculis de corpore suo legitime procreatis seu procreandis; quibus forte deficientibus, predicto domino Johanni Senescalli et heredibus suis quibuscunque, de nobis et heredibus nostris in feodo et hereditate imperpetuum, per omnes rectas metas et diuisas suas, in boscis, planis, moris, marresijs, pratis, pascuis et pasturis, aquis, stagnis, riuulis, molendinis, multuris et eorum sequelis, viis, semitis, turbarijs, petarijs, et carbonarijs, fabrilibus et brasinis, aucupacionibus, venacionibus, et piscacionibus, curijs et curiarum exitibus, et alijs eschaetis, ac cum seruicijs libere tenencium earundem, et cum omnibus alijs et singulis commoditatibus, libertatibus, et aisiamentis ac iustis suis pertinentijs quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, et tam procul quam prope ad predictas terras cum pertinentiis spectan-

tibus, seu iuste spectare valentibus infuturum, libere et quiete, plenarie, integre et honorifice, bene et in pace, in omnibus et per omnia: Reddendo inde annuatim predicti Alexander et heredes sui prenotati, quibus deficientibus, predicti dominus Johannes et heredes sui quicumque nobis et heredibus nostris tres sectas curie ad tres curias nostras de Garnetully tenendas supra montem dictum le Courthill, quem montem nobis et heredibus nostris duntaxat reservamus pro curiis nostris ibidem tenendis; et reddendo domino Abthanie de Dull seruicium de dictis terris debitum et consuetum, pro omni alio seculari seruicio, exactione, consuetudine, uel demanda que de dictis terris de Garnetully, Kiltullith, et Abirfalli, cum suis pertinentiis, exigi poterunt uel requiri: In cuius rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi, apud Streuelin, penultimo die mensis Marcij, anno Domini millesimo cccc^{mo} decimo quarto; presentibus dicto illustrissimo principe, domino nostro regni gubernatore metuendo, nobilibus uiris, Johanne Senescalli, comite Bouchanie et camerario Scocie, Roberto Senescalli de Lorne, scutiferis; et domino Willelmo de Borthwike, milite, consanguineo nostro, cum multis alijs.



6. PRECEPT by ARCHIBALD EARL OF DOUGLAS for infefting his cousin, ALEXANDER STEUART, in the lands of Garnetully and others. 8th March 1414.

ARCHIBALDUS comes de Douglas, Dominus Galvidie et vallis Anandie, dilecto nostro Andree Asoot, ballivo nostro hac vice omnium terrarum nostrarum cum pertinenciis infra apthaniam de Dull et vicecomitatum de Pertht, salutem : Quia concessimus dilecto consanguineo nostro Alexandro Senescalli, filio nobilis viri Domini Johannis Senescalli de Innermethe, militis, consanguinei nostri karissimi, omnes et singulas terras nostras de Garnetully, Kiltullyth et Abyrfally cum suis pertinenciis, infra dictam balliam vestram terrarum nostrarum apthanie de Dul et vicecomitatum predictum iacentes, in feodo et hereditate imperpetuum, secundum tenorem carte nostre sibi inde confecte, vobis precipiendo mandamus quatenus predicto Alexandro Senescalli vel suo certo actornato, saisinam statum et possessionem hereditariam omnium predictarum terrarum nostrarum de Garnetully, Kiltullyth, et Abirfally cum suis iustis pertinenciis quibuscunque, secundum tenorem predictae carte nostre eidem Alexandro confecte, in omnibus et per omnia, visis presentibus, haberi faciatis indilate, iure cuiuslibet semper salvo ; ad quod faciendum vobis, hac parte ballivo nostro omnium predictarum terrarum nostrarum cum pertinenciis infra dictam apthaniam de Dull, ut p̄fertur, plenam et liberam tenore presentium nostram committimus potestatem. In cuius rei testimonium hiis literis nostris sigillum nostrum fecimus apponi, apud Streuelin, octavo die mensis Marcij, anno Domini millesimo cccc^{mo} xiiij^{to}.

7. CHARTER by CHRISTIANA OF MURE, Lady of Brintschelis, to ALEXANDER STEUART, of the lands of Carnbo. 1st June 1419.

OMNIBUS hanc cartam visuris vel auditoris, Christiana de Mure, domina de Brintschelis, salutem in Domino sempiternam : Noueritis me, in mea pura viduetate existens, dedisse, concessisse, et hac presenti carta mea confirmasse nobili viro, Alexandro Steuart, filio domini Johannis Steuart, domini de Lorne, pro suo consilio pariter et auxilio michi grantanter ac multipliciter impensis, omnes et singulas terras meas de Carnbo, cum pertinenciis, infra vicecomitatum de Perth, in comitatu de Strath-erne jacentes : Tenendas et habendas omnes et singulas prenominate terras de Carnbo, cum pertinenciis, predicto Alexandro, heredibus suis et suis assignatis, a me et heredibus meis, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, in boscis, planis, pratis, pascuis et pasturis, moris, marresiis, viis, semitis, aquis, stagnis, venacionibus, aucupacionibus, et piscacionibus, molendinis, multuris, et eorum sequelis, cum curiis, eschaetis et earum exitibus, et cum omnibus aliis libertatibus, commoditatibus, aisiamentis, et justis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, tam prope quam procul, tam sub terra quam supra terram, ad dictas terras cum pertinenciis spectantibus, seu spectare valentibus quoquomodo in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace : Faciendo inde annuatim predictus Alexander, heredes sui et sui assignati, domino superiori seruicium debitum et consuetum : Ego uero predicta Christiana [et] heredes mei, dictas terras predicto Alexandro, heredibus suis et suis assignatis, contra omnes mortales warantisabimus, aquitabimus, et imperpetuum defendemus. In cuius rei testimonium sigillum meum presentibus est affixum, apud Perth, primo die mensis Junij, anno Domini millesimo quadingentesimo decimo nono ; hiis testibus, domino Nicholaio

Huntare, secretario domini Ducis Albanie, Johanne de Camera, Domino de Glasle, Cristino de Camera, secretario domini Comitis Buchanie, et Johanne de Camera, camerario domini Ducis Albanie antedicti.

8. SASINE in favour of THOMAS OF ABBYRCROMBY of that Ilk, of the lands of Murthly and Nether Eskyndi. 10th May 1445.

IX Dei nomine Amen : Nouerint vniuersi hoc presens publicum instrumentum inspecturi, quod anno ab Incarnacione eiusdem millesimo quadringentesimo quadragesimo quinto, mensis vero Maij die decima, indictione viij, pontificatus sanctissimi in Christo patris ac domini nostri, domini Eugenij diuina disponente clemencia pape quarti, anno xv. : In mei notarij publici et testium subscriptorum presencia personaliter constitutus nobilis vir, Thomas de Abbyrcromby de eodem, quasdam literas a capella supremi domini nostri Regis emanatas nobili viro Johanni Ewiot de Ballousy, cum ea qua decuit reuerencia, presentauit, tenorem qui sequitur continentes : Jacobus Dei gracia Rex Scottorum, dilecto nostro Johanni Ewiot de Ballousi, balliuo nostro in hac parte, salutem : Quia concessimus dilecto et fidei nostro Thome de Abbircrombi omnes et singulas terras de Murthly et Nethir Eskyndi, cum pertinenciis, jacentes infra vicecomitatum de Perth, quequidem terre cum pertinenciis fuerunt eiusdem Thome hereditarie, et quas idem Thomas in manibus nostris per fustem et baculum sursum reddidit, pureque et simpliciter resignauit, prout in carta nostra inde confecta plenius continetur, vobis precipimus et mandamus quatenus dicto Thome uel suo certo actor-nato, latori presencium, saisinam dictarum terrarum cum pertinenciis, secundum tenorem dicte carte quam inde habet, iuste habere faciatis, et sine dilacione, et ad hoc faciendum nostram per presentes plenariam committimus vobis potestatem, et hoc nullo modo omittatis ; teste meipso, apud

Striweling, secundo die mensis Aprilis anno regni nostri nono : Quibus quidem literis et carta receptis ac demum perlectis, prefatus Thomas predicto Johanni Ewiot humiliter supplicauit vt saisinam dictarum terrarum de Murthtle et Eskyndi, iuxta tenorem, vim, formam et effectum huiusmodi carte sibi traderet : predictus vero Johannes volens literis regiis obedire, vt tenetur, accedens ad messuagium capitale de Murthtle et Eskyndi, predicto Thome saisinam dictarum terrarum de Murthtli et de Nethir Eskyndi, cum pertinenciis, iuxta formam dicte carte inde confecte per terram et lapides, vt moris est, tradidit : super qua quidem saisine tradicionem prefatus Thomas per me notarium publicum sibi fieri peccit presens publicum instrumentum. Acta fuerunt hec apud manerium de Murthtli et de Nethir Eskyndi, anno, die, mense, indictione, et pontificatu supra dictis ; presentibus ibidem honorabilibus viris, videlicet, Willelmo de Cardeny de eodem, Duncano de Cardeny eius filio, Johanne de Irlande de Burnban, armigeris, Roberto Galichtli, Gilberto Galichtli, Malcolmo Galichtli, fratribus germanis, Ricardo de Stratherne, domino Simone M^cNar, rectore de Arddewnane, domino Roberto M^cNar capellano, et Duncano de Fordwy, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes de Atholia, presbyter Dunkeldensis diocesis, publicus imperiali auctoritate notarius [*etc., in forma communi.*]

9. CHARTER by KING JAMES II. to ROBERT OF ABERCROMBY of the barony of Murthlie, and the lands of Eschindy and Abereromby. 22d March 1445.

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 nostro et fideli nostro Roberto de Abereromby, omnes et singulas terras baronie de Murthlie, terras de Eschindy,

cum pertinentiis, jacentes infra vicecomitatum de Perth, et terras de Abercrombie cum pertinentiis jacentes infra vicecomitatum de Fyffe; quequidem terre cum pertinentiis fuerunt Thome de Abercromby de eodem, patris sui, hereditarie, et quas idem Thomas, non vi aut metu ductus, nec errore lapsus, sed mera et spontanea voluntate sua, in manus nostras per fustem et baculum suusum reddidit, pureque et simpliciter resignavit, ac totum ius et clameum que in dictis terris cum pertinentiis habuit seu habere potuit, pro se et heredibus suis omnino quieteclamavit imperpetuum: Tenendas et habendas omnes et singulas prenomatas terras baronie de Murthlie et Eschindie et de Abercromby, cum pertinentiis, predicto Roberto et heredibus suis, de nobis, heredibus et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, cum omnibus et singulis libertatibus, commoditatibus, asiamentis, ac iustis pertinentiis suis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, procul et prope ad dictas terras cum pertinentiis spectantibus, seu juste spectare valentibus quomodolibet in futurum, adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sicut prefatus Thomas aut aliquis predecessorum suorum prenomatas terras cum pertinentiis de nobis et antecessoribus nostris ante dictam resignationem nobis inde factam liberius tenuit seu possidit: Faciendo inde nobis et successoribus nostris dictus Robertus et heredes sui quicunque servitia debita et consueta, reseruato tamen libero tenemento dictarum terrarum cum pertinentiis dicto Thome pro toto tempore vite sue, ac rationabili tertia earundem cum contingat sponse prefati Thome quo tempore fuit. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus, reuerendo in Christo patre ac charissimo consanguineo et consiliario nostro Jacobo episcopo Dunkeldensi, Willielmo comite de Douglas, Alexandro comite de Craufurd, Willielmo domino de Creichtoun, consanguineis etiam nostris

charissimis Alexandro de Levingstoun de Calender, Joanne de Cokburne de Dalginche, militibus, magistris Willielmo Turnbull, secreti sigilli nostri custode, Joanne de Railstoun, secretario nostro, Jacobo de Levingstoun, capiteo castris nostri de Striuiling, Jacobo de Dundas de eodem, et Alexandro Nairne de Sandefurd, scutiferis, apud Striuiling, vicesimo secundo die mensis Martij anno Domini millesimo quadringentesimo quadragesimo quinto, et regni nostri decimo.

Hec est vera copia principalis carte suprascripte, copiata et collationata per me magistrum Joannem Hay de Eister Kennet, scribam consilij, de mandato dominorum eiusdem, ac virtute eorum decreti latj decimo die mensis Julij, anno Domini millesimo sexcentesimo decimo septimo, cum principali in omnibus concordans, nil addito vel remoto quod substantiam mutaret aut sententiam variaret, testantibus meis signo et subscriptione manualibus.

J. HAY.

10. SASINE in favour of ROBERT DE ABBERCUMBY, son of Thomas Abbercumby of that Ilk, of the barony of Murthlie and lands of Eschindy and Abbercumby. 2d June 1446.

IN Dei nomine, Amen: Per hoc presens publicum Instrumentum cunctis pateat euidenter quod anno ab Incarnatione eiusdem millesimo quadringentesimo quadragesimo sexto, indictione nona, mensis vero Junij die secundo, pontificatus sanctissimi in Christo patris ac domini nostri, domini Eugenij diuina prouidencia pape quarti, anno decimo sexto: In mei notarij publici et testium subscriptorum presencia personaliter constitutus generosus vir, Johannes Evyot, dominus de Balwolssy, vnam literam commissionis in pergamento scriptam, per medium sigilli serenissimi ac excellentissimi domini

nostri, Jacobi Regis Scotorum, in cera alba pendentis sigillatam, non rasam, non abolitam, non cancellatam, nec vermibus corrosam, sed omni vicio et suspicione carentem, mihi notario subscripto presentavit perlegendam, cuius tenor sequitur, et est talis : JACOBUS Dei gratia Rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem : Sciatis quod facimus, constituimus, et per presentes ordinamus dilectos nostros et fideles, Willelmum Oliphant de Kelly, militem, et Johannem Eviot de Balwolssy, et eorum alterum, coniunctim et diuisim, balliuos nostros in hac parte, et hac vice duntaxat : dantes et concedentes eisdem Willelmo et Johanni, balliuis nostris, coniunctim et diuisim, nostram plenariam potestatem et speciale mandatum ad liberandum et haberi faciendum saisinam terrarum baronie de Murthle, terrarum de Eschindy, cum pertinenciis, jacentium infra vicecomitatum de Perth, et terrarum de Abbercrumby cum pertinenciis, jacentium infra vicecomitatum de Fyff, Roberto de Abbercrumby, filio Thome de Abbercrumby, iuxta tenorem breuis de capella nostra eisdem Willelmo et Johanni exinde directi, coniunctim et diuisim, et generaliter omnia alia et singula faciendum et perimplendum que in premissis necessaria fuerint, seu eciam oportuna. In cuius rei testimonium has literas nostras fieri fecimus patentes, apud Striuelyn, xxij die mensis Marcij, anno regni nostri decimo : qua per me perlecta, antedictus Johannes vnum breue clausum capelle Domini nostri Regis predicti presentavit perlegendum, cuius tenor sequitur in hec verba : JACOBUS Dei gratia Rex Scotorum, dilecto nostro Johanni Eveot de Balwossy balliuo nostro in hac parte, salutem : Quia concessimus dilecto et fideli nostro Roberto de Abbercrumby omnes et singulas terras baronie de Murthle et terras de Eschindy cum pertinencijs, jacentes infra vicecomitatum de Perth, quequidem terre cum pertinenciis fuerunt Thome de Abbercrumby de eodem, patris sui, hereditarie, et quas idem Thomas in manibus nostris per fustem et baculum sursum reddidit pureque et simpliciter resignauit, prout in carta

nostra inde confecta plenius continetur, vobis precipimus et mandamus quatenus dicto Roberto vel suo certo actornato, latori presencium, saisinam dictarum terrarum cum pertinenciis iuste habere faciatis, et sine dilacione, saluo iure cuiuslibet, et hoc nullo modo omittatis: Teste meipso, apud Striwelyn, xxiii die mensis Marcij anno regni nostri decimo: Post cuius quidem brevis lecturam antedictus Johannes balliuus prenominatus saisinam hereditariam baronie de Murthle et terrarum de Eshindy cum pertinenciis tradidit, secundum tenorem sue carte, Roberto de Abbercrumby, libero tenemento Thome de Abbercrumby, patri suo, pro toto tempore vite sue reseruato, et iure cuiuslibet: quibus sic factis, antedictus balliuus terram et lapidem in manu predicti Roberti posuit, sicut est moris ac consuetudinis: Super quibus omnibus et singulis antedictus Robertus peccit a me notario publico publicum seu publica instrumentum vel instrumenta. Acta fuerunt hec in capitali messuagio de Murthle, hora quasi sexta post merediam, sub anno, indictione, mense, die, et pontificatu quibus supra; hiis testibus, videlicet, Gilberto Haye, Johanne Yrland de Burnbane, Roberto Galychtly, et Gilberto Galychtly, cum multis aliis, ad premissa vocatis specialiter et rogatis.

Et ego Willelmus de Abbernethy, presbyter Dunblanensis diocesis, publicus auctoritate imperiali notarius [*etc., in forma communi.*]

11. AGREEMENT between WILLIAM ABBOT OF CUPAR and THOMAS STEWART of Garntully concerning the marches of Murthly and Kyntully. 10th July 1449.

UNIERSIS ad quorum noticias presentes litere peruenerint, Willelmus misericordie diuine abbas monasterij de Cupro ordinis Cisterciensis, Sancte Andree diocesis, et Thomas Steuart de Garntuly, salutem in omnium Salvatore: Noueritis quod, cum inter nos Abbatem et Conuentum monasterij pre-

dicti, ex vna, et me Thomam Steuart prefatum, partibus ex altera, de et super rectis metis et diuisis marchiarum, limitum, et confinium terrarum de Mvrthly nobis abbati [et] conuentui pertinentium, ac terrarum de Kyntuly mihi Thome spectantium, orta fuisset materia questionis, tandem post diuersas altercationes, questiones et demandas inter nos Abbatem et Conuentum ac Thomam predictos hinc inde motas et propositas, de vnanimi nostro et mei Thome consensu et assensu electa fuit assisa proborum et fidedignorum virorum patrie, pro, de et super dictarum terrarum diuisis et marchijs fideliter perambulandis, quorum virorum nomina subsecuntur; videlicet, Johannes Menyheis de le Wemys, Johannes Steuart de Ranath, Patricius Ogylby, Malcholmus Moncrefe de eodem, Angusius Menyheis, Willelmus Blare de Ardblare, Thomas Chavmer de Drumlochy, Johannes Menyheis, Johannes Rethre, David Blare, Johannes Butter, Robertus Maknare, Malcholmus Reath, Fargusius Ade, Fynlaus Nelsoun, Gylgornore et Danaldus Croy: Qui vero viri de assisa, conuocatis ad se antiquioribus et probioribus patrie viris, habitaque cum eisdem collacione et deliberacione super dictis marchijs et diuisis declarandis, ac bene auisati et consulti deliberarunt, pronunciarunt, et ordinarunt quod nos Abbas et Conuentus libere habeamus, teneamus, congaudeamus, et pro perpetuo possideamus, ac nostri successores qui pro tempore fuerint libere habeant, teneant et congaudeant, et pro perpetuo possideant dictas terras suas de Murthly cum pertinencijs, cum vninersis et singulis libertatibus, commoditatibus, et asiamentis, ac iustis pertinencijs quibuscunque ad easdem terras spectantibus, seu iuste spectare valentibus quomodolibet in futurum, per has methas et diuisas subscriptas et ordinatas per predictos dominos de assisa, videlicet, inchoando ad aquam de Taya, deinde per vnum magnum lapidem in latere collis iuxta aquam prefatam, et sic directe tendendo vsque ad verticem cuiusdem montis a parte australi: quequidem diuise, et marchie notificate et signate existunt per magnorum lapidum impressionem et infixionem

in tramite antedicto ; et siquid de terris mei Thome Stevart ex deliberacione dicte assise prefati abbas et conuentus habuerint, seu per dictam assisam adiudicatum est eisdem, illud dictis abbati et conuentui propter orationum suffragia per ipsos et eorum successores pro me et meis successoribus impendenda, et ob meam confraternitatem in monasterio predicto libere dono, et per presentes plenarie concedo : necnon meum consilium, auxilium, manutenciam, et fauorem impendere promitto fideliter imperpetuum ; meque, heredes meos, et successores quoscumque quittos et immunes ab omni iure et clameo, calumpneis et demandis dictorum limitum, confinium et marchiarum, reddo imperpetuum : Et hoc vniuersis et singulis quorum interest, uel intererit in futurum, nos dicti Abbas et Thomas notum facimus et declaramus presencium per tenorem, quibus, in premissorum testimonium, sigilla nostra vnacum sigillis quorundam de assisa sunt appensa, apud monasterium nostrum antedictum, decimo die mensis Julij, anno Domini millesimo quadringentesimo quadragesimo nono.

12. RETOUR of the Service of ALEXANDER STEWART, as heir of his father
THOMAS STEWART, in the lands of Grantuly. 13th May 1462.

HEC inquisicio facta fuit apud Perth, coram domino Andrea Murray, milite, deputato dicti vicecomitatus, decimo tercio die mensis Maij anno Domini millesimo cccc^{mo} sexagesimo secundo, per hos subscriptos ad hoc magno sacramento iuratos et oneratos, videlicet, dominos Patricium Rothwen, Robertum Abircrumby, Laurencium Mercere, milites, David Ogilby, Andream Mercer, David Hering, Siluestrum Rettre, Johannem Muncrefe, Robertum Ros, Finlaum Ramsay, Willelmum Blare, Walterum Kymnard, Thomam Oliphant, Johannem Buttergask, Johannem Haliburtoun, Robertum Mercere, et Thomam Rogerj : Qui iurati dicunt quod quondam Thomas

Stewart, pater Alexandri Stewart, latoris presencium, obiit vltimo vestitus et saisitus vt de feodo ad pacem et fidem domini nostri Regis de terris de Grantuly cum pertinenciis, iacentibus infra dictum vicecomitatum : Et quod dictus Alexander est legitimus et propinquior heres eiusdem quondam Thome patris sui de dictis terris cum pertinenciis ; Et quod est legitime etatis : Et quod dicte terre cum pertinenciis nunc valent per annum quadraginta libris et tantum valuerunt tempore pacis : Et quod tenentur in capite de Domino nostro rege per seruicium warde et reliuij, faciendo inde annuatim communem sectam in curiis de Appindul : Et quod sunt in manibus domini nostri Regis legitime per seipsum, ob mortem dicti Thome, patris sui, per spacium novem annorum vel eo circa, in defectu veri heredis minime prosequentis ius suum. In cuius rei testimonium sigilla quorundam qui dicte inquisitioni intererant faciente apponuntur et clause sub sigillo dicti deputati, hoc breui incluso, loco, die, mense, et anno supradictis.

13. RETOUR of the Service of ALEXANDER STEWART, as heir to his father,
THOMAS STEWART, in the lands of Banchry. 2d June 1462.

HEC Inquisicio facta fuit apud Clakmannan, coram Johanne Menteith, deputato dicti vicecomitatus, secundo die mensis Junij, anno Domini millesimo cecc^o sexagesimo secundo, per hos subscriptos, ad hoc magno sacramento juratos et oneratos, videlicet, Johannem Breis, Alexandrum Seton, Willelmum Broun, Robertum Breis, Johannem Allerdess, Andrean Lewinstoun, Johannem Erkyl, Dauit Erkyl, Alexandrum Breis, Jacobum Forschifitson, Johannem Morissoun, Thomam Breis, Villielmum Ynch, Rannaldum Dauitsoun, et Morisium Adisoun : Qui jurati dicunt quod quondam Thomas Stewart, pater Alexandri Stewart latoris presencium, obiit vltimo vestitus et saisitus vt feodo, ad pacem et fidem domini nostri regis, de terris de Banchry cum pertinenciis,

jacentibus infra dictum vicecomitatum : Et quod dictus Alexander est legitimus et propinquior heres eiusdem quondam Thome patris sui de dictis terris cum pertinencijs : Et quod est legitime etatis : Et quod dicte terre cum pertinenciis nunc valent per annum octodecim marcis, et tantum valuerunt tempore pacis : Et quod tenentur in capite de domino comite de Huntle et domino de Tulibody, per seruicium warde et reliuij : Et quod sunt in manibus dicti domini comitis legitime per seipsum, ob mortem dicti Thome, patris sui, per spacium nouem annorum, vel ea circa, in defectu veri heredis minime prosequentis ius suum. In cuius rei testimonium sigilla quorundam qui dicte inquisitioni intererant faciende apponuntur et clause sub sigillo dicti deputati, hoc breue incluso, loco, die, mense, et anno, supradictis.

14. CHARTER by JOHN EARL OF ATHOLE to JOHN STEWART of Furthirkill, of the lands of Eddirdagonat. 24th February 1465.

OMNIBUS hanc cartam visuris vel audituris, Johannes comes Atholie et dominus de Balvany, salutem in Domino sempiternam : Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto consanguineo nostro Johanni Stewart de Furthirkill, omnes et singulas terras de Eddirdagonat cum pertinenciis, iacentes in comitatu nostro Atholie, infra vicecomitatum de Perth : Que quidem terre cum pertinenciis fuerunt dilecti consanguinei nostri Siluestri de Rettre de eodem hereditarie, et quas terras cum pertinenciis idem Silvester, non vi aut metu ductus, nec errore lapsus, sed mera et spontanea voluntate sua in manus nostras per fustem et baculum personaliter sursum reddidit, pureque et simpliciter resignauit, ac totum ius et clameum que in dictis terris cum pertinenciis habuit seu habere potuit, pro se et heredibus suis, omnino quietumclamanuit imperpetuum : Tenendas et

habendas omnes et singulas prenominate terras de Eddirdagonat cum pertinentiis predicto Johanni Stewart, heredibus suis et suis assignatis, de nobis et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, in boscis, planis, moris, marresiis, siluis, aquis, stagnis, pratis, pascuis, et pasturis, molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, fabrinis et brasinis, ac cum curiis et curiarum exitibus, herizeldis, bludwitis et merchetis mulierum, cum communi pastura ac libero introitu et exitu, necnon cum omnibus aliis et singulis libertatibus, commoditatibus et aisiamentis, ac iustis suis pertinentiis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, tam prope quam procul, ad predictas terras de Eddirdagonat cum pertinentiis 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 dictus Silvester aut aliquis predecessorum suorum prenominate terras de Eddirdagonat cum pertinentiis de nobis aut antecessoribus nostris, aute prefatam resignacionem nobis inde factam, liberius tenuit seu possedit : Faciendo inde nobis et successoribus nostris ac nostris heredibus dictus Johannes Stewart, heredes sui et sui assignati, seruicia debita et consueta, cum communi secta curie nostre : Et nos Johannes, comes supradictus, omnes et singulas dictas terras de Eddirdagonat cum pertinentiis, ac eciam heredes nostri, et nostri successores, prefato Johanni Stewart, heredibus suis et suis assignatis, in omnibus et per omnia, ut premissum est, contra omnes mortales warantzabimus, acquietabimus, et imperpetuum defendemus. In cuius rei testimonium presenti carte nostre sigillum nostrum apponi precepimus ; testibus, honorabilibus viris, videlicet, dominis Jacobo de Crechton de Karnis et Roberto de Abircrumby de eodem, militibus, Wilelmo Blair de Ardblair, Roberto Gall, Roberto Bonkill, familiaribus nostris, dominis Thoma de Irland, rectore de Weyme, et Johanne Halden, capellano nostro, notario

publico, apud Perth, vicesimo quarto die mensis Februarij, anno Domini millesimo quadringentesimo sexagesimo quinto.

15. CHARTER by ALEXANDER EARL OF HUNTLE, to ALEXANDER STEWART of Granetuly and MATILDA STEWART his spouse, of the lands of Banchry in the lordship of Tulibody. 26th July 1468.

OMNIBUS hanc cartam visuris vel auditoris, Alexander comes de Huntle et dominus de Badzenoch, salutem in Domino sempiternam : Noueritis nos dedisse, concessisse, et hac presenti carta nostra imperpetuum confirmasse dilecto consanguineo nostro Alexandro Stewart de Granetuly et Matilde Stewart, sponse sue, et eorum diucius viuenti, omnes et singulas terras de Banchry, cum suis pertinenciis, jacentes in baronia sine dominio de Tulibody et infra vicecomitatum de Clakmanane, pro suis seruicijs nobis impensis et impendendis ; quas quidem terras cum pertinencijs predictus Alexander, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, in presencia diuersorum testium subscriptorum, personaliter per fustim et baculum nobis in manus nostras sursum reddidit, pureque et simpliciter resignauit, ac totum ius et clameum que in eisdem habuit vel habere potuit, pro se et heredibus suis quibuscumque, quitumclamauit imperpetuum : Tenendas et habendas omnes et singulas predictas terras, cum pertinencijs, predictis Alexandro et Matilde sponse sue, et eorum diucius viuenti, ac heredibus suis inter ipsos legittime procreatis sen procreandis, 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 boscis, planis, montibus, moris, marresijs, vijs, semitis, aquis, stagnis, riuulis, pratis, pascuis et pasturis, aucupacionibus, venacionibus piscacionibus, molendinis, multuris et eorum sequelis, petarijs, turbarijs, carbonarijs, fabrilibus, brasinis, genestis, domibus

et edificijs, lapicidijs, lapide et calce, cum curijs et curiarum exitibus, eschaetis merchetis mulierum, herieldis et blodwetis, cum libero introitu et exitu, ac cum communi pastura, ac cum omnibus alijs et singulis libertatibus, commoditatibus, aisiamentis ac iustis suis pertinencijs quibuscumque, ad predictas terras cum pertinencijs spectantibus, seu iuste spectare valentibus quomodolibet in futurum, tam non nominatis quam nominatis, tam subtus terra quam supra terram, tam procul quam prope, et adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, absque aliquo retinemento vel reuocatione, sicut predictus Alexander aut predecessores sui predictas terras cum pertinencijs ante istam resignationem tenuit seu possedit, tenuerunt seu possederunt: Reddendo inde annuatim dicti Alexander et Matilda sponsa sua, ac eorum diucius viuens, et heredes sui inter ipsos legitime procreati seu procreandi, nobis et heredibus nostris seruicium debitum et consuetum tantum, pro omni alio onere, seruicio seculari, exactione seu demanda: Et nos dictus comes et heredes nostri omnes et singulas predictas terras cum pertinencijs prenominate Alexandro et Matilde sponse sue, et eorum diucius viuenti, et heredibus suis inter ipsos legitime procreatis seu procreandis, in omnibus et per omnia, vt premissum est, contra omnes mortales warrantizabimus, acquietabimus et imperpetuum defendemus. In cuius rei testimonium presenti carte nostre sigillum nostrum apponi fecimus, apud Badzenoch, vicesimo sexto die mensis Julij anno Domini millesimo quadringentesimo sexagesimo octauo; testibus, Waltero Stewart de Strathoyn, Duncano Grant de eodem, militibus, Johanne Stewart de Forthirgil, Thoma David de Forbes, Negello Stewart, Laichlano Mackyntoich, Roberto Mackynnare, et Roberto Menzeis, cum multis alijs.

16. RESIGNATION by ALEXANDER STEWART of the lands of Garntuly, Kiltuly, Aberschaldy and Carnbow, in the hands of the King. 4th July 1470.

EXCELLENTISSIMO principi supremoque domino nostro domino Jacobo Tertio Scotorum Regi illustrissimo suus humilis ligius subditus et seruitor, Alexander Stewart de Garntuly, seipsum cum omni subiectione et famulatu : Ad resignandum et in manibus vestre regie maiestatis, pro me et heredibus meis, sursum reddendum et quitunclainandum omnes et singulas terras meas de Garntuly, Kiltuly, Aberschaldy et Carnbow, cum pertinenciis, iacentes infra vicecomitatum de Perth, prouidos viros magistrum David de Guthre de eodem, Alexandrum Wardroppar, et Alexandrum Stewart, ac eorum quemlibet coniunctim et diuisim, meos veros, legitimos et indubitatos procuratores, actores, factores ac nuncios speciales facio, constituo et ordino, cum licencia curatoris mei et cum consensu eiusdem, tenore presentium literarum : Ratum et gratum habens et habiturus pro me et heredibus meis irreuocabiliter pro perpetuo, totum et quicquid dicti mei procuratores aut eorum aliquis coniunctim vel diuisim, nomine meo, in premissis duxerint seu duxerit faciendum : Quas etiam terras predictas cum pertinenciis ego dictus Alexander Stewart, non vi aut metu ductus, nec errore lapsus, sed mea pura et spontanea voluntate, in manus vestre celsitudinis, cum consensu et assensu dicti mei curatoris, sursum reddo ac pure et simpliciter resigno pro perpetuo per presentes : Itaque facta dicta resignacione vobis liceat de dictis terris disponere ad vestre libitum voluntatis. In cuius rei testimonium sigillum meum presentibus est appensum, apud Garntuly, quarto die mensis Julij, anno Domini millesimo quadringentesimo septuagesimo.

17. NOTARIAL COPY, made on 9th July 1494, of a CHARTER, by KING JAMES III. to JOHN STEWART of the lands of Kyltuly, Aberschaldy, Garnetuly, and Carnbow, dated 5th July 1470.

IN Dei Nomine Amen : Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod ab anno incarnationis Dominice millesimo quadringentesimo nonagesimo quarto, mensis Julij die uero nona, indictione duodecima, pontificatus sanctissimi in Christo patris et domini, domini Alexandri diuina prouidentia pape sexti anno secundo, in testium subscriptorum et mei notarii publici presencia, personaliter constitutus discretus vir, Alexander Stwart, frater germanus Thome Stwart domini de Garntuly, quandam cartam terrarum de Kyltuly, Aberschaldy, Garntuly et Carnbow, supremi domini nostri Regis sub suo magno sigillo sigillatam, non rasam, non cancellatam, nec in aliqua sue parte suspectam, sed omni prorsus vicio et suspicione carentem, michi notario publico infrascripto tradidit perlegendam, copiandam et in publicam instrumenti formam redigendam : cuius quidem carte tenor sequitur et est talis : Jacobus Dei gratia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto nostro Johanni Stwart, filio et heredi apparenti dilecti nostri Alexandri Stwart de Garntuly, totas et integras terras de Kyltuly, Aberschaldy et Garnetuly, cum pertinenciis, jacentes infra vicecomitatum nostrum de Perth, ac terras de Carnebow cum pertinenciis, jacentes in comitatu de Stratherne infra dictum vicecomitatum de Perth : Quequidem terre de Kyltuly et Aberschaldy cum pertinenciis fuerunt dicti Alexandri Stwart et Matilde sponse sue in coniuncta infeodacione, et dicte terre de Garnetuly et Carnbow cum pertinenciis, fuerunt dicti Alexandri hereditarie, et quas omnes terras predictas

dicti Alexander et Matilda sponsa sua, non vi aut metu ducti, nec errore lapsi, sed suis meris et spontaneis voluntatibus, in manus nostras apud Perth, per fustem et baculum ac suos procuratores ad hoc legitime constitutos, cum consensu curatoris dicti Alexandri, coram subscriptis testibus sursum reddiderunt, pureque simpliciter resignarunt, ac totum ius et clameum que in dictis terris cum pertinenciis habuerunt, seu habere potuerunt pro se et heredibus suis omnino quittumelamarunt imperpetuum: Tenendas et habendas totas et integras terras predictas cum pertinenciis dicto Johanni Stewart et heredibus suis de nobis, heredibus et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine, in boscis, planis, moris, maresiis, viis, semitis, aquis, stagnis, riolis, pratis, pascuis et pasturis, molendinis, murturis et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, petariis, turbariis, carbonariis, lapieidiis, lapide et calce, fabrilibus, bracinis, brueriis, et genestis, cum curiis et earum exitibus, herezeldis, bludewitis et marchetis mulierum, cum tenentibus, tenandiis, et libere tenencium seruiciis, ac cum omnibus aliis et singulis libertatibus, commoditatibus et asiamentis ac iustis pertinenciis quibuscunque, tam non nominatis quam nominatis, ad dictas terras cum pertinenciis spectantibus, seu quouismodo iuste spectare valentibus in futurum, et adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sicut dicti Alexander et Matilda, uel predicessores sui, prenominatas terras seu aliquam partem earundem de nobis aut predicessoribus nostris, ante dictam resignacionem nobis inde factam, liberius tenuerunt seu possederunt: Faciendo inde annuatim dictus Johannes et heredes sui nobis, heredibus et successoribus nostris, jura et seruicia de dictis terris debita et consueta; reseruato libero tenemento dictarum terrarum de Kyltuly et Aberschaldy, cum pertinenciis, dictis Alexandro et Matilde, sponse sue, et eorum alteri diucius uiuenti, pro toto tempore vite

eorundem, et reseruato libero tenemento dictarum terrarum de Garntuly et Carnbow, cum pertinenciis, dicto Alexandro pro toto tempore vite sue, ac rationabili parte tercia earundem terrarum de Garntuly et Carnbow dicte Matilde pro toto tempore vite sue, cum contigerit. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus, reverendis in Cristo patribus, Thoma episcopo Aberdonensi, nostri secreti sigilli custode, Willelmo episcopo Orchadiensi, dilectis consanguineis nostris, Andrea domino Awandale, cancellario nostro, Johanne comite Atholie, Jacobo comite Buchanie, auunculis nostris, Colino comite de Ergile, domino Lorne, magistro hospicij nostri, Willelmo Knowys, preceptore de Torfichin, thesaurario nostro, Johanne de Cwlquhoune de eodem, militibus, magistris Daudid de Guthrie de eodem, nostrorum compotorum rotulatore, et Archibaldo de Quhitelaw, Archidiacono Laudonie, secretario nostro; apud Perth, quinto die mensis Julij, anno Domini millesimo quadringentesimo septuagesimo, et regni nostri decimo: Super quibus omnibus et singulis prefatus Alexander Stewart a me notario publico subscripto sibi fieri peccit hoc presens publicum instrumentum siue publica instrumenta. Acta erant hec in ecclesia cathedrali Dunkeldensi, hora quasi nona ante meridiem uel eo circa, sub anno, die, mense, indiccione et pontificatu quibus supra; presentibus ibidem, discretis viris magistris et dominis, Johanne Boncle, Stephano Zoung, Finlao Symson, notariis publicis, et Johanne Toche, cum diversis aliis testibus ad premissa vocatis specialiter et rogatis. (Sic subscribitur.)

Et ego, Thomas Kyer, clericus Dunkeldensis diocesis, auctoritate imperiali notarius [*etc., in forma communi.*]

18. PRECEPT by KING JAMES III. for infefting JOHN STEWART, son of Alexander Stewart, in the lands of Kiltuly, Aberschaldy, Garntuly and Carnbow. 5th July [1470.]

JACOBUS Dei gratia Rex Scotorum, dilectis nostris Roberto de Abercrumby de eodem, militi, Duncanano de Cardny de eodem, et Roberto Menzeis de Cumre, ac eorum cuilibet, coniunctim et diuisim vicecomitibus nostris de Perth ac Senescallis de Stratherne in hac parte specialiter constitutis, salutem : Quia dedimus et concessimus hereditarie dilecto nostro Johanni Stewart, filio et heredi apparenti dilecti nostri Alexandri Stewart de Garntuly, totas et integras terras de Kiltuly, Aberschaldy et Garntuly, cum pertinenciis, jacentes infra vicecomitatum nostrum de Perth, et terras de Carnbow, cum pertinenciis, jacentes in comitatu de Stratherne, infra dictum vicecomitatum, quequidem terre de Kiltuly et Aberschaldy, cum pertinenciis, fuerunt dicti Alexandri et Matilde sponse sue in coniuncta infeodacione, et dicte terre de Garntuly et Carnbow, cum pertinenciis, fuerunt dicti Alexandri hereditarie, et quas omnes predictas terras cum pertinenciis dicti Alexandri et Matilda, non vi aut metu ducti, nec errore lapsi, sed suis meris et spontaneis voluntatibus in manus nostras per fustem et baculum et suos legitimos procuratores sursum reddiderunt, pureque simpliciter resignarunt, prout in carta nostra dicto Johanni inde confecta plenius continetur ; vobis precipimus et mandamus quatenus dicto Johanni, vel suo certo actornato, latori presentium, sasinam dictarum terrarum eum pertinenciis, secundum tenorem dicte carte nostre quam inde habet, juste habere faciatis, et sine dilacione, et hoc nullo modo omittatis : ad quod faciendum, vobis et vestrum cuilibet coniunctim et diuisim nostram committimus potestatem. Datum sub testimonio magni sigilli nostri, apud Perth, quinto die mensis Julij, anno regni nostri decimo.

19. CHARTER by KING JAMES III., to ALEXANDER ABERCROMBY, of the barony of Murthlie and lands of Abereromby. 20th February 1480.

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 nostro Alexandro Abercromby, legitimo filio carnali Roberti Abereromby de eodem, militis, totas et integras terras baronie de Murthlie cum pertinentijs, jacentes infra vicecomitatum nostrum de Perth, ac totas et integras terras de Abercromby cum pertinentijs, jacentes infra vicecomitatum nostrum de Fyfe, quequidem terre baronie de Murthlie et terre de Abereromby cum pertinentijs fuerunt dicti Roberti Abercromby, militis, hereditarie, et quas idem Robertus, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate in manus nostras, apud Edinburgh, per fustem et baculum et suos procuratores ad hoc legitime constitutos sursum reddidit pureque simpliciter resignavit, ac totum jus et clameum que in dictis terris cum pertinentijs habuit sue habere potuit pro se et heredibus suis omnino quieteclamavit imperpetuum : Tenendas et habendas totas et integras predictas terras baronie de Murthlie et totas et integras terras de Abercromby cum pertinentijs dicto Alexandro et heredibus suis, de nobis et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine, in boscis, . . . cum curiis et earum exitibus, herezeldis, bluduetis, et marchetis mulierum, eum tenentibus, tenandriis et libere tenentium seruitiis, ac cum omnibus aliis et singulis libertatibus, commoditatibus et asiamentis, et justis suis pertinentijs quibuscunque, tam non nominatis quam nominatis, ad dictam baroniam et terras spectantibus, seu juste spectare valentibus quomodolibet in futurum, et adeo libere, quiete, . . . sicut dictus Robertus aut predicesores sui predictam baroniam et terras cum pertinentijs de nobis et predicesoribus

nostris ante dictam resignationem nobis inde factam liberius tenuit seu possidet tenuerunt seu possiderunt : Faciendo inde annuatim dictus Alexander et heredes sui nobis, heredibus et successoribus nostris, jura et seruitia de dictis baronia et terris cum pertinentijs ante prefatam resignationem debita et consueta ; reservato tamen libero tenemento de dictis totis et integris terris dicte baronie de Murthlie, et de totis et integris predictis terris de Abercromby, cum pertinentijs, cum curijs et earum exitibus, dicto Roberto pro toto tempore vite sue, et rationabili tertia parte dicte baronie et terrarum de Murthlie et Abereromby cum pertinentiis sponse sue, cum contigerit. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precipimus ; testibus, reuerendissimo in Christo patre Willielmo Archiepiscopo Sanctiandree, ac reuerendis in Christo patribus, Joanne episcopo Glasguensi, Willielmo episcopo Moraviensi, nostri secreti sigilli custode, dilectis consanguineis nostris, Andrea domino Avendale, cancellario nostro, Colino comite de Ergyle, domino Campbell et Lorne, magistro hospitij nostri, David comite de Craufurd, domino Lindsay, Joanne domino Carleill, magistris Archbaldo Quhytlaw, archidecano Laudonie, secretario nostro, et Alexandro Inglis, decano Dunkeldensi, clerico nostrorum rotulorum et registri, apud Edinburgh, vicesimo septimo die mensis Februarii, anno Domini millesimo quadringentesimo octuagesimo, et regni nostri vicesimo primo.

Hee est vera copia principalis carte suprascripte, copiata et collationata per me, magistrum Joannem Hay de Eister Kennet, scribam consilij, de mandato dominorum eiusdem, ac virtute eorum decreti latj decimo die mensis Julij, anno Domini J^m vj^c decimo septimo, cum principali in omnibus concordans, nil addito vel remoto quod substantiam mutaret, aut sententiam variaret, testantibus his meis signo et subscriptione manualibus.

J. HAY.

20. SASINE in favour of ALEXANDER ABIRCUMBY of the Barony of Murthly.
30th April 1481.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Dominice Incarnationis millesimo quadragesimo octogesimo primo, die vero mensis Aprilis vltimo, indictione decima quarta, pontificatus sanctissimi in Christo patris et domini nostri, domini Sexti diuina prouidentia pape quarti anno decimo, in reuerendi in Christo patris et domini, domini Jacobi Dei et apostolice sedis gratia episcopi Dunkeldensis, nostrorumque notariorum publicorum et testium subscriptorum presentia, honorabilis vir, dominus Robertus de Abircrumby de eodem, miles, ac vicecomes de Perth, personaliter accessit ad capitale messuagium terrarum baronie de Murthly jacentium infra vicecomitatum de Perth, et ibidem quoddam preceptum saisine siue breue de capella regia, directum vicecomiti de Perth et balliuis suis, perlegi fecit et publicari: cujusquidem precepti siue breuis tenor sequitur, et est talis: JACOBUS Dei gratia Rex Scotorum, vicecomiti et balliuis suis de Perth, salutem: Quia dedimus et concessimus hereditarie dilecto nostro Alexandro Abircrumby, legitimo filio carnali Roberti Abircrumby de eodem, militis, totas et integras terras baronie de Murthly cum pertinenciis, jacentes infra balliam vestram, quequidem terre cum pertinenciis fuerunt dicti Roberti hereditarie, et quas idem Robertus, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, in manus nostras, apud Edinburgh, per fustem et baculum et suos procuratores ad hoc legitime constitutos sursum reddidit pureque simpliciter resignauit, prout in carta nostra dicto Alexandro inde confecta plenius continetur; Vobis precipimus et mandamus quatenus dicto Alexandro, vel suo certo actornato latori presentium, saisinam dictarum terrarum baronie cum perti-

nentiis iuste haberi faciatis, et sine dilatione, secundum tenorem dicte carte nostre quam inde habet, et hoc nullo modo omittatis; teste meipso, apud Edinburgh, quinto die mensis Marcij, anno regni nostri vicesimo primo. QUOQUIDEM precepto saisine perlecto, et in vulgari exposito, dictus dominus Robertus de Abirerumby, saisinam, statum, et possessionem hereditariam dicte baronie de Murthly et terrarum eiusdem cum pertinentiis Alexandro de Abererumby, legitimo filio suo carnali, per exhibitionem terre et lapidis fundi eiusdem dedit, transtulit, et secundum tenorem carte domini nostri Regis sibi desuper inde confecte, vt moris est, vtique deliberavit, et in signum huiusmodi saisine dictum Alexandrum in domum principalem dicti messuagij, ostio super eum clauso, imposuit, maribus et feminis prius de eadem penitus exclusis: De et super quibus omnibus et singulis prefatus Alexander Abirerumby a nobis notarijs publicis subscriptis sibi fieri petiit vnum vel plura publicum seu publica instrumentum seu instrumenta. Acta fuerunt hec in ostio australi aule de Murthly, hora quasi prima post meridiem vel eo circa, sub anno, die, mense, indictione et pontificatu predictis; presentibus ibidem, nobilibus, honorabilibus, providis et discretis viris, videlicet, Roberto Logane de Restalryg, Alexandro Robertj de Strowane, Magistro Waltero Drummound, Johanne de Levynstone, Willelmo Logane, Donaldo Johannis de Lud, Johanne Ross de Ouchtergavin, Magistro Dauid Abirerumby, Waltero Yrland, Johanne Wellis, Johanne Abirerumby, Andrea Olyphant, Thoma Towris, et Andrea Ross, cum multis alijs testibus ad premissa vocatis specialiter et rogatis.

Et ego Thomas Huntar, presbyter Glasguensis diocesis, publicus imperiali et regali auctoritatibus notarius: quia [*etc., in forma communi.*]

Et ego Dauid Colden, clericus Sancti Andree diocesis, publicus imperiali et regali auctoritatibus notarius: quia [*etc., in forma communi.*]

21. LEGITIMATION by KING JAMES IV. of JAMES STEWART, natural son of James Earl of Buchan. 20th February 1488.¹

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem : Sciatis quod, ex nostris gracia et fauore specialibus, dedimus et concessimus, ac tenore presencium, pro nobis, heredibus et successoribus nostris, damus et concedimus liberam facultatem, plenariam potestatem, et licenciam specialem dilecto nostro Jacobo Stewart, filio naturali dilecti consanguinei nostri Jacobi comitis Buchanie, vt ipse libere disponere valeat ad sue libitum voluntatis, in toto tempore vite sue, siue fuerit eger, siue sanus, siue in tempore mortis sue, de omnibus et singulis terris suis, tenementis, annuis redditibus, et possessionibus, ac de omnibus bonis suis, mobilibus et immobilibus quibuscumque, quesitis seu querendis cuicumque persone vel quibuscumque personis, prout sibi melius videbitur expediens, conueniens et oportunum, non obstante bastardia sua in qua genitus est, et preuilegio juris nobis super eschaetis bastardorum concesso ; ac eciam dictum Jacobum Stewart ad omnimodos actus legitimos, actiones et libertates, in iudicio et extra iudicium, exercendum, dignitatibus, honoribus, officiis, preuilegiis et libertatibus gaudendum, in omnibus et per omnia, sicut de legitimo thoro esset procreatus, legitimum fecimus, et de plenitudine nostre regie maiestatis legitimamus per presentes, sine quouis obstaculo, impedimento, clameo vel contradictione seu reuocamento per nos, heredes nostros seu successores, dicto Jacobo aut persone seu personis cui vel quibus ipsum de dictis suis terris, tenementis, annuis redditibus, possessionibus, officiis aut bonis disponere contigerit, quouismodo inde faciendo in futurum : Strictius inhi-

¹ From the Original Legitimation at Traquair House.

bentes ne quis in contrarium dictarum nostrarum concessionis et legitimacionis aliquo modo deuenire presumat, sub omni pena quam erga nostram regiam incurrere poterit maiestatem. Datum sub magno sigillo nostro, apud Edinburgh, vicesimo die mensis Februarii, anno Domini millesimo quadringentesimo octuagesimo octauo, et regni nostri primo.

22. SASINE in favour of THOMAS STEUART of Garntuly, of the lands of Bankory. 13th March 1488.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnatione Domini millesimo quadringentesimo octuagesimo octauo, die vero mensis Marcij decimo tercio, indictione septima, pontificatus sanctissimi in Christo patris et domini nostri domini Innocencij, diuina prouidencia pape octauo anno quinto, in meique notarij publici et testium subscriptorum presencia, personaliter constitutus, prouidus vir, Thomas Steuart de Garntuly, accessit ad terras de Bankory, jacentes infra vicecomitatum de Clakmanane, et inibi presentauit nobili viro, Alexandro Seyton, domino superiori earundem terrarum, quoddam breue sasine capelle domini nostri Regis sibi dicto Alexandro directum, cuius quidem tenor sequitur, et est talis: JACOBUS Dei gracia Rex Scotorum, dilecto nostro Alexandro Cettoun de Tulibody et balliuis suis, salutem: Quia per inquisitionem de mandato nostro, per vicecomitem nostrum de Clakmanan factam, et ad capellam nostram retornatam, compertum est quod quondam Alexander Steuart, pater Thome Steuart, latoris presentium, obiit vltimo vestitus et sasitus ut de feodo ad pacem et fidem nostram de totis et integris terris de Bankory, cum pertinencijs, jacentibus in baronia de Tulibody, infra vicecomitatum nostrum predictum, et quod dictus Thomas est legitimus et propinquior

heres eiusdem quondam Alexandri, patris sui, de dictis terris cum pertinencijs, et quod est legitime etatis, et quod de te Alexandro Cetton de Tulibody tenentur in capite, vobis precipimus et mandamus quatenus, cum dictus Thomas tibi fecerit pro dictis terris quod de jure facere tenetur, sibi vel suo certo attorney, latori presentium, sasinam dictarum terrarum cum pertinencijs juste habere faciatis, et sine dilacione, salvo jure cuiuslibet, et hoc nullo modo omittatis; teste meipso, apud Edinburgh, vicesimo sexto die mensis Januarij, anno regni nostri primo: Et post visum et lecturam prescripti brevis, Alexander Cetton de Tulibody, dominus superior terrarum de Bankory, tenens predictum breve in manu sua, accessit ad domum habitacionis Duncani Wrycht in eadem villa, et tradidit statum et sasinam hereditariam omnium et singularum terrarum de Bankory cum suis pertinencijs predicto Thome Steuart per dacionem terre et lapidis, ut est modus patrie, secundum formam et tenorem carte dicti Thome Steuart: Super quibus omnibus et singulis premissis idem Thomas Steuart peciit a me vnum instrumentum siue plura instrumenta, cum copiacione predicti brevis, cum mencione cuiusdam bonis sasine nigri coloris albe cornuti appreciati pro summa triginta duorum solidorum. Acta erant hec in dicta villa de Bankory, hora decima ante meridiem vel eocirca, sub anno, die, mense, indictione et pontificatu, quibus supra; presentibus ibidem testibus, dominis Duthaco, Johanne Morison, capellanis, Vilelmo Balfour, Alexandro Robertson, Duncano Vrycht, Vilelmo Byssat, Hugone Henrison, Jacobo Sponse, Henrico Thomson, Thoma Jameson, Jacobo Ammand et Johanne Vilson, cum multis alijs testibus, ad premissa vocatis specialiter et rogatis.

Et ego Johannes Adamson, presbyter Dunblanensis diocesis, publicus imperialique regali autoritatibus notarius, premissis [*etc., in forma communi.*]

23. CHARTER by King JAMES IV. to THOMAS STEWART of Garntulith, and AGNES MURRAY, his spouse, of the lands of Garntulith. 2d July 1494.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto nostro Thome Stewart de Garntulith et Agneti Murray eius sponse, et eorum alteri diucius viuenti, in coniuncta infeodacione, omnes et singulas terras de Garntulith, cum pertinencijs, iacentes in dominio de Appin, infra vicecomitatum nostrum de Perth, quequidem terre cum pertinencijs fuerunt dicti Thome hereditarie, et quas idem Thomas, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, in manus nostras, apud Glenfinglas, per fustem et baculum et suos procuratores ad hoc legittime constitutos, sursum reddidit, pureque et simpliciter resignauit, ac totum ius et clameum que in dictis terris cum pertinencijs habuit seu habere potuit, pro se et heredibus suis, omnino quittumclamauit imperpetuum : Tenendas et habendas omnes et singulas predictas terras de Garntulith, cum pertinencijs, predictis Thome et Agneti eius sponse, et eorum alteri diucius viuenti, in coniuncta infeodacione, et heredibus inter ipsos legittime procreatis seu procreandis, quibus forte deficientibus, legitimis et propinquioribus heredibus dicti Thome quibuscumque, de nobis et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout iacent in longitudine et latitudine, in boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, riolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, petariis, turbariis, carbonariis, lapicidiis, lapide et calce, fabrilibus, brasinis, brueriis et genestis, cum curiis et earum exitibus, herezeldis, bludewitis et marchetis mulierum, ac cum omni-

bus aliis et singulis libertatibus, commoditatibus et asiamentis, ac iustis suis pertinenciis quibuscumque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, procul et prope ad dictas terras cum pertinencijs spectantibus, seu iuste spectare valentibus quomodolibet in futurum, adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus, et per omnia, sicut dictus Thomas aut predecessores sui, predictas terras cum pertinencijs, de nobis aut predecessoribus nostris, ante presentem resignationem nobis inde factam, liberius tenuit seu possedit, tenuerunt seu possederunt : Faciendo inde annuatim dicti Thomas et Agnes eius sponsa, et eorum alter diucius viuens, et heredes inter ipsos legitimi procreati seu procreandi, quibus forte deficientibus, legitimi et propinquiore heredes dicti Thome quicumque, nobis et successoribus nostris, iura et seruicia de dictis terris de Garntulith cum pertinenciis ante predictam resignationem nobis debita et consueta. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus, reuerendissimo in Christo patre, Roberto archiepiscopo Glasguensi, dilectis consanguineis nostris, Archibaldo comite Angusie, domino Douglas, Patricio comite de Bothuile, domino Halis, Alexandro domino Hume, magno camerario nostro, Roberto domino Lile, Johanne domino Glammiss, iusticiariis nostris, Andrea domino Gray, magistro hospicii nostri, venerabilibus in Christo patribus, Georgio abbate de Dunfermling, Georgeo abbate de Pasleto, thesaurario nostro, et dilectis clericis nostris, magistris Ricardo Murehede, decano Glasguensi, secretario nostro, et Johanne Fresale, decano de Lestalrig, nostrorum rotulorum et registri ac consilij clerico ; apud Edinburgh, secundo die mensis Julij, anno Domini millesimo quadringentesimo nonagesimo quarto, et regni nostri septimo.

24. SASINE in favour of THOMAS STEWART of Grantully and AGNES MURRAY, his spouse, of the lands of Grantully. 21st July 1494.

IN nomine Domini, Amen. Nouerint vniuersi et singuli presentis publici instrumenti seriem inspecturi, quod, anno Incarnacionis Dominice millesimo quadringentesimo nonagesimo quarto, die vero mensis Julij vigesima prima, eiusdemque diei hora quasi decima ante meridiem, indictione duodecima, pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri diuina providencia pape sexti tercio anno, in mei notarii publici et testium infrascriptorum presencia personaliter constitutus prouidus vir, Michael Murray, attornatus et eo nomine honorabilis viri, Thome Stewart de Grantully, et Agnetis Murray eius sponse, prout per literam attornati sui michi notario publico et testibus infrascriptis luculenter constabat, litteras supreni domini nostri Regis in pergamento scriptas patentes, more cancellarie regie pendentibus sigillatas, vnam, videlicet, attornatoriam quam michi notario publico perlegendam et publicandam tradidit, aliam vero, sasine preceptoriam honesto viro Alexandro Derynoch, vicecomiti de Perth dicti domini nostri Regis, in hac parte specialiter constituto, ostendit, exhibuit, et presentauit, sanas, integras, non viciatas, non cancellatas, nec in aliqua sui parte suspectas, sed omni prorsus vicio, et suspicione, carentes, ac cum reuerencia qua decuit, recepit idem Alexander, vicecomes vt supra, dictam litteram sasine preceptoriam, michi notario publico ad perlegendam tradidit; quarum litterarum antedictarum tenores sequuntur de verbo in verbum, et sunt tales: JACOBUS Dei gratia Rex Scotorum, omnibus probis hominibus suis, ad quos presentes littere peruenerint, salutem: Sciatis quod suscepimus Willelmum Murray de Tolibardin, militem, Jacobum Reidhucht, Michaellem Murray, Alexandrum Balfour, et Andream Wod de Vuerblairtoun, vel eorum aliquos vel aliquem,

attornatos vel attornatum dilecti nostri Thome Stewart de Grantully et Agnetis Murray, eius sponse, in omnibus negociis et loquelis, placitis et querelis, motis seu mouendis, ipsos Thomam et Agnetem tangentibus, seu tangere valentibus, quibuscunque diebus et locis, contra quoscunque, et coram quibuscunque: Quare vobis precipimus et mandamus quatenus dictum Willelmum, Jacobum, Michaellem, Alexandrum et Andream, vel eorum aliquos vel aliquem, quos vel quem, presentes vel presentem esse contigerit, tanquam attornatos vel attornatum predictorum Thome et Agnetis in premissis recipiatis; presentibus post annum minime valituris: In cuius rei testimonium has litteras nostras sibi fieri fecimus patentes, apud Edinburgh, primo die mensis Julij, anno regni nostri septimo: JACOBUS Dei gratia Rex Scotorum, vicecomiti et balliuis suis de Perth, necnon dilectis nostris Willelmo Murray, David Murray, Alexandro Derynoch, et Thome Belfurd, et eorum cuilibet, coniunctim et diuisim vicecomitibus nostris de Perth in hac parte, salutem: quia dedimus et concessimus hereditarie dilectis nostris Thome Stewart de Grantully et Agneti Murray, eius sponse, et eorum alteri diucius viuenti in coniuncta infeodacione, omnes et singulas terras de Grantully, cum pertinencijs, jacentes in dominio de Appin, infra vicecomitatum nostrum de Perth, quequidem terre cum pertinencijs fuerunt dicti Thome hereditarie, et quas idem Thomas, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate in manus nostras, apud Glenfinglas, per fustem et baculum et suos procuratores ad hoc legitime constitutos, sursum reddidit, pureque et simpliciter resignauit, prout in carta nostra dictis Thome et Agneti, eius sponse, desuper confecta plenius continetur: Vobis precipimus et mandamus quatenus dictis Thome et Agneti eius sponse, vel suis certis attornatis, latoribus presencium, sasinam dictarum terrarum cum pertinencijs, secundum tenorem dicte carte nostre quam de nobis inde habent, juste haberi faciatis, et sine dilacione; et hoc nullo modo omittatis: Ad quod faci-

endum vobis et vestrum cuilibet, coniunctim et diuisim, in hac parte commitimus potestatem : Datum sub testimonio magni sigilli nostri, apud Edinburgh, secundo die mensis Julij, anno regni nostri septimo. QUIBUS-QUIDEM litteris prescriptis per me notarium publicum infrascriptum lectis, publicatis, et in vulgari expositis, prenomiatus Alexander Derynoch, tanquam vicecomes de Perth dicti supremi domini nostri Regis, et eo nomine, ad ministracionem sui officii in hac parte faciendum, accessit ad principale messuagium terrarum de Grantully, iacentium in dominio de Appin, et infra vicecomitatum de Perth, ibique per terre et lapidis traditionem prenotato Michaeli, attornato vt supra, statum, sasinam et possessionem hereditariam omnium et singularum dictarum terrarum de Grantully, cum suis pertinencijs, in ostio domus principalis prefati messuagii, publice donauit, exhibuit et deliberauit, ipsumque sepelictum Michaelem attornatum dictorum Thome et Agnetis, eius sponse, in omnium et singularum predictarum terrarum de Grantully cum pertinencijs, realem, actualem, corporalem et possessionem hereditariam, nullo reclamante, et iuxta formam et tenorem carte supremi domini nostri Regis desuper confecte, et mandatum littere preceptorie antedictae, obseruatisque ceteris circumstancijs et solemnitatibus in huiusmodi fieri solitis et consuetis, induxit, et inuestiuit. Super quibus omnibus et singulis premissis prefatus Michael, attornatus et eo nomine quo supra, a me notario publico sibi fieri petijt vnum vel plura publicum vel publica instrumentum seu instrumenta. Acta fuerunt hec apud prescriptum messuagium, sub anno, die, mense, indictione et pontificatu quibus supra ; presentibus ibidem Johanne McWayein, Thoma Belfurd, Archibaldo Beg, Thoma Donaldson, Johanne McZere, et Donaldso McGruer, cum diuersis alijs testibus ad premissa vocatis specialiterque rogatis.

Et ego Mauricius Johnestoune, presbyter Dunkeldensis diocesis, imperiali et regali autoritatibus notarius publicus, quia [*etc., in forma communi.*]

25. TRANSUMPT, made on 10th December 1528, of—(1.) Nomination of attorneys for receiving sasine in favour of THOMAS STEWART and AGNES MURRAY his spouse, of the lands of Garntuly; and (2.) the sasine in their favour, dated 21st July 1494.

VNIUERSIS et singulis sancte matris ecclesie filiis ad quorum noticias presentes litere peruenerint, Johannes Pebles, vnus balliuorum burgi de Perth, salutem in omnium Salvatore: Noueritis quod comparente coram nobis domino Eduardo Gray, procuratore et eo nomine Agnetis Murray relicte quondam Thome Stewart de Garntuly, et judicialiter exhibitis duobus instrumentis publicis, signis et subscripcionibus notariorum infrascriptorum roboratis, per nos consideratis, sana, integra, pergamino scripta, non rasa, non abolita, ad instanciam dicte Agnetis copiari, exemplari, et in publicam transumpti formam redigi mandari per notarium publicum subscriptum, curiarum burgi de Perth scribam et tabellionem, mandauimus et fecimus, decernentes quod presenti transumpto siue instrumento publico tanta fides in iudicio et extra ac vbique locorum detur et adhibeatur qualis et quanta ipsis instrumentis originalibus daretur et adhiberetur, si in ipsarum originalibus formis producerentur: quibus omnibus et singulis tanquam rite et iudice factis, nostram et dicte curie interposuimus, prout per presentes interponimus autoritatem pariter et decretum; quorumquidem instrumentorum tenor vnus sequitur in hec verba: In Dei nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno Incarnacionis Dominice millesimo quadringentesimo nonagesimo quarto, mensis vero Julij die secundo, indictione duodecima, pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri diuina prouidencia pape sexti anno secundo, et regni supremi domini nostri, domini Jacobi Dei gracia Scotorum Regis Quarti illustrissimi anno septimo, in prefati supremi domini nostri Regis, meique notarii publici

et testium subscriptorum presencia personaliter constitutus nobilis et honorabilis vir, dominus Wilelmus Murray de Tulybardin, miles, ac prouidus armiger Andreas Wod de Overblairtoun, michi notario publico subscripto literas quasdam attornatorias patentes eiusdemque supremi domini nostri Regis in pergamino scriptas, apud Edinburgh, primo die mensis Julij antedicti, anno regni sui quo supra, testimonio magni sigilli impressas alba cera pendente roboratas, tradiderunt perlegendas; quibus perlectis, legitimo constabat documento predictos dominum Willelmum et Andream attornatos fuisse recipiendos pro Thoma Stewart de Garntulyth et Agnete eius sponsa: deinde autem prefatus supremus dominus Rex, omnes et singulas terras de Garntulyth, cum pertinentiis, jacentes in dominio de Appyn infra vicecomitatum de Perth, dictis Thome et Agneti eius sponse, et eorum alteri diucius uiuenti, in coniuncta infeodacione, et heredibus suis inter ipsos legitime procreatis seu procreandis, quibus forte deficientibus, legitimis et propinquioribus heredibus dicti Thome quibuscumque, secundum vim, formam, tenorem et effectum carte desuper conficiende, dedit et concessit: quam quidem concessionem et donacionem per fustem et baculum, ut moris est, dicti dominus Willelmus et Andreas, attornati vt supra, ab ipso supremo domino nostro Rege, flexis eorum genibus, cum reuerencia debita receperunt: Super quibus omnibus et singulis dictus dominus Willelmus a me notario publico sibi peciit vnum seu plura publicum seu publica instrumentum seu instrumenta. Acta erant hec in hospicio ipsius supremi domini nostri Regis, in Kylmahug, horam circiter septimanam post meridiem, sub anno, die, mense, indictione, pontificatu et regno, quibus supra; presentibus ibidem, Jacobo episcopo Dumblanensi, domino Willelmo Strueling de Keyr, milite, Archibaldo Edmundstoun de Druntreth, Jacobo Edmundstoun et Jacobo Balfour, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis. Sequuntur subscripciones duorum notariorum subscribencium et signancium instrumentum supra scriptum, quorum prima

talis est : Et ego Jacobus Johnesoun, arcium magister, publicus Glasguensis diocesis, auctoritatibus apostolica et regali, notarius quia premissis [*etc., in forma communi.*] Sequitur subscriptio alterius notarii : Et ego Andreas Makbrek, presbyter Dunkeldensis diocesis, publicus auctoritatibus imperiali et regali notarius : quia premissis [*etc., in forma communi.*] Tenor vero alterius instrumenti sequitur in hec verba : In Dei nomine, Amen [*ut supra*, No. 24.] In quorum omnium et singulorum fidem et testimonium premissorum presentes literas siue publicum instrumentum exinde fieri, et per notarium publicum subscriptum subscribi et publicari, mandamus, sigillique officii nostri balliuatus jussimus et fecimus appensione communiri : Datum et actum in pretorio burgi de Perth, nobis pro tribunali sedentibus, sub anno ab Incarnacione Domini J^m V^c vigesimo octauo, mensis vero Decembris die decimo, indictione secunda, pontificatus sanctissimi in Christo patris et domini nostri, domini Clementis diuina prouidencia pape septimi, anno sexto ; presentibus ibidem honorabilibus viris, Andrea Bruiche seniore, Johanne Robertson, Waltero Routhwen, burgensibus dicti [burgi,] Waltero Fyn, vno seriandorum burgi de Perth, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Andreas Blinsele, Sanctiandree diocesis publicus sacra apostolica auctoritate notarius, quia dictis recognicione, transumpto et decreto, ceterisque premissis [*etc., in forma communi.*]

26. INSTRUMENT of INTERRUPTION and CASSATION by ALEXANDER STWART, brother-german of the deceased Thomas Stewart of Garntuly, of the sasine given to MICHAEL MURRAY of the lands of Garntuly. 22d August 1494.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno Incarnacionis Dominice millesimo

quadringentesimo nonagesimo quarto, mensis uero Augusti die xxij^o, indictione duodecima, pontificatus sanctissimi in Christo patris, ac domini nostri, domini Alexandri diuina prouidencia pape sexti anno secundo; in mei notarii publici et testium subscriptorum, ad hoc vocatorum et rogatorum, presencia discretus vir Alexander Stwart, frater germanus quondam Thome Stwart, olim domini de Garntuly, et heres sibi Thome, ut asseruit, personaliter accessit ad terras de Garntuly cum pertinencijs, jacentes infra Abnathiam (Abthanium) de Dwll et vicecomitatum de Pertht, et ibidem possessionem et sasinam dictarum terrarum, si possessio et sasina dici debeat, si pro non, per Alexandrum Derenoch, balliuum in hac parte supremi domini nostri Regis, ut assertum est, cuidam Michaeli Mwrray, actornato predicti quondam Thome Stwart et Agnetis Mwrray sue sponse, et heredibus inter ipsos legitime procreatis, in dampnum et preiudicium dicti Alexandri et ipsius hereditatis alienacionem, ut predictus Alexander asseruit, traditas, fregit et interrupit, ac per ignis incendium, per tecture domus abstractionem, publice ac alta et intelligibili voce adnullauit, protestando quod dicta possessio siue sasina, si possessio et sasina dici debeat, predictis, ut assertum est, factis sibi Alexandro nullum generaret preiudicium, nec juri suo habito ad dictas terras de Garntuly cum pertinencijs, nullatenus noceret: De et super quibus omnibus et singulis ipse Alexander a me notario publico subscripto sibi fieri pecijt ac tradi publicum et publica, vnum et plura, instrumentum et instrumenta. Acta erant hec super solum et fundum de Garntuly, sub anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem, discretis viris Roberto Stwart, Oswaldo Kneland, Patricio Cor, Laurencio Talzour, Roberto Talzour, Villelmo M^cTersanyeh, Alexandro M^cNachtan, Gregorio Cristison, et Duncano Finlason, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Finlaius Symson, clericus Dunkeldensis diocesis, publicus autoritate imperiali notarius, quia [*etc., in forma communi.*]

27. PROTEST by ALEXANDER STEWART, on the refusal of NEIL STEWART of Fordergill to grant him a charter of Gartolie. 2d October 1494.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quadringentesimo nonagesimo quarto, indictione duodecima, mensis vero Octobris die secundo, ac pontificatus sanctissimi in Christo patris, et domini nostri, domini Alexandri diuina prouidencia pape sexti anno secundo, in mei notarii publici et testium subscriptorum presencia personaliter constitutus prouidus vir, Alexander Stewart, frater germanus quondam Thome Stewart de Gartolie, rogauit, supplicauit, et humiliter requisiiuit honorabilem virum Negellum Stewart de Fordergill ad dandum sibi Alexandro vnam cartam tallie de terris de Gartolie ac de aliis terris, prout in huiusmodi carta plenius continetur, vna cum litera balleuatus eiusdem tanquam propinquiore heredi, vt asseruit, prefato quondam Thome de dictis terris racione tallie. Ad hoc respondens idem Negellus dixit quod habuit in mandatis dictam cartam cum litera balleuatus eiusdem supremo domino nostro Regi deliberare, et hoc facere voluit, vt asseruit. Hoc dicto, prefatus Alexander protestatus est de remedio iuris quod dicta detencio sibi ac heredibus suis non constaret in preiudicium temporibus prefuturis. Super quibus omnibus et singulis prefatus Alexander a me notario publico subscripto sibi fieri petiit vnum vel plura publicum seu publica instrumentum seu instrumenta. Acta erant hec apud crucem fori de Perth, hora quasi vndecima ante meridiem, vel eocirca, sub anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem nobili et potenti domino Johanne comite Adholie, Johanne Stewart, Arthuro Singlare, et Donaldo Alexander, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Patricius Brison, presbyter Sanctiandree diocesis, publicus auctoritatis imperiali et regali notarius, quia [*etc., in forma communi.*]

28. SASINE in favour of ELIZABETH STEWART of the lands of Garnetully.
12th January 1494.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnationis Dominice millesimo quadringentesimo nonagesimo quarto, mensis vero Januarij die duodecima, indictione terciadecima, ac pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri diuina providencia pape sexti anno tercio, in mei notarii publici et testium infrascriptorum presencia personaliter constitutus honestus vir, Thomas Stodherd, unus marorum vicecomitatus de Perth, vigore cuiusdam precepti, de mandato speciali nobilis et potentis domini, Wilelmi domini Ruthven ac vicecomitis de Perth, sibi litteratorie directi, in papiro scripti, eiusque signeto officij cera rubea impressi, patenter signati et roborati, accessit ad terras de Garnetully, iacentes in dominio de Appin et infra vicecomitatum de Perth, et ibidem statum, sasinam et possessionem hereditariam, omnium et singularum predictarum terrarum de Garnetully cum suis pertinencijs, videlicet, omnium predictarum terrarum in feodo, et quatuor marcatarum antiqui extentus vnacum principali messuagio de Garnetully in feodo et libero tenemento, prouido viro Patricio Scott, attornato Elizabeth Stuart, filie et heredis quondam Thome Stuart de Garnetully, de speciali et expresso consensu et assensu Agnetis Murray, domine liberi tenementi de Garnetully ac matris dicte Elizabeth, per terre et lapidis tradicionem, ac domus inclusionem, vt moris est, cum omni juris valitudine, iuxta tenorem dicti precepti publici, contulit et deliberavit; et sic eundem Patricium, attornatorio nomine quo supra, in realem, actualem et corporalem, possessionem, feodi omnium predictarum terrarum de Garnetully, et quatuor marcatarum antiqui extentus vnacum principali messuagio in feodo et libero tenemento, vt prefertur, et suis pertin-

encijs, induxit pariter et inuestiuit, saluo iure cuiuslibet : Super quibus omnibus et singulis premissis memoratus Patricius Scott, attornatorio nomine vt supra, a me notario publico subscripto sibi fieri pecijt vnum vel plura publicum seu publica instrumentum et instrumenta. Acta erant hec super fundum predictarum terrarum de Garnetully, et in ostio aule dicti principalis messuagii, hora decima ante meridiem, vel eo circa, sub anno, die, mense, indictione et pontificatu quibus supra ; presentibus ibidem, probis et discretis viris, Jacobo Balfour, Alexandro Derynach, Thoma Belfurd, Johanne Dow M'Neische, et Johanne Scott, cum diuersis alijs testibus ad premissa vocatis specialiterque rogatis.

Et ego Mauricius Johnesoune, presbyter Dunkeldensis diocesis, auctoritatis imperiali et regali notarius, quia [*etc., in forma communi.*]

29. LETTERS by CARDINAL LUDOVIC, Penitentiary of Pope Julius II., for dispensing with the impediments to the Marriage between Alexander Stewart and Margaret Murray. 23d June 1507.

VENERABILIBUS in Christo patribus, Dei gracia Dunkeldensi et Dumblanensi episcopis, uel eorum vicarijs in spiritualibus, Ludouicus miseratione diuina tituli Sancti Marcelli presbyter Cardinalis, salutem et sinceram in Domino caritatem. Ex parte Alexandri Stewart, laici, et Margarete Murray mulieris, coniugum vestrarum diocesum, nobis oblata petitio continebat quod ipsi olim scientes se duplici quarto consanguinitatis et duplici quarto affinitatis gradibus inuicem fore coniunctos et attinere, sponsalia inter se per uerba de futuro contraxerunt, et deinde sese carnaliter cognouerunt, cum autem in eorum sic contracto presumpto matrimonio remanere non possint, et si diuortium perpetuum fieret inter eos grauia exinde scandala possent uerisimiliter exoriri, supplicari fecerunt humiliter ijdem coniuges, eis super hijs per sedem apostolicam de

absolutionis debite beneficio et opportune dispensationis gracia misericorditer prouideri : Nos igitur cupientes dictorum coniugum animarum prouidere saluti, et scandalis huiusmodi, quantum cum Deo possumus, obuiare, auctoritate domini pape, cuius penitenciarie curam gerimus, et de eius speciali mandato super hoc uice uocis oraculo nobis facto, circumspectioni vestre et cuilibet vestrum committimus, quatenus, si est ita, ipsis prius ad tempus de quo uobis uidebitur ab inuicem separatis, eosdem a generali excommunicationis sententia quam propter hoc incurrerunt, et huiusmodi incestus reatu hac uice absoluatis, in forma ecclesie consueta, et iniungitis inde eorum cuilibet, pro modo culpe, penitentia salutari et alijs que de iure fuerint iniungenda, quodque eorum alteri superuiuens perpetuo remaneat absque spe coniugij ; demum cum eisdem quod, impedimentis consanguinitatis et affinitatis huiusmodi non obstantibus, possint inter eos matrimonium de nouo libere contrahere, et in eo postquam contractum fuerit licite remanere misericorditer dispensetis, dummodo dicta mulier propter hoc ab aliquo rapta non fuerit, prolem susceptam siqua sit, et suscipiendam exinde legitimam decernentes.

Datum Rome, apud Sanctum Petrum, sub sigillo officij Penitenciarie, viiij Kalendas Julij, pontificatus domini Julij pape secundi anno quarto.

30. SASINE in favour of ANDREW RETTRAY, as heir of Silvester Rettray, of the lands of Balnacard. 19th of April 1514.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno Incarnationis Dominice millesimo quingentesimo decimo quarto, die vero Mercurij mensis Aprilis decimo nono, indictione secunda, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina providentia pape decimi, anno secundo, in mei notarij publici et testium subscriptorum presencia personaliter constitutus honestus

vir, Thomas Chesome senior, marus vicecomitatus de Perth, quoddam preceptum in papiro scriptum, signeto officij vicecomitatus de Perth antedicti roboratum, michi tradidit perlegendum et publicandum; cuiusquidem precepti tenor sequitur in vulgari, et est talis: WILLIAM LORD ROTHWEN, schiref of Perth, to Thomas Chesome elder and Thomas Chesome zoungar, coniunctlie and seueralie, maris of the schirefdome of Perth forsaid, gretyng: Forsamekill as thar is presentit to me a breyf of sesyng of our souerane Lordis chapell, and to me direkyt, berand in effect that it was fundyn and delyuerit befor me be ane inquest, and retowryt til our souerane Lordis chapell, that wmquhill Silvester Rettray of Balnacard, fader til Andro Rettray, deyt last vestit and sesyt as in fe, at the faith and the pece of the Kyng, of the said landis of Balnacard with thar pertinents, lyand within the boundis of myn office, and at the said Andro is narast and lauchfull ayr till the said wmquhyle Silvester, his fader, of the saidis landis with thar pertinents, and of lachfull eild, and that thai ar haldyn of our souerane Lord the Kyng in the heid, lyke as at mayr lynth is expressyt in the said breyf: Quharfor I charge zow, in our souerane Lordis behalf and myn, that zhe pas incontinent with the said Andro, and with certane attornais, to the forsaid landis of Balnacard, with the pertinents, and thar zhe gif hym or thame sesyng and possession of the sammyn rychtwysly, but delay, saiffand ilka mannis richt; takand securite for the payment of xxv s. of the Martymes mail of the saidis landis last bypast, beand in our souerane Lordis handis, in falt of recoueryng of sesyng, quhilkis malys extendis zherlie to fyfty s., and of twa siluer pennies for the dowbillyng of the blanche ferme of the sammyn aucht til our souerane Lord: and this zhe do wnder all payn and charge that efter may fallow: Wryttin wnder the signete of myn office, at Perth, the x day of Aprile in the zher of God a thowsand fyve hundreth and xiiij zheris. Quo precepto sic, vt premittitur, per me notarium publicum subscriptum publicato

et perlecto, prefatus Thomas Chesome senior, marus, suum officium perimplere curans, et mandatis sibi in hac parte commissis obtemperans, accessit ad principalem domum dicte ville de Balnacard, et ibidem honorabili viro Andree Rettray, filio et heredi quondam Siluestri Rettray de Balnacard predicti, tunc presenti, statum, saisinam, et hereditariam possessionem omnium et singularum terrarum prefate ville de Balnacard cum pertinentijs, per terre et lapidis traditionem, contulit, dedit et deliberavit, ac ipsum Andream in pacificam possessionem, realem, actualem et corporalem, omnium et singularum terrarum predictae ville de Balnacard cum pertinentijs, secundum tenorem precepti predicti, induxit et inuestiuit. De et super quibus omnibus et singulis prefatus Andreas a me notario publico subscripto sibi fieri petiit vnum seu plura publicum seu publica instrumentum seu instrumenta. Acta erant hec apud principalem domum antedictam prefate ville de Balnacard, ante meridiem hora octava aut eo circa, sub anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem, honestis et discretis viris, Andrea Robertson, Willelmo Anguson, Fynlao M^oAndoche, Johanne Ayson, et Macolmo Fischar, cum diuersis alijs testibus in premissis. (Sic subscribitur.)

Et ego Alexander Fairfoull, presbyter Sancti Andree diocesis, publicus sacra auctoritate apostolica notarius: quia [*etc., in forma communi.*]

31. SASINE in favour of ELIZABETH STUART, daughter of the deceased Thomas Stuart of Garnetuly, of the lands of Carnebo-Stuart. 22d April 1516.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quingentesimo decimo sexto, die Martis mensis Aprilis vigesima secunda, horaque eiusdem diei quasi vndecima ante meridiem, indictione quarta, ac pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina prouidencia pape

decimi anno quarto, et regni supremi domini nostri, domini Jacobi Quinti, Dei gracia Scotorum regis illustrissimi, anno tertio, in mei notarij publici testiumque infrascriptorum presencia, personaliter constitutus probus vir, Dauid Murray, actornatus et eo nomine Elizabeth Stuart, filie et heredis quondam honorabilis viri, Thome Stuart de Garnetuly, vt per literas actornati sui regias patentes michi notario publico et testibus subscriptis lucide constabat, quoddam preceptum sasine in papiro scriptum, sub signeto nobilis viri, Wilelmi Murray de Tulibardin, militis, ac senescalli de Strathern, cera rubea papiro cooperto impressum, subscriptum et signatum honesto viro Donaldo Wat, seriando et deputato dicti domini senescalli in hac parte specialiter ad infrascriptum peragendum constituto, ostendit, exhibuit et presentauit, requirendo eundem Donaldum deputatum quatenus dictum preceptum debite executioni demandaret; quod preceptum a prefato Dauid actornato, cum reuerencia qua decuit, recepit, et michi notario publico subnotato perlegendum dedit, cuius tenor sequitur, et est talis: WILLIAM MURRAY OF TULIBARDIN, Knycht, and Stuart of Stratherne, to Donald Vat, my depute in that part, and seriand of the said Stuartry, greting: Forsamekle as ther is present to me ane brefe of sesing of our souerane lordis chapell be Elizabeth Stuart, douchter and air of vmquhile Thomas Stuart of Garnetuly, chargeand me and my deputis to gif hir heretable sesing of the landis of Carnebstuart with the pertinentis, liand in the said Stuartry, efter the tenour of the said breve, Therefore I charge zou incontinent, this my precept sene, to pass to the said landis of Carnebstuart, with the pertinentis, and ther that ze gif heretable sesing of the foresaidis landis of Carnebstuart, with the pertinentis, to the said Elizabeth, or hir certane actournay, berare of thir presentis, be donacione of erd and stane, as the maner is, eftir the forme of the said brefe direct to me thairupon: the quhilk to do I committ to zou my full poverir be this my precept. In witnes of the quhilk thing I haue affixt my signete

heirto, and subscriuit the sammyne with my hand, at Tulibardin, the nyntetene day of Aprile, the zere of God ane thousand fyve hundreth and sexteine zers. Et sequitur manualis subscripcio predicti domini senescalli, William Murray of Tolibardin. QUODQUIDEM preceptum sasine prescriptum per me notarium publicum infranotatum alta et intelligibili voce perlectum et publicatum, dictus Donaldus Wat, seriandus et dicti senescalli deputatus, ad ministraciones sui officij in hac parte faciendum requisitus, vt prefertur, accessit ad prefatas terras de Carnebostuart, ibique sasinam hereditariam earundem, cum suis pertinentijs, predicto Dauid Murray, actornatorio nomine quo supra, per terre et lapidis traditionem ac domus inclusionem, vt moris est, secundum tenorem dicti brevis regij, saluo jure cuiuslibet, publice contulit et deliberauit, ac ipsum Dauid actornatum vigore dicti precepti in realem et actualem ac corporalem possessionem earundem terrarum de Carnebostuart, cum pertinentijs, publice induxit et inuestiuit. Super quibus omnibus et singulis premissis memoratus Dauid, actornatorio nomine quo supra, vnum vel plura publicum seu publica instrumentum et instrumenta sibi fieri peciit per me notarium publicum infranotatum. Acta erant hec super fundum dictarum terrarum de Carnebostuart cum pertinentijs, ante ostium domus habitacionis Thome Atkin, inhabitantis et occupantis dictas terras, sub anno, die, hora, mense, indictione, pontificatu et regno regio supradictis; presentibus ibidem, Patricio Loutfute de Vrquhile, Willelmo Nevane, Patricio Osuald, et dicto Thoma Atkin, testibus ad premissa vocatis specialiterque atque rogatis.

Et ego Johannes Brovne, presbiter Dounblanensis diocesis, publicus sacris apostolica regali et imperiali auctoritatibus notarius, premissis [*etc., in forma communi.*]

32. REVOCATION by ELIZABETH STEUART, Lady of Grantuly, of an alienation made by her of her lands of Carnbo and Banquhory. 1st September 1517.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnatione Domini millesimo quingentesimo decimo septimo, mensis vero Septembris die primo, indictione quinta, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina prouidentia pape decimi anno quinto, in venerabilis et egregii viri magistri Johannis Weddall, in vtroque jure licenciati, canonici Morauiensis ac officialis Sanctiandree principalis, pro tribunali sedentis, meique notarij publici et testium subscriptorum, presencia, comparuit in iudicio honorabilis domina, Elizabeth Steuart, domina de Grantuly in Aitholl, motu proprio, et ex certa sua scientia, coram dicto officiali lamentabiliter exposuit et dixit, quod ipsa, vi et violentia, et sine eius voluntate detenta per honorabilem virum Willelmum Murray de Tulybarn, militem, infra suum locum de Tulybarn, ad mandatum, imperium, et compulsionem eiusdem, coacta per eum, inuito et sine eius voluntate fecit alienationem quandam suarum terrarum de Carnbo, jacentium infra vicecomitatum de Perth, et suarum terrarum de Banquhory, jacentium infra vicecomitatum de Clakmannan, dicto militi, et cuidam domino Willelmo Murray, capellano, omnino contra eius proficuum, vtilitatem, honorem et commodum, et sine consilio et ausamento eius amicorum ; et propterea, coram dicto domino officiali prefata Elizabeth reuocauit, et de presenti reuocat, et pro reuocatis habere vlt huiusmodi alienationes qualitercunque per eam factas prefatarum terrarum, seu aliquam partem earum, dictis militi et capellano, seu cuiquam alteri, ac omnes alios contractus per eam infra dictum locum de Tulybardin factos, et protestata est solemniter quod huiusmodi

alienationes et contractus per eam facti de cetero et in futurum nullius sint roboris aut momenti, nec auctoritatem aut effectum sortiantur in futurum, et quod non cogatur seu compellatur huiusmodi contractus et alienationes perimplere, seu observare, et quod sibi non preiudicaretur in futurum eius heredibus et assignatis, ex quo fecit eosdem detenta infra dictum locum dicti militis violenter, et sine eius voluntate, non habens liberum arbitrium, et sine consilio amicorum, et contra eius honorem, et pro nullo commodo; et desuper, fidem et iuramentum corporale prestitit et fecit, etiam ad sacra Dei ewangelia iuravit quod istam reuocationem et renunciationem fecit ex eius proprio motu et voluntate, et pro eius commodo et vtilitate, incoacta et incompulsa per aliquem: Et ad omnia et singula premissa prefatus dominus officialis ad instantiam dicte Elizabeth suam interposuit auctoritatem ordinariam pariter et decretum, et decreuit huiusmodi renunciationi sigillum sui officii apponi, et intimari reuocationem huiusmodi dictis personis iuxta juris exigentiam. Super quibus omnibus et singulis dicta Elizabeth Steuart a me notario publico subscripto sibi fieri peccit vnum seu plura publicum seu publica instrumentum seu instrumenta. Acta erant hec in ecclesia beati Johannis Ewangeliste pedagogii, infra ciuitatem Sanctiandree, loco consistoriali eiusdem solito et consueto, hora decima ante meridiem, aut eo circa, sub anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem venerabilibus viris magistris Roberto Crechtoune, preposito ecclesie collegiate beati Egidii de Edinburgh, Johanne Bonar, vicario de Eglisgreg, Johanne Spense, Mertino Balfour, Alexandro Scot, Alexandro Mertyn, cum diuersis aliis testibus ad premissa vocatis pariterque rogatis.

Et ego Robertus Lausone, arcium magister, clericus Sanctiandree diocesis, publicus auctoritate apostolica notarius: quia [*etc., in forma communi.*]

33. INSTRUMENT of INTIMATION of the CASSATION by ELIZABETH STEWART,
Lady of Garntully, of an alleged alienation of the lands of Carnboy.
17th September 1517.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quingentesimo decimo septimo, mensis vero Septembris die decimo septimo, indictione quinta, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina prouidentia pape decimi anno quinto, in mei notarii publici et testium subscriptorum presentia, personaliter constitutus honestus vir, Jacobus Stewart, procurator et eo nomine Elizabeth Stewart, domina de Garntuly in Atholie, accessit ad locum habitationis domini Willelmi Murray, capellani, infra burgum de Striueling, et ibidem, coram me notario publico et testibus subscriptis, intimaui dicto domino Willelmo, capellano, quomodo dicta Elizabeth uenit coram domino officiali Sanctiandree principali, primo die mensis Septembris, anno suprascripto, in iudicio in ecclesia Sancti Johannis Ewangeliste, et renocauit, cassauit ac annualauit pretensam alienationem factam per dictam Elizabeth, ad compulsionem et seductionem domini Willelmi Murray de Tullebardin, sui auunculi, prefato domino Willelmo Murray, capellano, de terris de Carnboy pertinentibus dicte Elizabeth hereditarie, prout latius continetur in instrumento renocationis desuper facto coram dicto domino officiali: De et super quibus omnibus et singulis prefatus Jacobus Stewart, procurator dicte Elizabeth, a me notario publico subscripto sibi fieri petiit vnum vel plura publicum vel publica instrumentum seu instrumenta. Acta erant hec infra burgum de Striueling, hora vndecima ante meridiem, vel eo circa, sub anno, mense, die, indictione et pontificatu quibus supra, presentibus ibidem, prouidis et discretis viris, Alexandro Cunnyngame

de Polmais, milite, Alexandro Forestar, preposito dicti burgi, Alexandro Watsone, Patricio Pardovin, Archibaldo Dawsons, Johanne Turnbule, et Johanne Spittale, cum diuersis alijs testibus ad premissa vocatis pariter et rogatis.

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

34. SASINE in favour of ALEXANDER STUART, brother-german of the deceased Thomas Stuart of Garnetully, of the lands of Obbirfeally in Appin. 5th July 1525.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnationis Dominice millesimo quingentesimo vigesimo quinto, die Mercurij mensis Julij quinta, horaque eiusdem diei quasi vndeima ante meridiem, indictione tercia decima, ac pontificatus sanctissimi in Christo patris et domini nostri, domini Clementis diuina prouidencia pape septimi anno secundo, et regni supremi domini nostri, domini Jacobi quinti, Dei gracia Scotorum Regis illustrissimi, anno duodecimo, in mei notarii publici testiumque subsequen-
tium presentia, personaliter constitutus honorabilis vir, Alexander Stuart, germanus frater quondam Thome Stuart de Garnetully, secum deferens quasdam litteras balliatus in pergameno scriptas, sub sigillis proprijs et subscriptionibus manualibus Elizabeth Stuart de Garnetully, et Agnetis Murray domine coniuncte infeodacionis dictarum terrarum de Garnetully, cera rubea albe impressa cum pergamineis caudis, more Scotice curie, impendentibus sigillatas, sanas et integras, non viciatas, non cancellatas, nec in aliqua parte sui suspectas, sed omni prorsus vicio et suspicione carentes, probo viro, Nigello Baroun de Moinness, balliuo in hac parte dictarum Elizabeth et Agnetis matris sue litteratorie ad infrascriptum peragendum con-

stituto, exhibuit, ostendit et presentauit ; quas litteras dictus Nigellus cum reuerencia qua decuit recepit, et michi notario publico subscripto perlegendas et publicandas dedit ; quarum tenor sequitur, et est talis : VNIERSIS pateat per presentes, me Elizabeth Stuart de Garnetully, cum speciali et expresso consensu et assensu carissime matris mee, Agnetis Murray domine coniuncte infeodacionis de Garnetully cum pertinentiis, fecisse, constituisse et ordinasse, tenoreque presentium facere, constituere et ordinare dilectos meos Robertum Stuart, Mauricium M^cAwasche, et Nigellum Baroun de Moinness, coniunctim et diuisim, balliuos meos in hac parte, ad dandum et deliberandum pro me et nomine meo predilecto patruo meo, Alexandro Stuart, vel suo certo attornato seu procuratori, presentium latori, sasinam hereditariam et corporalem possessionem omnium et singularum terrarum mearum de Obbirfeally, cum pertinentijs. jacentium in dominio de Appin et infra vicecomitatum de Perth, per terre et lapidis donationem, in forma juris solita et consueta, secundum formam et tenorem carte mee sibi desuper confecte : Ad quod faciendum dictis balliuis meis et eorum cuilibet, coniunctim et diuisim, meam liberam et plenariam potestatem ac mandatum speciale, sine reuocatione duraturam, do et committo per presentes. In cuius rei testimonium presentibus, manu mea subscriptis, sigillum meum proprium est appensum, vna cum manuali subscriptione et proprii sigilli dicte matris mee presentibus etiam appensione, apud burgum de Perth et oppidum de Balvard, vltima die mensis Junij, anno Domini millesimo quingentesimo vigesimo quinto ; coram hijs testibus, Wilhelmo Murray, filio nobilis viri Andree Murray de Balvard, militis, magistris Andrea M^cBrek, cancellario ecclesie cathedralis Dounblanensis, Alexandro M^cBrek, Waltero Chape, Karolo Murray, Alexandro Quhitehill, et Johanne Brovne, vicario ecclesie parochialis de Crefe, ac notario publico, cum diuersis alijs ; et sequitur subscriptio manualis dictarum Elizabeth et Agnetis matris sue, Elizabeth Stuart, with my hand at the pen. Agnes Murray, with my hand

at the pen. POST QUARUMQUIDEM litterarum prescriptarum perlecturam et publicacionem, prefatus Nigellus, balliuus et eo nomine quo supra, ad ministracionem sui officij in hac parte faciendum requisitus, accessit ad terras de Obbirfeally, jacentes in dominio de Appin et infra vicecomitatum de Perth, ibique, vigore dictarum literarum, sasinam hereditariam et corporalem possessionem omnium et singularum dictarum terrarum de Obbirfeally, cum pertinentijs, predicto Alexandro Stuart ibidem presenti et recipienti, per terre et lapidis donacionem ac domus inclusionem, vt moris est, cum omni juris validudine, nullo reclamante vel contradicente, publice contulit et deliberavit, ac ipsum Alexandrum Stuart in realem et actualem possessionem earundem terrarum de Obbirfeally, cum suis pertinentijs, induxit et inuestiuit. De et super quibus omnibus et singulis premissis prenominatus Alexander a me notario publico infrascripto sibi fieri petiit vnum vel plura publicum seu publica instrumentum et instrumenta. Acta erant hec super fundum dictarum terrarum de Obbirfeally cum pertinenciis, et apud domum habitacionis Donaldi M^cVairchy, situatam in eisdem terris, sub, anno, die, hora, mense, indictione, pontificatu et regno regio supradictis; presentibus ibidem, domino Duncano Angussone, curato ecclesie parochialis de Dull, David Murray, Roberto Stuart antefato, Gilberto M^cMyir, Duncano M^cGillegon, Johanne M^cKyntarsanyth, Nigello M^cGillevarquhane, Gregorio M^cEwindoy, Donaldo M^cAnvig, Johanne Scherar, et Stephano Murdosone cum diuersis alijs testibus ad premissa vocatis specialiterque rogatis.

Et ego Johannes Brovne, presbyter Dounblanensis diocesis, publicus sacris apostolica regali et imperiali auctoritatibus notarius, premissis
[etc., in forma communi.]

35. PROCURATORY by ELIZABETH STUART, Lady of Garnetully, for resigning the lands of Garnetully, Kyiltoly and Obbrefeally. 15th March 1525.

EXCELLENTISSIMO et serenissimo principi ac domino, nostro domino Jacobo quinto Dei gracia Scotorum Regi illustrissimo, vester humilis ligia et seruitrix, Elizabeth Stuart, domina de Garnetully, cum omni subiectione et famulatu, prosperitatis incrementum : Ad sursum reddendum pureque et simpliciter, per fustem et baculum, resignandum, quittumclamandum, et libere deliberandum, pro me et heredibus meis, in manibus vestre serenissime maiestatis, tanquam in manibus domini mei superioris, omnes et singulas terras meas de Garnetully, Kyiltoly, et Obbrefeally, cum vniuersis suis pertinentijs, iacentes in senescallia de Appin Dow, et infra vicecomitatum de Perth, quas de serenitate vestra teneo in capite, honorabiles viros, videlicet, Robertum Leslie, Magistrum Johannem Lethane, Thomam Stewart, et eorum quemlibet, coniunctim et diuisim, meos veros, legitimos, indubitatos et irreuocabiles procuratores facio, constituo, et irreuocabiliter ordino, sic quod ad huiusmodi perficiendum meam plenariam et irreuocabilem potestatem et mandatum speciale do et concedo per presentes : quas etiam terras prefatas, cum molendino et piscaria earundem, cum suis pertinentijs, ego dicta Elizabeth, non vi aut metu ducta, nec errore lapsa, seu dolo circumuenta, sed mea mera, pura et spontanea voluntate, in manibus vestre regie maiestatis, tanquam in manibus domini mei superioris earundem, per has meas litteras procuratorij et resignationis sursum reddo, ac per fustem et baculum, tenore presentium, pure et simpliciter resigno, ac totum ius et clameum que de dictis terris cum pertinentijs habui, habeo, seu quouismodo habere potero, pro me et heredibus meis quittumclamo imperpetuum, in fauorem honorabilis viri consanguinei mei, Alexandri Stuart, pro vestris carta et infeodatione de predictis terris, molendino et piscaria earundem, cum vniuersis suis pertinentijs sibi et heredibus suis hereditarie

dandis et conferendis : Reservando tamen michi prefate Elizabeth Stuart libero tenemento omnium et singularum predictarum terrarum cum pertinentijs, pro toto tempore vite mee duntaxat : ratum et gratum firmum atque stabile habens et habitura totum et quicquid dicti mei procuratores, aut eorum aliquis, coniunctim et diuisim, nomine meo in premissis duxerint seu duxerit faciendum. In cuius rei testimonium sigillum meum proprium presentibus, manu mea super pennam existente subscriptis, est appensum, apud Tulibardin, quinta decima die mensis Marcij, anno Domini millesimo quingentesimo vicesimo quinto ; coram hijs testibus, Patricio Murray in Dunfally, Andrea Rolloe, dominis, Thoma Scheoch, David Beg, Wilermo Johnesone, capellanis, David Murray et Donaldo Symsonne, cum diuersis alijs.

Elizabeth Stuart with my hand at the pen, etc.

Ita est Johannes Brovne, Notarius ad premissa scripsit.¹



36. CHARTER by KING JAMES V., to ALEXANDER STEWART, of the lands of Garntuly, Kyltoly, and Obbrefrally. 28th April 1526.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, Salutem : Sciatis nos cum anisamento et consensu dominorum consilij nostri secreti, per tres regni nostri status in parlamento nostro electorum, dedisse concessisse, et hac presenti carta nostra confirmasse hereditarie dilecto nostro, Alexandro Stewart, omnes et singulas terras de Garntuly, Kyltoly, et Obbrefrally, cum molendino et piscaria earundem et suis pertinenciis, iacentes in senescallia de Appindow, infra vicecomitatum

¹ The lauds were resigned by Robert Leslie, as procurator for Elizabeth Steuart, Lady of Garntully, in the hands of King James V., in the house of George, Abbot of Holyrood, on

the 28th April 1526, in presence of Archibald Earl of Angus, Lord Douglas, Ninian Creehtoun of Belliboecht, and others.—[Instrument of Resignation dated 28th April 1526, at Murthly.]

nostrum de Perth ; quequidem terre, cum molendino et piscaria earundem et suis pertinenciis, fuerunt Elizabeth Stewart, domine de Garnetuly, perprius hereditarie, et quas eadem per fustem et baculum et procuratores suos ad hoc legitime constitutos et litteras suas patentes in manibus nostris, apud Edinburgh, sursum reddidit, pureque et simpliciter resignauit, ac totum ius et clameum que in eisdem habuit seu habere potuit, pro se et heredibus suis, omnino quittumelamauit imperpetuum : Tenendas et habendas omnes et singulas prefatas terras de Garnetuly, Kyiltoly, et Obbrefrally, cum molendino et piscaria earundem, et suis pertinenciis, dicto Alexandro Stewart et heredibus suis, de nobis et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout iacent in longitudine et latitudine, in boscis, planis, moris, marresiis, vijs, semitis, aquis, stagnis, riolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupacionibus, venationibus, piscationibus, petariis, turbarijs, carbonarijs, lignis, lapicidijs, lapide et calce, fabrilibus, brasimis, bruerijs et genestis, cum curijs et earum exitibus, herezeldis et mulierum merchetis, cum communi pastura, libero introitu et exitu, ac cum omnibus alijs et singulis libertatibus, commoditatibus, proficuis et asiamentis, ac iustis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, procul et prope, ad predictas terras cum molendino et piscaria earundem et suis pertinenciis spectantibus, seu iuste spectare valentibus quomodolibet in futurum, adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sicut dicta Elizabeth vel predecessores sui prefatas terras cum molendino et piscaria earundem, et suis pertinentiis, de nobis vel predecessoribus nostris, ante prefatam resignationem nobis inde factam liberius tenuit seu possedit, tenuerunt seu possederunt : Faciendo inde amuatim dictus Alexander et heredes sui, nobis et successoribus nostris, iura et seruicia de dictis terris cum molendino et piscaria earundem, et suis pertinenciis, ante pre-

fatam resignationem nobis debita et consueta ; saluo nichilominus et reseruato libero tenemento omnium et singularum prefatarum terrarum de Garnetully, Kyiltoly, et Obbrefrally, cum molendino et piscaria earundem et suis pertinentijs, dicte Elizabeth, pro toto tempore vite sue. In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus, reuerendissimis et reuerendo in Christo patribus, Jacobo Sanctiandree archiepiscopo, cancellario nostro, Gawino archiepiscopo Glasguensi, Gawino episcopo Abirdonensi, nostrorum rotulorum registri et concilij clerico, dilectis consanguineis nostris, Archibaldo comite Angusie, domino Douglas, Colino comite de Ergile, domino Campbell et Lorne, Johanne comite de Leuinax, domino Dernlie, venerabilibus in Christo patribus, Patricio priore ecclesie metropolitane Sanctiandree, secretario nostro, Georgio abbate monasterij nostri Sancte Crucis, nostri secreti sigilli custode, dilectis familiaribus nostris, magistro Johanne Campbell de Lundy, thesaurario nostro, et Jacobo Coluile de Vchiltre, nostrorum compotorum rotulatore, et nostre cancellarie direttore, apud Edinburgh, vicesimo octauo die mensis Aprilis, anno Domini millesimo quingentesimo vicesimo sexto, et regni nostri decimo tercio.¹

37. LETTERS of REGRESS by KING JAMES V., in favour of ALEXANDER STEWART, to the lands of Abirfealdy. 14th May 1526.

Regressus.

JACOBUS Dei gratia Rex Scotorum, omnibus probis hominibus suis, salutem : quod sciatis quod licet dilectus noster Alexander Stewart de Garntully, vendidit et alienauit Patricio Buttir de Gormok et Jonete Gordoun eius sponse, et ipsorum alteri diucius viuenti in coniuncta infeodatione, et here-

¹ On the same date a precept was issued by King James V., under the testimony of his Great Seal, to the Sheriff of Perth, to infeft Alexander Stewart in the lands specified in the char-

ter ; and sasine was given to Alexander Stewart, near the place of Grantully and 'Villam de Aberfeldy,' on the 3d May 1526.—[Original Precept and Instrument of Sasine at Murthly.]

dibus masculis inter ipsos legitime procreatis seu procreandis; quibus deficientibus, legitimis et propinquioribus heredibus masculis dicti Patricij quibuscunque; quibus omnibus (quod absit), deficientibus, legitimis et propinquioribus heredibus suis quibuscunque, totas et integras terras suas de Abirfealdy cum pendiculis et le outsetis earundem, et suis pertinentiis, jacentes in dominio de Garntuly in senescallatu de Appindow, infra vicecomitatum nostrum de Perth, tenendas de nobis et successoribus nostris, et super huiusmodi alienatione sic facta prefatus Patricius et Joneta tradiderunt et deliberarunt dicto Alexandro quamdam reuersionem certam pecunie summam in se continentem, prout in eadem latius continetur: Nos nichilominus, pro bono et fidei et gratuito seruicio nobis per dictum Alexandrum impenso, cum auiamento et consensu dominorum consilij nostri secreti, per tres regni nostri status in parlamento nostro electorum, volumus, concedimus et promittimus pro nobis et successoribus nostris dicto Alexandro, heredibus suis et assignatis, quod quodocunque dicta summa in prefata reuersione inserta fuerit plenarie persoluta dicto Patricio et Jonete, eius sponse, et heredibus suis suprascriptis et assignatis, et prefata reuersio in omnibus punctis et articulis, secundum tenorem eiusdem, integre perimpta et obseruata fuerit, dictus Alexander heredes sui et assignati habebit et habebunt plenum et liberum regressum et ingressum in et ad predictas terras de Abirfealdy cum pendiculis, et le outsetis earundem et suis pertinentiis, atque ipsum et ipsos, exnunc prout extunc, et e conuerso, recipimus et admittimus, approbamus et ratificamus hereditarios tenentes nobis de eisdem terris cum pertinentiis per presentes, adeo libere tenentes in futurum sicut ante dictam alienationem prius tenebantur, sine quouis impedimento, preiudicio, forisfactura, eschaeta, dampno et periculo quibuscunque dicto Alexandro, heredibus suis et assignatis, quouismodo inde inferendis. Datum sub secreto nostro sigillo, vnacum nostra subscriptione manuali, et subscriptionibus manualibus prefatorum domi-

norum, apud Edinburgh xiiij^{to} die mensis Maij, anno Domini millesimo quingentesimo vicesimo sexto, et regni nostri anno decimo tercio.

James

of Glasgow
 and of Dunfermline
 ecc of m^hop
 v. b. v. l. m. p. h. ell

38. RENUNCIATION by ARCHIBALD CAMPBELL of Skypinch of his right to Garnetullie. 1st June 1526.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quingentesimo vigesimo sexto, mensis vero Junii die primo, indictione decima quarta, pontificatusque sanctissimi in Christo patris, et domini nostri, domini Clementis, diuina prouidencia pape septimi, anno quarto, in meique notarii publici, et testium subscriptorum presencia, personaliter constitutus honorabilis vir, Archibaldus Campbell de Skypynche, non vi aut metu ductus, com-

pulsus, seu choactus, sed sua propria et spontanea voluntate, illas suas literas acquittanciales Thome Stewart, filio et apparenti heredi, ac attorney et eo nomine Alexandri Stewart de Garntulie, factas, summam septingintarum mercarum vsualis monete Scoeie in pecunia numerata in se continentes, et dicto Archibaldo per eundem Thomam deliberatam propter renunciacionem juris et clamei quod dictus Archibaldus habuit uel habere poterit in futurum per Elizabeth Stewart, eius sponsam (Agnetem Murray matrem ipsius Elizabeth), in et ad terras predictas de Garntulie, tenentes et tenendrias, et ad omnes alias terras eisdem terris de Garntulie pertinentes annexas cum pertinentiis, michi notario publico infrascripto inspiciendas et perlegendas in presenciis dictorum Archibaldi et Thome, tradidit, sub hac forma : I ARCHIBALD CAMPBELL OF SKYPPINCHE grantis me till haue ressauit fra the handis of Thomas Stewart, sone, attorna, and apperend air to Alexander Stewart of Garntulie, and in his name and behalf, the sowme of sewyne hundreth merkis gud and vsuale mony of the realm of Scotland, in numerat mony, ordanit to be delinerit to me by ane decret arbitrale gewyn thairapone for the renunciacioun and ourgewing of all rycht clem that I haue, hed, or ma haue be Elizabeth Stewart my spouse (Agnes Murray hir modir), in and to the landis of Garintulie, with the pertinence, tenentis and tenendriis, and all vtheris landis pertenyng thairto : of the quhilk sowme of sewyn hundreth merkis, in numerat mony forsaide, I the said Archibald Campbell haldis me weile content and thankfullie payt, quitclames and discharges the said Alexander, his aris, executoris and assignais, for me, my aris, executouris and assignais, and als dischargis the said Alexanders caucionaris, that ar to say, Patrick Ayson of Tulymot and Johne Stewart of Stukis, thair aris, executouris and assignais, of the said soume of sewyne hundreth merkis for now and evir ; and renouncis and leaffis all rycht, clem of rycht, that I haue hed, or ma haue ony maner of way, be Elizabeth Stewart my spouse, in and to the saidis

landis with thair pertinence, and salbe gud frend to the said Alexander and dame Agnes in tym tocum, and nocht molest nor tribble tham in the peceable joyeing and brewking of the saidis landis, ony maner of way, in tym tocum, efter the tenour of the said decret. In wytnes herof, becaus I hed na seile proper present of myn awyn, I haue purchest with instance the seile of ane honorabill man, Alexander Blayr, prouest of the burcht of Perth, to be affixt to this myn acquittance, vnder the strynth and effect of my proper seile, at the said burgh of Perth, the first day of the moneth of Junij, the zeir of God j^m v^e and twenti sex zeris, before thir witnes, schiris Symon Zoung, vicar of Petcarne, Thomas Paule, William Ray, Thomas Monipeny, Thomas Walcar, chaplanis and notaris public, and Andrew Blinseile, with otheris diuers.

QUIBUSQUIDEM literis acquittancialibus per me notarium antedictum lectis, et auribus dictorum Archibaldi et Thome insinuat, idem Archibaldus fatebatur et recognouit se dictam summam septingentarum mercarum monete prescripte ob causam preinsertam in pecunia numerata recipisse, et a dicto Thoma Stewart habuisse, propterea easdem literas acquittanciales, singulaque puncta in eisdem inserta, ratificata et approbata, sigillumque dicti Alexandri Blair prepositi de Perth, dictis literis acquittancialibus muniendum cum instancia debita procurauit, quibus etiam dictus Alexander affixit. Super quibus omnibus et singulis dictus Thomas Stewart a me notario publico subscripto sibi fieri peccit publica instrumenta, vnum seu plura. Acta erant hec in ecclesia parochiali de Perth, hora decima ante meridiem, aut eo circiter, sub anno, mense, die, indictione et pontificatu quibus supra; presentibus ibidem, venerabilibus viris, dominis Symone Zoung, vicario de Petcarne, Thoma Paule, Willelmo Ray, Thoma Walcar et Thoma Monipenny, capellanis et notariis publicis, testibus ad premissa vocatis pariter et rogatis.

Et ego Andreas Blinseile, Sanctiandree diocesis, publicus sacra apostolica auctoritate notarius: quia [*etc., in forma communi*].

39. SASINE in favour of ALEXANDER ABIRCROMBY, as heir of his father, THOMAS ABIRCROMBY, of the barony of Murthlie. 12th May 1529.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quingentesimo vigesimo nono, mensis vero Maij die duodecimo, indictione secunda, pontificatus sanctissimi in Christo patris et domini nostri, domini Clementis diuina prouidentia pape septimi anno sexto, in mei notarij publici et testium subscriptorum presencia personaliter honorabilis vir, Johannes Pablis, balliuus in hac parte supremi domini nostri regis, accessit ad totas et integras terras de Mowrthlie cum pertinentiis, jacentes infra vicecomitatum de Pertht, et ibidem quoddam preceptum saisine capelle regie pergamino scriptum, vt moris est, michi notario publico infrascripto perlegendum tradidit, tenorem qui sequitur in se continens: JACOBUS Dei gratia Rex Scotorum, vicecomiti et balliuis suis de Pertht, salutem: Quia per inquisitionem de mandato nostro per vos factam, et ad capellam nostram retornatam, compertum est quod quondam Thomas Abircrumbj de Mowrthlie, pater Alexandri Abircrumbj, latoris presentium, obiit vltimo vestitus et saisitus, vt de feodo ad pacem et fidem nostram, de tota et integra baronia de Mowrthlie, cum tenentibus, tenandriis, et libere tenencium seruiciis eiusdem, cum suis pertinenciis, jacente infra balliam vestram; et quod dictus Alexander est legitimus et propinquior heres eiusdem quondam patris sui de dicta baronia; et quod est legitime etatis; et quod de nobis tenentur in capite; vobis precipimus et mandamus quatenus dicto Alexandro vel suo certo attorney, latori presencium, saisinam totius et integre dicte baronie de Mowrthlie, cum tenentibus, tenandriis et libere tenencium seruiciis eiusdem, cum suis pertinenciis, juste haberi faciatis, et sine delacione, saluo jure cuiuslibet; capiendo securitionem septingentarum vigente quattuor

librarum de firmis dicte baronie cum pertinentiis existentibus in manibus nostris per spacium nouem annorum vltimo elapsorum, ratione warde, que firme se extendunt annuatim ad sexaginta nouem libras sex solidos octo denarios nobis debita, et hoc nullo modo omittatis; presentibus post proximum terminum minime valaturis: Teste me ipso, apud Edinburghe, quinto die mensis Maij, anno regni nostri decimo sexto. Post cuiusquidem precepti perlectionem, publicationem, et ipsius in manibus dicti Johannis Pablis receptionem, idem balliuus, vigore dicti precepti capelle regie sibi in hac parte commissi, statum, saisinam et possessionem hereditariam omnium et singularum dictarum terrarum de Mowrthlie cum pertinentiis earundem honorabili viro Alexandro Abircumbj, per terre et lapidis traditionem, supra solum dictarum terrarum de Mowrthlie, vt moris est, secundum vim, formam, et tenorem carte dicti Alexandri desuper confecte, contulit et deliberauit, ac eundem Alexandrum in realem, actualem, et corporalem possessionem omnium et singularum dictarum terrarum de Mowrthlie, cum pertinentijs earundem, jacentium vt supra, induxit, imposuit, et nullo reclamante seu contradicente, sollemniter investiuit: Super quibus omnibus et singulis prefatus Alexander Abircumbj a me notario publico subscripto sibj fieri petiit vnum vel plura publicum vel publica instrumentum seu instrumenta. ACTA erant hec supra solum dictarum terrarum de Mowrthlie, hora quarta post meridiem, vel eo circiter, sub anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem, Andrea Abircumbj, Johanne Abircumbj, Thoma Zoung, Alexandro Jacksono, et Roberto Zoung, cum diuersis alijs testibus ad premissa vocatis specialiter et rogatis.

Et ego Patricius Lawsons, presbyter Dunkeldensis diocesis, et sacra Apostolica auctoritate notarius publicus, quia [*etc., in forma communi.*]

40. LETTERS of INQUEST and CONJUNCTION, finding the lands of Pettequharne, Caltulyth, and Abirfeldy to be pertinents of the lands of Garntulie.
5th July 1529.

To all and syndrye to quhays knowlege thyr present letteris saleum, Olipher Maxtoun, maceir, Schyrray of Pertht in that part, be our Souerane Lordys commissioun specialie constitut, gretyng : For samekle as our Souarane Lord, be the deliuerance of the Lordis of his consaill, hes directit his commissioun vnder the testimonial of his greit seil to me and Jhone Baldowyne, maceris, coniunctlie and seuerlie, makand ws schireffis of Pertht in that part, wytht ful power to hald courtis apone the landis wythtin writtin, apone the premuni-cion of thretty days, and to summond ane honorable man, Mastir Adam Ottyrburn, aduocat to our Souerane Lord, for his Henes interes, personalie at his duellyng place wythtin the towne of Edingburgh, and ane nobile man, Archbald Campbell of Skypinche, elikwis personalie apprehendit, gif his presence mycht be hed, and falzeand thairof, Mastir Alexander Makbrek, in his name, personalie apprehendit to compeir befor us, or ony of us, at certane day and place to be assignit thairto, and to tak inquisition gif the landys of Pettequharne, Caltulyth, and Abbyrfeldy, liand wythtin the schirefdome of Pertht, be pertinence of the landys of Garntulie, and reput and haldin ane tenendrie wytht thame, wytht ane sut and ane seruice for all the said landys ; and gif thai be nocht syndrie haldyngis nor syndrie saisyngis vsit to be gyffin thairapone, and gif thai ly contigue wytht the said landis of Garntulie, and to summond ane inquest of the best and worthiast of the said schirefdome and of the four halfys about to sufficient numer that bestis knawys the verite, and to creat all officiaris necessar to that effect, as at mair lyntht is contenit in the said commission : Be the virtew of the quhilk I passit at the instance of

ane honorable man, Thomas Stuart, sone, apperand air, and procuratour of Alexander Stuart of Garntulie to the towbuthe of Perth, the twenty auch day of the moneth of Maij last bypassit, and thair, in ane court be me fensit, I creat Jhone Makhermyk, Donald Symson, James Alexanderson, and Alexander Reyd, coniunctlie and seuerlie, maris and officiaris of the said schirefdome of Perth in that part, Jhone, Arthur, and Patrik Correour dempstaris, coniunctlie and seuerlie, Schir Thomas Walcar and Thómas Grumengreg, coniunctlie and seuerlie, clerkis of the same, for executioun of the said commission, and causit thame be suorne for dew execution of thair office, and directit my precept to the saidis officiaris to summond the saidis Mastir Adam Ottyrburn, Archbald Campbell, gif he ma be apprehendit, and falzeand thairof, the forsaid Mastir Alexander Makbrek, in his name, to compeir befoir me or my said colleg, apone the grund of the said landys, the fif day of the moneth of Julij instant, to heir and se cognition takin in the said mater eftyr the tenour of the sayd commissioun : At the quhilk day, in the fensit court of the said schirefdome of Perth, haldin be me at the Karne of Pettequharne wythin the sayd landys of Garntulie, comperit the said Alexander Stuart, wyth Robert Lesley his foirspekar, and producit the said precept directit be me obofoir, dewlie execut and indorsit be the sayd Jhone Makhermyk apone the saidis Mastir Alexander M^cbrek personalie apprehendit, and be the said Donald Symson apone the said Mastir Adam Ottyrburn, elikwise personalie apprehendit, as thair execution of the said precept proportis : And becauss thai and ilk ane of thame beand lachtfullie summonit and oft tymys callit, and nocht comperit, the said Alexander and his foirspekar requirit me to proceid apone the executioun of the said commissioun and precept directit thairapone : And becauss the said parteis comperit nocht, I put the said mater to the knowlege of thir worthe personis wndir writtin, beand lachtfullie summonit thairto be the said precept of befoir, that is to say, Jhone Stuart of

the Stuykis, Jhone Blayir of Ardblair, Andro Rettray of Inchscurwy, Jhone Rettray of the Leychhill, Jhone Chalmyr of Drumlochy, Jhone Sowter in Bankhorrye, Jhone Reid of Strathloch, Patrik Ayson of Tulymat, Patrik Robertson in Dulkabane, Andro Robertson of Balnagard, Waltyr Bannermann of Killebrothyt, Adam Reid in Petnocre, Dauid Ramsay in Tulypowr, Fyndlay M^oKowhe, Alexander Robertson of Faskalle, Alexander M^oJames of Callewyn, Fergus Menzeis, Alexander Barroun, Dougall Jhonsone, Donald Makclaagan, Syme Makhynme, Jhone Stuart of Arntulie, Robert Maknar, Jhone M^oAlles-ter, and Patrik M^oMyir, and causit thame be sworne in juggment to decid lelely thairapone: In presence of the quhilkis personis of inquest, the sayd Robert Lesley, in the name forsaid, producit ane retour of vmquhill Alexander Stuart of Garntulie, of the date at Perth the thretene day of Maij, the zeir of God ane thousand four hundredth thre skoyir twa zeris, quhair the said vmquhill Alexander wes serrowit and retowrit as ayr to Thomas Stuart, his fadyr, of the landis of Garntulie, with the pertinence, makand na mencion of the said landis of Pettequharne, Caltulyth, and Abbirfeldy, and quhair the said landis of Garntulie wes retowrit to the sowme of fourty lib. be zeir, togiddyr with ane precept of saisying of our Souerane Lordis chapell undyr the testimoniall of the greit seill gifin to vmquhill Thomas Stuart and Augnes Murray, his spous, of the said landis of Garntulie, with the pertinence, wyth ane instrument of saisying thairapone, vnder the signe and subscription of Schir Moris Jhonsone, notar publice, and als ane perambulation maid betuix vmquhill William Abbot of Cowper, on the ta part, and vmquhil Thomas Stuart of Garntule, on vthir part, of the sayd landys of Garntulie, vndir the commone seill of Cowper, of the dayt at the Abbay of Cowper, the tene day of the moneth of Julij, the zeir of God ane thousand four hundredth fourtynyne zeris: Be the quhilkis eidentis the said Robert allegit that aperit cleirlye that the said landys of Pettequharne, Caltulyth, and Abbyr-

felyd war ane pertinence of the said landis of Garntulie, and all the said landis war ane haldyng, wytht ane sut [and] ane seruice, becaus the principal towne of Garntulie extendis now be zeir to viii markis allanerlie, and that the said landis of Garntulie with the pertinence ar retowrit to fourty lib. be zeir, and that the said vnuquhill Thomas and Augnes Murray, his spouse, brukit the said landis of Pettequharne, Caltulyth, and Abbirfeldy, be vertu of the saidis precept and instrumentis of the said landis of Garntulie, with the pertinence allanerlie, quhairthrow it apperis cleirlye that the said landis of Pettequharne, Caltulyth, and Abbirfeldy are contenit in the said retour as pertinence of the same, and extendis to the sayd wail be zeir; and als becaus the said landis ar perambulat wytht the landys of Murthlie pertenant to the said abbot of Cowper, fra the wattyr of Tay to the foirfront of the hill be southe the same and na forthir, and sa fra the front of the said hill suthewart, all the said landys lyis contigue, but ony difference, or vthir landis lyand betwene, wytht diuers vtheris resonis and allegacionis: eftir the quhilkis allegiance, I causit the said personis of inquest to remwif farlht of court, to avise apone the euidentis and allegiance, and to deliuer apone the said mater eftir their knowlege: The quhilkis personis beand riplie avisit thairapone, fand and delinerit all in ane voce, be the moythe of the sayd Jhone Stuart of the Stuykis, that the saidis landys of Pettequharne, Caltulyth, and Abbirfeldy, ar pertinence of the said landys of Garntulie, and hes bene reput and haldin ane sut [and] ane seruice for all the saidis land, and nocht syndrie haldyngis, nor syndrie saisynge vsit tobe giffin thairapone, and that thai ly contigue wytht the saidis landis of Garntulie, fra the front of the hill callit Strong Awnocht, suthtwart to the Month. And this to all and syndrie to quhome it efferis I mak it knawin be this presente: In vitnes heirof to this my rolment and retour, selit wytht the selis of the mast part of the said inquest, I haif affixit my propir seyll and closit wytht the same, at Garntulie, the fif

day of the moneth of Julij, the zeir of God ane thousand fif hundreth and twenty nyne zerys.

41. CHARTER by ELIZABETH STUART, Lady of Garntulye, in favour of THOMAS STUART, son and heir-apparent of Alexander Stuart of Garntulye, of the lands of Carneboy-Stuart. 4th June 1532.

OMNIBUS hanc cartam visuris vel audituris, Elizabeth Stuart domina de Garn-
tulye, salutem in Domino sempiternam : Noueritis me dedisse, concessisse,
et hac presenti carta mea imperpetuum confirmasse, tenoreque presentium
dare, concedere, et imperpetuum confirmare dilecto meo Thome Stuart, filio
et apparenti heredi Alexandri Stuart de Garntulye, heredibus suis, et assigna-
tis quibuscumque hereditarie, propter carnalem affectionem quam erga eum-
dem Thomam gero et habeo, diuersasque gratitudines et seruicia per eundem
michi diuersummodo impensas et collatas, totas et integras terras de Carneboy
Stuart cum pertinenciis, quas de presenti inhabitat et occupat Georgius
Newying, jacentes infra senescallatum de Stratherne et vicecomitatum de
Pertht : Tenendas et habendas totas et integras predictas terras de Carneboy
Stuart, cum suis pertinenciis, prefato Thome Stuart, heredibus suis et assign-
natis quibuscumque a me et heredibus meis, de supremo domino nostro
Rege, in feodo et hereditate imperpetuum, per omnes rectas metas suas, nouas,
antiquas, et diuisas, prout jacent in longitudine et latitudine . . . in omnibus
et per omnia, sicut aliquae terre, cuicumque persone infra regnum Scotie,
nomine warde et releuij, conceduntur : Reddendo inde annuatim dictus
Thomas, sui que heredes et assignati predicti supremo domino nostro Regi
antedicto seruicium warde et releuij, quantum ad easdem terras pertinet, una-
cum seruiciis et oneribus solitis et consuetis, ante presentem infeodationem
de eisdem terris debitum tantum pro omni alio onere, seruicio seculari, et exac-

tione seu demanda, que de dictis terris per quoscumque inuste exigi poterint vel requiri. In cuius rei testimonium, sigillum meum proprium huic presenti carte mee est appositum, apud Balvard, quarto die mensis Junij, anno Domini millesimo quingentesimo tricesimo secundo, coram hijs testibus, magistro Willelmo Murray, Daud Murray, Alexandro Waltoun, Donaldo Symsoun, et Johanne Murray, cum diuersis alijs.¹

42. SASINE in favour of ALEXANDER YOUNG, Sub-prior of St. Andrews, as representing the Curate who was to officiate at the Chapel (templum) built near the manor-place of Petquharne, of Croftdawe, part of Garn-tullie. 9th May 1533.

IN Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quingentesimo trigesimo tertio, mensis vero Maij die nono, indictione sexta, pontificatus sanctissimi in Christo patris et domini nostri, domini Clementis diuina prouidentia pape septimi anno decimo, in mei notarij publici et testium subscriptorum presentia personaliter constitutus Alexander Steuart de Garntulye, non vi aut metu ductus, nec errore vlllo circumuentus, sed sua deuotione, diuinique cultus augmentandi intuitu, vt asseruit, accessit ad quandam partem seu portionem terrarum suarum de Grantuly dictam Croftdawe, et ibidem, cum consensu et assensu primogeniti sui Thome Stewart, apparentis sui heredis, tunc presentis et consentientis, et ibidem saisinam, statum et possessionem hereditariam dictarum terrarum de Croftdawe, iacentium in

¹ On the same date a precept was granted by Elizabeth Stuart to her bailies for infefting Thomas Stuart in the lands of Carneboy Stuart; and he was infefted on the 17th June 1532. The above charter by Elizabeth Stuart

was confirmed by a charter by King James V., dated the 12th of the same month of June. —[Original Precept, Sasine, and Charter at Murthly.]

baronia de Garntulye, infra vicecomitatum de Perth, in longitudine et latitudine ad quatuor celi plagas, secundum tenorem carte desuper faciende venerabili et egregio viro, domino Alexandro Zoung, canonico regulari ac subpriori Sanctiandree, et vicario ecclesie parochialis de Dow perpetuo, nomine et ex parte curati seruitori ac sacramenta ministraturi apud templum edificatum prope maneriem de Petquharne, et consecrandum in honore omnipotentis Dei, et gloriosissime virginis Marie, beatorum Andree apostoli, Adamuani et Beani, per terre et lapidis traditionem, vt moris est, contulit et liberauit, ac eundem dominum Alexandrum, vicarium antedictum, in realem, actuaalem, et corporalem possessionem eiusdem Croft Dawe, nomine quo supra, induxit pariter et inuestiuit, nemine impediante, seu contradicente. Super quibus omnibus et singulis prefatus dominus Alexander Zoung a me notario publico subscripto sibi fieri peciit publicum seu publica instrumentum seu instrumenta vnum seu plura. Acta erant hec circiter horam decimam ante meridiem super fundo huiusmodi Croft Dawe, sub anno, mense, die, indictione, et pontificatu quibus supra; presentibus ibidem magistro Barnardo Zule, Gilberto Ramsay, Thoma Stewart, et Duncano Maknothae, cum diuersis aliis testibus ad premissa rogatis et requisitis.

Et ego, Gawinus Logye, artium magister, clericus Sanctiandree diocesis, apostolica auctoritate notarius publicus, quia premissis [*etc., in forma communi.*]

43. NOTARIAL COPY of CHARTER by ALEXANDER STEWART of Garntulye, to the Curate of the Church of St. Mary of Grantulye, and his successors.
3d June 1533.

VNIUERSIS sancte matris ecclesie filiis, tam presentibus quam futuris, Alexander Stewart dominus de Garntulye, salutem : Sciatis tam presentes quam futuri, me cum consensu et assensu Thome Stewart, filij mei dilecti et appar-

entis heredis, dedisse, concessisse, et hac presenti carta mea confirmasse Deo, et gloriose eius matri beate Marie, Sanctisque Andree, apostolo, Adamnano ac Beano, confessoribus, et capellano idoneo curato personaliter residenti et diuina celebranti in ecclesia beate Marie de Grantulye, necnon diuina sacramenta irreprehensibiliter et sine querela parrochanis eiusdem cum omnibus appendiciis de Grantulie deuote decenterque ministranti, totam illam terram meam, que Croft Dawe vulgariter appellatur, iacentem iuxta maneriem meam de Petquharne intra orrea eiusdem ad occidentem de duabus marcatis terre proximis maneriei [de] Petquharne ad orientem in baronia de Grantulye, infra vicecomitatum de Perth, in longitudine et latitudine prout sequitur, in latitudine ab oriente ad occidentem ducentarum et quadraginta vlnarum, hoc est, duodecim *ly scoir* vlnarum, et ab austro ad boriam totidem vlnarum, hoc est, duodecim *lie scoir* vlnarum, et in toto circuitu septinginta vlnarum, hoc est, septies centum vlnas, continentem, ita quod vnaqueque mensura centenaria contineat sex *lie scoir* vlnarum, cum libero introitu et exitu ad intus et extra predictam glebam, cum pastura duodecim *lie suernis* animalium suorum, bou[um], ouium, aut caprarum, cum domesticis auibus, in pratis, pascuis, moris, et montibus, in estate et hyeme, sicut paseuntur animalia dominorum de Grantulie, *lie scheling* et huiusmodi pasturis; etiam cum libera potestate effodiendi glebas, turbas, *lie hadder* et pettas in montibus, moris, et petariis totius domini de Grantulie predicto curato et tribus suis seruis, et inducendi ad dictam suam glebam seu maneriem discrete sufficientibus; cum suis omnibus asiamentis et libertatibus, commoditatibus et emolumentis quibuscumque, tam nominatis quam non nominatis, tam subtus terra quam supra terram, tam prope quam procull, adeo libere et quiete, pacifice et honorifice possidendam in perpetuam et puram elemosinam, sicut aliqua terra ecclesiastica possidetur et tenetur in toto regno Scocie, pro suffragiis per dictum curatum fiendis pro statu vniuersalis ecclesie, inuictissimi regis nostri

Jacobi quinti et sui regni felici successu, pro salute anime mee et anime Margarete Murray, mee sponse, necnon pro animabus Thome Stewart, filij mei et apparentis heredis, et Margarete Murray eiusdem sponse, et pro animabus heredum nostrorum, et omnium viuorum prosperitate, ac salute fidelium defunctorum. In cuius rei testimonium sigillum meum proprium, vnacum sigillo Thome Stewart, filij mei et heredis, presenti carte mee sunt appensa, apud Petquharne, die tertio mensis Junij, anno Domini millesimo quingentesimo trigesimo tertio; coram his testibus, magistris Gavino Logy et Barnardo Zule, Gilberto Ramsay et Johanne Watsoune, cum diuersis aliis.

Hec est uera copia principalis carte collacionata per me cum eadem, et ab ea in nullo discrepans quod substantie naturam mutare possit.

Ita est, Gawinus Logye notarius publicus scripsit.

44. PROCURATORY by ALEXANDER STEWART for resigning the lands of Garntulie, Kiltulie, and others, in favour of THOMAS STEWART, his son and apparent heir. 1st March 1538.

EXCELLENTISSIMO ac serenissimo principi et domino nostro metuendissimo, domino Jacobo quinto Dei gracia Scottorum Regi inuictissimo, vester humilis liegius et seruator, Alexander Stewart de Garntulie, omni cum subiectione, famulatu, et promptitudine seruiendi: Ad sursum reddendum, pureque et simpliciter per fustim et baculum resignandum, quiteclamandum, ac libere deliberandum, pro me et heredibus meis, in manibus vestre regie maiestatis, tanquam in manibus domini mei superioris, totas et integras terras meas de Garntulie, Kiltulle, Tullochcrosk, Pettoquharne, cum omnibus dependentiis et pertinentiis earundem, jacentes infra vicecomitatum de Perth, quas de vobis teneo in capite, honorabiles viros, magistris Henricum Lauder, Willelmum Steward, rectorem de Cothquem, Gilbertum Moncreif, et eorum quemlibet,

coniunctim et diuisim, meos veros, legitimos, indubitatos et irreuocabiles procuratores facio, constituo, et irreuocabiliter ordino, eisque et eorum cuilibet, coniunctim et diuisim, ad hujusmodi perficiendum, meam plenariam et irreuocabilem potestatem ac mandatum speciale do et concedo, per presentes ; quas etiam terras cum pertinentijs ego dictus Alexander, non vi aut metu ductus, nec errore lapsus, seu dolo circumuentus, sed mea pura, libera, et spontanea voluntate in manibus vestre regie maiestatis, tanquam in manibus domini mei superioris earundem, per has meas literas procuratorij et resignationis sursum reddo, et per fustim et baculum tenore presentium resigno, ac totum jus et clameum, proprietatem et possessionem, que et quas in et ad dictas terras cum pertinentijs habui, habeo, seu quouismodo in futurum habere potero, pro me et heredibus meis quiteclamo imperpetuum, in fauorem Thome Stewart, filij et heredis apparentis mei, pro vestris carta et infeodatione sub vestro magno sigillo sibi, et heredibus suis masculis de dictis terris cum pertinentijs dandis et conferendis ; et generaliter [ad] omnia alia et singula faciendum gerendum dicendum et exercendum, que ad officium procuratoris in premissis de jure seu regni consuetudine dinoscuntur pertinere, et que egomet facerem seu facere possem si presens personaliter interessem : Ratum et gratum, firmum atque stabile habens et habiturus totum et quicquid predicti mei procuratores, aut eorum aliquis, coniunctim et diuisim, nomine meo in premissis seu premissorum aliquo rite duxerint seu duxerit faciendum, sub ypotheca et obligatione omnium bonorum meorum, mobilium et immobilium, presentium et futurorum : Reseruando nicholominus et reseruato libero tenemento omnium et singularum prefatarum terrarum de Garntulie, Kiltulie, Tullocherosk, Pettoquharne, cum omnibus dependentijs et pertinentijs earundem, pro toto tempore vite mee. In cuius rei testimonium sigillum meum proprium, vnacum mea subscriptione manuali, presentibus est appensum, apud Garntulie, primo die mensis Marcij, anno Domini millesimo quingentesimo trigesimo octauo ;

coram hiis testibus, Andrea Stewart, Roberto Flemyng, Donaldo Simsoun, domino Thome Brovne, notario publico, cum diuersis aliis.

ALEX^R STEWART, wytht my hand at the pen.

Ita est, dominus Thomas Broune, notarius ad premissa, etc.¹

45. CHARTER by KING JAMES V. to THOMAS STEWART, of the lands of Garn-
tulie, Kiltulie, Tullocherosk, and Pittoquaharne, erected into the free
barony of Garntulie. 14th March 1538.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos nostras post perfectam viginti quinque annorum etatem completorum reuocationemque generalem dedisse, concessisse, et hac presenti carta nostra confirmasse hereditarie dilecto nostro Thome Stewart, filio et apparenti heredi Alexandri Stewart de Garntulie, et heredibus suis subscriptis, omnes et singulas terras de Garntulie, Kiltulie, Tullocherosk, Pittoquaharne, cum omnibus suis pendiculis et pertinentiis, jacentes infra vicecomitatum nostrum de Perth ; quequidem terre cum suis pertinentiis fuerunt dicti Alexandri perprius hereditarie, et quas idem, per fustem et baculum et procuratores suos ad hoc legitime constitutos et literas suas patentes, in manibus nostris apud Linlithgow sursum reddidit, pureque et simpliciter resignauit, ac totum ius et clameum que in eisdem habuit seu habere potuit, pro se et heredibus suis, omnino quietclamauit imperpetuum : Insuper pro bono fideli et gratuito seruicio nobis per dictum Thomam impenso, ac pro alijs racionalibus causis nos mouentibus, ex potestate nostra regia et auctoritate regali vnimus, annectimus, creamus et incorporamus omnes

¹ In virtue of this procuratory, resignation was made of the lands of Garntullie and others, in the hands of King James V., at his palace of Linlithgow, on 14th March 1538, in

presence of the Earl of Argyll, Gordon of Gycht, and Mr. John Monereif, Prior of Blantyre, and other witnesses.

et singulas prefatas terras de Garntullie, Kiltulie, Tullocherosk et Pittoquharne, cum omnibus suis pendiculis et pertinentijs, in vnam integram et liberam baroniam, omni tempore affuturo baroniam de Garntulie nuncupandam, ordinantes manerium de Garntulie fore principale messuagium dicte baronie: Ac volumus, concedimus, et, pro nobis et successoribus nostris pro perpetuo, decernimus et ordinamus quod sasina nunc per dictum Thomam apud principale messuagium dicte baronie, videlicet, apud Garntulie, et per eius heredes, omni tempore affuturo, capienda, stabit et sufficiet pro omnibus et singulis predictis terris et baronia, tanquam partibus et pendiculis eiusdem, absque aliqua alia speciali aut particulari sasina, per dictum Thomam aut eius heredes super solo dictarum terrarum, aut aliqua parte earundem, in futurum sumenda: Ac etiam tenore presentis carte nostre damus et concedimus dicto Thome totum jus, titulum, interesse et juris clameum que nos, nostri predecessores, aut successores habuerunt, habuimus, habemus, seu quouismodo habere vel clamare poterimus vel poterint, in et ad predictas terras et baroniam, aut aliquam partem earundem, firmas, proficua, et deuoria ipsarum, ratione eschaete, forisfacture, recognitionis maioris partis, alienationis, purpresture, disclamationis, heredum nonintroitus, aut alias quouismodo pro quibuscunque actione aut causa preteritis; ac exoneramus, quietclamamus et renunciamus eisdem imperpetuum, cum suplemento omnium defectuum, tam non nominatorum quam nominatorum, quos pro expressis in hac presenti carta nostra habere volumus: Tenendas et habendas omnes et singulas prefatas terras de Garntulie, Kiltulie, Tullocherosk, et Pittoquharne, cum omnibus suis pendiculis et pertinentiis, nunc vnitas et annexatas in vnam integram et liberam baroniam, omni tempore affuturo baroniam de Garntulie, ut premititur, nuncupandam, dicto Thome et heredibus suis masculis quibuscunque, de nobis et nostris successoribus in feodo et hereditate ac libera baronia imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout iacent in

longitudine et latitudine, in boscis, forestis, planis, moris, marresijs, vijs, semitis, aquis, stagnis, riuolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupationibus, venationibus, piscationibus, petarijs, turbarijs, carbonarijs, lignis, lapicidijs, lapide et calce, fabrilibus, brasinis, bruerijs, et genestis, cum furca, fossa, sok, sak, thole, theme, infangtheif, outfangtheif, pitt et gallous, cum vert et venisoun, cum curijs et earum exitibus, herezeldis, bludewitis, et mulierum marchetis, cum communi pastura, libero introitu et exitu, ac cum omnibus alijs et singulis libertatibus, commoditatibus, proficuis et asiamentis, ac justis pertinentijs suis quibuscunque, tam nou nominatis quam nominatis, tam sub terra quam supra terram, procul et prope ad predictas terras cum pendiculis et pertinentiis spectantibus, seu iuste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, et adeo libere, in omnibus et per omnia, sicut dictus Alexander vel predecesores sui predictas terras nunc vnitas in vnam baroniam, vt premittitur, de nobis vel predecessoribus nostris, ante dictam resignationem nobis inde factam, liberius tenuit seu possedit, tenuerunt seu possederunt: Faciendo inde annuatim prefatus Thomas et heredes sui masculi predicti, nobis et nostris successoribus, seruicium de dictis terris et baronia cum pertinentijs, ante dictam resignationem nobis debitum et consuetum: Reseruato nichilominus libero tenemento omnium et singularum predictarum terrarum et baronie cum pertinentijs prefato Alexandro, pro toto tempore vite sue. In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus, reuerendissimo reuerendoque in Christo patribus, Gawino archiepiscopo Glasguensi, cancellario nostro, Henrico episcopo Candidecase, nostreque capelle regie Striuelingensis, dilectis nostris fratre et consanguineis, Jacobo Moraue comite etc., Archibaldo comite Ergadie, domino Campbell et Lorne, etc., Malcolmo domino Fleming, magno camerario

nostro, dilectis familiaribus nostris, Thoma Erskin de Brechin, milite, secretario nostro, Jacobo Kirkcaldy de Grange, thesaurario nostro, Magistris Jacobo Foulis de Colintoun, nostrorum rotulorum registri et consilij clerico, et Thoma Bellenden de Auchnolinsbill, nostre cancellarie directore, apud Linlithquow, decimo quarto die mensis Marcij, anno Domini millesimo quingentesimo trigesimo octavo, et regni nostri vicesimo sexto.

46. FEU-CHARTER by SIR WALTER YOUNG, chaplain of the altar of St. Michael, in the diocese of Dunkeld, to THOMAS LINDSAY and MARGARET COCHRANE, his spouse, of the lands of Wester Balnagard. 25th July 1540.

OMNIBUS hanc cartam visuris vel audituris, dominus Walterus Zoung, capellanus altaris et capellanie perpetue beati Michaelis archangeli, Dunkeldensis diocesis, salutem in omnium Salvatore: Quia regni Scotie retro principes diuersi in Parliamentis suis cum tribus regni sui statibus super republica eiusdem mutuo disceptantes, terras Regis et aliorum prelatorum, dominorum temporalium, comitum, baronum, ceterorumque quorumcunque hominum terras hereditarie possidentium in emphiteosim seu feudifirmam absque suorum rentalium et commoditatum diminutione, prout cum tenentibus conuenire poterunt, per diuersa parliamentorum statuta et acta que nobis Scotis pro legibus obseruanda sunt, assedandas fore decreuerunt, opinantes perinde commoda non modica, ut policie honesta edificia, terrarum nouas culturas, sterilium meliorationes, arborum plantationes, piscium in aquis recentibus et per stagna nutritiones, columbariorum, ortorum, viridariorum et cuniculariorum constructiones, ac tenentium possessorum huiusmodi terrarum sic in emphiteosim seu feudifirmam locatarum in rebus mobilibus ditationes, ac armorum et rerum bellicarum prouisiones pro regis et regni contra veteres hostes seu alios quoscunque inuasores defensione, ex firma spe remanendi cum tene-

mentis suis, et illis per se et heredes suos pro perpetuo gaudendi, regi et regno prouenire, reipubliceque saluti apprime proficere : Ego, igitur, statuta et leges prescriptorum principum et regum veterumque maiorum meorum opinans et firmiter sciens toti regno et eiusdem incolis esse maxime peritiles, easdem nedum, sed et sacros canones qui de terris ecclesiasticis perpetuam emphiteosim permittunt, insequens certas terras meas suadentibus premissis in feudifirmam locare statui : Noueritis, igitur, me, cum consensu et assensu reuerendi in Christo Patris et domini, domini Georgij, permissione diuina, Dunkeldensis episcopi, ac canonicorum et capituli eiusdem, ad hoc capitulariter congregatorum, meorum patronorum, vtilitate et commodo mei et successorum meorum vndique preuisis et consideratis, diligenti tractatu et matura deliberatione prehabitis, ac pro policia in regno habenda, et mei rentalis augmentatione, dedisse, concessisse, assedasse, arrendasse, locasse, et ad feudifirmam seu emphiteosim hereditarie dimisisse, et hac presenti carta mea confirmasse, necnon dare, concedere, assedare, arrendare, locare, et ad feudifirmam seu emphiteosim hereditarie dimittere, et hac presenti carta mea confirmare, dilectis meis Thome Lindesay et Margarete Cochrane eius coniugi, et eorum alteri diutius viuenti, in coniuncta infeodatione, et heredibus suis subscriptis, omnes et singulas terras meas de Wester Balnagard, quas ego prefatus dominus Walterus nunc occupo, cum pertinentiis, jacentes in baronia de Dunkeldin, infra vicecomitatum de Perth, extendentes annuatim in meo rentali in firma, grassuma, et omnibus aliis proficuis ipsis inuicem computatis ad quinquaginta solidos monete Scotie, vnam bollam ordeï, et unam bollam auenarum, pro multura molendini mei de Tulipowry, et vnum *lee cowdeich* solitum, si petatur tantum : Tenendas et habendas omnes et singulas prefatas terras de Wester Balnagard, cum pertinentijs, dictis Thome et Margarete eius coniugi, et eorum alteri diutius viuenti, in coniuncta infeodatione, et heredibus masculis inter ipsos legitime procreatis seu procreandis, quibus deficientibus,

seniori heredum suarum feminearum inter ipsos procreatarum seu procreandarum, quibus deficientibus, legitimis et propinquioribus heredibus masculis dicti Thome quibuscunque, quibus deficientibus, seniori heredum suarum feminearum cuicunque, absque diuisione predictarum terrarum, de me et successoribus meis, dicti capellanie capellanis, in feudifirma seu emphiteosi, et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout iacent in longitudine et latitudine, in boscis, planis, moris, marresijs, vijs, semitis, aquis, stagnis, riuolis, pratis, pascuis, pasturis, molendinis, murturis, et eorum sequelis, aucupationibus, venationibus, piscationibus, petarijs, turbarijs, carbonibus, carbonarijs, cuniculis, cunicularijs, columbis, columbarijs, pomis, pomerijs, fabrilibus, brasinis, bruerijs, genestis, domibus, edificijs, ortis, tignis, lignis, lapicidijs, lapide et calce, cum curijs et earum exitibus, herezeldis, et mulierum marchetis, cum communi pastura, libero introitu et exitu, ac cum omnibus alijs et singulis libertatibus, commoditatibus, proficuis, asiamentis, ac iustis pertinentijs suis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, procul et prope, ad predictas terras cum pertinentijs spectantibus, seu iuste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo impedimento, reuocatione, contradictione, aut obstaculo aliquo: Reddendo inde annuatim dicti Thomas et Margareta, ejus coniunx, et eorum alter diutius viuens, et heredes sui suprascripti, michi et successoribus meis, dicte capellanie capellanis, summam trium librarum et decim solidorum monete predictae, ad duos anni terminos, Penthecostes, videlicet, et Sancti Martini in hieme, per equales portiones, vnam bollam ordeï, et vnam bollam auenarum, et vnum *lee cowdeich* solitum, si petatur tantum, ad terminos solitos et consuetos, nomine feudifirme, in augmentationem mei rentalis annuatim ad summam viginti solidorum, necnon reddendo michi et meis successoribus tres sectas annuatim ad tria placita capitalia per nos aut nostros

balliuos super terris de Tulipowre tenenda, tantum pro omni alio onere, exactione, questione, demanda, seu seruitio seculari, que de predictis terris cum pertinentijs per quoscunque iuste exigi poterunt, quomodolibet, vel requiri: Et ego nero prefatus dominus Walterus Zoung et successores mei, cum consensu et assensu prefati reuerendi patris ac canonicorum antedictorum, omnes et singulas prefatas terras de Wester Balnagard, cum pertinentijs dictis Thome et Margarete, eius coniugi, et eorum alteri diutius uiuenti, in coniuncta infeodatione, et heredibus suis suprascriptis, in omnibus et per omnia, forma pariter et effecta, ut premissum est, contra omnes mortales warrantizabimus, acquietabimus, et imperpetuum defendemus. In cuius rei testimonium sigillum meum, vnacum mea subscriptione manuali, necnon sigillo et subscriptione manuali prefati reuerendi patris, ac etiam sigillo communi prefati capituli, et subscriptionibus manualibus canonicorum eiusdem, in signum eorum consensus ad premissa, presentibus est appensum apud Dunkeldin, vicesimo quinto die mensis Julij, anno Domini millesimo quingentesimo quadragesimo, coram hiis testibus, domino Joanne Donaldsoun, domino Andrea Bell, Magistro Willelmo Crechtoun, Joanne Banerman, domino Thoma Mureheid, Joanne Blair, Alexandro Lindesay, Georgio Ireland, et Magistro Willelmo Fairfowle, cum diuersis aliis.

G. DŪKSS · Eps.

WALTERUS ZOWNG, manu propria.

Jacobus Hepburn, decanus.
 Marcus Ker, Precentor.
 Wilelmus Douglas, Cancellarius.
 Dauid Meldrum, Archidiaconus.
 Alexr. Arskin, Sub-decanus.
 Michael Walcar de Monythy.

Alexander Annand de Forgundyny.
 Thomas Broun de Inchmagranocht.
 Simon Young de Capeth.
 Jacobus Lauder de Fardischaw.
 Jacobus Lyn de Abberladie.
 Robertus Grahayne de Alycht.

47. LETTERS by CARDINAL ANTONIUS, Penitentiary of POPE PAUL III., to the Precentor, Archdeacon, and JOHN MELDRUM, Canon of Brechin. to confirm a Charter by WALTER ZOUNG, Chaplain of St. Michael of Dunkeld, to THOMAS LYNDESAY and MARGARET COCHRAN, of the lands of Wester Ballyngard. 21st September 1540.

ANTONIUS, miseratione diuina, titulo Sanctorum Quattuor Coronatorum, presbyter, cardinalis, discretis viris, precentori et archidiacono, ac Johanni Meldrum, canonico ecclesie Brechinensis, salutem in Domino: Hijs que pro ecclesiarum et aliorum beneficiorum ecclesiasticorum commodo et vtilitate prouide facta fuisse noscuntur, vt perpetuo firma et illibata persistent, Sedes Apostolica, cum ab ea petitur, libenter apostolicam mandat adlici firmitatem, exhibita, siquidem nobis nuper pro parte Thome Lyndesay, laici, et Margarete Cochran mulieris, coniugum, Sanctiandree vel alterius diocesis, petitio continebat quod alias Walterus Zoung, cappellanus cuiusdam beneficij altaris et cappellanie perpetue beati Michaelis Archangeli, nuncupati Dunkeldensis diocesis, de consensu venerabilis in Christo patris, domini Georgij Dei gratia episcopi et capituli ecclesie Dunkeldensis dicte cappellanie, patronorum ad id capitulariter congregatorum, vtilitate dicti Walteri et suorum in dicta cappellania successorum vndique preuisa et considerata, diligentique tractatu et matura deliberatione prehabitis pro politia regni Scotie et augmentatione rentalis dicte cappellanie, omnes et singulas terras de Wester Ballyngard nuncupatas, quas dictus Walterus tunc possidebat in baronia de Dunkel, infra vicecomitatum de Perth, cum suis pertinentiis, et forsitan alias iuxta suos confines consistentes ad dictam cappellaniem legitime pertinentes, ex quibus dictus Walterus et pro tempore existens cappellanus dicte cappellanie summam duarum librarum et decem solidorum monete in dicto regno cursum habentis, necnon vnam auenarum et

pro multura molendini de Tulypowry nuncupati ad dictam cappellaniam similiter pertinentis, alteram vero ordeï bollar, et vnum coldeich solitum, donarium nuncupatum, si peteretur, prius percipere consueuerat, dictis Thome et Margarite coniugibus, ac eorum alteri superuiuenti, in coniuncta infeudatione, et heredibus masculis inter eos legitime procreatis et procreandis, et illis deficientibus, seniori heredum feminearum inter eos procreatarum et procreandarum, et illis deficientibus, legitimis et propinquioribus heredibus masculis dicti Thome quibuscunque, ac illis similiter deficientibus, seniori heredum suarum feminearum cuicumque, absque diuisione predictarum terrarum; de Waltero et successoribus prefatis in feudifirma seu emphiteosi ac hereditate in perpetuum tenendas et habendas, per omnes rectas metas suas antiquas et diuisas, prout iacebant in longitudine et latitudine, cum omnibus et singulis libertatibus, commoditatibus, ac iustis pertinentiis, tam non nominatis quam nominatis, tam subtus terra quam supra terram, ad predictas terras spectantibus, seu iuste spectare valentibus quomodolibet in futurum, libere, quiete, integre, et pacifice, sine impedimento, reuocatione, aut contradictione aliquilibus, sub annuo canone siue censu trium librarum et decem solidorum dicte monete, necnon vnus ordeï et alterius bollarum auenarum, et vnus, si peteretur, coldeich, donarij nuncupati, hujusmodi valorem vnus libre sterlingorum insimul non excedentium, dicto Waltero, et pro tempore existenti cappellano dicte cappellanie, per Thomam et Margaritam, coniuges, et eorum alterum superuiuentem, ac heredes predictos pro vna, videlicet, in pentecostes, et alia medietatibus dicti annui canonis pecuniarij in Sancti Martini episcopi hyemalis festiuitatibus bollarum, vero et si peteretur, donarij hujusmodi censu, in terminis solitis, annis singulis, integre soluendo; quodque exponentes et heredes prefati, tres sectas ad tria placita capitalia per Walterum et successores predictos ad dictum altare cappellanos, aut suos balliuos super terris prefatis pro tempore tenentes, prestarent; ipsi vero Walterus et

successores, omnes et singulas terras cum pertinentijs hujusmodi, Thome et Margarete coniugibus, et eorum alteri superuiuenti, in dicta infeudatione, et heredibus prefatis, in omnibus et per omnia, forma pariter et effectū, vt premissum est, contra omnes mortales warantizare, acquietare, et in perpetuum defendere tenerentur, ac forsā, sub certis alijs pactis, legibus, et conditionibus tunc expressis, saluo dicte Sedis beneplacito, dedit, concessit, arrendauit, locauit, et in feudifirmam seu emphiteosin huiusmodi hereditarie dimisit, prout in eius charta aut alijs literis auctenticis desuper confectis plenius dicitur contineri : Cum autem, sicut eadem subiungebat petitio, datio, concessio, arrendatio, locatio, et dimissio hujusmodi in euidentem cesserint et cedant dicte cappellanie vtilitatem, cupiatque propterea dictus exponens illas pro earum subsistencia firmiori Apostolice confirmationis munimine roborari, supplicari fecerunt humiliter sibi super his per Sedem predictam de opportuno remedio misericorditer prouideri : Nos, igitur, de premissis certam notitiam non habentes, ac omnium et singularum terrarum et pertinentiarum huiusmodi situationes, confines, veros annuos valores, qualitates, quantitates, et circumstantias ac veriora vocabula, necnon charte seu litterarum predictarum aliorumque hic latius de necessitate exprimendorum tenores, presentibus pro plene et sufficienter expressis habentes ac attendentes, quod, in his in quibus ecclesiarum et aliorum beneficiorum ecclesiasticorum euidentis procuratur vtilitas, fauorabiles esse debemus atque benigni, auctoritate domini pape, cuius penitenciarie curam gerimus, et de eius speciali mandato super hoc viue vocis oraculo nobis facto, discretioni vestre committimus, et mandamus quatenus vos, vel duo vestrum coniunctim, procedentes, Waltero, necnon domino Georgio episcopo et capitulo predictis, et dicta ecclesia Dunkeldensi, per eiusdem Georgij episcopi cessum vel decessum, aut alias, ante presentium exequutionem, pastoris solatio destituta, dicto capitulo dumtaxat vocatis, de datione, concessione, arrendatione

locatione, et dimissione premissis, diligenter vos informetis, et si per informationem eandem quod ille in euidentem cappellanie predicte vtilitatem cesserint et cedant repereritis, super quibus conscientiam vestram oneramus, easdem dationem, concessionem, arrendationem, locationem, et dimissionem, ac, prout illas concernunt, omnia et singula in charta seu litteris predictis contenta et inde sequuta, quecunque licita tamen et honesta, apostolica auctoritate approbetis et confirmetis, eisque perpetue firmitatis robur adiciatis, ac ea valida et efficacia existere, suosque effectus sortiri et perpetuo inuiolabiliter obseruari, sicque per quoscunque iudices quauis auctoritate fungentes, sublata eis et eorum cuilibet quauis aliter iudicandi et interpretandi facultate et auctoritate, iudicari et diffiniri debere, et quicquid secus attemptari contigerit, irritum et inane decernatis, omnesque et singulos, tam iuris quam facti, defectus, si qui forsan interuenerint, in eisdem suppleatis, non obstantibus premissis ac felicis recordationis Pauli pape ij de rebus ecclesiasticis non alienandis, necnon quibusuis alijs apostolicis ac in prouincialibus et synodalibus concilijs editis, generalibus vel specialibus constitutionibus et ordinationibus, ac ecclesie Dunkeldensis et cappellanie predicte etiam iuramento confirmatione apostolica vel quauis firmitate alia roboratis, statutis et consuetudinibus, priuilegijs quoque indultis, et litteris apostolicis eisdem ecclesie et cappellanie, ac illorum superioribus et personis, sub quibuscunque tenoribus et formis, ac cum quibusuis etiam derogatoriis derogatorijs, alijsque efficacioribus et insolitis clausulis irritantibus, et alijs decretis etiam iteratis vicibus concessis, approbatis et innouatis; quibus omnibus tenores illorum, ac si de verbo ad verbum, nichil penitus omisso, insererentur presentibus pro sufficienter expressis, et formam in illis traditam pro in indiuiduo obseruata habentes, illis alias in suo robore permansuris, hac vice duntaxat specialiter et expresse derogamus, ceterisque contrariis quibuscunque: Volumus autem quod, quatenus ecclesia Dunkeldensis hujusmodi ante presentium exequ-

tionem vacauerit, ut prefertur, nichilominus vos vel duo vestrum ad premisorum exequutionem, etiam postquam eidem ecclesie de successore pronisum fuerit, procedere possitis, ac si arrendatio hujusmodi de dicti Georgij episcopi successoris consensu facta fuisset, seu ipse Georgius episcopus vsque ad dictam executionem supervixisset. Datum Rome, apud Sanctum Petrum, sub sigillo officij penitencie, xj Kalendas Octobris pontificatus Domini Pauli pape iij anno sexto.

48. LETTERS by CARDINAL ANTONIUS, Penitentiary of Pope Paul III., to the PRIOR OF PETTYNWEYM and others, to confirm a grant by ALEXANDER ERSKYN, sub-dean of Dunkeld, to ALEXANDER ABERCRUMMY of Murthlie, of the lands of Slogynhoile and Colrau and others. 4th October 1541.

ANTONIUS, miseratione diuina, titulo Sanctorum Quattuor Coronatorum, presbyter, cardinalis, discretis viris, priori monasterij de Pettyneweym, Sancti Andree diocesis, et decano Lesmorensis ac archidiacono Rossensis ecclesiarum, salutem in Domino: His que pro quarumlibet ecclesiarum presertim cathedralium ac aliorum beneficiorum ecclesiasticorum commodo et vtilitate prouide facta fuisse noseuntur, vt perpetuo firma et illibata persistent, Sedes Apostolica, cum ab ea petitur, libenter apostolicam mandat adiaci firmitatem, exhibita siquidem nobis nuper pro parte Alexandri Abercrummy de Murthlie, clerici vel laici dicte vel alterius diocesis, petitio continebat quod alias Alexander Erskyn, subdecanus ecclesie Dunkeldensis, cum consensu venerabilis in Christo patris, domini Georgii episcopi Dunkeldensis, nec non decani et canonicorum capituli dicte ecclesie Dunkeldensis ad id capitulariter congregatorum, eiusdem Alexandri subdecani ac suorum in subdecanatu dicte ecclesie Dunkeldensis successorum vtilitate vndique preuisa et pensata, diligentique tractatu et

matura deliberatione desuper prehabitis, pro augmento annui redditus dicti subdecanatus, et forsā ex nonnullis alijs rationabilibus causis, omnes et singulas terras de Slogynhoile et Colrau nuncupatas, et partem dicti subdecani de Murthlie maneriei ipsius Alexandri exponentis contigue adjacentem, vna cum vniuersis et singulis decimis tam rectorie quam vicarie earundem terrarum, cum suis pertinentijs, que eatenus ab eisdem terris et earum fructibus principalibus seu trunco minime separari solebant, vna cum piscatura earundem terrarum, Pot et Elmtre ac Lyne, super aqua de Taya situata, nec non pastura animalium in moro de Forne nuncupato, cum alijs necessarijs, que dictus Alexander, subdecanus, et predecessores sui, eorumque tenentes de dictis terris tunc habuerunt, et habere possent, aut saltem habere pretenderent, in dicto moro intra baroniam Dunkeldensem et vicecomitatum de Perth; et forsā alias iuxta suos confines consistentes, ad dictum subdecanatum legitime pertinentes, ex quibus dictus Alexander, et pro tempore existens subdecanus dicte ecclesie Dunkeldensis summam viginti vnius marcharum monete in regno Scotie cursum habentis, prius annuatim percipere consueuerat, dicto Alexandro exponenti, et heredibus suis masculis, de corpore suo legitime procreatis seu procreandis, et illis deficientibus, seniori heredum suarum feminearum absque diuisione; per eos de Alexandro subdecano et successoribus predictis, in feodifirma et hereditate in perpetuum tenendas et habendas, per omnes rectas metas suas nouas antiquas et diuisas, prout iacebant in longitudine et altitudine, ac domibus et edificijs, nec non cum omnibus et singulis alijs libertatibus et commoditatibus, et iustis pertinentijs suis quibuscunque, ad terras et decimas, tam rectorie quam vicarie, ac piscaturam et pasturam huiusmodi, spectantibus, seu iuste spectare valentibus quomodolibet, in futurum, libere, quiete, integre, pacifice, sine impedimento, reuocatione, aut obstaculo aliquolibus, sub annuo canone siue censu viginti quatuor marcharum similium, valorem annum trium librarum sterlingorum vel circa con-

stituentium, Alexandro subdecano et successoribus predictis, per Alexandrum exponentem et heredes prefatos pro vna, videlicet, in Penthecostes et alia medietatibus anni canonis siue census hujusmodi in Sancti Martini episcopi hiemalis festiuitatibus, annis singulis, integre persoluendo; quodque si contingeret Alexandrum exponentem aut heredes predictos eorum culpa in solutione dicti census deficere, sic quod vnus terminus in alterum incideret, aut per quindecim dies deponere tunc, eo casu, ipso facto, a jure infrascripte locationis caderent; prouiso itaque quod si etiam contingeret terras cum pertinentijs hujusmodi aut earundem aliquam partem per forisfacturam aut alias quouis modo Regie Maiestati adiudicari, voluit tunc idem Alexander subdecanus quod terre cum pertinentijs hujusmodi ad eum et successores predictos libere reuenterentur; insuper, quod Alexander exponens et heredes prefati in curijs eorundem Alexandri subdecani et successorum per eos in terris dicti subdecanatus singulis annis tenendis, cum ad easdem curias non tamen ultra tres per Alexandrum subdecanum et successores prefatos premoniti forent et residentiam intra baroniam de Murthlie facerent personaliter se exhiberent: ipsi vero Alexander subdecanus et successores, terras et decimas ac piscaturam et pasturam, cum pertinentijs, hujusmodi Alexandro exponenti et heredibus prefatis in omnibus et per omnia forma, pariter et effectum, ut premititur, contra omnes mortales waurantizare, acquietare, et in perpetuum defendere, respectiue tenerentur, ac forsitan sub certis alijs pactis, legibus, et conditionibus, declarationibus, et limitationibus tunc expressis, saluo dicte Sedis beneplacito, dedit, concessit, arrendauit, locauit, et in feudifirmam hujusmodi seu emphiteosim perpetuo hereditarie dimisit, prout in eius carta seu alijs literis auctenticis desuper confectis plenius dicitur contineri: Cum autem, sicut eadem subiungebat petitio, datio, concessio, arrendatio, locatio, et dimissio prefate in euidentem dicti subdecanatus vtilitatem cesserint et cedant, cupiatque propterea dictus exponens illas pro earum subsistentia

firmiter apostolice confirmationis munimine roborari, supplicari fecit humiliter sibi super his per Sedem predictam de opportuno remedio misericorditer prouideri: Nos, igitur, de premissis certam notitiam non habentes [ac] singularum terrarum et decimarum ac piscature et pasture cum pertinentijs hujusmodi situationes, confines, veros annuos valores, qualitates, quantitates, et circumstantias et veriora vocabula, nec non charte seu litterarum predictarum aliorumque hic latius et necessitate exprimendorum tenores, presentibus pro plene et sufficienter expressis habentes ac intendentes, quod in his in quibus singularum ecclesiarum et beneficiorum ecclesiasticorum euidentis procuratur utilitas, fauorabiles esse debemus atque benigni, auctoritate domini pape, cuius penitentiarie curam gerimus, et de eius speciali mandato super hoc viue vocis oraculo nobis facto, discretioni vestre committimus, et mandamus quatenus vos, vel duo vestrum, coniunctim, procedentes, vocato dicto Alexandro subdecano, et dicto subdecanatu per eius cessum vel decessum, aut alias quouismodo ante presentium exequutionem vacante, eius in dicto subdecanatu immediato successore, de datione, concessione, arrendatione, locatione et dimissione, ac alijs premissis, vt prefertur, factis, diligenter vos informetis; et si per informationem eandem quod ille in euidentem dicti subdecanatus utilitatem cesserint et cedant repereritis, super quibus vestram conscientiam oneramus, easdem dationem, concessionem, arrendationem, locationem, et dimissionem, ac prout illas concernunt, omnia et singula in charta seu litteris predictis contenta et inde sequuta, quecumque licita tamen et honesta, apostolica auctoritate approbetis et confirmetis, eisque perpetue firmitatis robur adiciatis, ac ea valida et efficacia existere, suosque effectus sortiri et perpetuo inuolabiliter obseruari, sicque per quoscunque iudices quauis auctoritate fungentes, sublata eis et eorum cuilibet quauis aliter iudicandi et interpretandi facultate et auctoritate, iudicari et diffiniri debere, et quicquid secus attentari contigerit, irritum et inane decernatis, omnesque et singulos, tam

juris quam facti, defectus, si qui forsan internenerint, in eisdem suppleatis, non obstantibus premissis, ac felicis recordationis Pauli pape ij de rebus ecclesiasticis non alienandis, nec non quibusvis aliis apostolicis ac in prouincialibus et synodalibus concilijs editis, generalibus vel specialibus constitutionibus et ordinationibus, ac ecclesie predicte etiam juramento aut confirmatione apostolica vel quauis firmitate alia roboratis, statutis et consuetudinibus, priuilegijs quoque indultis, et litteris apostolicis eisdem ecclesie et capitulo ac illorum superioribus et personis, sub quibuscunque tenoribus et formis, ac eum quibusvis etiam derogatoriis derogatoriis, aliisque efficacioribus et insolitis clausulis irritantibus, aliisque decretis etiam iteratis vicibus concessis, approbatis, et innouatis; quibus omnibus tenores illorum, ac si de verbo ad verbum, nihil penitus omisso, insererentur presentibus pro sufficienter expressis, et formam in illis traditam pro indiuiduo observata habentes, illis alias in suo robore permansuris, hac vice dumtaxat specialiter derogamus, ceterisque contrariis quibuscunque. Datum Rome, apud Sanctum Petrum, sub sigillo officii penitentiarie, iij nonas Octobris, pontificatus domini Pauli pape iij anno septimo.

49. LETTERS OF REGRESS by QUEEN MARY, in favour of WILLIAM STEWART, of the lands of Abirfaldy. 11th September 1545.

MARIA Dei gratia Regina Scotorum, vicecomiti et balliuis suis de Perth, salutem: Quia dilectus noster Willelmus Stewart, filius et heres apparens Thome Stewart de Garntuly, ac cessionarius et assignatus in et ad reuersionem pro redemptione terrarum subscriptarum, per suam supplicationem nostri consilij domini exposuit, quod quondam Alexander Stewart de Garntuly, eius auus, totas et integras terras de Abirfaldy, eum pertinentiis, jacentes infra baroniam de Garntuly et balliam vestram, quondam Patricio Buttir de Gormok sub

reuersione certas pecunie summas continente, vendidit et alienauit, veluti ipsa reuersio dicto quondam suo auo facta, et assignatio sibi Willelmo pro redemptione dictarum terrarum confecta, latius proportant, quarum virtute idem Willelmus, tanquam assignatus antedictus, prenominatas terras a Johanne Butter de Gormok, filio fratris seu nepote ex fratre et herede dicti quondam Patricij legitime redemit, qui easdem per dictum Willelmum legitime redemptas fore confessus est, ac totum ius, clameum, et titulum que ipse Johannes in et ad prescriptas terras habere poterit, renunciauit et extradonauit, prout autenticum instrumentum desuper captum et productum proportat, vti latius in dicta sua supplicatione continetur; vobis igitur ex dictorum dominorum deliberatione precipimus et mandamus quatenus prefato Willelmo Stewart, tanquam assignato suprascripto, vel suo certo actornato, latori presentium, sasinam predictarum terrarum, vt premittitur, redemptarum, cum suis pertinentiis, secundum tenorem dicte reuersionis, assignationis, instrumenti et regressus antedictorum iuste haberi faciatis, et sine dilatione, et hoc nullo modo omittatis. Datum sub testimonio nostri magni sigilli, apud Sanctum-andream, vndecimo die mensis Septembris, anno Domini millesimo quingentesimo quadragésimo quinto, et regni nostri tertio.

Ex deliberatione Dominorum consilij etc.

50. PROCURATORY OF RESIGNATION by WILLIAM STEWART, son of THOMAS STEWART of Garrntulye, of the lands of Abirfaldy. 13th December 1545.

VNIUERSIS et singulis pateat per presentes me Willelmum Stewart, filium et heredem apparentem honorabilis viri, Thome Stewart de Garrntulye, fecisse, constituisse, nominasse, et ordinasse, necnon tenore presentium facere, nominare, constituere, et ordinare honorabiles viros et predilectos meos, Johannem

Hammiltone de Woidhall et Archibaldo Hammiltone, et eorum quemlibet insolidum, coniunctim et diuisim, meos veros legitimos, indubitatos, et irrenocabiles procuratores, actores, factores, negotiorumque meorum gestores, dantem et concedentem dictis meis procuratoribus, et eorum cuilibet, coniunctim et diuisim, meam veram, legitimam et omnimodam potestatem, ac mandatum speciale et generale, ad comparandum coram serenissima principissa, Maria Dei gracia Scotorum Regina, ac potentissimo et metuendissimo Jacobo Arranie comite, domino Hammiltoun, etc., eius protectore et gubernatore, et ibidem omni cum subiectione et famulatu, nomine meo, ad sursum reddendum pureque et simpliciter, per fustim et baculum in manibus dicti gubernatoris, tamquam in manibus sue serenissime maiestatis et domine superioris eiusdem, omnes et singulas terras meas de Abirfaldy, cum pertinentijs, iacentes infra baroniam de Garrintulye et vicecomitatum de Perth, pro coniuncta infeodatione mihi fienda et Margarete Abircrummy, sponse mee, heredibus masculis et tallie inter nos legitime procreatis seu procreandis, quibus forte deficientibus, heredibus meis masculis et tallie quibuscunque; saluo tamen quod huiusmodi resignatio et coniuncta infeodatio de nouo mihi et Margarete dicte, mee sponse, et heredibus, vt supra, non sit lesio, ruptio, aut quouismodo preiudicium dicte baronie et carte tallie alias desuper confecte et leuate, sed quod remanebunt dicte terre de Abirfaldy cum predicta baronia de Garrintulye, tamquam pars et pendicula eiusdem, ab eadem minime diuisa et separata, et quod seruitium supreme domine nostre Regine predictae, debitum et consuetum, stabit et sufficiens erit pro tota et integra baronia predicta, et non alias, neque alio modo: Et generaliter omnia alia et singula faciendum, dicendum, gerendum, et exercendum, que, in premissis et circa ea, necessaria fuerint, seu quomolibet oportuna, et que egomet facerem si presens personaliter interessem: Ratum et gratum, firmum, atque stabile, habentem et habiturum id totum et quicquid dicti mei procuratores, aut eorum aliquis, coniunctim et diuisim,

nomine meo in premissis iuste et rite duxerint seu duxerit faciendum, sub hypotheca et obligatione omnium bonorum meorum, mobilium et immobilium, presentium et futurorum. In cuius rei testimonium sigillum meum, vna cum mea subscriptione manuali, presentibus est appensum, apud Dunkeld, decimo tertio die mensis Decembris, anno Domini millesimo quingentesimo quadragésimo quinto, coram hiis testibus.

WILLIAM STEWART, wytht my hand.

51. CHARTER by QUEEN MARY, in favour of WILLIAM STEWART and MARGARET ABIRCROMMY, his spouse, of the lands of Abirfauld. 2d January 1545.

MARIA Dei gracia Regina Scotorum, omnibus probis hominibus totius terre sue, clericis et laicis, salutem : Sciatis nos cum auisamento, auctoritate et consensu charissimi consanguinei ac tutoris nostri, Jacobi Aranie comitis, Domini Hammiltoun, regni nostri protectoris et gubernatoris, dedisse, concessisse, et hac presenti carta nostra confirmasse dilectis nostris Willelmo Stewart, filio et heredi apparenti Thome Stewart de Garntulie, et Margarete Abircrommy, eius conjugi, et eorum alteri diucius viventi, et heredibus suis subscriptis, totas et integras terras de Abirfauld, cum pertinentijs, jacentes infra baroniam de Garntulie et vicecomitatum nostrum de Perth, que prefato Willelmo proprius hereditarie pertinuerunt, et quas idem, per fustem et baculum et procuratores suos nomine suo in manibus prefati nostri tutoris et gubernatoris, tanquam in manibus nostris, apud Sanctumandream, secundo die mensis Januarij instantis, sursum reddidit, pureque et simpliciter resignavit : Tenendas et habendas totas et integras prefatas terras de Abirfauld, cum suis pertinentijs, dictis Willelmo et Margarete, eius conjugi, et eorum alteri diucius viventi, in coniuncta infeodatione, et heredibus masculis inter ipsos legitime procreatis

seu procreandis, quibus deficientibus, legitimis et propinquioribus heredibus masculis dicti Willelmi quibuscunque, de nobis et successoribus nostris, in feodo et hereditate imperpetuum, absque lesione seu preiudicio carte tallie terrarum et baronie de Garntulie, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine, in boscis, planis, moris, marresijs, vijs, semitis, aquis, stagnis, riuulis, pratis, pascuis et pasturis, molen-
dinis, multuris et eorum sequelis, aucupationibus, venationibus, piscationibus, petarijs, turbarijs, carbonarijs, lignis, lapicidijs, lapide et calce, fabrilibus, brasinis, brueriis et genestis, cum curiis et earum exitibus, herezeldis et mulierum marchetis, cum communi pastura, libero introitu et exitu, ac cum omnibus alijs et singulis libertatibus, commoditatibus, proficuis et asiamentis, ac iustis pertinentijs suis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, procul et prope, ad predictas terras cum pertinentijs spectantibus, seu iuste spectare valentibus quomodolibet in futurum, adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sicut prefatus Willelmus vel predecessores sui predictas terras, cum pertinentijs, ante prefatam resignationem inde factam, liberius tenuit seu possedit, tenuerunt seu possederunt : Faciendo inde annuatim dicti Willelmus et Margareta, eius coniux, et eorum alter diucius viuens, et heredes sui superscripti, nobis et nostris successoribus, jura et seruicia de dictis terris cum pertinentiis, nobis et predecessoribus nostris, ante prefatam resignationem, debita et consueta. In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus, dilecto nostro consanguineo Dauide, cardinali Sanctiandree, etc., cancellario nostro, reuerendissimo in Christo patre, Gawino archiepiscopo Glasguense, etc., dilectis nostris consanguineis, Archibaldo comite Ergadie, domino Campbell et Lorne, etc., Malcolmo domino Flemyng, magno camerario nostro, venerabili in Christo patre, Johanne abbate monasterij nostri de Pasleto, thesaurario nostro, dilectis nos-

tris familiaribus, magistris Jacobo Foulis de Colintoun, nostrorum rotulorum registri ac consilij clerico, et Thoma Bellenden de Auchnoule, nostre justiciarie clerico, apud Sanctumandream, secundo die mensis Januarij, anno Domini millesimo quingentesimo quadragesimo quinto, et regni nostri quarto.

52. CHARTER by QUEEN MARY, in favour of WILLIAM STEWART, son and heir-apparent of THOMAS STEWART, of the lands of Grantulle. 14th May 1546.

MARIA Dei gracia Regina Scotorum, omnibus probis hominibus totius terre sue, clericis et laicis, salutem : Sciatis nos, cum auisamento, auctoritate, et consensu charissimi consanguinei et tutoris nostri Jacobi Aranie comitis, domini Hammiltoun, regni nostri protectoris et gubernatoris, dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto nostro Willelmo Stewart, filio et heredi apparenti Thome Stewart de Grantulle, et heredibus suis masculis subscriptis, totas et integras terras de Grantulle, jacentes infra Appin de Dull et vicecomitatum nostrum de Perth, exceptis terris de Abirfauldy cum suis pertinentijs, in quibus prefatus Willelmus Stewart et Margareta Abircrummy eius sponsa perprius infeodati et sasiti hereditarie existunt; quiquidem tote et integre prefate terre de Grantulle, cum suis pertinentijs, exceptis prius exceptis, fuerunt dicti Thome Stewart perprius hereditarie, et quas idem per fustem et baculum, et procuratores suos ad hoc legitime constitutos, et literas suas patentes, in manibus dicti nostri gubernatoris, tanquam in manibus nostris, specialem ex nobis potestatem ad hoc habentis, apud Edinburgh, sursum reddidit, pureque et simpliciter resignavit, ac, totum jus et clameum que in eisdem habuit seu habere potuit, pro se et heredibus suis, omnino quieteclamavit imperpetuum : Tenendas et habendas omnes et singulas prenominatas terras de Grantulle, cum pertinentijs, exceptis prius

exceptis, dicto Willelmo Stewart, heredibus suis masculis, secundum formam et tenorem carte tallie et infeodationis, per nobilissimum quondam patrem nostrum bone memorie, cuius anime propicietur Deus, in sua perfecta etate, memorato Thome Stewart, de predictis terris de Grantulle, exceptis prius exceptis, confecte, de nobis et successoribus nostris in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine, in domibus, edificijs, bondis, campis, pascuis, et pasturis etc., cum communi pastura, libero introitu et exitu, etc., molendinis, multuris et eorum sequelis, aucupationibus, venationibus, piscationibus, petarijs, turbarijs, carbonarijs, lignis, lapicidijs, lapide et calce, fabrilibus, brasinijs, bruerijs et genestis, cum curijs et earum exitibus, herezeldis, bludewitis et mulierum marchetis, etc., ac cum omnibus alijs et singulis libertatibus, commoditatibus, proficuis et asiamentis, ac iustis pertinentijs suis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, procul et prope, ad predictas terras cum pertinentijs spectantibus, seu iuste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, et adeo libere sicut predictus Thomas Stewart prefatas terras, ante predictam resignationem nobis inde factam, prius tenuit seu possedit: Faciendo inde annuatim prefatus Willelmus Stewart et heredes sui masculi antedicti nobis et successoribus nostris jura et seruitia de dictis terris cum suis pertinentiis ante prefatam resignationem prius debita et consueta; saluo nichilominus et reseruato libero tenemento totarum et integrarum prenominarum terrarum de Grantulle, cum suis pertinentiis, exceptis prius exceptis, dicto Thome Stewart, pro omnibus diebus vite sue, acceciam vitali reddito terrarum de Tulocherosc et Pettoquharne, cum omnibus et singulis suis iustis pertinentijs, vnacum rationabili terciā totius et integri residui dictarum terrarum de Grantulle, cum suis pertinentijs, exceptis prius exceptis, Margarete Murray, sue sponse, pro omnibus diebus

vite sue post ipsius Thome decessum, cum contigerit, et eadem per decessum deficiente, alicui alie sue sponse legitime que pro tempore fuerit, qua vna rationabili tertia prescriptarum terrarum de Grantulle, cum suis pertinentijs, exceptis prius exceptis, post dicti Thome decessum gaudebit; prouiso tamen quod hujusmodi resignatio et presens nostra infeodatio desuper fienda nulla erunt lesio seu preiudicium prefate carte tallie et infeodationis, per dictum quondam nobilissimum patrem nostrum memorato Thome et heredibus suis masculis, ex prefatis terris facte, sed potius eandem fortificabunt, supplebunt, et corroborabunt, secundum tenorem eiusdem. In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus, dilecto nostro consanguineo, Dauide cardinali Sanctiandree, etc., cancellario nostro, reuerendissimo in Christo patre, Gawino archiepiscopo Glasguense, etc., dilectis nostris consanguineis, Archibaldo comite Ergadie, domino Campbell et Lorne, etc., Malcolmmo domino Flemyng, magno camerario nostro, venerabili in Christo patre, Johanne abbate monasterij nostri de Pasleto, thesaurario nostro, dilectis familiaribus nostris, magistris Jacobo Foulis de Colintoun, nostrorum rotulorum registri ac concilij clerico, et Thoma Bellenden de Auchnoule, nostre justiciarie clerico, apud Edinburgh, decimo quarto die mensis Maij, anno Domini millesimo quingentesimo quadragesimo sexto, et regni nostri quarto.

53. CHARTER by QUEEN MARY, in favour of WILLIAM STEWART of Grantuly, and ISOBELLA STEWART, his spouse, of the lands of Abirfeldy. 22d April 1552.

MARIA Dei gratia Regina Scotorum, omnibus probis hominibus totius terre sue, clericis et laicis, salutem: Sciatis nos, cum auisamento, consensu, et auctoritate charissimi nostri consanguinei et tutoris, Jacobi ducis de Chattellarault

Arranie comitis, domini Hammiltoun, regni nostri protectoris et gubernatoris, dedisse, concessisse, et hac presenti carta nostra confirmasse dilectis nostris Willelmo Stewart, filio et heredi apparenti Thome Stewart de Grantuly, ac Isobelle Stewart eius coniugi, eorumque alteri diutius viuenti, in coniuncta infeodatione, et heredibus suis subscriptis, hereditarie, totas et integras terras de Abirfeldy, cum domibus, edificiis, molendinis, terris molendinariis, piscariis, lacubus, *lie outsettis*, et pendiculis earundem, ac suis pertinentiis, jacentes infra vicecomitatum nostrum de Perth : quequidem terre de Abirfeldy, cum domibus, edificiis, molendinis, terris molendinariis, piscariis, lacubus, *lie outsettis*, siluis, et pendiculis earundem, ac omnibus suis pertinentiis, fuerunt dicti Willelmi perprius hereditarie, et quas idem, per fustem et baculum et procuratores suos ad hoc legitime constitutos, et literas suas patentes, in manibus dicti nostri gubernatoris, tanquam in manibus nostris, nostras potestatem et auctoritatem virtute sui officii tutoris resignationes terrarum de nobis immediate tentarum recipiendi habentis, apud Striueling sursum reddidit, pureque et simpliciter resignauit, ac totum ius et clameum que in eisdem habuit seu habere potuit, pro se et heredibus suis omnino quieteclamauit imperpetuum : Tenendas et habendas totas et integras prenominate terras de Abirfeldy, cum domibus, edificiis, molendinis, terris molendinariis, piscariis, lacubus, *lie outsettis*, siluis, et pendiculis earundem, ac suis pertinentiis, dictis Willelmo Stewart et Isobelle Stewart, eius coniugi, eorumque alteri diutius viuenti, in coniuncta infeodatione, ac heredibus masculis inter ipsos legitime procreatis seu procreandis, quibus deficientibus, heredibus et assignatis masculis dicti Willelmi quibuscunque, de nobis et successoribus nostris in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine, in boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, riuulis, pratis, pascuis, et pasturis, molendinis, multuris et eorum sequelis, aucupationibus, venationibus, piscationibus, petariis, turbariis,

carbonariis, lignis, lapicidiis, lapide et calce, fabrilibus, brasinis, brueriis et genestis, cum curiis et earum exitibus, herezeldis, et mulierum marchetis, cum communi pastura, libero introitu et exitu, ac cum omnibus aliis et singulis libertatibus, commoditatibus, proficuis et asiamentis, ac justis suis pertinentiis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, procul et prope, ad predictas terras cum pertinentiis spectantibus, seu iuste spectare valentibus quomodolibet in futurum, adeo libere et quiete, plenarie, integre, honorifice, bene et pace, in omnibus et per omnia, sicut dictus Willelmus aut predecessores sui, dictas terras cum domibus, edificiis, molendinis, terris molendinariis, piscariis, lacubus, *lie outsettis*, siluis, et pendiculis earundem, ac suis pertinentiis, ante prefatam resignationem nobis inde factam, liberius tenuit seu possedit, tenuerunt seu possiderunt: Reddendo inde annuatim dicti Willelmus Stewart et Isobella Stewart, ac heredes sui et assignati suprascripti, nobis et successoribus nostris iura et seruicia de dictis terris de Abirfeldye, cum domibus, edificiis, molendinis, terris molendinariis, piscariis, lacubus, *lie outsettis*, siluis et pendiculis earundem, ac suis pertinentiis, ante prefatam resignationem nobis inde factam, debita et consueta. In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus, reuerendissimo in Christo patre, Johanne archiepiscopo Sanctiandree, etc., thesaurario nostro, dilectis nostris consanguineis Georgio comite de Huntlie ac Morauie, domino Gordoun et Badzenauch, cancellario nostro, Archibaldo comite Ergadie, domino Campbell et Lorne, etc., Willelmo domino Ruthuen, nostri secreti sigilli custode, dilectis nostris familiaribus, magistris Thoma Marioribankis de Ratho, nostrorum rotulorum registri ac consilij clerico, Johanne Bellenden de Auchnoule, nostre iusticie clerico, et Alexandro Levyngstoun de Donypace, nostre cancellarie direttore, apud Striueling, vicesimo secundo die mensis Aprilis, anno Domini millesimo quingentesimo quinquagesimo secundo, et regni nostri decimo.

54. CHARTER by ROBERT, BISHOP OF DUNKELD, with consent of his Chapter, in favour of ALEXANDER ABERCRUMBIE of that Ilk, of the lands of Easter Inschewins or Dalpowie, with the fishing in the Garthpuile, etc. 13th and 16th January 1584.

OMNIBUS hanc cartam visuris vel auditoris, Robertus miseratione diuina Dunkeldensis episcopus, salutem in omnium Salvatore: Quum ex vtriusque juris sanctione, et serenissimorum Scotiæ principum statutis in reipublicæ et regni commodum editis, cautum existit, et terras et possessiones tam ecclesiasticorum quam secularium eiusdem, in emphiteosim seu feudifirmam assedandas et locandas fore, quo per prudentium virorum curam et industriam, terre steriles colantur, meliorentur, et ad vberiore fertilitatis cultum producantur: Noueritis, igitur, nos, cum expressis consensu et assensu decani capituli et canonicorum ecclesie cathedralis Dunkeldensis, diligentibus tractatibus et maturis deliberacionibus prehabitis, in euidentem vtilitatem dicte nostre ecclesie, nostrorum successorum, et annuam augmentationem nostri rentalis, necnon pro certis magnis pecuniarum summis, nobis per honorabilem virum, Alexandrum Abercumbie de eodem, in pecunia numerata persolutis, ac in vsum nostrum totaliter conuersis, de quibus tenemus nos bene contentos, ac plenarie et integre persolutos, dictumque Alexandrum, heredes suos et assignatos, de eisdem quietos inde clamamus et exoneramus, tenore presentis carte nostre, imperpetuum, dedisse, concessisse, arrendasse, locasse, et ad feudifirmam seu emphiteosim hereditarie dimisisse, et hac presenti carta nostra confirmasse, necnon dare, concedere, assedare, arrendare, locare, et ad feudifirmam seu emphiteosim hereditarie dimittere, et hac presenti carta nostra confirmare predicto Alexandro Abercumbie de eodem, et heredibus suis quibuscumque, totas et integras terras nostras de Eister Inschewin, alias Dalpowie, cum pis-

caria in aqua de Taya in *lie Garthpuile* et *Trourquheis*, cum nemore in Birnen, vocato *lie Reinge*, cum multuris earundem terrarum, et cum communi pastura, libero introitu et exitu solitis et consuetis, et cum omnibus aliis et singulis suis pendiculis, proficuis, et pertinenciis, jacentes in dominio siue baronia de Dunkeld, infra vicecomitatum de Perth: Tenendas et habendas totas et integras prefatas terras de Eister Inschewin alias Dalpowie, cum piscaria, nemore, multuris, ac cum communi pastura, liberoque introitu et exitu predictis, ac omnibus et singulis suis pendiculis, proficuis, et pertinenciis, predicto Alexandro Abercumbie de eodem, et heredibus suis quibuscunque, de nobis et successoribus nostris, Dunkeldensibus episcopis, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas . . . bene et in pace, sicut aliquæ terre, piscarie, nemora, multure, communes pasture et alia suprascripta alicuj in feudifirma seu emphiteosi infra regnum Scotie, per quemcunque dantur, conceduntur, dimittuntur, seu quouismodo possidentur, sine aliqua reuocacione, contradictione, impedimento, aut obstaculo quocunque: Reddendo inde annuatim dictus Alexander Abercumbie de eodem, et heredes sui predicti nobis et successoribus nostris, Dunkeldensibus episcopis, pro predictis terris de Eister Inschewin, alias Dalpowie, cum piscaria, nemore, multuris, cum communi pastura, libero introitu et exitu, ac cum omnibus et singulis suis pendiculis, proficuis, et pertinenciis eiusdem, summam quatuor librarum monete Scotie, ad duos anni terminos consuetos, festa, videlicet, Penthecostes, et Sancti Martini in hieme, per equales portiones, tanquam antiquam firmam pro prefatis terris de Eister Inschewin, alias Dalpowie, cum piscaria, nemore, multuris, cum communi pastura, libero introitu et exitu, cum omnibus suis pendiculis, proficuis et pertinencijs eiusdem, solui solitis et consuetis; necnon summam sex solidorum et octo denariorum, usualis monete predictæ, in annuam augmentationem nostri rentalis plusquam vnquam prefate terre, piscaria, nemus, multure, communis

pastura, et alia prescripta, cum pendiculis, proficuis, et pertinencijs predictis, nobis aut predicesoribus nostris, Dunkeldensibus episcopis, prius persoluerunt seu dederunt, ad dictos duos terminos soluendo, nomine feudifirme; necnon heredes dicti Alexandri duplicando dictas firmas feudifirme, primo anno introitus cuiuslibet heredis ad huiusmodi terras, piscariam, nemus, multuras, communem pasturam, liberumque introitum et exitum, pendicula, proficua et pertinencia prescripta, nobis et successoribus nostris, Dunkeldensibus episcopis, pro feudefirma et deuorij illius anni dumtaxat, vt vsus est, persoluent, acetiam prestando tres sectas ad tres curias capitales baronie nostre Dunkeldensis, cum premoniti fuerint, tantum pro omni alio onere, exactione, questione, demanda seu seruicio seculari, que de predictis terris, piscaria, nemore, multuris, communi pastura, libero introitu et exitu, cum pendiculis, proficuis et pertinenciis earundem, per quoscunque iuste exigere poterint quomodolibet vel requiri: Et nos vero prefatus Robertus Dunkeldensis episcopus, et successores nostri, Dunkeldenses episcopi, totas et integras predictas terras de Inshewin, alias Dalpowie, cum piscaria, nemore, multuris, communi pastura, libero introitu et exitu, cum pendiculis, proficuis et pertinencijs prescriptis prefato Alexandro Abercrombie et heredibus suis predictis, adeo libere et quiete, in omnibus et per omnia, forma pariter et effectu, vt premissum est, cum consensu predicto, contra omnes mortales warrantizabimus, acquietabimus, et in perpetuum defendemus: Insuper dilectis nostris, Joanni Irland de Burnbane,

ac vestrum cuiuslibet, coniunctim et diuisim, balliuis nostris in hac parte specialiter constitutis, salutem: Vobis precipimus et mandamus quatenus, visis presentibus, indilate statum, sasinam hereditariam pariter, et possessionem realem, actualem, et corporalem totarum et integrarum prefatarum terrarum de Inshewin, alias Dalpowie, cum piscaria, nemore, multuris, communi pastura, libero introitu et exitu, pendiculis, proficuis et pertinencijs pre-

scriptis, predicto Alexandro Abercrombie de eodem, vel suo certo attornato, latori presentium, per terre et lapidis fundi earundem, vt moris est, traditioneni, secundum tenorem antedecte nostre carte, iuste haberi faciatis, tradatis, et deliberetis; et hoc nullo modo omittatis: Ad quod faciendum, vobis et vestrum cuilibet, coniunctim et diuisim, balliuis nostris in hac parte antedictis, nostram plenariam et irreuocabilem, tenore presencium, committimus potestatem. In cuius rei testimonium, presentibus, manu nostra et manibus canonicorum dicti nostri capituli subscriptis, sigillum nostrum, una cum sigillo communi dicti nostri capituli, sunt appensa, apud Edinburght et Dunkeld respectiue decimo tertio et decimo sexto diebus mensis Januarij, anno Domini millesimo quingentesimo octuagesimo quarto.

RoF DUNKELDEN.

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|--------------------------------------------------------------|-----------------------------------------------|
| Mr. THOMAS ROBERTSONE, persone off
Monydie. | Mr. RICHART HALDEN, subdecanus. |
| Mr. GUILIELMUS EDMONSTOUN, cancel-
larius. | GEORGE HERING, prebandar of For-
goundyne. |
| Mr. GUILIELMUS GLAS, Thesaurarius. | Mr. JO. BARTAN, decanus, Dunkeld-
ensis. |
| Mr. JACOBUS LAUDER, prebendarius de
Fardischaw, &c. | Mr. DAUID SPENS, Archidiaconus. |
| JAMES RUTHUEN, Chauntour. | Mr. JOHN LYNDESAY, person of Men-
muir. |
| JOHN LINDSAY, Prebender of Mucarsie. | Mr. DAUID MAKEGILL of Fongarth. |
| WILLZAME BANERMANE, prebender of
Crage. | ROBERT SINCLAR, vicar of Aberladie. |
| WILLIAM DRUMMOND, prebendarius de
Kreiff, precentor, etc. | Mr. ANDRO ABIRCUMBY, Subchantor. |
| | THOMAS CRUIKSCHANK, parson of Lun-
deiffe. |

55. BOND of MANRENT by ARCHIBALD SEVENTH EARL of ARGYLL to SIR THOMAS STEWART of Grandtully, Knight. 5th April 1603.

BE it kend till all men be thir present lettres, Ws, Archibald Erle of Argyle, Lord Campbell and Lorne, Justice-Generall of this realme of Scotland, to be bundin and obleist, and, be the tennor heirof, faithfullie bindis and oblissis us, to the richt honorabill and our veilbelouit cousing Sir Thomas Stewart of Grantully, Knyght, as followis, to wit, That we, our kyne, freindis, servandis, and pairtakeris sall fortife, maintene, and defend the said Sir Thomas Stewart, his kyne, freindis, men, tennentis, and servandis, in thair bodies, landis, possessionis, guidis, and gere, and sall tak trew and efauld pairt with thame in all thair actionis, causs, quarrellis and debaittis movit or to be movit be thame, or aganis thame, be quhatsumeuer or contrair quhatsumeuer persoun or personis, our souerane Lord and his Hienes' autoritie onlie exceptit; and to this effect we, with our freindis, servandis and forces, att all tymes neidfull, sall repaire and cum to the said Sir Thomas his landis and possessionis for his support and defence fairsaid, and sall nather heir nor sie his skaith, hurt nor harme in his persoun, possessionis, guidis, nor gere, bot sall stop and lat the samyn, at our vtter power, and sall giff him our trew and efauld counsall in all his business and effairis, our said Souerane Lord and his Hienes' autoritie alwayis exceptit, as said is, promittand faithfullie neuer to cum in the contrair heirof be our selff, nor nane vtheris in our name, directlie nor indirectlie, in ony tyme cuming. In wites heirof thir presentis, writtin be Mr. James Gaw, sone lafull to Thomas Gaw, burges of Perth, we haue subscriuit the samyn with our awin hand, at Caningait, the fyft day of Aprile, the zeir of God j^m sex hundreth and thrie zeiris, befoire thir witness, Coleu Campbell of Lundie, William Douglas, master stabler to the Prince, James Doug las, seruitour to the

said Erle, Robert Seytoun, vicar of Tucht, Mr. William Merser, burges of Perth.

Colin Campbell of Lundie, vitnes.

Williame Dowglas, vitnes.

James Douglas, vitnes.

Robert Setoun, vitnes.

W^m Merser, witness.

56. OBLIGATION by ROBERT GRyce, Groom of the Privy Chamber of KING JAMES VI., to Sir WILLIAM STEWART, apparent of Grantully, for payment of £20 sterling. 30th December 1603.

BE it knowen to all men be these presentis, Me, Robert Gryce, Esq^r one of the groomes of his Maiestie's priuie chalmer, to be bundin and obleist, and, be the tennour heirof, bindis and obllis me, my aires, and assignais, that, when, as it sall pleis the Almightye God, the right heigh and mightie Prince James, be the grace of God King of England, Scotland, France, and Ireland, sal happin to be in his Highnes' palice or park of Falkland, I shall, within forty-eight hours immediatlie thereafter, mak pament to the right honorabill Sir William Stewart, appearand of Grantully, gentilman of his Maiestie's priuie chalmer, off the sowme of twenty pundis, lauchtfull money of England, and incais of failzie I am content and consentis that this present band and obligatioune be registrat in the buikis of Counsale and Sessioune, and lettres of horning, poynding, and warding be direct heirupone, vpoun ane symple charge of thrie dayes allanerlie, and for registring heirof makis and constitutis

my procuratouris, coniunctlie and seueralie, *in vberiori forma promittens de rato, etc.* In witnes quhairof I haue subscriuit this present with my hand, at Hamptoun court, the penult of December, the zeir of God

j^m vj^c and thrie zeirs, befor thir witness, James Steuart, Robert Maxwell, and
Mr. Francis Bothuell. Ro. LE GRYS.

James Steuart, witness.

Robert Maxwell, wittness.

Mr. F. Boithuell, vitnesse.

57. LICENCE from the BAILIES, COUNCIL and COMMUNITY of DUNKELD to Sir
WILLIAM STEUART of Banchrie, Knight, to build a house in the Com-
mon Gate of Dunkeld. 12th March 1606.

WE, Bailleis, Counsell and Citineris of Dunkeld, be thir presenttis granttis and
gewis libertie and licence to ane honorabill mane Schir William Steuartt of
Banchrie, Knicht, gentillmane in his Maiesteis privie chalmer, to big and
edefie ane hous and dyk vpoun that pairt of the Commone Gait of the said
citie of Dunkeld betuixt the tenement of Sanct
altar on the eist, the kirkzeaird dyk of Dunkeld on the northe, the vynd
passand directlie fra the kirk portche of Dunkeld to the auld brig on the
west, and the said Schir William his awin tenement callit the Manis of Ferne
on the sowithe ; prowying alvyis that at quhat tym the said Kathedrall kirk
of Dunkeld beis sufficientlie reparit, and the kirkzeaird dyk therof beis bigit
and vphaulden in all pairtis as effeiris, thane, and in that caise, and na vther-
wys, the said Schir William salbe haulden at the sicht and discretioun of the
balzeis, counsell, and citineris of the said citie, to mak the said Commone Gait
frie and red of the foirsaid biging, vpoun the premonitioun of thrie seoir dayis.
In witnessing of the quhilk thing thir presenttis, wretten be Andro Burt,
seruitour to the said Schir William, we haue subscriuit with our haindis, as
followis, at Dunkeld, the tuelf day of Merche, in the zeir of God, j^m sex hun-
dretre and sex zeiris, befor thir witness, Jhone Zoung, portionair of Fingorth,

Alexander Adamesoune, seruitour to James Erle of Athoill, Jhone Glas, lauchfull sone to Mr William Glas, minister at Dunkeld, James Fowlis thair, James Robertstone, officer thair, Williame Fyff and Thomas Merschell, notaris.

Mr. Ja ^s Steuart, Comisser, consents.	Maister Walter Stewart, bailzie, consents.
Mr. William Glas, consents.	Williame Fyff, bailzie, consents.
Jhone Ross, consenttis.	Johne Merschell, bailze, consents.
Patrick Forbes, consents.	Robert Makraithe, ane of the Counsall, consents.
Jhone Cwnisane, consents.	Jhone Ambros, messenger, consents.
Thomas Rogertoun, consents.	James Reid, consents.
	Patrk Toschiche, consentes.
	Duncane Gilbert, consents.

Dauid M^cCondoquhy, Thomas Merteine, Thomas Bennett, Alex^r. Gloge, W^m Reid, smyth, Johne Litilihone, Thomas Tailzeour, Johne Robertstone, Joⁿ Cowper, Dauid Strachane, Williame Millain, Mathow Abercromby, and Robert Baxter forsaidis consentis with our handis on the pen, led of the notair publict and commone clark of the towne of Dunkeld wnderwrittin, becaus we can not wreit.

Ita est, Thomas Merschell, notarius publicus admissus ac scriba curie Dunkeldensis, de mandato dictarum personarum consentium scribere necessarium, vt assuerunt, in fidem ad hec requisitus, teste manu propria.

58. BOND OF MANRENT by ARCHIBALD SEVENTH EARL OF ARGYLL to
Sir WILLIAM STEWART, fiar of Grantully. 13th June 1610.

BE it kend to all men be thir present letteris, Ws, Archibald Erll of Argyll, Lord Campbell and Lorne, Justice Generall of this realme of Scotland, to be

bundin and obleist, and, be the tennour heirop, faithfullie bindis and obliis ws to the richt honorabill and our veilbelouit cousing Sir William Stewartt, feare of Granttully, gentill mane of his Maiesteis moist honorabill privie chalmere, as follouis, to wit that we, our kyne, freindis, servandis and pairtakeris, sall fortefe, manteyne and defend the said Sir William Stewartt, his kyne, freindis, men, tennenttis, and servanttis, in thair bodeis, laindis, possessionis, guidis, or geir, and sall tak trew and afauld pairtt with them in all thair actionis, causs, qwerrellis and debaittis, moiwit, or to be moiwitt be them, or aganis them, be quhatsumeuer, or contrair quhatsumeuer persone or personis, our souerane Lord, and his Hienes' autoritie only exceptit, and to this effect, we, withe our freindis, servandis and forcis, at all tymis neidfull, sall repair and cum to the said Sir William his laindis, and possessionis, for his support and defence foirsaid, and sall nether heir, nor sie, his skeathe, hurtt, nor harme, in his persone, possessionis, guidis nor geir, bot sall stoipe and latt the samyne, at our vtter pouer, and sall gif him our trew and afauld counsell in all his bisenes and effairis, our said soverane Lord and his Hienes' autoritie alvyis exceptit, as said is, promittand faithfullie neuer to cum in the contrair heirop be our self, nor na vtheris in our name, directlie nor indirectlie, in any tym cuming. In witness heirop thir presentis, wretten be Andro Burt, zounger, seruitour to the said Sir William, we haiwe subscriuit the samyne with our hand, att Striviling, the threttene day off Jwnij, the zeir of God ane thowsand sex hundrethe and ten zeiris, befor thir witness, Colene Campbell of Lundie, our brother germane, Colene Campbell of Abirvrquhill, Archibald Campbell of Glenkaradell, and William Striuling of Auchyill.

C. Lundie, witness.

ARGYLL.

Coleine Campbell off Aberuiquhyll, wyttnes.

A. Campbell off Glenkaradell, witness.

William Striuling of Auchyill, witness.

59. BOND OF MANRENT by ALEXANDER FLEMYNG of Mones to SIR WILLIAM STEUART of Grantully. 28th December 1611.

BE it kend till all men be thir present letteris, Me, Alexander Flemyng of Mones to be faithfullie bundin and oblist, lyk as, be the tennour heirof, and the faithe and treuthe in my bodie, I faithfullie and treulie bind and obleis me, my airis and successouris to ane richt honorabill mane Sir William Steuart of Grantullie, Knicht, his airis and successouris, lairdis of Grantully in all honorabill dependance, lawtie, kyndnes, manrent and service with my kin, freindis, tennentis, servantis and partakeris, to ryd and gaing, nicht and day, in peace and in weir, with the said Sir William and his foirsaidis, at all ocasionnes neidfull, and sall tak ther trew, afauld and plane pairtt in all thair actionnes, causs, querrellis and debaittis, moivit be them or aganes them, be quhatsumeuer, or contrair quhatsumeuer persone or persones, our Soverane Lord and his Hienes' autoritie onlie exceptit; and, also, that I sall nether heir, nor sie, the said Sir William, nor his foirsaidis, hurtt, harme, nor skeithe, in thair persones, landis, possessiones, guidis, nor geir, bot sall mak the said Sir William, or his foirsaidis, dewlie advertesit therof, resist, stoip, lat, and impaid the same, at my wtter power, and sall gif him, and his foirsaidis, my trew and afauld counsell, in all thair bissenes and effairis, thair counsell that beis communitat to me sall conceill and keip secret from all persones, our Sowerane Lord and his Hienes' autoritie onlie exceptit; and forder, be the tennour heirof, I faithfullie bind and obleis me, and my foirsaidis, neuer, at ony tym heirefter, to swit, ask, acyure, nor obtene ony tak, richt, or tytill of the personage or viccarage of the landis of Mones, or ony part therof, nor any laindis, rowmes, possessiones, takis, teyndis, priviledgis, fredomes or commoditeis quhatsumeuer, pertening to the Hous of Grantullie, the rent and lewing therof, or of the quhilk the lardis of Grantullie hes bene kyndlie

tennentis and possessouris fra quhatsumeuer persone or persones, titularis, or haiffing, or pretending richt and power in and to the samyne respectiue aboue wrettin, or ony pairt therof, without the speciall licence, consent, and guid will, of the said Sir William and his foirsaidis, first haid and obtenit therto; and, finalie, I bind and obleis me and my foirsaidis, neuer to cum in the contrair heirop, nor of ony of the premiss, be my selff, nor na vther in my name, directlie nor indirectlie, renunceand expreslie all remeid of law inducit be quhatsumeuer act, statut or ordenance, that may be proponit, or alledgit in the contrair heirop. In witnessing of the quhilk thing thir presentis wretten be Andro Burt, notare in Dunkeld, I haif subscriuit the samyn, with my hand, as followis, at Dunkeld, the tuentie aucht day of December, the zeir of God j^m sex hundrethe and ellevin zeiris, befor thir witness, Mr. James Banermane, minister at Capethe, Johne M'Duff of Bellenloin, Johne Glais, eldest lauffull sone to Mr. William Glais, minister at Dunkeld, Thomas Merschell, notar in Dunkeld, and the said Andro Burt.

James Banerman, witness.

Johne M'Duff, witness.

Johne Glass, witness.

ALEXR. FLEMYING,

with my hand at the pen, led of the notaris aboue and vndervretten, at my command, becaus I cannot vreit.

Ita est, Andreas Burt, notarius publicus admissus, premissa subscribere de mandato dicti Alexandri, scribere nescientis, ut asseruit, in fidem requisitus, teste hoc meo chyrographo.

Ita est, Thomas Merschell, conotarius, in premissis similiter requisitus, teste manu propria.

60. INSCRIPTION on the HOUSE OF CROMARTIE concerning THOMAS URQUHART, baron and hereditary sheriff of Cromartie, and his SPOUSE, by his great-great-grandson, SIR THOMAS URQUHART. 25th August 1646.

ABOVE are

The exact pictures of a marry'd pair, no less illustrious by descent than conspicuous by their exemplary vertue, viz., of Thomas Urquhart, baron and hereditary sheriff of Cromarty, descended from twenty-four famous successive progenitors, and of his most faithful Lady Helen Abernethy, Lord Salton's beloved daughter, who, after she had born to her forsaide most beloved husband thirty-six most comely children, lived with him till twenty-five sons respectively came to man's estate, and of these six (at least) travell'd France, and many other foreign countrys, with the strictest view (for their education), upon their father's proper charges, and the rest (passing by none) were handsomely provided; and her elevin daughters (of whom severally a numerous offspring is still extant) were splendidly match'd to their principal neighbours, and those of best estates, and tho' their father lived more sumptuously than any of his time, and rode pompously with a retinue of fifty domesticks, yet built this castle, which in strength exceeds any in this kingdom (contrived by a French architect), upon his own expenses in the year 1507,—and that with so much foresight and prudence, though he was cumbered with a numerous family of children as well as menial servants, equipage and largesses to many of his relations in their greatest straits and intricate affairs, yet left what land estate or sums of money he had from his father to his successors, especially his eldest son, without any burden. In remembrance whereof, lest a man of so much probity and excellency should be forgotten, his great-great-

grandson, Sir Thomas Urquhart, who, after taking the ordinary oath upon that occasion, was solemnly knighted in the royal palace at London by King Charles the First, in the beginning of the sixth year of his reign, tho' much embarrass'd by his father's debt, yet copying his ancestor's honesty and industry, hoping thereby to extricate himself soon of his difficulties, ordered to cut this monument to his honour, the twenty fifth day of August 1646.

Dorso,—Copy Inscription on the House of Cromertie by Sir T. Urquhart.

61. AGREEMENT between LIEUTENANT-COLONEL JOHN INNES and SIR THOMAS STEWART of Grantully. 3d May 1647.

Att Murthly, the third May, 1647,—

Leivtenant Collonell Johne Innes doth ingadge himself to give Sir Thomas Stewart off Grantully the best bever hatt and band off gold in Edinburgh, vpon condition he do not exceed in drinking one quart off aill every day, ffrom the daitt heiroff till the first off May 1648, with a quantitie off aquavytie, for his health, bott nott extraordinarily; which iff he fail in, the said Sir Thomas doth bind himself to give him two such hatts and bands, and binds himself not to drink any other strong drink, and the most aill he shall drink in a day shall not exceed a quart, and two days are reserved, either at the christianing of, or mariage off, any off his owne children. Thir presents are subscrivit in presence off Mr. Andro Moncreiff, and Captane James Colvill, and Maior George Meldrum.

S. T. S. GRANTULLY.

G. Meldrum, witnes.

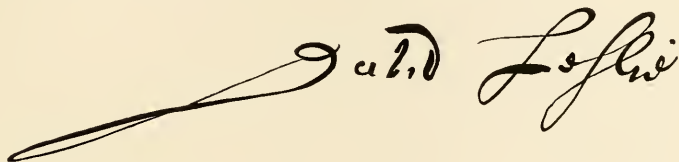
JO. INNES.

Mr. A. Moncreiffe, witnes.

J. Coluill, witness.

62. ORDER by GENERAL DAVID LESLIE concerning the exaction of money for support of the troops. 7th November 1648.

THEs ar desyryng all officers and souldiours vnder my comand not to exact mor then 160 lib. schotis for everie horsman, and 40 lib. for everie foott souldiour, provyding the heritor be villing to giue obedience till giue the saming, and not to exact the vther in regard the orderis from the comittie of the schir ver not published as vas expected by the comittie of the estatis. Feall not herin as zev vil be ansuerabl. Giuein 7 November 1648, at Perth.



63. PATENT by KING CHARLES I. creating SIR JOHN STEWART of Traquair, Knight, LORD STEWART of Traquaire. 19th April 1628.¹

CAROLUS Dei gratia Magne Britannie, Francie, et Hibernie, Rex, fideique defensor, omnibus probis hominibus suis ad quos præsentis literæ pervenerint, salutem : Sciatis, quia nos e regali nostra dispositione, quo melius omnes hujusmodi nostros dignos subditos, quorum benemeritum, prosapia, fortune et obsequium erga nostrum servitium, gratiosum nostrum favorem, et respectum merentur, ad honoratas virtutum vias incitemus, volentes tales honores, in hujusmodi eorum, sicuti nobis e regio nostro judicio visum fuerit, conferre ; inter quos è speciali respectu, quem erga prædilectum nostrum dominum

¹ From the original Patent at Traquair House.

Joannem Stewart de Traquaire militem, gerimus, tesseram aliquam nostrae regiae benevolentiae hujus generis in eum conferre optimum ducentes : Igitur nos, è regia nostra potestate, et authoritate regali, fecimus, creavimus et constituimus, tenoreque praesentium facimus, creamus et constituimus praefatum dominum Joannem Stewart de Traquaire, militem, dominum Stewart de Traquaire ; dando et concedendo praefato domino Joanni Stewart, et heredibus suis masculis, cognomen et insignia de Stewart gerentibus, titulum, honorem, gradum et dignitatem domini Stewart de Traquaire, necnon investivimus, tenoreque praesentium investimus memoratum dominum Joannem Stewart, heredesque suos masculos predictos, in praefato titulo et dignitate domini Stewart de Traquaire, omni tempore affuturo, nuncupandos et indigitandos fore : Tenendum et habendum praefatum titulum, honorem, gradum, et dignitatem predicti domini Stewart de Traquaire, cum suffragiis in parlamento, et cum omnibus aliis praerogativis, preeminentiis, dignitatibus, et honoribus quibuscunque ad predictam dignitatem domini pertinentibus, prenominato domino Joanni Stewart, heredibusque suis masculis predictis, in omnibus nostris et successorum nostrorum parliamentis, publicisque statuum regni nostri Scotiae comitiis, ac, etiam, quatenus potestate, loco, ac jure suffragium inibi dandi, cum omnibus praerogativis, et dignitatibus fruatur, in omnibus et per omnia, sicuti aliquis alius dominus, temporibus retroactis, gaudebat et fruebatur, vel, pro presenti, infra idem regnum nostrum Scotiae fruitur vel gaudet, et vt praefatus dominus Joannes Stewart, heredesque sui masculi predicti, et eorum vnusquisque successive, omni tempore affuturo, domini Stewart de Traquaire indigentur et nominentur, et vt omni dignitate et respectu dominis praedicti regni nostri Scotie competentibus honorentur : Mandando, etiam, leoni nostro regi armorum, suisque fratribus faecialibus, quatenus additionem signorum et insignium presentibus insignibus praedilecti nostri consanguinei et consiliarii Joannis domini Stewart de Traquaire tradant, et prescribant, prout, in talibus casibus.

vsitatum et consuetum est. In cujus rei testimonium praesentibus magnum sigillum nostrum apponi praecepimus, apud regiam nostram de Whitehall, decimo nono die mensis Aprilis anno Domini millesimo sexcentesimo vigesimo octavo, et anno regni nostri quarto.

Per signaturam manu Supremi Domini Nostri Regis superscriptam.

64. EXTRACT ACT OF PRIVY COUNCIL anent the creation of SIR JOHN STEWART as LORD STEWART of Traquair. 8th July 1628.¹

At Halyruidhous, the aucht day of Julij, 1628.

The whilk day Johne archbishop of St. Andrewes presented and exhibite before the Lords of his Majesteis secreit counsell ane patent, vnder his Majesteis great seale, by which his Majestie was graciouslie pleased, out of his speciall respect to Sir Johne Stewart of Tracquair, knight, and for his better encouragement to proceed and goe on in the wayes of vertew, to prefer, advance and honnour him with the title, dignitie, preeminence, and ranke of ane baron and lord of parliament, to be callit in all tyme comming Lord Stewart of Tracquair, as the said patent, bearing dait at Whitehall, the nyn-tein of Apryle last, more fullie proports : Which patent being read, heard, seene and considerit be the saids lords, they, with all dew reuerence, did acknowledge his Majesteis bountie and fauour, showin to the said Lord Stewart of Tracquair, and, accordinglie, did ressaue and admitt him as ane baron and lord of parliament, to haue plaice, vote, ranke and dignitie among the noblemen of this kingdome, in all publict and priuat meetings in tyme comming : Lykeas, the said archbishop of St. Andrewes delyuered the said patent to Thomas Erle of Hadinton, in name of the said Lord Tracquair, whois absence

¹ From the original Extract at Traquair House.

and not compearence to ressaue his said patent, and to render his humble thankes vnto his Majestie for the same, wes excused, in respect of his present attendance at court vpoun his Majesteis seruice : And in regaird the said Lord Traquair his patent is of a priour dait, and wes also produced this day in counsell befor the Lord of Rae his patent, thairfoir, the saids Lords ordains the act of the said Lord Traquair his creationn to be registrat in the bookes of secreit counsell, and to haue the first plaice before the act of creationn of the said Lord of Rae. Extractum de libris actorum secreti consilij Supremi Domini Nostri Regis, per me, Jacobum Prymrois, clericum ejusdem, sub meis signo et subscriptione manualibus.

JACOBUS PRYMROIS.

65. PATENT by KING CHARLES I., creating JOHN LORD STEWART of Traquair EARL OF TRAQUAIR. 23d June 1633.¹

CAROLUS Dei gratia Magne Britannie, Francie et Hibernie Rex, fideique defensor, omnibus probis hominibus suis ad quos presentes litere pervenerint, salutem : Sciatis, quia nos memoria nostra recolentes prosapiam, habilitatem, et affectionem fidelis et predilecti nostri consanguinei et consilarii, Joannis domini Stewart de Traquair, etc., regni nostri Scotie thesaurarii deputati, quam erga nostrum servitium gerit, hactenus sufficientia et approbata testimonia eiusdem exhibendo, in nostris gravissimis negotiis et rebus dicti nostri regni, et specialiter animo nostro reputantes eximiam curam et operam iam susceptam, et per eum suscipiendam in ipsius officio, et aliter quoad attinet ad providentiam et preparationem quorundam gravium negotiorum aptorum et necessariorum pro nostra receptione et hospitio nostro felici, adventu et remanentia (volente Deo), hoc tempore, infra dictum antiquum regnum nostrum Scotiæ, et nos volentes prefatum predilectum nostrum consanguineum et con-

¹ From the original Patent at Traquair House.

siliarium, Joannem dominum Stewart de Traquair, etc., incitare et animare, vt in tali grato servitio posthac permaneat, in eum aliquam tesseram nostri regij favoris conferre visum est : Igitur fecimus, constituimus, et creavimus, tenoreque presentium facimus, constituimus et creamus predictum fidelem nostrum consanguineum et consiliarium, Joannem dominum Stewart de Traquair, comitem de Traquair, dominum de Lyntoun et Caberstoun, et dedimus et concessimus, tenoreque presentium damus et concedimus sibi, et heredibus suis masculis, imperpetuum, cognomen et arma de Stewart gerentibus, titulum, honorem, ordinem, et dignitatis gradum comitis, cum omnibus et singulis prerogativis, preeminentiis, privilegiis, libertatibus, et immunitatibus ad eundem pertinentibus et spectantibus, in quoquidem titulo, honore, ordine et dignitatis gradu, investivimus et nobilitavimus, tenoreque presentium investimus et nobilitamus, prenommatum predilectum nostrum consanguineum et consiliarium, Joannem dominum Stewart de Traquair, etc., heredesque suos masculos antedictos, omni tempore futuro, comites de Traquair, dominos de Lyntoun et Caberstoun nuncupandos : Tenendum et habendum prefatum titulum, honorem, ordinem, et dignitatis gradum comitis, cum omnibus et singulis privilegiis, preeminentiis, prerogativis, libertatibus, et immunitatibus ad eundem pertinentibus et spectantibus, predicto fideli nostro consanguineo et consiliario, Joanni domino Stewart de Traquair et heredibus suis masculis antedictis, de nobis et successoribus nostris, pro perpetuo, in omnibus et singulis nostris nostrorumque successorum parliamentis, generalibus concilijs, privatis et publicis conventibus, cum jure, loco, et potestate in iisdem suffragia ferendi, cum omnibus aliis prerogativis, dignitatibus, immunitatibus et libertatibus, ad quemlibet comitem infra dictum regnum nostrum Scotie pertinentibus, vel pertinere valentibus, aut que, quovis tempore preterito, vel futuro, pertinere possunt : Mandantes leoni nostro regi armorum, suisque fratribus fecialibus, quatenus additionem signorum et insignium presentibus

insignibus dicti predilecti nostri consanguinei et consilarii, Joannis domini Stewart de Traquair, sicuti in talibus casibus vsitatum est, dent et prescribant: Preterea, volumus et concedimus, tenoreque presentium, pro nobis et successoribus nostris, decernimus et ordinamus quod hæe presentes literæ nostræ sunt et erint tam valide effectuales et sufficientes, in omnibus respectibus, antedicto predilecto nostro consanguineo et consiliario, Joanni domino Stewart de Traquair, suisque [heredibus], pro fruitione et gavisione predicti tituli, honoris, et dignitatis [gradus] comitis, cum omnibus et singulis prerogativis et preementiis, privilegiis, libertatibus et immunitatibus, ad eundem pertinentibus et spectantibus, [quasi] dictus predilectus noster consanguineus et consiliarius, Joannes dominus Stewart de Traquair, in eodem, solenni ritu et ceremonia, cum omnibus solemnitatibus, more antiquo, inauguraretur et investiretur, quocirca dispensavimus, tenoreque presentium in hac parte dispensamus imperpetuum. In cuius rei testimonium presentibus magnum sigillum nostrum apponi precepimus, apud Halyruidhous, vigesimo tertio die mensis Junii, anno Domini millesimo sexcentesimo trigesimo tercio, et anno regni nostri nono.

Per signaturam manu supremi domini nostri Regis suprascriptam.

66. EXTRACT ACT anent the creation of the title of EARL OF TRAQUAIR.

4th July 1633.¹

Apud Dumfermline, quarto die mensis Julij, anno Domini millesimo sexcentesimo tricesimo tertio.

FORSAMEKLE as the King's Majestie remembreth the birth, habilitie, and good affectioun of his trustie and weilbelouit cousine and counseller, Johne Lord Stewart of Tracquair, deputie thesaurar of the kingdome of Scotland, whairof

¹ From the original Extract at Traquair House.

he hes givin sufficient and approved testimoneis in his Majesteis most weightie affaires of this kingdome ; and in speciall, his Majestie considerding the great paines and travellis already tane be the said Lord Tracquir, and to be vnder-tane be him in his office, and otherwayes, tuicheing the provisioun and preparatioun of manie weightie maters, verie expedient and necessar for his Majesteis receptioun and interteanment at his comming and remaining within this his ancient kingdome of Scotland ; and his Majestie being willing, for encouraging the said Lord Tracquir to continew in the lyke thankfull service heerafter, to bestow vpon him some pledge and symbole of his royall favour, his Majestie hes thairfoir, by his lettres patent of the date at Halyrudhous, the twentie thrid day of Junij last, made, constitute, and create the said Lord of Tracquir Earle of Tracquir, Lord of Lyntoun and Caberstoun, and hes givin vnto him and his airs male for ever, bearing the name and armes of Steuart, the title, honnour, order, and degree of ane Earle, with all the prerogatives, preeminences, priviledges, liberteis and immunitis pertain- ing thereto, as the said patent more fullie proports : The which patent, his Majestie being in his palace of Dumfermeline, attended and accompanied with the Duke of Lennox, Lord High Chamberlaine of this kingdome, the Marqueis of Hamiltoun, and diverse others of his nobilitie and officers, del- ivered out of his hand to the said Johne Earle of Tracquir, as ane pledge and token of his Majesteis royall favour and bountie, Ordaineing him and his airs male foresaid to be callit in all tyme comming Earles of Tracquir, Lords of Lyntoun and Caberstoun, and to have place, vote, ranke, and precedence in all parliaments, generall counsellis, privat and publict meetings amongst the Earles of this kingdome, according to the date of his patent and creatioun foresaid : Lykeas the said Earle of Tracquir, with most submissive and humble reverence, on his knees, received the said patent frome his Majestie, promis- ing to the vttermost of his endeavoures to approve himselfe answerable to the

trust that his Majestie hes reposed in his fidelitie and alledgeance. Extractum de libris actorum Secreti Consilij Supremi Domini Nostri Regis, per me, Magistrum Gilbertum Prymerose, clericum ejusdem, sub meis signo et subscriptione manualibus.

Mr. G. PRYMEROSE.

67. EXTRACT of the BLAZONING of the COAT-ARMORIAL of CHARLES EARL OF TRAQUAIR, etc. 20th September 1673.¹

To all and sundrie whom it effeers, I, Sir Charles Araskine of Cambo, Knight, Baronet, Lyon King of Armes, considering that, be the tuentie one act of the third session of the second parliament of our dread soveraigne lord, Charles the Second, be the grace of God, King of Scotland, England, France, and Ireland, defender of the faith, I am impwored to visit the wholl armes of noblemen, prelates, barons, and gentlemen within this kingdome, and to distinguish them with congruent differences, and to matriculat the same in my books and registers, and to give armes to vertuous and weell deserveing persones, and extracts of all armes expressing the blazoning of the armes vnder my hand and seall of office, which register is thereby ordained to be respected as the true and unrepealable rule of all armes and bearings in Scotland, to remaine with the Lyon's office as a publict register of the kingdome: Therefore, conforme to the tenor of the said act of parliament, I testifie and make knowen that the coat armour appertaining and belonging to the right honorable Charles Earle of Traquair, Lord Caberstoune, and approven of and confirmed be me to him, is matriculat in my said publict register vpon the day and dait of thir presents, and is thus blazoned, viz., The right honorable Charles Earle of Traquair, &c., for his atchievement and ensigne armoriall, bears four coats quarterlie: First, Topaz, a fess checkie, saphire and pearle.

¹ From the original Extract at Traquair House.

Second, Sapphire, three garbs, topaz. Third, Diamond, a mollet, pearle. Fourth, Pearle, ane inescutcheon, rubie, voyded of the feild. In chiefe, three martlets as the third. Above the sheild his croune, ouer the same ane helmet befitting his degree mantled rubie, doubled pearle. Next is placed for his crest, on a garb, a crow proper, supported be two bairs proper, armed pearle. The motto in ane escroll, above, ‘Judge Nought.’ Which coat above blazoned I declare to be the said noble Earle his coat and bearing. In testimonie wherof I have subscriyved this extract with my hand, and have caused append my seall of office therto. Given at Edinburgh, the tuentie day of September, and of our said Sovereigne lord’s reigne the tuentie fyft year, 1673.

CH. ARASKINE, Lyon.

68. PATENT in favor of Mr. THOMAS STEWART of Blair, of the title and dignity of Knight Baronet. 2d June 1683.¹

CAROLUS Dei gratia Magnæ Britanniae, Franciae et Hiberniae, Rex, Fideique Defensor, omnibus probis hominibus ad quos presentes Literæ pervenerint, salutem : Noveritis, nos, benigne cupientes perpetuam regalis nostri favoris tesseram, in fidelissimum et prædilectum nostrum magistrum Thomam Stewart de Blair, unum ex senatoribus nostri Collegij Iustitiæ, ejusque heredes infra mentionatos, conferre : Igitur dedisse, contulisse et concessisse, sicuti nos, tenore presentium, damus, concedimus et conferimus predicto Magistro Thomæ Stewart, et heredibus masculis de suo corpore, titulum, dignitatem, gradum, et honorem militis baronetti, atque ipsum, ejusque predictos, eodem titulo, cum precedentia, prioritatem, omnibusque alijs privilegijs et immunitatibus militibus baronettis, virtute quorumcunque actorum, statutorum, diplomatum, seu consuetudinum, in dominiis hisce nostris, debitis, specialim vero in omni-

¹ From the Registrum Magni Sigilli, Lib. 69, No. 40.

bus sessionibus, conventibus, aliisque congressibus quibuscunque, tam publicis quam privatis, in hoc nostro regno frui et gaudere, ordinamus: Nec non uxores liberosque predicti Magistri Thomæ Stewart, ejusque heredum, prioritatem, precedentiam, privilegia, immunitates aliaque quæcunque, uxoribus, heredibus, alijsque liberis militum baronettorum debita, retinere pariter ordinamus; cumque generalitate presentium, omnibusque formalitatibus, solennitatibus et ritibus, in casibus ejusmodi usitatis, omnino dispensamus: Leonj, porro, armorum regi, ejusque fratribus fecialibus, prenominato Magistro Thomæ Stewart talia insignia armorea, sive prioribus insigniis additamenta, qualia necessaria videbuntur, et convenientia, dare et concedere imperamus. In cujus rei testimonium presentibus magnum sigillum nostrum appendi præcepimus, apud castrum nostrum de Windsor, secundo die mensis Junij, anno Domini millesimo sexcentesimo octogesimo tertio, regnique nostri anno trigesimo quinto.

APPENDIX OF CHARTERS ETC.

I.—CHARTERS OF THE FAMILY OF LOGY OF LOGY, NOW LOGIEALMOND.

69*. CHARTER by MALISIUS EARL OF STRATHERENE to MALISIUS OF LOGY, of the lands of Cultenacloche and others in Glenalmond.—[*Circa* 1260.]

OMNIBUS hoc scriptum visuris vel auditoris Malisius Comes de Stratherene, filius quondam domini Malisii Comitis de Stratherene, eternam in Domino salutem: Nouerit uniuersitas uestra me dedisse, concessisse et hac presenti carta mea confirmasse domino Malisio de Logy, filio quondam domini Malisii senescalli de Stratherene, pro homagio et seruicio suo, totas terras meas de Cultenacloche et de Garfene et de Kypeny cum Corecase in Glennamone: Tenendas et habendas sibi et heredibus suis de me et heredibus meis in feodo et hereditate, et per omnes rectas diuisas suas, et cum omnibus fortyris et communibus pasturis et cum omnibus aliis pertineneciis et libertatibus suis, in bosco et plano, in terris et aquis, in pratis et pascuis, in moris, mosis et maresiis, in viis et semitis, in stagnis et molendinis et piscariis, in feris et auibus, in montibus et vallibus, in collibus et rupibus, et cum omnibus aliis libertatibus ad dictas terras pertinentibus vel aliquo tempore pertinere valentibus libere, quiete, plenarie et honorifice: Faciendo tantummodo ipse et heredes sui pro me et heredibus meis Scoticanum exercitum et commune auxilium domini Regis quantum pertinet ad predictas terras: Et reddendo inde annuatim ipse et heredes sui michi et heredibus meis unum par cerothearum vel unum den-

arium ad Pasca pro omni seculari seruicio, consuetudine, exactione et demanda, et sine omnimoda secta curie seu curiarum michi vel heredibus meis aliquo tempore pertinente : Ego uero Malisius et heredes mei predictas terras cum pertinenciis et libertatibus, ut plenius supradictum est, predicto domino Malisio et heredibus suis contra omnes homines et feminas warrantizabimus, acquietabimus et defendemus inperpetuum : Et ut hec mea donacio, concessio et presentis carte mee confirmacio perpetue stabilitatis robur in posterum optineant presentem cartam sigilli mei inpressione roborauit : Testibus, dominis Alexandro Comyne comite de Bochane, iusticiario Scocie, Fergusio Comyne fratre eius, Malcolmo de Moravia tunc vicecomite de Perth, Daudid de Lochore, Roberto Cambrune, Ranulpho de Laceles, Willielmo Olifard, Duncano de Loraynse, militibus, Gilberto rectore ecclesie de Comry, Nicholao rectore ecclesie de Crefe, Willielmo de Morauia filio domini Malcolmi de Morauia, Duncano filio Fergusii, Lorne fratre eius, Tristramo de Gorty, Johanne Mac Alpyne, Ath' fratre eius, Patricio clerico, et aliis.

70*. CHARTER by MURDOCH EARL OF MENETETH to ROBERT OF LOGI, son of Malisius of Logi, of Estir Broculli in Meneteth.—[Circa 1330.]

OMNIBUS hoc presens scriptum visuris vel auditoris : Murdacus Comes de Meneteth eternam in Domino salutem : Nouerit universitas uestra me dedisse, concessisse et hac presenti carta mea confirmasse, Roberto de Logi filio quondam Malisii de Logi, pro homagio et seruiicio suo, totam terram de Estir Broculli in Meneteth cum pertinenciis, per omnes suas rectas diuisas et marchias ; tenendam 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 aucupaci-

onibus, 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 anno ipse et heredes sui mihi et heredibus meis ad tria placita capitalia comitatus de Meneteth pro omni alio seculari servicio, consuetudine, exaccione vel demanda que de dicta terra per me et heredes meos in posterum exigi poterunt 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 inperpetuum et defendemus: In cuius rei testimonium hanc cartam sigilli mei inpressione roboravi, hiis testibus videlicet dominis Johanne de Menetethe, Willielmo de Montefixo, Waltero de Menetethe militibus, Johanne de Moravia de Drumsersgart, Gilberto de Drummand, Malcolmo de Drummand, et multis aliis.

71*. PRECEPT OF SASINE by KING DAVID II. in favour of JOHN OF LOGY, of the lands of Strathgartnay.—17th September [1344.]

DAVID Dei gracia Rex Scottorum vicecomiti et balliuis suis de Perth, salutem: Sciatis nos veraciter intellexisse quod in reddicione ville Sancti Johannis de Perth, per Robertum senescallum Scocie, militem, nepotem nostrum tunc locum nostrum tenentem et per omnes regni nostri proceres in obsidione dicte ville secum existentes, inter ceteras condiciones pro communi vtilitate regni nostri hiis qui dictam villam contra nos de guerra tenuerunt factas, concessas, fide firmatas et sigillis eorum omnium roboratas, terra de Strathgartenay cum pertinenciis Johanni de Logy filio quondam Johannis de

Logy militis de communi consensu sub securitate predicta, secundum quod dictus quondam Johannes pater suus dictam terram cum pertinentiis aliquo tempore iuste tenuit seu possedit, eidem Johanni de Logy filio hereditarie possidenda, ex parte nostra sibi fuit plene concessa; nos concessionem et permissionem sibi factam volentes in omnibus obseruari in hac parte, vobis districte precipimus et mandamus quatinus saysinam dicte terre de Stratgartenay cum pertinentiis eidem Johanni visis literis liberari faciatis indilate, quod Johannes de Meneteth miles consanguineus noster predictam terram cum pertinentiis jam occupat non obstante: In cuius rei testimonium has literas nostras vobis mittimus patentes: Datum apud Dunfermline xvii die Septembris anno regni nostri quinto decimo.

72*. CHARTER by ROBERT STEWARD OF SCOTLAND and EARL OF STRATHERNE to JOHN OF LOGY, of the lands of Foulis, Gask, and others.—12th May 1365.

OMNIBUS hanc cartam visuris vel auditoris, Robertus Senescallus Scocie, comes de Stratherne, salutem in Domino sempiternam: Noueritis nos cum consensu et assensu Eufemie sponse nostre dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto consanguineo nostro Johanni de Logy domino eiusdem, omnes et singulas terras nostras in comitatu nostro de Stratherne infrascriptas, videlicet, manerium de Foulis, et omnes et singulas terras nostras dominicas de Foulis cum pertinentiis, Gask, Cristkynkell, Buchmyn Letirbonachtyn, Lekog, Dromfyne, le toftys Dromy, Fauchalathyn, Petlandyn, Fornoucht, Creeff orientalem, molendina de Foulis et de Melach, cum pertinentiis, infra vicecomitatum de Perth: Tenendas et habendas dicto Johanni, heredibus suis et suis assignatis, de nobis et heredibus nostris, in feodo et hereditate per omnes rectas metas et diuisas suas, in boscis et planis,

moris, marresiis, viis et semitis, ortis, pratis, pascuis et pasturis, aquis, stagnis, et viuariis, molendinis, multuris, et eorum sequelis, aucupationibus, venacionibus et piscationibus, cum bondis, bondagiis, natinis, et eorum sequelis, cum curiis et escaetis, cum tenandiis et seruiis liberetenencium, cum aduocationibus ecclesiarum, necnon cum omnimodis aliis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis quibuscunque, tam sub terra quam supra terram, tam procul quam prope, tam non nominatis quam nominatis, ad dictas terras et earum quamlibet spectantibus seu quoquo modo iuste spectare valentibus in futurum, adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut aliquis comes in regno Scotie aliquas terras cum pertinenciis liberius, quietius, plenius, integrius et honorificencius alicui persone potest concedere siue dare: Reddendo inde nobis et heredibus nostris dictus Johannes heredes et assignati sui vnum denarium argenti apud Foullys supradictum annuatim ad festum pentecostes nomine albe firme, si petatur tantum, pro wardis, releuiis, maritagiiis, curiarum sectis, consuetudinibus, exaccionibus, seruiis secularibus et demandis, que per nos vel heredes nostros aut eorum aliquem, de dictis terris cum pertinenciis vel earum aliqua aliquo tempore exigi poterunt vel requiri. Et nos Robertus Senescallus Scotie comes de Stratherne predictus et heredes nostri omnes et singulas terras predictas cum pertinenciis predicto Johanni heredibus suis, et suis assignatis in omnibus et per omnia vt predictum est contra omnes mortales warantizabimus, acquietabimus et in perpetuum defendemus: In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi, Testibus Johanne Senescallo domino de Kyle primogenito nostro, domino Johanne Senescallo fratre nostro, Mauricio de Dromound, Waltero de Morauia de Tolybardyne, Johanne de Roos, Hugone de Roos, Johanne Mercer, burgensibus de Perth, et Johanne Kady ac aliis, apud Perth, duodecimo die mensis Maij anno Domini millesimo ecc^{mo} lx^{mo} quinto.

73*. DECLARATION by BARTHOLOMEW OF LONE, Knight, and spouse, relating to the Marches betwixt Lethendys and Coultneeloche.—[Circa 1365.]

VNIERSIS ad quorum noticiam presentes litere peruenerint Bertholomeus de Lone miles dominus de Balbougale et domina Philipa sponsa sua, salutem in Domino: Quia de baronia de Logy est quedam villa que uocatur Coultneeloche que cum certis terris de nostris jacentibus infra comitatum de Stratheryn que uocantur Lethynys metat, et ideo quod aliqui predictas terras de Lethyndiys habentes ut possessores occupantes firmantes aut inframanentes occupauerunt Corregy dicentes dictum Corergy ad prefatas terras de Lethyndiys pertinere veraciter: Sciatis quod nos cognouimus et omnibus notum facimus quod Socoth inter riuum de Erregi et riuum de Telleny est de rectis et iustis pertinenciis diete terre de Coultneeloche, et ad maiorem huius rei securitatem ac diucius testimonium et omnium licium discordiarum et nocumentorum remocionem, vniuersitati vestre notum facimus quod dictum Corregy minime ad dictas terras de Lethyndiys pertinere dinunciamus, sed omnino ad predictas terras de Coultneeloche contingere et pertinere, et quod nos pro nobis, heredibus nostris assignatis et omnibus prescriptis omnem titulum clameum vel occupationem quas vel que nos ipsi vel eorum aliqui in predicto Corregy per aliquam causam vel iuris titulum habuimus vel habuerunt habemus vel habebimus in futurum Johanni de Logy domino eiusdem renunciamus damus et renunciamus nunc et in perpetuum; et omnino pro nobis et omnibus prescriptis dictum Corregy ut justam pertinenciam diete ville de Coultneeloche remanere pronunciamus; et prefatum Corregy ut aliquas pertinencias ad dictas terras de Lethyndiys per nos vel aliquos predictos nunquam exigi vel requiri: In cuius rei testimonium sigilla nostra presenti scripto sunt appensa.

74*. CHARTER by KING DAVID II. granting of new to JOHN OF LOGY the lands of Logy.—26th July [1366.]

DAVID Dei gratia rex Scottorum omnibus probis hominibus tocius terre sue clericis et laicis salutem : Cum dilectus et fidelis noster Johannes de Logy filius et heres quondam Johannis de Logy militis apud Edynburgh, die octaua mensis Maii anno Domini millesimo ccc^{mo} lx^{mo} sexto, omnes et singulas terras suas de Logy cum pertinenciis infra comitatum de Stratherne in manibus Roberti senescalli Scocie comitis de Stratherne nepotis nostri tunc in presencia nostra et plurium nobilium regni nostri existentis per fustum et baculum sursum reddiderit pureque et simpliciter resignauerit, ac idem comes nepos noster postea apud Seonam vicesimo quinto die mensis Iulii anno Domini supradicto, non vi aut metu ductus, nec errore lapsus, sed mera et spontanea voluntate sua, omnes et singulas predictas terras de Logy cum pertinenciis sic sibi antea resignatas nobis per fustum et baculum sursum reddiderit pureque et simpliciter resignauerit, ac totum jus et clameum quod in dictis terris cum pertinenciis habuit vel habere potuit in futurum pro se et heredibus suis omnino quietum clamauerit in perpetuum : Noueritis nos dedisse, concessisse et hac presenti carta nostra confirmasse predicto Johanni de Logy omnes et singulas predictas terras de Logy cum pertinenciis in comitatu de Stratherne infra vicecomitatum de Perth : Tenendas et habendas dicto Johanni et heredibus suis de nobis et heredibus nostris in feodo et hereditate in perpetuum, per omnes rectas metas et diuisas suas, in vnam integram et liberam baroniam ac liberam regalitatem, libere, quiete, plenarie, integre et honorifice, in boscis et planis, moris, marresiis, viis et semitis, aquis et stagnis, molendinis multuris et eorum sequelis, aucupacionibus venacionibus et piscacionibus, bondis bondagiis natiuis et eorum sequelis, cum tenandiis et

seruiciis liberetenencium, cum curiis et escaetis, cum furca et fossa sok et sak tholl et theam et infangand theff, neenon cum omnibus aliis et singulis libertatibus commoditatibus aysiamentis et iustis pertinenciis quibuscumque, tam sub terra quam supra terram, tam non nominatis quam nominatis, ad dictam baroniam spectantibus seu quoquo modo iuste spectare valentibus in futurum : Reddendo inde nobis et heredibus nostris dictus Johannes et heredes sui vnum denarium argenti annuatim ad festum pentecostes apud capitalem mansum de Logy si petatur nomine albe firme tantum pro wardis releuiis maritagii curiarum sectis consuetudinibus exaccionibus seruiciis secularibus seu demandis, que de dicta baronia cum pertinenciis aliquo tempore exigi poterint vel requiri : In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi : Testibus venerabilibus in Christo patribus Willelmo episcopo Sancti Andree, et Patricio episcopo Brechinensi cancellario nostro, Patricio comite Marchie et Morauię, Thoma comite de Marr, Willelmo comite de Douglas, Willelmo de Keth marescallo nostro Scoeie, Roberto de Erskyne, Waltero de Haliburtoun, et Hugone de Eglyntoun, militibus, apud Sconam in pleno parlamento nostro tento ibidem vicesimo sexto die mensis Julii anno regni nostri tricesimo septimo.

75*. ASSENT of several Peers met in Parliament, to a grant by KING DAVID II. to JOHN OF LOGY of that Ilk of his lands in Annandale.—26th July 1366.

UNIERSIS ad quorum noticiam¹ Alexander, Alexander, Patricius et Alexander ecclesiarum Abirdonensis, Morauiensis, Brechinensis et Rossensis Dei gracia episcopi, Robertus senescallus Scoeie comes Marchie et Morauię, Thomas comes de Marr, et Willelmus comes de

¹ The original is torn here and at the other blanks.

Douglas, Willelmus de Keth marescallus Scocie de
Haliburtoun, Walterus de Lesley, Alexander de Lyndesay, Hugo de Eglyntoun et Willelmus de Disschyngtoun milites, Walterus de Wardlaw

et Gilbertus Armstrang prepositus Sancti Andree, salutem in omnium Saluatore : Nouerit vniuersitas vestra nos in presencia excellentissimi principis domini Dauid Dei gracia Regis Scottorum illustris apud Seonam in pleno parlamento suo tento ibidem vicesimo sexto die mensis Julii anno Domini millesimo [ccc^o. sexagesimo] sexto et regni dicti domini nostri Regis tricesimo septimo personaliter interfuisse, vbi et quando idem dominus noster Rex de sua gracia speciali dedit et concessit dilecto et fideli suo Johanni de Logy domino eiusdem omnes et singulas terras suas vallis Anandie cum suis iuribus libertatibus commoditatibus et pertinenciis quibuscunque ; adeo libere et quiete, plenarie, integre et honorifice in omnibus et per omnia, sicut recolende memorie quondam Robertus Dei gracia Rex Scottorum progenitor dicti domini nostri Regis quondam domino Thome Ranulphi comiti Moraue nepoti suo easdem terras vallis Anandie cum pertinenciis dedit et concessit, prout in carta et litteris inde confectis plenius continetur : Ad quas quidem donacionem et concessionem nostrum consilium prebuimus coucorditer et assensum ; promittentes fideliter et quilibet nostrum promittens singillatim pro nobis et heredibus nostris quod in contrarium dictorum consilii et assensus nostri nuncquam aliquid facere vel dicere attemptabimus coniunctim vel diuisim, clam vel palam, aut dici vel fieri procurabimus quoquo modo : In cuius rei testimonium presenti scripto quilibet nostrum sigillum suum apposuit, loco, die et anno suprascriptis.

76*. CHARTER by KING DAVID II. to JOHN OF LOGY of the lands of Logy in free barony.—26th July [1368.]

DAVID Dei gratia 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 seruitio nobis impenso, totas et integras terras nostras de Logy cum pertinenciis infra vicecomitatum de Perth, quas quidem terras cum pertinenciis, nepos noster carissimus Robertus senescallus Scotie comes de Stratherne nobis per fustum et baculum coram pluribus fidedignis in castro de Edynburgh vicesimo die mensis Julij, anno Domini m^o. ccc^{mo}. sexagesimo septimo sursum reddidit, pureque sponte et simpliciter resignavit, ac omne jus et clameum que habet vel habuit vel habere potuit in dictis terris cum pertinenciis, pro se et heredibus suis vel assignatis omnino quiete clamavit in perpetuum : Tenendas et habendas predictas terras cum pertinentiis 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 aysiamenis, et omnibus pertinenciis suis, tam non nominatis quam nominatis, tam sub terra quam supra terram, ad dictas terras de Logy pertinentibus, vel aliquo modo jure 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 infangantheff, et cum omnibus aliis libertatibus, commoditatibus et aysiamentis, ac iustis pertinentiis quibuscunque, ad dictas terras cum pertinentiis spectantibus seu spectare valentibus quomodolibet in futurum : concessimus eciam eidem Johanni, heredibus suis et assignatis, vt habeant et possideant totas predictas terras de Logy cum pertinentiis, 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, maritagii, sectis curiarum, consuetudinibus, exaccionibus et demandis, ac omnibus aliis seruiciis secularibus quibuscunque que de dictis terris cum pertinentiis 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 Scocie comite de Stratherne, nepote nostro, Patricio comite de Marchia et Morauia, Willelmo comite de Douglas, Roberto de Erskyne, Waltero de Halyburtoun, et Willelmo de Dysschyngtoun, militibus, apud Edynburgh vicesimo sexto die mensis Julii anno regni nostri tricesimo nono.

77*. CHARTER by ISABELLA COUNTESS OF FIFE to JOHN OF LOGY of the lands of Lanyne, in the shire of Edinburgh.—No date [*circa* 1370.]

OMNIBUS hanc cartam visuris vel auditoris, Ysabella Comitissa de Fyfe, salutem in Domino sempiternam : Vestra nouerit vniuersitas nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto nostro Johanni de Logy domino eiusdem, pro suo consilio et auxilio nobis impenso, totam et integram terram

nostram de Lanyne, cum pertinenciis, infra vicecomitatum de Edynburgh : Tenendam et habendam totam et integram terram predictam cum pertinenciis prefato Johanni, heredibus suis et assignatis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas et diuisas in moris, marreseis, petariis, pratis, pascuis et pasturis, viis, semitis, boscis, planis, aucupacionibus, venacionibus et piscariis, molendinis, multuris et eorundem sequelis, fabrinis, bracinis et aliis officinis, bondis, bondagiis et natiuis, cum eorundem sequelis, cum curiis et curiarum exitibus, et aliis eschaetis quibuscunque, libere, quiete, bene et pacifice, cum omnibus aliis et singulis libertatibus, commoditatibus, et aysiamentis, tam non nominatis quam nominatis, tam sub terra quam supra terram, in omnibus et per omnia, ad predictam terram cum pertinenciis, spectantibus seu aliquo modo de jure aut consuetudine spectare valentibus quomodolibet in futurum : Reddendo inde annuatim ipse Johannes heredes sui uel assignati nobis et heredibus nostris vnum par cyrothecarum albarum nomine albe firme apud villam de Lanyne si petantur ad festum natiuitatis beati Johannis Baptiste, et vnum annuum redditum viginti marcarum Willelmo de Sancto Claro domino de Roslyne et heredibus suis, ad duos terminos vsuales, videlicet, ad festum Pentecostes et Sancti Martini in yeme, per equales porciones tantum pro omnibus aliis et singulis seruiciis secularibus, omnibus exactionibus seu demandis que de dicta terra cum pertinenciis exigi poterunt per aliquem alium vel requiri. Nos vero prefata Ysabella heredes nostri et assignati predicto Johanni heredibus suis et assignatis predictam terram cum pertinenciis omnibus et singulis, ut predictum, contra omnes homines et feminas warantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium presenti carte nostre donacionis in legitima viduitate et libera facte sigillum nostrum est appensum : Testibus venerabilibus in Christo patribus et dominis Willelmo et Waltero Dei gracia Sancti Andree et Dunblanensi episcopis, discretis viris dominis

Andrea de Valans nostro senescallo, Willelmo de Dyssingtoun, Johanne de Kendeloch militibus, Johanne de Kenner, et Andrea de Ramsay de Rethy, et multis aliis.

78*. CERTIFICATION by the BISHOP OF ABERDEEN that the lands of Logy had been granted by KING DAVID II. to JOHN OF LOGY.—29th July 1377.

VNIUERSIS sancte matris ecclesie filiis ad quorum noticiam presentes litere peruenerint: Alexander Dei gracia episcopus Aberdonensis salutem in Domino sempiternam: Cum pium sit et meritorium fidele veritati testimonium perhibere: nouerit vniuersitas vestra nos alias vna cum aliis regni Scocie prelati et proceribus personaliter interfuisse, vbi et quando bone memorie dominus Daud rex Scottorum illustris in pleno parlamento suo tento apud Sconam de consensu, assensu et digesta deliberatione dicti parlamenti sui dedit et de sua gracia speciali pure et simpliciter concessit fidei suo Johanni de Logy domino eiusdem diuersas terras et possessiones in feodo et hereditate in perpetuum adeo libere et quiete, quod licet de aliis suis donacionibus et concessionibus aut assignacionibus fieret forte postmodum reuocacio, de ipsis cum terris et possessionibus predicto Johanni de Logy tune datis et concessis specialiter nec generaliter per se nec aliquos suos successores nulla reuocacio fieret vnquam in futurum, ad quas quidem donaciones et concessionibus de diuersis terris et possessionibus eidem Johanni de Logy ex matura deliberatione predicti parlamenti, vt premittitur, factas, testificamur et fatemur nos vna cum aliis paribus nostris in dicto parlamento existentibus consensum nostrum et assensum sponte contulisse, nec in huiusmodi donacionis et concessionis de dictis terris et possessionibus eidem Johanni, vt prefertur, facte contrarium aut derogacionem deuenimus vnquam diximus aliquid vel fecimus,

aut consentiuimus, nec sciuius vel audiuius ipsum Johannem aliquam causam prestitisse vnde de dictis terris suis et possessionibus legitime sic adeptis aliquid debet denudari: In cuius rei testimonium sigillum nostrum presentibus apponi fecimus apud canoniam nostram de Aberdone vicesimo nono die mensis Julii anno Domini millesimo tricentesimo septuagesimo septimo.

79*. INDENTURE by ANDREW MERCER, Lord of Mekyllhour, on the Agreement between ROBERT EARL OF FYFE AND MENTEITH and JOHN OF LOGY, as to the lands of Logy and Stragartnay.—[15th May] 1385.

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 Robert 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 the questyoun that wes betwene thaim for the landys of Logy and of Stragartnay; and hwevyr that I ordaynyt and determynyt thaim to do, the forsayde Syr Robart and John faythfully heht, strekand thair handys in myne, bodely makand gude fayth that thai sulde halde sekir, ferme, and stabyl; and this ilke forsayde eunand made apou this cause before wrytyn, the forsayde Syr Robart and John reuleyt and afermit, in the presens of myne excellent Prynce Robart, thrw the grace of God Kyng of Scotland, and his eldest sune John 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 iugement be the recorde of my twng, I made bodely fayth it ryhtwysly to dome;

Thyl al yat yu' letters hors or seys Androis mid lordo of akeleyhoma gra
Robert Stewart Earl of Strife and Armenteth and Jon of logy spuyer ye sw
bot we thre before nemmyt put in myne ordenans al ye debate and ye
hes edyr yat Jordaymyt and dedmynt yam to we ye forsayde for Robert
yat yat sulde halde seker ferme and stabyl and we alke forsayde Emmand ma
myt in ye psons of myne excellent prynce Robert thul ye grace of
pente Eusene of amrese and thom of Kate and in ye tyme yat I ye
yad of to gyf Ingement be ye worde of my tynge I made bodely fayth
and Jon of yau' fre assent as is before whytyn I abyset and dumbethoht
selandyr yhamand yau' endful and tondyr sicenshepe for such dedmynt
ordaymyt yam to cele and yat utolke for sundry whet I ordaymyt ye forsayde
of logy and of stragartnay before whytyn and throl ltu of bodely fayth an
dedmynt and ordenans of ye cause before whytyn ye forsayde for Robar
and op gese wyth staf and styk to ye forsayde Jon ye laudyt before nemmyt
to ye forsayde Jon and ye forsayde Jon to gyf his wyllyth to ye forsayde for
lilly to halde ferme and stabyl al thyng yat dedmynt ordaymyt and d
paysid nathing yat agaync payand and qthry al ye ebe dme as is
nans to ye qthyllt assyng I ye forsayde Androis for such assyset yat
nonday nestid before whytyn onday ye yher of hom' lorde A tholl sand th
of myne ordenans fullyly demyt be tthens ye forsayde for Robar and
al meny I mak' knalbyn throl yeis psonc letters evidentyt beand my pl
m' wytnesung of al thyng in it cotemyt dwelland wyth ye forsayde
of ye endemnt in wytnesung of al thyng in it cotemyt dwelland
and to ye wytnes of ye qthyllt al and sundry in yu' endemnt letters



in god ay lestand tyl yllm Gndite a Wytyn yat my rdyntyr lordz syz
and yd ayre of syz Jon of logy knyght of van' fir' Eyr' nans beand p'sent
espyon yat we be ebbene yam for ye landys of logy and of Stragartnay and
d Jon faythfully heht stichand yam handys in myne boodely makand guide fayth
apou yis cause before Wytyn ye forsayde syz Robart and Jon remlext and afer
kyng of Scotland and hys eldste sune Jon Eyr' of Cantylke/awayst d'mukane
wde Androth assentyt to isayne yis cause before Wytyn in myne ordenans and
rythelkys to d'mc/ and I ye forsayde Androth Juge be ebbene ye forsayde syz Robart
wde ce to me s'm and wryt' w'p'senes w' s'edey and to lete mykyl y' p'at' and grete
m fully tyl laorde estyr ye tenu' of etane endencye and obligaconys ye q'wylk I
Robart frely to delyver and yam p'foudy by to gyf to ye forsayde Jon al ye landys
e forsayde syz Robart and Jon wec oblyste lilly to fulfyl and c'willy to halde my
w' s'uch th'w' d'm of ye forsayde obligacon w' s'ch yam p'sently frely & l'nyt
w' s'ch yam wec d'mc q' ordarynt yd forsayde syz Robart to gyf hys g'olth
yt beand to yam bath in d'm of syll' abt as is Wytynest in yam endencye
yd q'wylk q'wylk yam g'efo boodely ukano tyl othyr afermand as is before
for Wytyn ye forsayde Jon askyt me wec yat yd colncyon of myne orde
w' s'fastly yha And at al yis before Wytyn wec yns d'mc in d'ede on yo
hundyre fow'fow' and syde beand my ful and playne' dechnyngon and ye ende
of ye cause before sayde ar yam pnt in myne ordenans as is befor Wytyn tyl
no and ful endyt domo as is befor Wytyn ye ta parte of yis endytur
or Robart of my dechnyng as ful endyt domo vnder my Cel' ye toy' p'to
th yd forsayde Jon of my dechnyng as ful endyt domo vnder my Cel'
w' s'ch yam pnt of ye forsayde endencye q' h'ap pnt my Cel'

and I the forsayde Androw iuge betwene the forsayde Syr Robart and John, of thair fre assent, as is before wrytyn, I avysyt and vmbethoht hafand ee to mesur and rychtwysenes, consyderand to lete mykyl yl seath and grete sclandyr, yharnand thair endeful and tendyr frenschepe, forsuth determynyt thaim fully tyl acorde eftyr the tenur of certane endentarys and obligations, the qwylk I ordaynyt thaim to sele; and tharatowr for syndry dowtis, I ordaynyt the forsayde Syr Robart frely to delyvyr and than presently vp to gyf to the forsayde John al the landys of Logy and of Stragartnay before wrytyn, and throw vertu of bodely fayth at the forsayde Syr Robart and John wes oblyste lelly to fulfyl and trewly to halde my determinacyoun and ordenans of the cause before wrytyn, the forsayde Syr Robart for suth throw vertu of the forsayde obligacyoun rycht yan presently frely delyueryt and vpgefe, wyth staf and styk, to the forsayde John the landys before nemnyt; qwhen that wes done, I ordaynyt the forsayde Syr Robart to gyf his trowth to the forsayde John, and the forsayde John to gyf his trowth to the forsayde Syr Robart, beand to thaim bath in vertu of sylk aht as is wytnest in thair endenturyrs, lelly to halde ferme and stabyl al thyngis thar determynyt, ordaynyt and dune; the qwhylyk 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 John askyt me wes that the conclucyoun of myne ordenans, to the qwhylyk 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 determynacyoun, and the ende of myne ordenans fully demyt betwene the forsayde Syr Robart and John, 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 John 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 indenturis I hafe put my sele.

80*. CHARTER by KING ROBERT II., confirming CHARTER, dated 26th July 1368, by KING DAVID II. to JOHN OF LOGY, of the lands of Logy, 6th October [1387.]

ROBERTUS Dei gratia Rex Scottorum, omnibus probis hominibus tocius terre sue clericis et laicis salutem: Sciatis nos cartam recolende memorie quondam domini David Regis Scottorum auunculi et predecessoris nostri de mandato nostro visam, inspectam, lectam et diligenter examinatum, non rasam, non abolitam, non cancelatam nec in aliqua sui parte viciatam, intellexisse ad plenum sub hac forma: David, Dei gratia rex Scottorum, etc.—[*Vide* No. 76*, *supra*.]—Quamquidem cartam donacionemque et concessionem in eadem contentas in omnibus punctis suis et articulis, conditionibus et modis ac circumstantiis suis quibuscunque, forma pariter et effectu, in omnibus et per omnia approbamus, ratificamus et pro nobis et heredibus nostris, vt premissum est, imperpetuum confirmamus, saluo seruicio nostro: In cuius rei testimonium presenti carte nostre confirmationis 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 Scocie, Roberto de Fif et de Monteth, Jacobo de Douglas, filiis nostris dilectis, comitibus, Archebaldo de Douglas, et Thoma de Erskyne consanguineis nostris, militibus, apud Kylwyniu, sexto die Octobris, anno regni nostri decimo septimo.

81*. PRECEPT by KING ROBERT II. for infefting JOHN OF LOGY in the lands of Logy, etc.—8th June [1387.]

ROBERTUS Dei gracia Rex Scottorum vicecomiti et balliuis suis de Perth, salutem : Quia in presencia nostra et carissimi primogeniti nostri Johannis comitis de Carryk senescalli Scocie et quam plurium aliorum, Robertus comes de Fyf et de Menteth dilectus filius noster renunciauit pro perpetuo et libere liberauit Johanni de Logy omnes terras de Logy et de Strogartnay cum omnibus pertinenciis, tanquam iustas et rectas hereditates predicti Johannis, eidemque Johanni iuste et legitime iudicatas, mandamus vobis firmiter et districte precipimus, quatinus predictum Johannem vel suos certos attornatos eius nomine ad iustam et rectam possessionem dictarum terrarum cum pertinenciis restituitis indilate, ac supra limina et solia ipsarum terrarum tradatis dicto Johanni, vel dictis attornatis suis in eius nomine, sasinam hereditariam atque statum, ipsum vel ipsos in eisdem possessione et sasina atque statu dictarum terrarum cum pertinenciis iuste fortificetis, manuteneatis, et auctoritate nostra regia defendatis, si quis, quod absit, ipsum aut ipsos in dictis possessione sasina et statu contra tenorem presentis mandati nostri perturbaret : Datum sub testimonio nostri magni sigilli octauo die Junii, anno regni nostri septimo decimo.

82*. CERTIFICATION by WALTER STEWART of Raylistoun, Sheriff of Perth, that he had reinstated JOHN OF LOGY in the lands of Logy.—4th July 1387.

OMNIBUS ad quorum noticiam presentes litere peruenerint Walterus Senescallus dominus de Raylistoun et vicecomes de Perth, salutem in Domino sempiternam : Nouerit vniuersitas vestra nos alias habuisse in mandatis a metuendissimo domino nostro Roberto rege Scottorum sub magno suo sigillo quod restituerimus Johannem de Logy ad terras de Logy cum pertinenciis infra vicecomitatum de Perth ; virtute cuius mandati testificamur nos in presencia dicti domini nostri regis ac plurimorum procerum et fidedignorum dictum Johannem ad dictas terras de Logy cum pertinenciis restituisse, ita libere sicut prefatus Johannes dictas terras cum pertinenciis vnquam in aliquo tempore habuit, gaudebat vel possidebat ; Et hoc omnibus quorum interest vel interesse poterit tenore presencium notificamus : In cuius rei testimonium sigillum nostrum presentibus est appensum, apud Logy quarto die mensis Julii anno Domini millesimo ccc^{mo} octogesimo septimo.

83*. LETTER by ROBERT EARL OF FIFE and MENTETH to obey JOHN OF LOGY as the lawful Lord of Strogartnay.—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 Strogartnay 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 presentibus sigillum nostrum precepimus apponi, apud Perth vicesimo secundo die mensis Marcii anno Domini m^{mo} ccc^{mo} nonagesimo.

84*. CERTIFICATION by MURDOCH STEWART, Justiciar, that two men from Logy had been transferred to the jurisdiction of the Court of the regality of Logy.—20th May 1392.

OMNIBUS has literas visuris vel audituris Murdacus Senescalli dominus de Aphthane justiciarius ex parte boriali aque de Forth, salutem : Sciatis quod in pleno itinere iusticiarie per nos tento vicesimo die mensis Maij anno Domini millesimo trecentesimo nonogesimo 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 Scotorum illustris sub suo magno sigillo, et super eandem cartam vnam confirmacionem recolende memorie quondam Roberti regis Scotorum illustris sigillo ipsius magno sigillatam, quam quidem cartam et confirmacionem veraciter per Willelmum de Camera clericum nostrum dicti itineris justiciarie de verbo in verbum perlecte fuerant, sic incipientes in modis et formis que secuuntur : Robertus Dei gracia rex Scotorum, etc.—[*Vide* No. 76* et No. 80*, *supra*.]—Quibus vero in prefato itinere ad auditum nostri et tocus curie perlectis, dictus Johannes plegium quendam extendebat, quod virtute dicte carte debuit prefatos homines suos habere ad plegium ad curiam suam re-



galitatis de Logy; quoquidem plegio per nos recepto, et ipso extra curiam remoto, diligenter consiliati et curia auisata plene declarauerunt in nostri presencia, ut predicitur, vt dictus Johannes prefatos suos homines extra prefatam curiam itineris justiciarie ad curiam suam regalitatis de Logy habere debuit, et tunc eosdem extra curiam justiciarie ad libertatem et regalitatem predicti Johannis virtute carte sue predictae deliberare fecimus in instanti: Et quod acta et facta sic fuerant sigillo nostro officii nostri justiciarie supradicti testificamus anno, mense, et loco supradictis.

85*. CERTIFICATION by WALTER OF TOLACH, Chamberlain-depute, that he had delivered four prisoners for trial at the Regality Court of Logy.—13th April 1396.

VNIUERSIS has literas visuris vel auditoris Walterus de Tolach deputatus camerarii ex parte boreali aque de Forth, salutem: Sciatis quod in pleno itinere camerarie per nos tento apud Perth, decimo tertio die mensis Aprilis cum continuacione dierum, anno Domini millesimo ccc^{mo} nonagesimo sexto, in pretorio eiusdem burgi, quatuor homines in dicta curia erant intrati, sic nominati, videlicet, Donaldus Scot, Gyls filius Randy, Michael filius Cristini, et Andreas Leche, qui erant ad dictam curiam itineris per viceconitis mandatum arestati tanquam foristallatores dicti burgi de Perth: In quaquidem

curia personaliter comparuit Johannes de Logy dominus eiusdem, et eosdem homines clamabat esse suos manentes et inhabitantes dictas terras de Logy, ac ibidem oretinus monstrauit quod ipse easdem terras tenuit de domino Rege in capite in liberam regalitatem, datas de Rege Dauid et confirmatas de Rege Roberto nuper defuncto ; hoc audito, et prefato Johanne extra curiam remoto, nos cum curia diligenter auisati diliberauimus eidem Johanni homines suos prefatos ad libertatem et regalitatem suam de Logy virtute suarum infeodacionum : In cuius rei testimonium sigillum nostrum presentibus est appensum, apud Perth die mensis et anno prescriptis.

86*. CHARTER OF CONFIRMATION by KING ROBERT III. to JOHN OF LOGY of the lands of Logy.—30th April [1396.]

ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue clericis et laicis, salutem ; Sciatis nos cartam recolende memorie quondam domini Dauid regis Scottorum factam Johanni de Logy super terris de Logy, et super eandem cartam confirmationem in maiori forma recolende memorie dudum domini Roberti regis Scottorum patris et predecessoris nostri, de mandato nostro visas, inspectas, lectas et diligenter examinatas, non raras, non abolitas, non cancellatas, nec in aliqua sui parte viciatas, intellexisse ad plenum sub hac forma : Robertus Dei gracia rex Scottorum, etc.—[*Vide* No. 76* et No. 80*, *supra*.]—Quasquidem cartam, donacionem confirmationemque et concessionem in eisdem contentas in omnibus punctis suis et articulis, conditionibus et modis ac circumstanciis suis quibuscunque, forma pariter et effectum, in omnibus et per omnia approbamus ratificamus et pro nobis et heredibus nostris inperpetuum confirmamus, saluo seruicio nostro : Insuper concessimus, damus et concedimus eidem Johanni heredibus suis vel assignatis, vt ipsi habeant teneant et possideant de nobis et heredibus nostris dictas terras de Logy cum

pertinenciis in liberam warrennam imperpetuum cum feodis et forisfactoris : Quare firmiter prohibemus ne quis in eisdem terris secet, aucupet aut venetur, seu in lacubus viuariis vel stagnis suis piscare presumat, sine licencia ipsius Johannis, heredum aut assignatorum suorum, speciali, super nostram plenariam forisfacturam amerciamenti nostri decim librarum sterlingorum ad vsum dicti Johannis heredum aut assignatorum suorum leuandarum et percipiendarum ; ac etiam damus plenariam potestatem et auctoritatem nostram predicto Johanni de Logy, heredibus suis aut assignatis, vt omnes qui in dictis terris de Logy, aut eiusdem pertinenciis statim dictis, aucupant, venantur aut piscantur, ipsos arestandi per eundem Johannem heredes suos vel assignatos aut eorum officarios ad curiam dictarum terrarum suarum de Logy, et ibi calumpniari, iudicari, condemnari et non alibi refrenari, dummodo prefatus Johannes heredes sui vel assignati tam de dampnis quam de dicta pene summa plenarie fuerint satisfacti : Damus eciam et concedimus dicto Johanni heredibus suis vel assignatis totam et integram piscariam aque de Amond nos contingentem vbicunq; ex vtraque parte aque predictae, cum plenaria potestate et auctoritate nostra speciali per se ipsum, heredes, assignatos aut eorum officarios vel substitutos arestandi omnes et singulos super aquam predictam tempore prohibito piscantes ad curiam suam de Logy, et ipsos in dicta curia sua calumpniandi, amerciandi, puniendi et amerciamenta inde contingencia ad vsus suos heredum aut assignatorum suorum leuandi et percipiendi. In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum : Testibus venerabilibus in Christo patribus Waltero et Matheo Sanctiandree et Glasguensis ecclesiarum episcopis, Daud primogenito nostro de Carrik, Roberto de Fyff et Meneteth fratre nostro, Archebaldo de Douglas, comitibus, Magistro Duncano Petyt archidiacono Glasguensi cancellario nostro, Jacobo de Douglas de Dalketh, et Thoma de Eriskyne, consanguineis nostris dilectis, militibus : Apud Perth vltimo die mensis Aprilis anno regni nostri septimo.

87*. CERTIFICATION by WILLIAM OF ROTHFEN, Sheriff of Perth, that a man had been transferred to the jurisdiction of the Regality Court of Logy.—
3d October 1396.

OMNIBUS' has literas visuris vel audituris Willelmus de Rothfen dominus eiusdem, vicecomes de Perth, salutem : Sciatis quod in curia vicecomitatus de Perth per me tenta tercio die mensis Octobris anno Domini millesimo ccc^{mo} nonogesimo sexto, quidam homo qui dicebatur Bricius filius Patricii per Johannem de Mortoun marum occidentalis partis dicti vicecomitatus arrestatus causa cuiusdem plegii furti in manibus dicti mari per Gilqhomys dictum Rede extenti super eundem Bricium coram me erat intratus, quem quidem Bricium nobilis vir Johannes de Logy dominus eiusdem clamabat esse hominem suum habitantem in terris de Logy predictis, et tunc personaliter monstravit vnam cartam bone memorie quondam domini David regis Scottorum illustris suo magno sigillo sigillatam et super eandem cartam vnam confirmationem recolende memorie quondam domini Roberti Regis Scottorum illustris sigillo ipsius magno sigillatam, quam quidem cartam et confirmationem in prefata curia dictus Johannes de Logy perlegi fecit de verbo in verbum in modo et forma sequentibus : Robertus Dei gracia rex Scottorum omnibus, etc.—[*Ut supra, vide No. 76* et No. 80*.*]—Quibus vero in prefata curia vicecomitatus ad auditum nostri et tocus curie perlectis, dictus Johannes plegium extendebat, quod virtute dicte carte prefatum hominem suum debuit habere ad plegium ad curiam suam regalitatis de Logy, quoquidem plegio per me recepto, et prefato Johanne extra curiam remoto, diligenter consiliatus et curia auisata plene declarauerunt in nostri presencia, vt predicatur, vt prefatus Johannes eundem hominem suum extra prefatam curiam vicecomitatus virtute dicte carte sue ad curiam suam regalitatis de Logy habere debuit, et tunc eundem hominem ad libertatem regalitatis predicti Johannis iustanter feci

liberari ; et quod hec modo quo predicatur acta et facta fuerant per has literas meas sigillo meo sigillatas testificor, anno, mense, die et loco supradictis.

88*. ACKNOWLEDGMENT by WILLIAM OF ROTHFEN, Knight, Sheriff of Perth, of Receipt of the King's Blench Farms from Logy.—20th August 1400.

TIL al that thir letteris heris or seis, Willyam of Rothfen, knyecht, schiref of Perth, gretyng : Wit ze me till haf ressavit fra Jon of Logy, lorde of that ilke, in al zeris that I gouernyt the saide offyse the blanch fermys that the saide Jon was auand til oure lorde the Kyng of the landis of Logy ; and that til al men I mak knawyn be thir present letteris : In witnes of the qhilk to thir present letteris I haf set my seele, at Rothfen, the xx day of the moneth of August the yher of our Lorde a thousand and four hundir.

89*. PROCESS OF LEGITIMATION before WILLIAM BISHOP OF DUNELANE as Judge Ordinary, with his decision, finding that the deceased JOHN OF LOGY of that Ilk had been lawfully married *per verba de presenti* to Jonet Cardene, and that their son Lionel of Logy was consequently legitimate, and capable of succeeding to all their property.—13th March 1422.

VNIERSIS sancte matris ecclesie filiis ad quorum noticias presentes litere peruenerint Willelmus miseracione diuina episcopus Dunblanensis domini nostri pape Martini quinti referendarius et iudex ordinarius ad infrascripta salutem in Domino sempiternam : Dudum coram nobis comparuit nobilis vir Lionellus de Logy filius quondam Johannis de Logy et nobis tanquam suo ordinario humiliter supplicauit sibi iusticiam ministrare, et petitionem suam

nobis in scriptis protulit, cuius tenor talis est : Vobis reuerendo in Christo patri ac domino domino Willelmo Dei gracia episcopo Dunblanensi dicit et humiliter proponit Lionellus de Logy filius quondam Johannis de Logy domini eiusdem quod dictus quondam Johannes de Logy pater suus matrimonium legitime contraxit cum Joneta de Cardne matre sua per verba de presenti, et quia ipse Lionellus dubitat questionem de sua natiuitate seu legitimatione in posterum sibi posse moueri sicut de facto sibi mouetur ex parte nobilis viri Dauid de Ogilby se pretendens consanguineum dicti quondam Johannis de Logy, petit dictus Lionellus quatenus probatis in hac parte probandis, citato ad hoc prius dicto Dauid de Ogilby ac omnibus aliis quorum interest, matrimonium supradictum fuisse et esse verum et legitime contractum per vos et vestram sententiam diffinitivam pronuciari decerni et declarari, prolesque susceptas ac procreatas legitimas decernendo, super hiis vestrum benignum officium implorando ; post cuius quidem sedule receptionem et lecturam, nos Willelmus episcopus antedictus in causa et causis huiusmodi rite procedere volentes, instante et requirente dicto Lionello principali, prefatum Dauid de Ogilby ex aduerso principalem et in dicta petitione principaliter nominatum et quoscunque alios sua interesse credentes tam coniunctim quam diuisim per nostras certi tenoris literas in diuersis locis insignibus nostre diocesis ut moris est citari mandauimus et fecimus ad certum terminum congruum peremptorium et competentem, et adueniente huiusmodi citationis termino comparuit in ecclesia parochiali de Ochterardor nostre diocesis Dunblanensis, et in iudicio coram nobis prefatus Lionellus de Logy principalis et dictas literas citatorias a nobis ut premittitur emanatas et debite executas vna cum executione ipsarum literarum facta readportauit et exhibuit, quasquidem literas citatorias et earum executionem in iudicio alta voce fecimus perlegi, post quarum lecturam comparuit in iudicio coram nobis discretus vir Magister Willelmus Ramsay presbyter bacularius in decretis prefati Dauid de Ogilby

ex aduerso principalis procurator et procuratorio nomine qui de suo mandato tunc legitimam fidem fecit ac termino satisfaciens ; tunc vero dictus Lionellus licenciam peccit ut venerabilis vir dominus Nicolaus de Atholia decretorum doctor facta sua pro ipso in iudicio proponeret, quiquidem dictus Nicolaus proposuit nomine et ex parte dicti Lionelli in dicta causa principalis, quodquidem Johannes de Logy dominus eiusdem pater illius Lionelli ante mortem suam Jonetam de Cardne matrem dicti Lionelli disponsauerat et matrimonium contraxerat cum eadem per verba de presenti, vnde peccit dictum matrimonium legitimum declarari, et alia prout in sua petitione summaria quam nostro notario dedit in scriptis plenius continetur : Tunc vero dictus Magister Willelmus de Ramsay [ex parte] prefati Dauid de Ogilby ex aduerso principalis peccit alium locum tutum sibi et domino suo ipsum constituenti assignari, quia dixit quod locus ille non erat tutus ; nos vero Willelmus episcopus et iudex antedictus post multas parcium altercationes et argumenta prefato Magistro Willelmo de Ramsay et Dauid de Ogilby ipsum constituenti et omnibus aliis sua interesse credentibus ad dicendum et opponendum verbo vel in scriptis quicquid vellent seu vellet contra dictam petitionem summariam et in ecclesia parochiali ville de Perth Sancti Andree diocesis, quia dictus dominus Episcopus Sancti Andree locum nobis concessit sedere pro tribunali ad iura reddendum in dicta causa vbicunque nobis placeret in sua diocesi, prout in suis literis inde confectis plenius continetur, apud acta ut moris est citauimus ad certum terminum peremptorium et competentem, ad quem locum et terminum ambe partes predictae coram nobis litigantes consensierunt, et in huiusmodi termino et loco videlicet in ecclesia parochiali ville de Perth comparuerunt coram nobis in iudicio dictus Lionellus principalis actor cum suo aduocato antedicto domino Nicholao de Atholia et prefatus Dauid de Ogilby ex aduerso principalis cum suo aduocato Magistro Willelmo de Ramsay termino satisfaciens : Tunc prefatus dominus Nicolaus de Atholia procurator et procuratorio

nomine dicti Lionelli petiit vt pars sua aduersa petitioni sue summarie in scriptis ut supradate responderet : Tunc dictus Magister Willelmus de Ramsay procurator et procuratorio nomine quo supra dicti Daud de Ogilby ex aduerso principalis, narrata prout in dicta petitione narrantur negauit, quo facto ad mandatum nostrum ambe partes predictae, videlicet, dictus Lionellus in propria persona et dictus Magister Willelmus Ramsay procuratorio nomine quo supra, in manibus nostris tactis sacrosanctis scripturis corporaliter iurauerunt de calumpnia vitanda et veritate dicenda tam super petitione prefata quam in tota causa seu causis cum omnibus et singulis capitulis in et sub iuramento calumpnie contentis : Postmodum autem instante et requirente dicto domino Nicholao de Atholia ad ponendum et articulandum poni et articulari videndum in causa seu causis huiusmodi dictum Daud de Ogilby ex aduerso principalem ac omnes alios sua interesse credentes ut moris est citauimus apud acta ad alium certum terminum peremptorium congruum et competentem, eundemque terminum eidem domino Nicholao procuratorio nomine antedicto petenti et requirenti ad consimilem actum statuimus similiter et prefiximus, et in huiusmodi termino comparuerunt coram nobis episcopo et iudice antedicto partes predictae ; tunc dominus Nicholaus nomine quo supra pro parte dicti Lionelli posiciones et articulos in causa et causis huiusmodi exhibuit, facto et produxit, quorum quidem articulorum tenor talis est : Quare petit procurator prefati Lionelli per vos reuerendum in Christo patrem dominum Willelmum Episcopum Dunblanensem iudicem suum ordinarium predictum matrimonium inter dictos quondam Johannem de Logy et Jonetam de Cardene contractum fuisse et esse verum et legitimum contractum ac per vestram sententiam diffinitivam legitimum decerni pronunciarum et declarari, prolesque inter ipsos quondam Johannem et Jonetam susceptas et procreatas legitimas decernendo ; petit etiam eundem Daud in expensis in hac causa legitime factis et faciendis in posterum circa eandem condemnandum fore et

condempnari et alias in et super premissis iusticie complementum ministrari, premissa petens tam coniunctim quam diuisim, modo, via, jure, causa et forma melioribus quibus potest et debet, jure corrigendi, addendi, minuendi, declarandi et alias de nouo dandi sibi et parti sue semper saluis : Nos autem episcopus et iudex prefatus dicto domino Nicholao de Atholia instanti et requirenti ad dicendum et opponendum quicquid dicere vel opponere vellent, verbo uel in scriptis contra posiciones et articulos per ipsum dominum Nicholaum procuratorem ut dictum est exhibitos et productos in quantum articuli existunt, et ad respondendum eisdem singulariter et singulis in quantum posiciones existant, dictum Dauid de Ogilby vel eius procuratorem omnesque alios et singulos qui sua putauerint interesse prout moris est apud acta citauimus ad certum terminum congruum peremptorium et competentem, et in termino huiusmodi coram nobis in iudicio comparuerunt dictus Lionellus cum prefato domino Nicholao suo aduocato, et dictus Magister Willelmus de Ramsay procurator et procuratorio nomine quo supra termino satisfaciens, nihilque nisi generalia verbo contra posiciones et articulos opponens, dicto domino Nicholao procuratorio nomine quo supra instaute et requirente ad producendum, et per aliam partem produci videndum, omnia et singula jura, instrumenta, literas, scripturas et munimenta quibus partes ipse in huiusmodi causa uti vellent et intenderent aut quomodolibet se iuuare, dictum Dauid de Ogilby et eius procuratorem ac omnes alios et singulos sua interesse credentes ut moris est citauimus apud acta ad certum terminum peremptorium congruum et competentem, ipsumque terminum ad similem actum dicto domino Nicholao procuratori prefato statuimus et prefiximus, et in ipso termino comparuit in iudicio coram nobis prefatus Magister Willelmus de Ramsay procurator et procuratorio nomine dicti Dauid de Ogilby termino satisfaciens, sed nec aliqua iura vel munimenta producens, tunc vero dictus dominus Nicholaus procurator et procuratorio nomine dicti

Lionelli actoris ipsi termino pro parte sua satisfaciendo vt dixit, iura, instrumenta, literas, scripturas et munimenta ac quecunque alia quibus in causa et causis huiusmodi vti et pro sua parte se iuuare uult et intendit verbo et in scriptis exhibuit et produxit, dictum Dauid de Ogilby vel procuratorem suum et omnes alios et singulos sua interesse credentes, instante dicto domino Nicholao procuratore antedicto ad dicendum et opponendum quicquid dicere et opponere uellent verbo vel in scriptis contra dicta iura et munimenta producta ad vnum certum terminum congruum peremptorium et competentem, vt moris est, citauimus apud acta: Et in huiusmodi termino comparuit in iudicio coram nobis prefatus Magister Willelmus de Ramsay procuratorio nomine dicti Dauid de Ogilby ex aduerso principalis et termino satisfaciens, nec tamen aliquid verbo vel in scriptis contra iura et munimenta per ipsum dominum Nicholaum procuratorem dicti Lionelli, vt dictum est, exhibita et producta dicens nec opponens: Nos autem episcopus et iudex prefatus dictum Dauid de Ogilby et eius procuratorem presentes et omnes alios sua interesse credentes ad declarandum et declarari videndum per aliam partem quicquid in huiusmodi causa et causis uellent, instante et requirente prefato domino Nicholao procuratore nomine quo supra, vt moris est, apud acta citauimus eundemque terminum et ad similem actum dicto Magistro Willelmo de Ramsay presenti et petenti statuimus et eciam assignauimus: Et in huiusmodi termino comparuit [coram] nobis dictus Magister Willelmus de Ramsay procurator procuratorio nomine quo supra nichil tamen declarans sed termino satisfaciens, dictus dominus Nicholaus termino ut dixit satisfaciendo pro parte sua positiones et articulos partis sue in scriptis ac eciam uerbo generaliter quoad nomina et cognomina, loca, tempora, res, personas et alias circumstantias declarauit: Nos uero episcopus iudex prefatus dictum Dauid de Ogilby et omnes alios et singulos sua interesse credentes ad dicendum et opponendum quicquid dicere et opponere uellent uerbo uel in scriptis contra dictas de-

clarationes et iura instrumenta ac munimenta partis sue prenominate superius per dictum dominum Nicholaum procuratorem producta ad vnum certum terminum, vt est moris, citauimus apud acta : Et in huiusmodi termino comparuit in iudicio coram nobis dictus Magister Willelmus de Ramsay procurator dicti David de Ogilby termino satisfaciens, sed nichil dicens uerbo uel in scriptis contra dictas declarationes iura ac munimenta : Deinde vero nonnullis articulis pro parte dicti domini Nicholai procuratoris dicti Lionelli principalis in presenti causa datis et productis, ut premittitur, et dictum dominum Nicholaum ac partem suam ad probandum eos per nos admissos, et aliquibus testibus ad probandum ipsos articulos pro parte dicti domini Nicholai procuratoris prefati Lionelli nominatis, citatis, productis et per nos receptis ac iuratis examinatisque et diligenter interrogatis, ac eorum dictis et deposicionibus in scriptis diligenter et fideliter redactis, instante et requirente dicto domino Nicholao procuratore predicto ad concludendum et concludi videndum, et ad audiendum vel dicendum, opponendum et allegandum causam iustam et rationabilem si quam habet quare in causa ipsa concludi non deberet, prefatum David de Ogilby et eius procuratorem presentem et omnes alios et singulos sua interesse credentes ad vnum certum terminum congruum peremptorium competentem, ut moris est, citauimus apud acta, eundemque terminum et ad eundem actum dicto domino Nicholao procuratori petenti et intelligenti statuimus et prefiximus videlicet ad comparendum coram nobis in ecclesia nostra cathedrali Dunblanensi ex certis causis ad hoc animum nostrum mouentibus; et in huiusmodi termino comparuerunt coram nobis in iudicio in ecclesia nostra Dunblanensi dicti dominus Nicholaus et Magister Willelmus procuratores nominibus quo supra ambarum parciun termino satisfaciens, et in huiusmodi causa concludi petentes ac pro partibus suis in causa huiusmodi hinc inde renunciauerunt et concluserunt; Et tunc nos vnacum ipsis in causa presenti conclusimus et habuimus pro concluso : Postmodum autem instante

et requirente dicto domino Nicholao procuratore dicti Lionelli principalis ad audiendum et videndum per nos ferri et promulgari diffinitiuam sententiam in causa presenti, dictum Dauid de Ogilby et eius procuratorem ipsius nomine presentem ac omnes alios et singulos sua interesse credentes citauius, ut moris est, apud acta ad certum terminum congruum peremptorium et competentem, ipsumque terminum ad consimilem actum eidem domino Nicholao procuratori dicti Lionelli de Logy petenti nomine quo supra et intelligenti assignauimus et prefiximus, aduenienteque huiusmodi termino prefatus Lionellus cum suo prelocutore dicto domino Nicholao et prefatus Magister Willelmus de Ramsay procurator nomine dicti Dauid de Ogilby ex aduerso principalis comparuerunt coram nobis in iudicio, dictusque dominus Nicholaus pro se et parte sua et contra partem sibi aduersam sententiam diffinitiuam superinde per nos ferri [et] promulgari, et petens et requirens, dictoque Magistro Willelmo de Ramsay, etc., procuratorio nomine quo supra in presenti causa pro se et contra partem aduersam per nos ferri et promulgari petente et requirente: Et nos episcopus et iudex antedictus ad nostram sententiam diffinitiuam in causa huiusmodi ferendam et promulgandam, in hunc modum [processimus:] Cristi nomine inuocato, solum Deum pre oculis habentes de iuris peritorum concilio et assensu per hanc nostram sententiam diffinitiuam quam sedentes pro tribunali ferimus in hiis scriptis pronunciamus, decernimus et declaramus matrimonium contractum inter dictos Johannem de Logy et Jonetam de Cardne fuisse et esse legitimum, firmum et gratum, et dictum Lionellum de Logy filium naturalem dictorum quondam Johannis et Jonete fuisse et esse per dictum matrimonium filium legitimum et habilem ad omnem hereditatem dictorum quondam Johannis et Jonete terrarum et bonorum quorumcunque siue possessionum tam mobilium quam immobilium, et ad omnia predicta, succedendum legitime et canonice, prout filius sub vero matrimonio genitus succedere posset quoquomodo, et dictum matrimonium

inter dictos quondam Johannem de Logy et Jonetam de Cardne canonicum fuisse et esse suumque debere et debuisse sortiri effectum, ac omnes alias [proles] inter dictos quondam Johannem et Jonetam procreatas legitimas decernendo puras, eidemque Daud de Ogilby contra dictum matrimonium et legitimationem dicti Lionelli se opponenti super dictis opposicionibus, impedimentis et molestacionibus perpetuum silencium imponendum fore et imponimus; ac eundem Daud de Ogilby ex aduerso principalem in expensis dicte cause coram nobis legitime factis condemnandum fore et condampnamus, ipsarum expensarum taxationem nobis imposterum reseruando: lecta, lata et in scriptis promulgata fuit hec nostra diffinitiuua sententia per nos Willelmum episcopum Dunblanensem referendarium antedictum in Ecclesia nostra Cathedrali Dunblanensi nobis inibi, hora causarum siue terciarum consueta, in loco nostro solito ad iura reddenda pro tribunali sedentibus: sub anno a natiuitate Domini millesimo quadringentesimo xxij^o, indiccione prima, et die Sabati decimatercia die mensis Martij, pontificatus sanctissimi in Christo patris et domini nostri domini Martini diuina prouidentia pape quinti et moderni anno sexto; presentibus ibidem venerabilibus et discretis uiris Magistris Donaldo Macnachten decano ecclesie Dunkeldensis, Michaele de Ouchtre decano ecclesie Dunblanensis, dominis Willelmo de Athray thesaurario, Willelmo de Cadyow canonico ecclesie Dunblanensis, Willelmo de Fowlis, Johanne Mackison, Willelmo Burges presbyteris, Andrea de Drummonde et Patricio de Ogill, scutiferis, cum multis aliis testibus ad premissa vocatis specialiter et rogatis: In quorum omnium et singulorum premissorum fidem et testimonium presentes literas seu publicum instrumentum dictam nostram diffinitiuam sententiam in se continentes seu continens exinde fieri et per notarium infrascriptum nostrum et huiusmodi cause coram nobis scribam publicari, signo suo signari mandauimus, nostrique sigilli munimine fecimus roborari, sub anno, indiccione, die, mense et pontificatu quibus supra:

Et ego Valterus Awenere clericus Dunblanensis diocesis publicus auctoritate imperiali notarius, reverendique patris ac domini mei domini Willelmi episcopi ac iudicis prefati et huiusmodi cause coram eo scriba, predicte sententie prolacioni, ac omnibus aliis et singulis premissis dum sic, ut premittitur, per dictum dominum meum episcopum et iudicem agerentur et fierent, vnacum prenominatis testibus presens fui, eaque omnia et singula premissa vidi et audiui et de mandato ipsius domini mei episcopi et iudicis publicaui, per alium occupatus aliis negociis grossari et redigi feci, hicque manu propria facta collacione me subscripsi, et signum meum solitum et consuetum vna cum appensione sigilli dicti domini episcopi et iudicis apposui in testimonium omnium et singulorum premissorum rogatus et requisitus.

VALTERUS AWENER.

90*. NOTARIAL TRANSUMPT made by authority of MICHAEL, Bishop-elect of Dunblane, of the preceding Process of Legitimation in favour of Lionel of Logy.—10th May 1430.

MICHAEL miseracione diuina electus et confirmatus Dunblanensis vniuersi sancte matris ecclesie filiis notum facimus per presentes, quod coram nobis pro tribunali sedentibus in ecclesia parochiali de Muthil nostre diocesis die Mercurii, decima die mensis Maii, anno Domini millesimo quadringentesimo tricesimo, comparuit nobilis vir Lyonellus de Logy noster diocesanus coram nobis exhibens et ostendens quemdam processum et execuciones nonnullas inde secutas super ipsius legitimacione alias factas et deductas per reuerendum in Christo patrem ac dominum dominum Willelmum eadem miseracione nostrum immediate predecessorem, quorum quidem processus et execucionum

ipsius tenores inferius describuntur, sanas et integras ac omni vicio et suspitione, vt prima facie apparebat, carentes; copia vero dicti processus et executionum ipsius sequitur in hunc modum: Vniuersis sancte matris ecclesie filiis ad quorum noticias presentes litere peruenerint Willelmus miseracione diuina episcopus Dumblanensis [*etc., ut supra*, No. 89*.]—Quibus quidem processu et executionibus inde factis de uerbo in uerbum coram nobis perlectis peccit idem Lyonellus dictum processum cum eius executionibus transcribi et in formam publicam redigi, nostris auctoritate ordinaria et interposicione decreti interuenientibus; et ut huiusmodi transcripto fides in iudicio in Romana curia et extra in omnibus exhibeatur sicuti et originali processui ac executionibus principalibus inde secutis, ne ipse originalis processus et executiones inde secute seu eorum memorie ac legitima testimonia depereant vel casibus fortuitis amittantur, nos vero Michael electus et confirmatus antedictus, uis inspectis et diligenter examinatis dicto processu ac ipsius executionibus, eisque ueris et absque vlla suspitione reputatis, petitionem dicti Lyonelli tanquam iustam et rationi consonam reputantes, ipsam duximus admittendam et admisimus per presentes, mandantes per literas nostras patentes ac notarios infrascriptos nostros scribas in hac parte dictos processus et executiones ipsius copiarum, transcribi et in formam publicam redigi decernentes auctoritate nostra ordinaria, ut huiusmodi transumpto fides adhibeatur in Romana curia et extra sicut originali processui et executionibus inde secutis, quibus omnibus et singulis nostram auctoritatem interponimus et decretum: In cuius rei testimonium presens transcriptum per notarios seu notarium infrascriptos seu infrascriptum curie nostre in hac parte scribas seu scribam sibi subscribi ac publicari mandauimus necnon et sigilli nostri appensione muniti: Super quibus omnibus et singulis peccit dictus Lyonellus a nobis notariis publicis subscriptis publicum sibi fieri instrumentum: Acta fuerunt hec in ecclesia parochiali de Muthill hora quasi decima ante

meridiem sub anno, mense, die, indiccione et pontificatu superius annotatis: Presentibus ibidem nobilibus et discretis viris, videlicet Daud de Morauia domino de Tuluchbardy, Magistro Malcolmo rectore de Kyppan ac officiali curie Dunblanensis, domino Henrico rectore de Glendowan, domino Waltero Broune rectore de Duplyn, et domino Arnulfo vicario de Strogeth, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Valterus Awener clericus Dunblanensis diocesis, publicus auctoritate imperiali notarius, quia dicti processus presentacioni et lecture eiusdem ac omnibus aliis in eodem contentis dum sic, ut premittitur, agerentur et fierent vna cum subscriptis notariis presens interfui, eaque sic vidi sciui et audiui et ad instantiam dicti Lionelli in hanc publicam formam redigi, presensque transumptum et processum suprascriptum per alium occupatus negociis grossari feci, hicque manu propria facta collacione me subscripsi et signum meum solitum et consuetum vnacum appensione sigilli reuerendi domini mei Michaelis electi confirmati, ac episcopi Dunblanensis pronunciatu apposui in testimonium omnium et singulorum premissorum rogatus et requisitus.

VALTERUS AWENER.

Et ego Robertus de Maxton clericus Sancti Andree diocesis, publicus auctoritate imperiali notarius, quia dicti processus presentacioni et lecture, etc., *ut supra*.

R. DE MAXTON.

Et ego Alexander Biset clericus Sancti Andree dyocesis publicus auctoritate imperiali notarius, dicti processus ostencioni, ipsius lecture, etc.

A. BYSATT.

91*. PROTEST by LYON OF LOGY that the Procuratory for resigning the lands of Logy in favour of his son John had been extorted from him through force and terror; and his revocation of the same.—13th August 1478.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice millesimo quadringentesimo septuagesimo octavo, mensis vero Augusti die decimo tercio, indictione vndecima, pontificatus sanctissimi in Christo patris et domini nostri domini Sixti diuina prouidencia Pape quarti anno octavo, in mei notarij publicj et testium subscriptorum presencia personaliter constitutus honorabilis vir Leo de Logy de eodem, non vi aut metu ductus, circumuentus aut errore lapsus, ut apparuit, sed sua mera et spontanea voluntate nobiles et honorabiles viros Laurencium dominum le Olyphant, Henricum Wardlaw de Torry, Jacobum Hering filium et apparentem heredem Dauid Hering de Lethdy, Jacobum Oliphant, magistrum Johannem Oliphant, et Georgium de Muncreff, procuratores per ipsum vi et metu ut asseruit constitutos ad resignandum terras suas de Logy cum pertinentiis in manibus supremi domini nostri regis, et ad tradendum statum saisinam et possessionem hereditariam dictarum terrarum de Logy cum pertinentiis filio suo et apparenti heredi Johanni Logy, aut quoscunque alios procuratores per ipsum in eadem materia constitutos, ut supra renouauit, cassauit et adnullauit, et pro cassatis, adnullatis et reuocatis eosdem habere decreuit, solemniter protestando quod quicquid predicti procuratores in eadem causa resignacionis dictarum terrarum suarum cum pertinentiis aut quicunque alii ab eis substituti post predictam reuocacionem attemptare presumpserint nullatenus sibi cederit in preiudicium aut heredibus suis quibuscunque temporibus profuturis; de et super omnibus et singulis predictis predictus Leo de Logy a me notario publico subscripto sibi fieri peccit hoc

presens publicum instrumentum seu publica instrumenta vnum uel plura : Acta erant hec apud willam de Perth in hospicio collegii eiusdem, hora quasi quinta post meridiem sub anno, mense, die, indictione et pontificatu quibus supra : presentibus ibidem prouidis et discretis viris domino Patricio Zoung capellano, Alexandro Strippis, Jacobo Nicholson et Thoma Fel, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Patricius Scott clericus Sancti Andree diocesis publicus autoritibus imperiali et regali notarius, quia dicte reuocationi ceterisque omnibus [*etc., in forma communi.*]

92*. CHARTER by KING JAMES III. to JOHN LOGY, son of Lyon Logy of Logy-almonde, of the barony of Logyalmonde.—13th August 1478.

JACOBUS Dei gracia Rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto nostro Johanni Logy filio et heredi apparenti Leonis Logy de Logyalmonde totas et integras terras baronie de Logyalmonde cum pertinenciis, jacentes infra vicecomitatum nostrum de Perth : Quequidem terre cum pertinenciis fuerunt dicti Leonis hereditarie, et quas idem Leo non vi aut metu ductus nec errore lapsus sed sua mera et spontanea voluntate in manus nostras apud Edinburgh per fustem et baculum ac suum procuratorem ad hoc legittime constitutum coram subscriptis testibus sursum reddidit pureque simpliciter resignauit, ac totum jus et clameum que in dictis terris cum pertinenciis habuit seu habere potuit pro se et heredibus suis omnino quittum-clamauit imperpetuum : Tenendas et habendas totas et integras predictas terras baronie de Logyalmonde cum pertinenciis dicto Johanni Logy et heredibus suis de nobis et successoribus nostris in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas prout jacent in longitudine et

latitudine, in boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, riolis, pratis, pascuis et pasturis, molendinis multuris et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, petariis, turbariis, carbonariis, lapicidiis, lapide et calce, fabrilibus, brasinis, brueriis et genestis, cum curiis et earum exitibus, herizeldis, bludewitis et marchetis mulierum, ac cum omnibus aliis et singulis libertatibus, commoditatibus et asiamentis ac justis pertinenciis suis quibuscunque tam non nominatis quam nominatis ad dictas terras cum pertinenciis spectantibus seu quouismodo iuste spectare valentibus in futurum; et adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sicut dictus Leo aut predecessores sui predictas terras baronie de Logyalmonde cum pertinenciis de nobis aut predecessoribus nostris ante dictam resignacionem nobis inde factam liberius tenuit seu possedit, tenuerunt seu possederunt, faciendo inde annuatim dictus Johannes et heredes sui nobis et successoribus nostris jura et seruicia de dictis terris cum pertinenciis debita et consueta, reseruato tamen libero tenemento omnium dictarum terrarum cum pertinenciis prefato Leoni pro toto tempore vite sue; et reseruata racionabili tercia parte earundem Mergarete sponse dicti Leonis pro toto tempore vite sue cum contigerit: In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus reuerendis in Cristo patribus Johanne episcopo Glasguensi, Willelmo episcopo Morauisiensi nostri secreti sigilli custode, Thoma episcopo Aberdonensi, dilectis consanguineis nostris Andrea domino Avandale cancellario nostro, Colino comite de Ergile domino Campbell et Lorne magistro hospiciej nostri, David eomite de Craufurde domino Lindesay, Jacobo domino Hammyltoun, Johanne domino Carlile, Johanne Culquhone de eodem milite, et magistro Archibaldo Quhitlaw archidiacono Laudonie secretario nostro, apud Edinburgh decimo tercio die mensis Augusti anno Domini millesimo quadringentesimo septuagesimo octauo, et regni nostri decimonono.

93*. PRECEPT BY KING JAMES III. for infestting JOHN LOGY, son of Lyon Logy, in the barony of Logyalmonde.—17th October [1478].

JACOBUS Dei gracia Rex Scotorum dilectis, consanguineo nostro Laurencio domino Oliphant, Jacobo Hering, Jacobo Oliphant, Magistro Johanni Oliphant et Alexandro Wardlaw, ac eorum cuilibet coniunctim et diuisim, vicecomitibus nostris de Perth in hac parte specialiter constitutis, salutem : Quia dedimus et concessimus hereditarie dilecto nostro Johanni Logy filio et heredi apparenti Leonis Logy de Logyalmonde totas et integras terras baronie de Logyalmonde cum pertinenciis jacentes infra vicecomitatum nostrum de Perth : Quequidem terre cum pertinenciis fuerunt dicti Leonis hereditarie, et quas idem Leo non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate in manus nostras apud Edinburgh per fustem et baculum et suos procuratores sursum reddidit, pureque simpliciter resignauit, prout in carta nostra dicto Johanni inde confecta plenius continetur ; vobis precipimus et mandamus quatenus dicto Johanni vel suo certo actornato lateri presencium sasinam dictarum terrarum baronie de Logyalmonde cum pertinenciis secundum tenorem dicte carte nostre quam inde de nobis habet iuste habere faciatis et sine dilatione ; et hoc nullo modo omittatis, ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim in hac parte nostram plenariam committimus potestatem : Datum sub testimonio magni sigilli nostri apud Edinburgh decimo-septimo die mensis Octobris anno regni nostri decimonono.

94*. SASINE of JOHN LOGY, son of Lyon Logy, in the lands of Logy.

—23d October 1478.

IN Dei nomine amen : per hoc presens publicum instrumentum cunctis pateat euidenter quod ab anno incarnationis Dominice millesimo quadringentesimo

septuagesimo octauo, mensis uero Octobris die vicesimo tercio, indictione decimaquarta, pontificatus sanctissimi in Christo patris et domini nostri domini Sixti diuina prouidencia Pape quarti anno nono, in mei notarii publici et testium subscriptorum presencia personaliter constitutus nobilis et potens dominus Laurencius dominus le Oliphant vicecomes in hac parte domini nostri regis specialiter constitutus, prout in litteris regiis suo sigillo sigillatis mihi notario subscripto euidenter constabat documento, ad tradendum statum saisinam et possessionem hereditariam de feodo terrarum de Logi cum pertinenciis iacentibus infra vicecomitatum de Pertht Johanni Logy filio et apparenti heredi Leonis Logy domini ejusdem, vel suo certo attornato, qui uero vicecomes accessit ad dictas terras de Logi, et statum, saisinam et possessionem hereditariam Alexandro Vardlaw attornato dicti Johannis Logy de feodo dictarum terrarum cum pertinenciis tradidit et deliberauit, hac eundem Alexandrum nomine attornatorio predicti Johannis in feodo dictarum terrarum cum pertinenciis per tradicionem terre et lapidis super fundo dictarum terrarum ut moris est induxit, juris solempnitate in eisdem fieri consueta mediante, nullo clamante aut contradicente: De et super quibus omnibus et singulis prefatus Alexander Vardlaw a me notario publico sibi fieri peccit instrumentum vel instrumenta publicum vel publica. Acta erant hec apud principale mansuagium de Logy sub anno, die, mense, indictione et pontificatu quibus supra, presentibus ibidem honorabilibus et prouidis uiris Jacobo Oliphant de Arquhale, magistro Johanne Oliphant, Thoma Spens et Allano Watson, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Andreas Ranaldsone presbyter Sancti Andree diocesis, publicus auctoritatibus imperiali ac regali notarius, quia omnibus [*etc., in forma communi.*]

95*. REFUSAL of MARGARET OLIPHANT, Lady of Torry, to resign certain leases in favour of Lyon of Logy of Logiealmond.—16th November 1483.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice millesimo quadringentesimo octuagesimo tercio, indiccione secunda, mensis vero Nouembris die decimo sexto, ac pontificatus sanctissimi in Christo patris et domini nostri domini Sixti divina prouidencia pape quarti anno decimoterccio, ac regni serenissimi principis et supremi domini nostri domini Jacobi tercii Scotorum regis illustrissimi anno vicesimo quarto, in mei notarii publici et testium infra-scriptorum presencia personaliter constitutus prouidus vir Leo de Logy de Logyalmond quamdam obligationem in papiro scriptam sigillo prouidi viri Jacobi Heryng de Tulyboill vt apparuit procurato per prouidam mulierem Margaretam Oliphant dominam de Torry sigillatam michi notario subscripto tradidit perlegendam : Qua obligacione perfecta in presencia dicte Margarete Oliphant prefatus Leo de Logy peciit a dicta Margareta presenti et audienti quatenus sibi Leoni ipsa Margareta resignaret assedaciones terrarum et omnes alios contractus inter ipsos initos et factos, prout in dicta obligacione ad longum et expresse continebatur, et tunc dicta Margareta Oliphant respondens dixit quod noluit suas assedaciones resignare : Super quibus omnibus et singulis prefatus Leo de Logy a me notario publico subscripto sibi fieri peciit hoc presens publicum instrumentum : Acta erant hec in gradu hospicii Laurencii Domini Oliphant infra burgum de Pertht hora tertia post meridiem vel eocirca, sub anno, indiccione, die, mense et pontificatu quibus supra, presentibus protunc ibidem honorabilibus et prouidis viris, videlicet, prefato Laurencio Domino Oliphant, Alexandro Blayr de Balthiok, Roberto Ross de Cragy, Jacobo Oliphant de Arquhelze, Jacobo Heryng de Tulyboill predicto,

Dauid de Camera de Strathy, Waltero Ross, Willelmo de Camera, Magistro Roberto de Camera et Domino Johanne Barbour capellano, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes de Kynmonth presbyter Dunkeldensis diocesis, publicus autoritatibus imperiali et regali notarius prenominate obligationis presentacioni et lecture ac dicti Leonis petitioni, et dicte Margarete responsioni ceterisque omnibus aliis et singulis premissis [*etc., in forma communi.*]

96*. SASINE of MARGARET LOGY of that ilk, as heir of her brother, John Logy, in the barony of Logyalmonde.—10th November 1486.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice millesimo quadringentesimo octogesimo sexto, mensis vero Nouembris die decimo, indicione quinta, pontificatus sanctissimi in Christo patris et domini nostri domini Innocentij diuina prouidencia Pape octauo anno tercio, in mei notarij publici et testium subscriptorum presencia personaliter constitutus prouidus vir Matheus Graym de Garvok, attornatus honorabilis domine Margarete Logy de eodem, accessit ad manerium de Logy, et ibidem exhibuit, ostendit et presentauit quoddam preceptum sasine de capella regis clausum in alba cera et literam attornatam sigillo albe cere sigillatam, vt moris est, prouido viro Alexandro de Abyronomy de eodem vicecomiti de Perth deputato honorabilis viri domini Villelmi Rothan de eodem militis, quodquidem preceptum sasine vnacum litera attornata mihi notario publico subscripto tradidit perlegendum quarum quidem literarum tenor sequitur et est talis : Preceptum :—Jacobus Dei gracia rex Scottorum vicecomiti et balliuis suis de Perth salutem : Quia per inquisitionem

de mandato nostro per vos factam, et ad capellam nostram retornatam com-
pertum est, quod quondam Johannes Logy frater Margarete Logy latricis pre-
sencium obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem nostram
de tota et integra baronia de Logyalmonde cum pertinenciis, iacente infra
balliam vestram, et quod dicta Margareta est legitima et propinquior heres
eiusdem quondam Johannis fratris sui de dicta baronia cum pertinenciis, et
quod est legitime etatis, et quod de nobis tenetur in capite, vobis precipimus
et mandamus quatenus dicte Margarete vel suo certo actornato latori presen-
cium sasinam dicte baronie cum pertinenciis iuste habere faciatis et sine
dilacione, saluo jure cuiuslibet, capiendo securitatem de duobus denariis
argenti per duplicationem albe firme dicte baronie nobis debitis ; et hoc nullo
modo omittatis : teste meipso, apud Edinburgh quarto die mensis Nouembris,
anno regni nostri vicesimo septimo. Attornatus :—Jacobus Dei gracia Rex
Scotorum omnibus probis hominibus suis ad quos presentes litere peruenerint
salutem : sciatis quod suscepimus Laurencium dominum Oliphant, Johannem
Oliphant, Jacobum Oliphant, Andream Charterys et Matheum Graym, vel
eorum aliquos vel aliquem attornatos vel attornatum Margarete Logy in
omnibus negociis et loquelis, placitis et querelis, motis seu mouendis, ipsam
Margaretam tangentibus seu tangere valentibus quibuscunque diebus et locis,
contra quoscunque et coram quibuscunque : Quare vobis precipimus et man-
damus quatenus dictos Laurencium, Johannem, Jacobum, Andream et
Matheum, vel eorum aliquos vel aliquem, quos vel quem presentes vel presen-
tem esse contigerit, tanquam attornatos vel attornatum predictae Margarete
in premissis recipiatis ; presentibus post annum minime valituris : In cuius rei
testimonium has literas nostras sibi fieri fecimus patentes apud Edynbrugh
quarto die mensis Nouembris anno regni nostri vicesimo septimo : Quibus
quidem literis prelectis prefatus quidem Alexander vicecomes deputatus inhabi-
tantibus domum principalem dicti manerii omnino remotis, igneque eiusdem

penitus extincto, sasinam statum et possessionem hereditariam terrarum tocius baronie de Logy cum pertinenciis prefato Matheo Graym attornato dicte Margarete domine de Logy secundum tenorem et formam dicti precepti sasine sibi desuper confecte nullo reclamante, per tradicionem terre et lapidis dedit transtulit et vtique deliberavit, eundem Matheum attornatum nomine quo supra corporalem et realem possessionem dictarum terrarum de Logyalmonde cum pertinenciis inducendum et investiendum; saluo jure cuiuslibet: De et super omnibus et singulis premissis prefatus Matheus Graym actornatus, vt prefertur, a me notario publico infrascripto sibi fieri peciit vnum vel plura publicum seu publica instrumentum seu instrumenta: Acta erant hec apud dictum manerium de Logy infra aulam eiusdem, vndecima hora ante meridiem vel eo circa, sub anno, mense, die, indictione et pontificatu quibus supra, presentibus ibidem discretis dominis Donaldo Clark, Roberto Ryehe, capellanis, Roberto Archer, Villelmo Ray et Malizeo Goivyll, laycis, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Stephanus Zoung presbyter Dunkeldensis diocesis, publicus auctoritate imperiali notarius quia premissis omnibus [*etc., in forma communi.*]

97*. CONFIRMATION by KING JAMES III. of a judgment by the Lords of Council, sustaining a resignation by Lyon of Logy of the lands of Logyalmond, and grant following thereon.—16th March 1486.

JACOBUS Dei gracia Rex Scotorum omnibus probis hominibus suis ad quos presentes litere peruenerint salutem: Sciatis nos quoddam actum siue decretum per consules nostros inferius descriptos datum et promulgatum vtique intellexisse sub hac forma: At Edinburg the thrid day of Februare

the zere of God j^m iiij^c foure skore foure zeris, the Lordis of Counsale vndirwrittin, that is to say, a maist reuerend and reuerend faderis in God, Williame archbischof of Sanctandris, Robert bishop of Glasgw, Williame bischof of Abirdene, Alexander elect of Dunkeldin, noble and michti lordis Coline [Erle] of Ergile, etc., chancellor of Scotland, Andro Lord Avandale, Schir James Allirdes provost of Sanctandris, Maister Archibald Quhitlaw secretaire, and John the Ross of Montgrenane, in the actioun and caus persewit be Lyoun of Logy of that ilk aganis Margret Wardlaw Lady of Torry, Henry Wardlaw of Torre, and Alexander Wardlaw his brothir, for the wranguis halding of the said Lyoun vnder subiectioun, and compellyn of him to resigne in oure souerane Lordis handis the landis of Logyalmond be a procuratour vndir the sele of Maister Gilbert Hay as was allegiit: Baith the said partiis beand present be thameselff and thar procuratouris, and thare eidentis, ressonis and allegaciounis herd and vndirstand, the Lordis of Consale decretis and deliueris that, becaus thar is schewin a procuratour vndir the propir sele of the said Lyoun to resigne the said landis, the quhilk resignatioun is maid in our souerane Lordis handis, and his chartir and infestment gevin tharapoun be the space of sevin zeris bipast, and tharfor the Lordis findis the said infestment of avale in all pointis eftir the tenour of the samyn as is contenit in the said chartir maid tharapoun: Datum et extractum de libro actorum per me Alexandrum Scot rectorem de Wigtoun clericum rotulorum et registri ac consilii supremi domini nostri regis sub meis signo et subscriptione manualibus: Quodquidem actum siue decretum ac omnia et singula in eodem contenta, in omnibus suis punctis et articulis, approbamus, ratificamus et pro perpetuo per presentes confirmamus: Datum sub testimonio magni sigilli nostri apud Edinburgh decimosexto die mensis Marcij anno Domini millesimo quadringentesimo octuagesimo sexto, et regni nostri vicesimo septimo.

98*. DECRET-ARBITRAL by LAURENCE LORD OLIPHANT and others in the dispute between LYON OF LOGY of Logiealmond and ANDREW CARDENY of Foss as to the Mill of Cardeny.—2d November 1488.

At Perth, the second dai of the moneth of Nouember, the zer of God a thousand four hundredth fourescoir and aucht zeris, We, Laurens Lord Oliphant, Alexander Blare of Balthiok, John of Munereff of that ilk, James Oliphant of Arquhailzie, and Andro Chartris of Cuthilgourdy, juge arbitratouris and amieabil compossitouris commonly ehossne and suorne betuex Lyone of Logy of Logyalmond on the ta part, and Androue Cardeny of Foss on the tother part, tuetching the distroying and donne easting of the said Androuis myln of Cardeny, and having and withhalding of the tymmer of the samyn, and of the vaydrawin and stopping of the watter tharfra, and the takyn and withhalding of the said myl irnys, and vther grath tharof elamit be the said Androue Cardeny to be takyn, withhaldine and donne be the said Lyone of Logy, baith the saidis parteis beand bundyn and oblist be the faithis and treuthis in thar bodyis, thar gret aith suorne, the hali ewangelis tuechit, til abid, stand, vnderly, complet and fulfil the decret, deliuerance, and ordinans of vs in the forsaid materis, and we inlikwys beand sworne and oblist to deliuer tharapon eftir onre vnderstanding, lawteis and gnegment; Quharthrow we proceedand in the forsaid materis the forsaid dai, place, moneth and zeir, ather the parteis and thar dissyris, thar petiseionis, writtis, witnessingis be vs rasaut, at lenth herd and vnderstand, we beand weill and riply avissyt. haffand God before e, findis, deerettis, deliueris and ordanis that the said Andrew Cardeny and his ayeris sal bruk, jois and reman with the hail watter that cumis to his said myl this dai, but stop, pley or impediment of the said Lyone or his ayoris, aye and quhil the said Lyone or his ayoris big

a myl of thar awin apone thar awin ground, than sal the said Lyon or his ayoris haf the halff of the hail watter next hymselff to be drawin to his awin myl be him or thaim to be biggit, sua that it be sen but fraud or gil that the said halff hail watter ma caus the said Lyonis myl essaly to gang and haf passagis to grind to the said Lyonis profit and nocht ell, and als that the said Lyone sal gif and rastor to the said Andrew the myl iruys, and al vther graith belangand to the said myl takyn and withhaldine be hym, to-gidder with fourty schillingis of siluer at the fest of Mertimes next to cum to the biggyn and mending of the said myl, and als that the said Lyone sal lay in the watter to the said myl drawin and withhaldin tharfra be hym of befor ; and this to al thaim quham it effeiris or ma effer this our deliuerance, we declar and makis kend be thir our present lettres, to the quhilkis we haff appenssyt our sell, zer, dai, and place forsaid, befor thir witness, William Lord of Rothwen, Robert the Ross of Cragy, and Patrik of Well.

99*. RESIGNATION by MARGARET LOGY, Lady of Logyalmond, through her procurator, John Lord Glammiss, of the barony of Logyalmond.—30th September 1493.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno incarnationis Dominice millesimo quadringentesimo nonagesimo tercio, indictione vndecima, pontificatusque sanctissimi in Christo patris ac domini domini Alexandri diuina prouidencia Pape sexti anno secundo, mensis vero Septembris die vltimo, constitutus nobilis et potens dominus Johannes dominus Glammiss procurator et eo nomine prouide mulieris Margarete Logy Domine de Logyalmond, de cuius procurationis mandato michi notario publico luculenter constabat per literas suas patentes in sua

virginitate confectas et sigillatas cera alba rubia impressa, et in cauda pendente, accessit ad presentiam excellentissimi et potentissimi principis ac domini nostri metuendissimi Jacobi quarti Dei gracia Regis Scotorum illustrissimi, et ibidem cum reverencia qua decuit prefatus Dominus Glammis nomine quo supra tenensque in manu sua dictas litteras procuratoriales, quarum vigore omnes et singulas terras et baroniam de Logyalmond cum tenentibus, tenandriis et libere tenentium serviciis cum suis pertinentiis in manibus supremi domini nostri regis antedicti tanquam in manibus domini superioris earundem terrarum et baronie per fustim et baculum sursum reddidit pureque simpliciter resignavit atque dimisit, ac totum jus et clameum juris quod dicta Margareta habuit in et ad prenomatas terras et baroniam cum tenentibus, tenandriis et libere tenentium serviciis cum pertinentiis suis quibuscunque; super quibus omnibus et singulis nobilis et potens dominus Willelmus comes de Erole a me notario publico subscripto sibi fieri petiit instrumentum seu instrumenta publicum seu publica unum seu plura: Acta erant hec in camera Regis infra castrum Sanctiandree, hora decima ante meridiem vel eocirca, sub anno, die, mense, indictione et pontificatu quibus supra: Presentibus ibidem reuerendissimo in Christo patre ac domino Willelmo miseratione diuina Sanctiandree archiepiscopo, etc., nobilibus et potentibus principe et dominis David duce Montis Rosarum, Archibaldo comite Angusie et domino Dowglas cancellario Scotie, venerabilibus in Christo patribus Henrico et Jacobo de Cambuskynmeth et Scona abbatibus, et magistro Alexandro Inghis archidiacono Sanctiandree, cum dinersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Johannes Tiri Sanctiandree diocesis clericus, imperiali et regali autoritatibus notarius publicus, quia prefatis resignationi et dimissioni ceterisque premissis omnibus [*etc., in forma communi.*]

100*. PRECEPT by KING JAMES IV. for infefting THOMAS HAY, son of William Earl of Errol, and his spouse, MARGARET LOGY, Lady of Logyalmond, in the barony of Logyalmond.—4th October [1493.]

JACOBUS Dei gracia rex Scotorum vicecomiti et balliuis suis de Perth, necnon dilectis nostris Thome Charteris de Kynfawny, Alexandro Abercromby, et Andree Bunche ac eorum cuilibet, coniunctim et diuisim, vicecomitibus nostris de Perth in hac parte salutem : Quia dedimus et concessimus hereditarie dilectis nostris Thome Haye, filio dilecti consanguinei nostri Willelmi comitis de Eroll, et Margarete Logy domine de Logyawmond sue sponse et eorum alteri diucius viuenti in coniuncta infeodacione, totas et integras terras et baroniam de Logyawmond, cum tenentibus, tenandrijs et libere tenencium seruicijs earundem, cum pertinencijs, jacentes infra vicecomitatum nostrum de Perth : Quequidem terre et baronia cum tenentibus, tenandrijs et liberetenencium seruicijs earundem cum pertinencijs fuerunt dicte Margarete hereditarie, et quas eadem Margareta non vi aut metu ducta, nec errore lapsa, sed sua mera et spontanea voluntate, in sua pura virginitate in manus nostras apud Sanctum-andream per fustem et baculum et suos procuratores ad hoc legitime constitutos sursum reddidit, pureque simpliciter resignauit, prout in carta nostra dictis Thome et Margarete eius sponse inde confecta plenius continetur : Vobis precipimus et mandamus quatenus dictis Thome et Margarete eius sponse vel suis certis actornatis latoribus presencium sasinam dictarum terrarum et baronie cum tenentibus, tenandrijs et liberetenencium seruicijs earundem cum suis pertinencijs, secundum tenorem dicte carte nostre quam de nobis inde habent juste haberi faciatis, et sine dilacione, et hoc nullo modo omittatis ; ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim in hac parte committimus potestatem : Datum sub testimonio magni sigilli nostri apud Striueling quarto die mensis Octobris anno regni nostri sexto.

101*. SASINE of THOMAS HAY, son of William Earl of Errol, and MARGARET OF LOGY, his spouse, in the barony of Logyalmond.—22d October 1493.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice millesimo quadringentesimo nonogesimo tertio, indictione duodecima, mensis vero Octobris die vicesimo secundo, pontificatus sanctissimi in Christo patris et domini nostri domini Alexandri diuina prouidencia Pape sexti anno secundo, ac regni serenissimi domini nostri domini Jacobi quarti Scotorum regis illustrissimi anno sexto, meique notarii publici et testium subscriptorum presencia personaliter accessit honorabilis vir Edmundus Hay de Melgineh ac attornatus nobilis viri Thome Hay filij nobilis et prepotentis domini Willelmi comitis de Erole domini de Hay ac constabularij Scotie et Margarete de Logy sue sponse, de cuius attornatorie officio prout per patentes literas pergamino scriptas, sub testimonio magni sigilli supremi domini nostri regis, ibidem perlectas michi notario subscripto sufficiens documentum constabat, ad terras de Logyalmond et baroniam eiusdem, necnon et ad terras de Tueloicht tanquam pro principali dicte baronie, jacentes cum pertinenciis infra vicecomitatum de Perth : Quiquidem certas literas saisine patentes sub sigilli magni testimonio supremi domini nostri regis antedicti alba cera pendente vt moris est sigillatas et roboratas honorabili viro Thome Charteris de Kynfawnis vicecomiti in hac parte dicti supremi domini nostri regis specialiter constituto in medium produxit, et eidem deliberauit, quas tanquam sanas et integras, non viciatas, non cancellatas, non rasas, non abollitas nec in aliqua parte sui suspectas, sed omni prorsus vicio et suspicione carentes, et idem Thomas Charteris vicecomes per me notarium publicum subscriptum perlegi et explanari fecit sub hoc tenore sequente : Jacobus Dei gratia Rex Scotorum, etc.—[*Vide* No. 100*, *supra*.]

Quibus literis saisine sic, vt prefertur, visis, lectis et rimatis sepe dictus Thomas Chartris vicecomes sic constitutus et in se specialiter et expresse potestatem sibi commissam acceptans, saisinam et possessionem hereditariam omnium et singularum terrarum de Logyalmond et baronie, cum tenentibus tenandriis et liberetenencium seruiciis cum pertinenciis prefato Edmundo Hay tanquam vero et legitimo attornato dictorum Thome Hay et Margarete Logy sue sponse, per terre et lapidis tradicionem in coniuncta infeodacione, super fundum dictarum terrarum, ac secundum formam et tenorem carte supremi domini nostri regis dictis Thome Hay et Margarete sue sponse confecte in forma juris, contulit et deliberavit, ac eundem Edmundum attornatum nomine et ex parte dictorum Thome et Margarete in realem, actuaalem et corporalem possessionem omnium et singularum predictarum terrarum et baronie cum tenentibus, tenandriis et liberetenencium seruiciis cum pertinenciis per ipsius inclusionem infra domum principalem earundem induxit, pariter et inuestiuit, juris solemnitate consueta mediante : de et super quibus omnibus et singulis predictus Edmundus Hay actornatus nomine et ex parte predictorum Thome et Margarete a me notario publico subscripto sibi fieri peccit vnum vel plura publicum seu publica instrumentum vel instrumenta : Acta erant hec super fundum dictarum terrarum de Logyalmond et baronie apud villam de Tychcloich hora duodecima in meredie vel eocirca, sub anno, die, mense, indictione et pontificatu quibus supra, presentibus ibidem honorabilibus discretis et prouidis viris Johanne Rovan de Cragaw, domino Johanne Sym, capellano, Georgeo Dixsone, Jacobo Foster, Finlayo Farchar, Donaldo Gilcamesone, Andrea Robertsonsone, Donaldo Gotherason, Johanne Donaldsone, Johanne Gilbertsone, Patricio Jhonson, Johanne Hewinsone, Duncano Farchar, Johanne Douglas, Johanne Pedosone et Johanne Morisone, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Patricius Brison presbyter Sanctiandree diocesis, publicus auctori-

tatibus imperiali et regali notarius, quia premissis omnibus [*etc., in forma communi.*]

102*. LETTERS by KING JAMES the FOURTH bearing that the lands of Logy are held by THOMAS HAY of Logy in blench farm.—15th August [1501].

JAMES, be the grace of God King of Scottis, to oure schireff of Perth and his deputis greting : Forsamekle as it is humilie menit and expleit to ws be our lovit, Thomas Hay of Logy, that quhair he haldis his landis of Logy, with the pertinentis, of ws in fre blenchferme, as his charter and infestment thairof, shewin befor the Lordis of oure Counsale proportis, neuertheles he wes vnlawit in oure twa last justice airis of Perth, becaus he wald not put ane svitour for his saidis blanchferme landis and ze tend to poynd him thairfor in grete scaith to him, and incontrair justice gif it sa be : Oure will is herfor, and we charge zou straitly and commandis that ze and zour deputis ces fra all poynding and distrenzeing of the said Thomas his landis or gudis for the saidis vnlawis, of the quhilkis we discharge him in sa fer as pertenis to his saidis landis of Logy, with thair pertinentis, becaus it is vndirstand to the lordis of our counsale that he haldis thair landis blanch-ferme efter forme of his said charter sene and vnderstand be thame ; discharge zow and zour deputis of zour office in that parte be thir oure lettres, halding thame to schow vpoun compt for zour warant befor the auditouris of our chekker, quhilkis we charge to defese zou of the saidis vnlawis in zour comptis.—Gevin vndyr oure signete at Edinburgh the xv day of August and of oure regne the xiiij zere.

Ex deliberatione dominorum consilii, etc.

J. CHEPMAN.

103*. APPOINTMENT of GEORGE HAY, son of Margaret Logy of that ilk, to recover the price of certain horses taken from Logy and Strabranne.—
5th and 12th February 1534.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno incarnationis Dominice millesimo quingentesimo trigesimo quarto, diebus vero mensis Februarij quinto et duodecimo, indictione octava, pontificatus sanctissimi in Christo patris et domini nostri domini Pauli diuina prouidencia pape tercii anno primo: In mei notarii publici et testium subscriptorum presentia personaliter constituti honorabiles discreti et honesti viri Robertus Murray sponsus modernus prouide domine Margarete Logy de eodem, dominus Andreas Mathy capellanus, Patricius Alane et Duncanus Robertowynsoune laici Dunblanensis et Dunkeldensis diocesium, fecerunt, constituerunt et ordinauerunt honorabilem virum Georgium Hay filium et apparentem heredem prefate Margarete Logy eorum deputatum et specialem assignatum, cum clausula de rato dantes et concedentes eidem Georgio suas plenarias et omnimodas potestates ad petendum, exigendum et eorum nominibus recipiendum quindecim precia equorum et equarum indomitum ab eisdem constituentibus de territoriis de Logy et Strabranne, in anno Domini millesimo v^o vigesimo septimo, vt asseritur, ablatorum, vnacum proficuis eorundem ab eorum ablacionis temporibus inde perceptis a quibuscunque personis, cum quibus vbicunque locorum reperti seu inuenti fuerint, eisdemque literas quiete clamacionis pro ipsis dandum, et, si necesse fuerit, easdem personas pro prelibatis preciiis equorum et equarum vnacum proficuis in forma juris distringendum, ac omnia alia et singula in premissis faciendum que ad officium deputatorum et assignatorum de jure pertinere dinoscuntur: super quibus omnibus et singulis prefatus Georgius Hay a me notario publico

subscripto sibi fieri peccit vnum seu plura publicum seu publica instrumentum seu instrumenta: Acta erant hec in choro ecclesie collegiate de Methwen Sanctiandree diocesis, et turri de Logy Almonth, horas circa decimam ante meridiem et secundam post meridiem, diebus suprascriptis, anno, mense, indictione et pontificatu quibus supra, presentibus ibidem discretis et honestis viris domino Valtero Fergussonne vicario pensionario de Methwen, Johanne Murray clerico parochiali principali de Fowlis, Jacobo Peirsoune, Jacobo Forstar, Alexandro Murray juniore, Andrea Robertsoune et Andrea Alasoune, Alexandro Pait, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Andreas Cardeny presbyter Sanctiandree diocesis, publicus auctoritate apostolica notarius, premissis omnibus [*etc., in forma communi.*]

104*: RETOUR of GEORGE HAY, as heir of his mother, Margaret Logy of Logy-almond, in the lands and barony of Logyalmond.—3d October 1536.

HEC inquisicio capta fuit apud burgum de Perth in pretorio eiusdem, die tertio mensis Octobris, anno Domini millesimo quingentesimo tricesimo sexto, coram nobili et potente domino Willelmo domino Ruthuen vicecomite de Perth, ac honorabili viro Oliuero Maxtoun de Drumgrene vicecomite deputato eiusdem, per hos subscriptos, videlicet, Patricium Ogily de Inchemartyne, Jacobum Hering de Glasclun, Jacobum Haldane de Glenneges, Gilbertum Monnorgond de eodem, Johannem Kynard de eodem, Johannem Kynard de Inchestur, Johannem Cochrane de Petfour, Alexandrum Robertsoun de Fascally, Walterum Bonar de Kelty, Georgium Gorthly de eodem, Willelmum Drummond de Abimyte, Robertum Murray de Drumdewan, Johannem Cargill de Kynloch, Thomam Stewart de Garntuly, Adam Lindesay de Wester

Kinloch, Johannem Cwnynghame in Wilstoune, Andream Rettray de Westhall, Alexandrum Drummond de Carnoch, et Johannem Ross de Ouchtergavin: Qui jurati dicunt quod quondam Margareta Logy de Logyalmond mater Georgij Hay latoris presencium obiit vltimo vestita et sasita vt de feodo ad pacem et fidem supremi domini nostri regis de totis et integris terris et baronia de Logyalmond cum pertinenciis jacentibus infra vicecomitatum de Perth, et quod dictus Georgius est legitimus et propinquior heres eiusdem quondam Margarete matris sue de dictis terris et baronia cum pertinenciis et quod est legitime etatis; et quod dicte terre et baronia de Logyalmond cum pertinenciis valent nunc per annum ducentas marcas, et tempore pacis centum marcas vsualis monete Scotie; et quod omnes et singule predictae terre et baronia cum pertinenciis tenentur in capite de supremo domino nostro rege in liberam regalitatem, reddendo inde annuatim vnum denarium vsualis monete regni Scotie super solum predictarum terrarum in festo natiuitatis beati Johannis Baptiste nomine albe firme si petatur; et quod dicte terre et baronia de Logyalmond nunc existunt sicuti fuerunt in manibus eiusdem domini nostri regis per spacium quadraginta dierum vltime elapsarum aut eocirca ob causam mortis dicte quondam Margarete matris sue defectu veri heredis jus suum hucusque minime prosequentis: In cuius rei testimonium sigilla quorundam qui dicte inquisitioni intererant faciende huic inquisitioni apponuntur clauso sub sigillo officii dicti vicecomitis, et hoc breui incluso, loco, mense, die et anno prescriptis.

Hec est vera copia principalis retornatus super premissis remanentis in cancellaria supremi domini nostri regis copiata et collationata per me magistrum Johannem Chesolm deputatum directoris eiusdem sub mea subscriptione manuali.

JO. CHESOLME, etc.

105*. SASINE of GEORGE HAY, son of Margaret Logy of that ilk, in the lands and barony of Logyalmond.—31st October 1536.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice millesimo quingentesimo trigesimo sexto, die vero mensis Octobris vltimo, indictione decima, pontificatus sanctissimi in Christo patris et domini nostri domini Pauli diuina prouidencia pape tertij anno tertio, in mei notarij publici et testium subscriptorum presentia personaliter constitutus honorabilis vir Georgius Hay heres quondam honorabilis domicille Margarete Logy de eodem, secum deferens quoddam preceptum ballie in papiro scriptum sub signeto nobilis et potentis domini Vilelmi Ruthwen de eodem cera rubea impressa, honesto viro Johanni Buys vni marorum vicecomitatus de Perth in hac parte litteratorie constituto debite executioni demandando ostendit, exhibuit et presentauit; quodquidem preceptum ab eodem Georgio Hay cum reuerencia qua decuit recepit, et michi notario publico subnotato perlegendum dedit, cuius tenor sequitur de uerbo in uerbum et est talis : Williame Lord Ruthwane schiref of Perth to Williame Andersone, Jhonne Watsoune, Jhonne Buys, maris of the said shirefdome coniunctlie and seueralie specialie constitut greting : Forsamekle as thair is ane precept of sesin of our souerane Lordis chapell, cloissit within the quhit walx in forme of chancelarie, direct to me and myn deputis berand in effect, that be inquisitioun maid at his grace command, and to his chapell retourit, it wes fund ande deliuerit that wmqhill Margret Logy of Logyalmond, moder of George Hay, berar herof, deit last vestit and sesit as of fe at the faith and pece of our souerane Lord the King off all and hail the landis and barony of Logyalmond, with ther pertinentis, liand within the said sheref dome, and at the said George is nerast and lauchfull air of the said wmqhill Margret his moder of the saidis landis and barony with ther pertinence, and is of lauchfull

age, and at the saidis landis ande barony is haldin of our souerane Lord in superiorite : Quharfor I command and charge zou conforme to the charge of our souerane Lordis precept direct to me that ze incontinent, this precept sene, pass and gif stait, sasing and possessioun reall, actuale and corporale, of all and hail the saidis landis and barony of Logyalmond with ther pertinence to the said George Hay or his lauchfull attorney berar hereof be the gift of erd and stane apone the grond of the said landis and barony and principale place and Grange thereof efter the forme and tenour of our said soueraue lordis precept direct to me, and this myn precept direct to zou therapon be the gift of erd and stane in forme of law as efferis, without delay, saffand ilk mannis rycht, and tak securite off tua pennyis avin to our souerane Lorde for duplin of the blanche of the said barony and landis, as ze will answer to me hervpon and vnder all pane ande charge that efter may follow : The quhilk to do I committ to zow coniunctlie and seueralie myn full power be this myn precept gevin vnder myn signet at Perth the xxvi day of October the zeir of God j^m:v^c: xxxvj zeris : Quoquidem precepto ballie prescripto per me notarium publicum suprascriptum perlecto, altaque et intelligibili voce publicato, predictus Johannes Buys marus et eo nomine quo supra dicti nobilis et potentis domini Willelmi Ruthwen ad ministrationem sui officii in hac parte faciendum, requisitus accessit ad dictas terras de Logyalmond cum pertinenciis, ibique vigore prefati precepti ballie statum, saisinam hereditariam et possessionem corporalem totalium et integrarum prefatarum terrarum de Logyalmond cum pertinenciis prenotato Georgio Hay ibidem presenti stipulanti et recipienti per terre et lapidis dacionem ac domus inclusionem, vt moris est, cum omni juris valitudine, saluo jure cuiuslibet, nullo reclamante seu contradicente, publice contulit, exhibuit et deliberavit solemnitate in huiusmodi, vt moris est, obseruata : De et super quibus omnibus et singulis memoratus Georgius Hay per me notarium publicum infrascriptum sibi fieri

et tradi petiit vnum seu plura publicum seu publica instrumentum seu instrumenta: Acta erant hec in lie Chapellhill wlgariter nuncupato coram ostio domus habitationis Thome Bissat, horam circa octauam ante merediam, sub anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem discretis et honestis viris domino Andrea Mathy capellano, Johanne McGregour, Willelmo Moyle, Alexandro Stodhirde, Thoma Watsoun, et Dauid Cristye, cum diuersis aliis testibus ad premissa vocatis et requisitiis.

Et ego Andreas Cardeny presbiter Sanctiandree diocesis, publicus auctoritate apostolica notarius, premissis omnibus [*etc., in forma communi.*]

106#. PROTEST of GEORGE HAY of Logy that the lands of Logyalmond were held in free regality.—8th October 1537.

IN curia iusticiarie supremi nostri regis tenta et inchoata in pretorio burgi de Edinburgh, die lune octauo die mensis Octobris, anno Domini millesimo quingentesimo trigesimo septimo coram honorabilibus viris Jacobo Coluill de Estwemis, et Adamo Ottirburn de Redhall, militibus, iusticiarijs in hac parte supremi domini nostri regis per ipsius commissionem specialiter constitutis, sectis vocatis et curia affirmata hora vndecima ante merediam aut eocirca, presentibus ibidem venerabilibus et discretis viris Roberto abbate Sancte Crucis prope Edinburgh thesaurario, magistro Johanne Chesolme preposito de Dunglass, Willelmo Carncross de Cowmislie, et domino Georgio Richert-soun vicario de Killgour, et Andrea Quhite notario publico, cum diuersis aliis testibus.

The saidis day and place comperit in iugement in the said iustice court Maister Hew Rig foirspekar for George Hay of Logy, and protestit in this maner: That albeid the said George, at command of our souerane Lordis

lettres, enterit Donald Frankland dilaitit of the slauchter of vmquhile Johne M^cCarar, quhilk was commitit, as the said George alleget, was commitit within his landis and regalite of Logyalmond, and was apprehendit be himself within the samin, and that he had set ane court for doing of iustice vpon the said Donald befor himself, as lord of the said regalite; and to verify and appreif that he had fre regalite, producit ane charter vnder the gret seill of vmquhile Dauid King of Scotland, of the dait at Edinburgh the viij day of Maii, the zeir of God j^m iij^o lxxvj zeiris grantit to Johne Logy sone and air to vmquhile Johne of Logy, knycht,¹ and ane vther charter confirmand the samin maid be vmquhile Robert King of Scotland to John Logy, of the landis of Logy, with fre regalite of the samin of the dait at Perth the last day of Aprile, and of his regne the sevint zeir; ane testimoniaie of the admissioun of the saidis charteris and regalite be Murdac stewart of Scotland, Lord of Apthane, iustice of the north part of the watter of Forth, in ane iustice air haldin at Perth the twenty day of Maii the zeir of God j^m iij^o lxxxij zeiris; ane vther testimoniaie of Robert Duke of Albany, Gouvernour of Scotland, of the admissioun of the said regalite, of the dait at Perth the penult day of Junij, the zeir of God j^m iij^o sex zeiris; and the autentik copy of ane retour subscriuit be the clerk of chancellerie, quhair he was seruit and retourit of the saidis landis of Logyalmond, haldin of our souerane Lord, in fre regalite: Super qua protestatione, et euidentiariarum predictarum ostensione, dictus magister Hugo Rig prelocutor ipsius Georgii sibi fieri petiit vnum publicum instrumentum seu plura publica iumenta: Acta erant hec anno, mense, die, loco et coram suprascriptis testibus.

Ita est magister Nicholaus Robisoun ad premissa notarius rogatus et requisitus teste manu propria.

¹ This Charter is not in the Logyalmond Charter-chest.

II.—ADDITIONAL CHARTERS OF THE GRANDTULLY FAMILY.

107*. RESIGNATION by CHRISTIAN MURE, Lady of Brenchelis, to JOHN HAY of Tulibothy, of the lands of Banchry.—8th July 1416.

VNIUERSIS pateat per presentes me Cristianam Mure dominam de Brenchelis in mea legitima viduitate constitutam, non vi aut metu ductam, nec errore aliquo lapsam, sed ex mea mera et spontanea voluntate pure et simpliciter resignasse ac per fustem et baculum sursum dedisse et quittumclamasse in manibus nobilis viri Johannis de Hay domini de Tulibothy domini mei superioris, omnes et singulas terras meas de Banqware, cum pertinentiis, quas de ipso tenui in baronia de Tulibothy infra vicecomitatum de Clackmanane, cum omni jure meo et clameo quod in eisdem terris habeo, habui uel habere potero in futurum : Ita libere et quiete sic quod nec ego uel heredes mei aliquod jus uel clameun in eisdem terris de cetero exigere valeam seu valeant uel vendicare imperpetuum, sed quod liceat predicto domino meo superiori de predictis terris disponere ad ipsius libitum voluntatis : In cuius rei testimonium presentibus sigillum meum est appensum, apud Brenchelis octauo die mensis Julij anno Domini millesimo cccc^{mo} decimo sexto.

108*. CHARTER by JOHN HAY, Lord of Tulybody, to ALEXANDER STEWART, of the lands of Banchry.—15th July 1416.

OMNIBUS hanc cartam visuris vel auditoris Johannes de Hay dominus de Tulybody, salutem in domino sempiternam : Noueritis me dedisse, concessisse et hac presenti carta mea confirmasse dilecto meo et speciali Alexandro

Stewart armigero filio nobilis viri domini Johannis Stewart militis domini de Lorne, omnes terras meas de Banchry, cum suis pertinentiis, jacentes in baronia mea de Tulibody, infra vicecomitatum de Clakmanan, pro matrimonio inter prefatum Alexandrum et Margaretam sororem meam fideliter contrahendo et complendo : Quas quidem terras cum pertinentiis Cristiana de Mure post pacificam saysinam earundem terrarum habitam in sua viduitate, mera et spontanea voluntate sua, non vi aut metu ducta, nec errore lapsa, in manibus meis tanquam domini superioris per fustem et baculum sursum reddidit pureque et simpliciter resignavit : Tenendas et habendas dictas terras de Banchry cum pertinentiis prefato Alexandro, heredibus suis et suis assignatis de me et heredibus meis, in feodo et hereditate imperpetuum, per omnes suas rectas metas antiquas et diuisas, cum omnibus libertatibus, commoditatibus, proficuis et asiamentis ac iustis pertinentiis suis quibuscunque ad dictas terras de Banchry cum pertinentiis spectantibus seu aliquo iure spectare valentibus quomodolibet in futurum, in viis, planis, pratis, pascuis et pasturis, moris, marresiis, nemoribus, lapidariis, carbonariis, petariis, turbariis, aquis, stagnis, molendinis, multuris, et eorum sequelis, aucupationibus, venationibus, piscariis, et aliis quibuscunque pertinentiis, tam non nominatis quam nominatis, tam sub terra quam supra terram, ad dictas terras de Banchry cum pertinentiis spectantibus seu quouismodo spectare valentibus in futurum, adeo libere, quiete, plenarie, integre et honorifice, bene et in pace, sicut dicte terre de Banchry cum pertinentiis per aliquem seu aliquos tenebantur de aliquo antecessorum meorum temporibus retroactis : Reddendo inde dictus Alexander heredes sui et sui assignati michi et heredibus meis seruicium inde debitum et consuetum : Et ego Johannes de Hay predictus et heredes mei predictas terras de Banchry cum pertinentiis prefato Alexandro heredibus suis et suis assignatis contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium huic presenti carte sigillum

meum est appensum apud Tulibody, decimo quinto die mensis Julii anno Domini millesimo quadringentesimo decimo sexto.

109*. OBLIGATION by JOHN HAY, LORD OF TULYBOTHY, to ALEXANDER STEWART.
—28th July 1416.

BE it knawyn til al men be thir present lettres, me, Johan the Hay, Lord of Tulybothy, til haf oblyst and straytly bundyn, and be yir present lettris oblysis and straytly byndys al my landys of Tulybothy, with thair purtenanz, til my luffit frende Alisandyr Stewart, squier, til his ayrys and his assignes, whil he haf ressavit of the said landys, or his assignes and his executours haf ressayd, because of maryage of Mergarete, my sistyr, with him, sex score of pundys sex pund thrattene schilling and four penys of vsual monay of Scotland, to be payd to the sayd Alisandyr, his ayris or his executours, be thir porcions at thir termys vndyrwrittyn, that is to say, at Martymes next folow- and the date of thir presents, twenty marc, and at the Whissonday next tharefter twenty marc, and at the Martymess next folowand tharefter twenty marc, and swa furth zerely, terme by terme, whil the said Alisandyr, his ayris or his assignez, be fully payd and assithit of the said soum of sex score of pundys sex pund thrattene schilling and four penys. And gif it happin to faylze of this said payment, in maner befor writtyn, in part or al, at ony terme or termys, as God forbede it do, I oblys me, myne ayris and myne executours, my landys and my possessions, and specialy my said landys of Tulybothy, with thair purtenanz, and al myne othir godis, movabil and vnmovabil, whare euer thai may be fundyn, to be arrestit, tane, and led away, and at the wil of the sayd Alysandyr, his ayris or his assignes, withowtyn leve of ony juge of the kyrk or seculare, to be sauld and disponit, whil the said Alisandyr, his ayris or his assignes, be fully assethit and payd of the forsaid

soum of sex score of pundis sex pund thrattene schilling and four penys, and of costis, and scathis, and interest, gif he or thai ony sustene in default of the forsaid payment. In witnes of the whilk thing to this lettre of obligatioun, my sele is set, at Colane, the xxviii day of the moneth of July, the zer of grace m.cccc. and sextene zer.

110*. CHARTER OF CONFIRMATION by ROBERT DUKE OF ALBANY, Regent of Scotland, to ALEXANDER STEWART, of the lands of Banchory.—19th June 1419.

ROBERTUS dux Albanie, comes de Fife et de Menteth ac gubernator regni Seocie, omnibus probis hominibus tocius regni predicti, clericis et laicis, salutem: sciatis nos approbasse, ratificasse, et hac presenti carta nostra imperpetuum confirmasse donacionem et concessionem illas quas quondam consanguineus noster Johannes de Haia de Tulybothi fecit et concessit Alexandro Stewart filio dilecti consanguinei nostri Johannis Stewart de Lorn militis pro matrimonio inter dictum Alexandrum et Margaretam de Haia sororem predicti Johannis iam contracto et completo, de totis et integris terris suis de Banchory cum pertinentiis iacentibus in baronia de Tulibothy infra vicecomitatum de Clakmannan: Teuendas et habendas totas et integras pre-nominatas terras de Banchory cum pertinentiis predicto Alexandro et heredibus suis de heredibus dicti Johannis de Haia, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, cum omnibus et singulis libertatibus, commoditatibus et aisiamentis ac iustis pertinentiis suis quibuscunque ad predictas terras cum pertinentiis 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 in carta prefati quondam Johannis predicto Alexandro inde confecta plenius continetur:

preterquam vbi de assignatis dicti Alexandri in dicta carta fit mencio intentionis nostre, nequaquam existit vt ad ipsos assignatos nostra confirmacio se extendat: saluo etiam domino nostro regi et heredibus suis de prenomiatis terris cum pertinenciis seruicio debito et consueto. In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum officii nostri apponi precepimus: Testibus reuerendo in Christo patre Gilberto episcopo Aberdonensi cancellario Scoeie, Johanne comite Buchanie camerario Scoeie filio nostro, Johanne Stewart de Lorn, Willelmo de Lyndesay de Rossy, militibus, consanguineis nostris dilectis, Waltero de Curry de Blakburn, Cristomo de Camera, dominor Nicholao Huntar rectore de Mukkersy secretario nostro, et Thoma de Douglas clerico, apud Falklande decimo nono die mensis Junii anno Domini millesimo quadringentesimo decimo nono, et gubernacionis nostre decimo quarto.

111*. CHARTER by MURDOCH DUKE OF ALBANY, dated 22d March 1423, confirming a Charter by THOMAS OF ABIRCUMBY of that ilk, to JOHN DE IRELANDE of the lands of Brinbane.—*Circa* 1419.

MURDACUS dux Albanie comes de Fife et de Menteth ac gubernator regni Scoeie, omnibus probis hominibus tocius regni predicti clericis et laicis salutem: Sciatis nos quandam cartam dilecti nostri Thome de Abircumby de eodem factam et concessam dilecto consanguineo suo Johanni de Irelande filio quondam Roberti de Irelande de Brinbane, pro suo bono consilio et auxilio sibi multipliciter impensis, de omnibus et singulis terris de Brinbane cum pertinenciis iacentibus in baronia de Murthle infra vicecomitatum de Perth, de mandato nostro visam lectam inspectam et diligenter examinatum, non rasam, non abolitam, non cancellatam nec in aliqua sui parte viciatam, set omni prorsus uicio et suspicione carentem, intellexisse ad plenum in hec verba,

Omnibus hanc cartam visuris vel audituris Thomas de Abircrumby dominus eiusdem eternam in Domino salutem : Sciatis me dedisse, concessisse et hac presenti carta mea cum saisina hereditaria imperpetuum confirmasse dilecto consanguineo meo Johanni de Irelande filio quondam Roberti de Irelande domini de Brinbane, pro suo bono et fidei consilio, auxilio et seruicio michi multipliciter impensis, omnes et singulas terras de Brinbane predictas cum pertinenciis iacentes in baronia de Murthle infra vicecomitatum de Perth : Tenendas et habendas omnes et singulas predictas terras cum pertinenciis predicto Johanni heredibus suis et suis assignatis, de me et heredibus meis, in feodo et hereditate imperpetuum per omnes rectas metas . . . cum libero introitu . . . ac iustis pertinenciis quibuscunque, tam sub terra quam supra terram, tam non nominatis quam nominatis, ad predictas terras cum pertinenciis spectantibus seu spectare valentibus quoquomodo in futurum : Reddendo inde annuatim dictus Johannes heredes sui et sui assignati michi et heredibus meis duos denarios argenti ad festum pentecostes nomine albe firme, si petantur tantum, pro omnibus aliis seruiciis secularibus seu demandis que de dictis terris cum pertinenciis per me vel heredes meos aliquo modo exigi poterunt vel requiri : Ego uero dictus Thomas et [herede]s mei omnes et singulas predictas terras de Brinbane cum pertinenciis prenominato Johanni de Irelande heredibus suis et suis assignatis, in omnibus et per omnia, vt premissum est, contra omnes homines et feminas warantizabimus, acquietabimus et imperpetuum defendemus. In cuius rei testimonium presenti carte mee sigillum meum est appensum, testibus, Thoma de Ros domino parcionali de Ochtirgavin, Johanne de Hay, Jacobo de Irelande, Alano filio Johannis et Johanne de Kendy cum multis aliis : Quam quidem cartam, donacionem et concessionem in eadem contentas, in omnibus punctis suis et articulis, condicionibus et modis ac circumstanciis suis quibuscunque, forma pariter et effectum, in omnibus et per omnia, approbamus, ratificamus, et auctoritate gubernacionis regni predicti confirmamus ; saluo domino

nostro regi et heredibus suis de predictis terris cum pertinentiis seruicio debito et consueto. In cuius rei testimonium presenti carte nostre magnum sigillum officii nostri apponi fecimus, testibus reuerendo in Christo patre Willielmo episcopo Glasguensi cancellario Scocie, Jacobo Stewart et Alexandro Stewart filiis nostris, Roberto Senescallo de Lorne, Johanne de Wemis milite, David Berclay, Willelmo de Ferny, Thoma de Douglas scutiferis nostris, et Alano de Ottirburne secretario nostro, apud Perth vicesimo secundo die mensis Marcii anno Domini millesimo quadringentesimo vicesimo tercio, et gubernacionis nostre tercio.

112*. LETTER by ALEXANDER STEUART relative to the foregoing Confirmation by the Duke of Albany.—19th June 1419.

TILL all and sindry to quhais knauclage thir presentez lettrez sal to cum, Alexander Steuart, son til a noble man, John Steuart Lorde of Lorn, greting : Yhoure vniuersite wit, that in our lorde the gouernouris confirmatioun made to me apoun the gift and the grant of the landis of Bancliri, with the pertinents, liande in the barony of Tulibodi, geuen and made to me be quhilom my brother in lawe, John the Haye, lorde of Tulibodi, be his charter vnder his sele, our forsaid lorde the gouernour hase confermit my said charter in alle fourme and effect as is contenit in it, outane the assignatioune in it made to the said Alexanderis assignez, and this I mac kend and notifys til al men be thir my present lettres : To the quhilk for quhi that I had na sele of myne awue, I haue procurit with iustance the sele of a noble and a michtie lorde, my lorde John Steuart, Erl of Buchane and Chamberlain of Scotlande, to be put, in presence of my forsaid lorde my fader, Sir William the Lindesay, lorde of Rossy, Walter of Curry, Lorde of Blakburn, Sir Nicol Hunter, person of Mukersy, Thom of Douglas, and of mony vtheris, at Fauclande, the xix day of the moneth of June, the yhere of our Lorde millesimo cccc. and nyntene.

III. MISCELLANEOUS CHARTERS IN FAVOUR OF THE FAMILY OF STEUART, ETC.

113*. CHARTER by KING ROBERT II. to his son, ROBERT EARL OF FIFE AND MENTEITH, of the barony of Strathurde and the lands of Strabravne, etc.—12th August 1389.¹

ROBERTUS Dei gratia Rex Scottorum omnibus probis hominibus tocius terre sue clericis et laicis salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse carissimo filio nostro Roberto comiti de Fyf et de Menteth totam baroniam de Strathurde cum terris de Strabravne, Dysfer et Twefer, ac insulam cum lacu de Tay, infra vicecomitatum de Perth, que fuerunt Isabelle comitisse de Fyf, et quas ipsa non vi aut metu ducta nec errore lapsa, set mera et spontanea sua voluntate, per fustum et baculum in sua viduitate, ac per literas suas resignationis sigillo suo signatas apud monasterium de Dunfermlyne, die confectionis presencium, coram pluribus nobiles sursum reddidit pureque et simpliciter resignavit, ac totum ius et clameum que in dicta baronia cum terris, insula et lacu predictis cum pertinenciis habuit seu habere potuit quouismodo pro se et heredibus suis omnino quietumclamavit imperpetuum : Tenendam et habendam dictam baroniam cum terris, insula et lacu predictis cum pertinenciis predicto filio nostro et heredibus suis de nobis et heredibus nostris, in feodo et hereditate, in libera regalitate, cum quatuor punctis corone nostre pertinentibus imperpetuum, per omnes rectas metas suas et diuisas, in boscis, forestis et planis, pratis, pascuis et pasturis, in moris, maraesiis, viis et semitis, venacionibus, aucupacionibus et piscationibus, molen-dinis, multuris et eorum sequelis, cum bondis, bondagiis et natiuis cum tenan-

¹ Original in Her Majesty's General Register House, Edinburgh.

diis et liberetenencium seruiciis, cum curiis, curiarum exitibus et escaetis quibuscunque, cum furca et fossa, thol et theme, infangandthefe et ovtfangandthefe, cum aduocacionibus ecclesiarum capellarum et hospitalium, et cum omnibus aliis et singulis libertatibus, commoditatibus, aysiametis et iustis pertinenciis suis quibuscunque, ad dictam baroniam, terras, insulam, lacum et regalitatem predictas cum pertinenciis spectantibus, seu quoquomodo iuste spectare valentibus in futurum, tam non nominatis quam nominatis, tam prope quam procul, tam sub terra quam supra terram, adeo libere et quiete, bene et in pace, plenarie, integre et honorifice, in omnibus et per omnia, sicut aliqua regalitas infra nostrum regnum cuiunque conceditur siue datur : Soluendo inde nobis et heredibus nostris annuatim predictus filius noster et heredes sui, in festo natiuitatis beati Johannis Baptiste apud castrum de Strathurde vnum par calcarium deauratorum, nomine albe firme, tantum si petantur, pro omnibus aliis seruiciis secularibus, exaccionibus seu demandis, que de dicta baronia terris, insula, lacu et regalitate predictis cum pertinenciis aliquialiter exigi poterunt vel requiri : In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum, testibus venerabilibus in Christo patribus, Waltero et Matheo Sanctiandree et Glasguensis ecclesiarum episcopis, Johanne primogenito nostro de Carrik senescallo Scocie, Archebaldo de Douglas domino Galwidie, Georgio Marchie, comitibus, Jacobo de Douglas de Dalketh fratre nostro, Jacobo de Lyndessay nepote nostro, Thoma de Erskyne, militibus, et Adamo Forster custode sigilli nostri, apud Dunfermlyne duodecimo die mensis Augusti, anno Domini millesimo trecentesimo octogesimo nono, et regni nostri nonodecimo.

114*. CHARTER by KING JAMES II. to JOHN LORD LORN of the lordship of Lorn, baronies of Innermeath and Redcastle.—20th June 1452.¹

JACOBUS Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Johanni domino le Lorn totum et integrum dominium de Lorn cum pertinenciis, necnon totam et integrum baroniam de Innermeth cum pertinenciis, jacentes infra vicecomitatum de Perth, ac omnes et singulas terras baronie de Redcastel cum pertinenciis, jacentes infra vicecomitatum de Forfar, quod dominium et baronie prescripte fuerunt dicti Johannis hereditarie, et quod et que idem Johannes non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, in manus nostras apud Edinburgh coram subscriptis testibus personaliter per fustem et baculum sursum reddidit, pureque simpliciter resignavit, ac totum jus et clameum que in dictis dominio et baroniis cum pertinenciis habuit, seu habere potuit, pro se et heredibus suis omnino quietum clamavit imperpetuum : Tenendum et habendum dictum dominium de Lorn necnon predictas baronias de Innermeth et de Redcastel, cum vniuersis et singulis annexis, dependenciis et pertinenciis suis quibuscunque, Johanni domino le Lorn et heredibus masculis de corpore suo legitime procreatis seu procreandis ; quibus forte deficientibus, Waltero Steuart fratri germano dicti Johannis et heredibus masculis de corpore suo legitime procreatis seu procreandis ; quibus forte deficientibus, Alano Steuart fratri eciam germano dicti Johannis domini le Lorn et heredibus masculis de corpore suo legitime procreatis seu procreandis ; quibus forte deficientibus, Daud Steuart fratri germano dicti Johannis domini le Lorn et heredibus masculis de corpore suo legitime procreatis seu procreandis ; quibus forte deficientibus, Roberto Steuart fratri germano dicti Johannis et heredibus

¹ Registrum Magni Sigilli, Lib. iv. No. 176.

masculis de corpore suo legitime procreatis seu procreandis ; quibus forsan deficientibus, Archibaldo Steuart auunculo dicti Johannis domini le Lorn et heredibus masculis de corpore suo legitime procreatis seu procreandis ; quibus forte deficientibus, Jacobo Steuart militi et heredibus suis masculis de corpore suo legitime procreatis seu procreandis ; quibus fortasse deficientibus, Thome Steuart consanguineo dicti Johannis domini le Lorn et heredibus masculis de corpore suo legitime procreatis seu procreandis ; quibus omnibus deficientibus, veris, legitimis et propinquioribus heredibus dicti Johannis domini le Lorn quibuscunque de nobis et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine, in boscis, . . . brasinis, brueriis et genestis, cum furca, fossa, sok sak, thol theme, infangandtheyf, outfangandthef, cum tenandiis, tenandriis, et libere tenencium seruiciis, cum communi pastura, libero introitu et exitu, columbis, columbariis, curiis et earum exitibus, herzelidis, bludwitis et merchetis mulierum, ac cum omnibus aliis et singulis libertatibus, commoditatibus, asiamentis ac justis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, ad supradictas terras cum pertinenciis spectantibus, seu quoquomodo juste spectare valentibus in futurum, et adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sicut dictus Johannes dominus le Lorne aut sui predicesores, dictum dominium et terras cum pertinenciis, de nobis aut predicesoribus nostris, ante dictam resignationem nobis inde factam, libere tenuit seu possedit, tenuerunt seu possederunt. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus, testibus reuerendis in Christo patribus, Jacobo et Willelmo Sancti Andree et Glasguensis ecclesiarum episcopis, Willelmo domino Crechton nostro cancellario et consanguineo predilecto, dilectis consanguineis nostris Patricio domino de Ghrame, Alexandro domino Montigomery, Johanne domino le Lyndissay de Byris, Andrea domino le Gray, magistro hospicii nostri,

Magistro Johanne Arous archidiacono Glasguensi, et Georgeo de Schorswode rectore de Culter. Apud Edinburgh vicesimo die mensis Junii anno Domini millesimo quodringentesimo quinquagesimo secundo et regni nostri decimo sexto.

115*. CHARTER by KING JAMES II. to JOHN LORD LORN, of the barony of Innermeth and lands of Ennyrdony and Baldenys.—[20th June 1452.]¹

JACOBUS Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Johanni domino le Lorn totam et integram baroniam de Innermeth cum pertinenciis, jacentem infra vicecomitatum de Perth, necnon omnes et singulas terras subscriptas, videlicet, totas et integras terras de Ennyrdony et Baldenys, jacentes in comitatum de Strathern infra vicecomitatum de Perth, necnon terras de Coludrane et de Maw cum pertinenciis, jacentes infra vicecomitatum de Fyf, necnon terras de Colcrane cum pertinenciis, jacentes infra vicecomitatum de Kynros, necnon terras de Kyldony cum pertinenciis, jacentes infra vicecomitatum de Perth ; que baronia et terre supradicte cum pertinenciis fuerunt dicti Johannis domini le Lorn hereditarie, et quas idem Johannes, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate in manus nostras apud Edinburgh per fustem et baculum coram testibus subscriptis, personaliter sursum reddidit, pureque simpliciter resignavit, ac totum jus et clameum que in dictis baronia et terris cum pertinenciis habuit seu habere potuit, pro se et heredibus suis omnino quietumclamavit imperpetuum : Quas omnes et singulas terras prescriptas cum vniuersis earundem pertinenciis dicte baronie de Innermeth incorporamus, annexamus et vnimus pro perpetuo tenore presentis carte : Tenendam et habendam totam et integram baroniam predictam cum pertinenciis,

¹ Registrum Magni Sigilli, Lib. iv. No. 177.

vniuersis et singulis terris prescriptis, per nos, ut premittitur, dicte baronie annexis et vnitis, dicto Johanni domino le Lorn et heredibus suis, de nobis, heredibus et successoribus nostris in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine, cum omnibus et singulis libertatibus, commoditatibus et asiamentis, ac justis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, ad supradictas terras cum pertinenciis 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 predictus Johannes dominus le Lorn aut sui predicesores nominatas terras cum pertinenciis de nobis aut predicesoribus nostris, ante dictam resignationem nobis inde factam, liberius tenuit seu possedit, tenuerunt seu possederunt. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus, testibus, loco, anno et die ut in precedenti carta, anno regni nostri decimo sexto.

116*. PATENT of the ARMS of SIR WILLIAM DRUMMOND STEWART, Baronet, of Grandtully, Murthly, and Logiealmond, by the LORD LYON KING OF ARMS.—15th October 1839.

To all and sundry whom these presents do or may concern, We, Thomas Robert Earl of Kinnoull, etc., Lord Lyon King of Arms, send greeting. Whereas Sir William Drummond Stewart of Grandtully, Murthly, and Logiealmond, all in the county of Perth, Baronet, hath, by a petition of date the twenty-first day of September last, represented unto us that he is the second and eldest surviving son of the deceased Sir George Stewart of Grandtully and Murthly, Baronet, by Catherine Drummond, sister and heiress of Sir William Drummond of Logiealmond, Knight: That by the death of the petitioner's eldest brother, Sir John Archibald Drummond Stewart of Grandtully, Murthly,

and Logiealmond, Baronet, the petitioner had now succeeded to the family estates and dignity : That, by disposition and procuratory of resignation, dated the eighteenth day of May, one thousand seven hundred and seventy-three, and recorded in the Books of Council and Session the thirtieth day of November one thousand seven hundred and seventy-six, made and granted by the deceased John Drummond of Logiealmond, Esquire, father of the said Sir William Drummond, Knight, in favour of himself and the heirs therein mentioned, it is declared " that the whole heirs above mentioned succeeding to the said lands and estate by virtue of this deed of entail, (except the Earl of Perth and Duke of Roxburgh,) shall be bound and obliged, immediately upon their said succession, to use and bear, or assume and constantly retain the surname of Drummond, and style and title of Logiealmond, as their proper surname, title, and designation, and to use the arms used by the said deceased John Drummond : " That the petitioner having now succeeded to the said estate of Logiealmond, he had, in accordance with the above requisition, assumed the name of Drummond, and was therefore desirous to bear and use the arms of Drummond of Logiealmond, as recorded in our Public Register of all arms and bearings in Scotland, quartered with his own paternal arms, but the latter altered and disposed agreeably to the drawing therewith produced, being a representation of the old arms of the family as delineated upon a picture of Sir William Stewart of Grandtully and first of Murthly, Knight, and bearing date one thousand six hundred and thirteen : That the petitioner was also desirous to introduce or quarter upon his shield such armorial ensigns as might be indicative of his descent from his paternal great-grandmother, Elizabeth Mackenzie, daughter of Sir James Mackenzie of Roystoun, Baronet, third son of George first Earl of Cromarty, in such manner as we might find suitable under the circumstances above set forth ; and prayed for our licence and authority accordingly : Know ye, therefore, that we have assigned, and

do by these presents ratify and confirm unto the said Sir William Drummond Stewart, Baronet, and his heirs, and to the heirs of the bodies of his father and mother, that they bear and use in all time coming, with due and proper differences according to the laws of arms, the following ensigns armorial as depicted upon the margin hereof, and matriculated of even date with these presents in our said Public Register; viz.,—Quarterly, first, or, a fess chequé, azure and argent between three buckles in chief of the second, and a galley, her oars in action, in base sable, *for Stewart*. Second, or, three barrs within a bordure all waved gules, *for Drummond*. Third quarterly, first, or, a rock in flames proper; second, azure, a buck's head cabossed, or; third, gules, three legs of a man armed proper, conjoined in the centre at the upper part of the thighs, flexed in triangle, garnished and spurred, or; fourth, argent on a pale sable, an imperial crown within a double tressure, flowered and counter-flowered with fleurs-de-lis, gules, all within a bordure, ermine, *for Mackenzie*. Fourth as the first. Above the shield is placed a helmet befitting his degree, with a mantling, gules, doubled argent, and upon wreaths of his liveries are set for crests on the dexter side, two bees countervolant proper, and on an escrol over the same this motto, "Provyd," and on the sinister a dexter arm from the shoulder, holding a broad sword in the hand, all proper, and on an escrol over the same this motto, "Nil Timeo." The shield is encircled with an orange tawney ribbon, having pendant therefrom the badge of Nova Scotia, as being baronet, which last is confined to the petitioner and the heirs-male succeeding to him in the baronetcy. In testimony whereof, these presents are subscribed by James Tytler of Woodhouselee, Esquire, Clerk to her Majesty's Signet, our depute, and the seal of our office is appended hereunto, at Edinburgh, the fifteenth day of October, in the year of our Lord one thousand eight hundred and thirty-nine.

JAMES TYTLER, *Lyon Depute*.

ABSTRACT OF THE GRANDTULLY CHARTERS,

AS PRINTED PAGES 1-124.

- | | Page |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1. Charter of Confirmation, dated 22d August 1342, by King David II, of a charter by Duncan Earl of Fife, in favour of John of Yrelande, Baron of Morthely, fixing the marches of the baronies of Strathurde and Morthely, wherein the boundaries of Morthely are described as extending from the rock of Madeforne, and passing through Crescholtre, Inchedawf, Cragileth, Mongrethe, Aachindarg, etc. The charter confirmed is dated at Falkland, 20th January 1336, | 1 |
| 2. Precept by Duncan Earl of Fife, to Robert, Steward of Scotland, bailie of all the Earl's lands in Scotland, commanding him to make the forenamed marches and boundaries to the barony of Morthely, in favour of the said John of Ireland and his heirs. Dated at Kilwinning on the day of St. Benedict the Abbot, [21st March] 1345, | 2 |
| 3. Precept by the said Robert, Steward of Scotland, to Duncan, son of Andrew [Anderson], chief forester of Brannan, commanding him to fix the foresaid marches as the boundaries of the barony of Morthely, in terms of the foregoing precept by Duncan Earl of Fife. [1345], | 3 |

4. Charter by King Robert II., in favour of Alexander of Berclay of Kercow, of the barony of Kercow, in the shire of Perth, upon the resignation of the same by William of Berclay, the grantee's father : To be held of the Crown (under reservation of the liferent thereof to the said William) for rendering the services used and wont, and relief or ward after the death of his said father. Dated 15th May [1388], 3
5. Charter by Archibald Earl of Douglas, Lord of Galloway and Annandale, in favour of his beloved shield-bearer and cousin, Alexander Stewart, son of Sir John Stewart of Lorn, Knight, for service rendered, and to be rendered, to the granter, of his lands of Garnetully, Kyltullyth, and Abirfally, in the abthanery of Dull and shire of Perth, which formerly belonged heritably to the said Sir John, and had been resigned by him : To be held by the said Alexander Stewart and the lawful heirs-male of his body ; whom failing, by the foresaid Sir John Stewart and his heirs whomsoever, of the said Earl and his heirs in feu and heritage, for rendering three suits of court at the granter's three courts of Garnetully, to be held upon the hill called the Courthill, (which the granter reserved to himself and his heirs for holding their courts thereon,) and for rendering to the lord of the abthanery of Dull the service used and wont. Dated at Stirling, 30th March 1414, 4
6. Precept by Archibald Earl of Douglas, Lord of Galloway and Annandale, to Andrew Asoot, his bailie of his lands in the abthanery of Dull, for infesting Alexander Stewart, son of Sir John Stewart of Innermethie, Knight, the granter's 'dearest cousin,' in the lands of

	Page
Garnetully, Kyltullyth, and Abyrfally, in the abthantry of Dull and shire of Perth. Dated at Stirling, 8th March 1414,	7
7. Charter by Christian of Mure, Lady of Brintschelis, in her pure widowhood, to the said Alexander Stewart, son of Sir John Stewart, Lord of Lorne, for his counsel and assistance thankfully and often rendered to the granter, of her lands of Carnbo, in the earldom of Stratherne and shire of Perth : To be held by the said Alexander and his heirs of the granter and her heirs in feu and heritage, for rendering to the lord superior the service due and wont. Sealed with the granter's seal, at Perth, 1st June 1419,	8
8. Instrument of Sasine proceeding upon a precept from the Chancery of King James II., in favour of Thomas of Abbyrcromby of that Ilk, of the lands of Murthtly and Nethir Eskyndi, in the shire of Perth, which belonged to the said Thomas heritably, and had been resigned by him into the king's hands. Dated 10th May 1445,	9
9. Extract under the hand of John Hay of Easter Kennet, Clerk of Council, of a charter by King James II., to Robert of Abercromby, of the lands of the barony of Murthlie, and the lands of Eschindy in the shire of Perth, and the lands of Abercrombie in the shire of Fife, which belonged heritably to Thomas of Abercrombie of that Ilk, his father, and had been resigned by him into the hands of the King : To be held of the Crown by the said Robert and his heirs whomsoever (under reservation of the liferent of his said father,) for rendering the services due and wont. Dated at Stirling, 22d March 1445,	10

- | | Page |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 10. Instrument on the Sasine given by John Evyot, Laird of Balwolsy, in virtue of a commission under the seal of King James II., in favour of Robert of Abbererumby, son of Thomas of Abbererumby, of the said lands of the barony of Murthlie, and lands of Eschindy, in the shire of Perth, and the lands of Abbererumby, in the shire of Fife, which belonged to the said Thomas heritably, and had been resigned by him. Dated 2d June 1446, | 12 |
| 11. Agreement between William, Abbot, and the Monks of the Monastery of Cupar, on the one part, and Thomas Stewart of Garntully, on the other part, regarding the marches between the lands of Murthly, belonging to the said Abbey, and the lands of Kyntully, belonging to the said Thomas, in terms of the deliverance of an assize relative thereto. Sealed with the seals of the said Abbot and Thomas Stewart, and of some of those on the assize, and dated at the Abbey of Cupar, 10th July 1449, | 14 |
| 12. Retour of the Service, before Sir Andrew Murray, sheriff-depute of Perth, of Alexander Stewart, as heir of his father, Thomas Stewart, in the lands of Grantuly, in the shire of Perth, which were held in chief of the King by the service of ward and relief, for rendering a common suit yearly in the Courts of Appindul. Expede at Perth on 13th May 1462, | 16 |
| 13. Retour of the Service, before John Menteith, sheriff-depute of Clakmannan, of the said Alexander Stewart, as heir of his said father, in the lands of Banchry, in the shire of Clackmannan, which were valued at 18 merks, and were held in chief of the Earl of Huntle | |

	Page
and Lord of Tulibody, by the service of ward and relief. Expede at Clakmannan on 2d June 1462,	17
14. Charter by John Earl of Athol, in favour of John Stewart of Futherkill, of the lands of Eddirdagonat, in the earldom of Athol and shire of Perth, which belonged heritably to Silvester of Rettre of that Ilk, and had been resigned by him into the granter's hands : To be held by the said John Stewart and his heirs of the said Earl and his successors in feu and heritage, for rendering the services due and wont, with the common suit at the Earl's Court. Dated 24th February 1465,	18
15. Charter by Alexander Earl of Huntle and Lord of Badzenoch, in favour of Alexander Stewart of Granetuly, and Matilda Stewart, his spouse, and the longer liver of them, of the said lands of Ban-chry, in the barony or lordship of Tulibody and shire of Clakmannan, which belonged heritably to the said Alexander, and had been resigned by him into the hands of the granter : To be held by the said Alexander and Matilda, and the longer liver of them, and the lawful heirs of their bodies, of the granter and his heirs in feu, for rendering the service due and wont. Dated 26th July 1468,	20
16. Letter of Procuratory by the said Alexander Stewart, appointing David Guthre of that Ilk, and others, his procurators for resigning into the hands of the King the lands of Garntuly, Kiltuly, Aber-schaldy, and Carnbow, in the shire of Perth ; and his resignation of the same. Dated at Garntuly, 4th July 1470,	22
17. Notarial Copy, under the hand of Thomas Kyer, notary public (dated 9th July 1494,) of a charter by King James III., to John Stewart,	

- | | Page |
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| son and apparent heir of the said Alexander Stewart of Garntuly, of the said lands of Kylvuly, Aberschaldy, and Garntuly, in the shire of Perth, and the lands of Carnbow, in the earldom of Stratherne and shire foresaid, which belonged heritably to the said Alexander Stewart and Matilda, his spouse, and had been resigned by them: To be held by the said John Stewart and his heirs of the Crown in feu and heritage, under reservation of the frank tenement of the said lands of Kylvuly and Aberschaldy, to the said Alexander and Matilda, and other conditions therein specified. Dated at Perth, 5th July 1470, | 23 |
| 18. Precept from the Chancery of King James III., for infesting the said John Stewart, as heir foresaid, in the said lands of Kiltuly, Aberschaldy, Garntuly, and Carnbow. Dated 5th July 1470, | 26 |
| 19. Extract under the hand of John Hay of Easter Kennet, Clerk of Council, of a charter by King James III., in favour of Alexander Abereromby, lawful carnal son ('legittimo filio carnali,') of Robert Abereromby of that Ilk, of the said lands of the barony of Murthlie and lands of Abereromby, in the shires of Perth and Fife respectively, which belonged to the said Robert heritably, and had been resigned by him into the hands of the King: To be held of the Crown in feu and heritage, for rendering the services due and wont. Dated at Edinburgh, 20th February 1480, | 27 |
| 20. Instrument of Sasine, proceeding upon a precept from the chancery of King James III., in favour of the said Alexander Abirerumby, of the said lands and barony of Murthly. Dated 30th April 1481, | 29 |

- | | Page |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 21. Letters of Legitimation, under the Great Seal of King James IV., in favour of James Stewart, natural son of James Stewart, Earl of Buchan, declaring the said James capable of disposing of his lands, tenements, annualrents, and possessions, and also qualified to enjoy dignities, honours, offices, and privileges, as if he had been born in lawful wedlock. Dated at Edinburgh, 20th February 1488, | 31 |
| 22. Instrument of Sasine, proceeding upon a brieve from the Chancery of King James IV., in favour of Thomas Steuart of Garntuly, son and heir of Alexander Steuart, of the lands of Bankory, in the lordship of Tulibody and shire of Clackmannan. Dated at Bankory, 13th March 1488, | 32 |
| 23. Charter by King James IV. to Thomas Stewart of Garntulith, and Agnes Murray, his spouse, in conjunct fee, of the lands of Garn-tulith, in the lordship of Appin and shire of Perth, which belonged to the said Thomas heritably, and had been resigned by him : To be held by the said Thomas Stewart and Agnes his spouse, and the heirs lawfully procreated between them ; whom failing, by the nearest heirs of the said Thomas whomsoever, in feu and heritage, for rendering to the Crown the rights and services due and wont. Given under the Great Seal, and dated at Edinburgh 2d July 1494, | 34 |
| 24. Instrument of Sasine, proceeding upon a precept from the Chancery of King James IV., in favour of the said Thomas Stewart and Agnes Murray, his spouse, in conjunct fee, of the said lands of Grantully. Dated at the principal message of the lands of Gran-tully, 21st July 1494, | 36 |

- | | Page |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 25. Notarial Transumpt under the hand of Andrew Blinsele, notary public, of (1.) a Notarial Instrument on the appointment, by letters-patent from King James IV., of Sir William Murray of Tulybardin, Knight, and Andrew Wod of Overblairtoun, as attorneys for receiving sasine from his Majesty of the lands of Garnulyth, in favour of Thomas Stewart and Agnes Murray, his spouse, which was dated 2d July 1494 ; and (2.) of the Instrument of Sasine given in terms of the said letters [as in No. 24, <i>supra</i>]. The Transumpt is dated at Perth 10th December 1528, | 39 |
| 26. Notarial Instrument on the Interruption and Cassation by Alexander Stewart, brother-german of the deceased Thomas Stewart of Grantuly, of the sasine given by Alexander Derenoch (the King's bailie in that part, as he alleged,) to one Michael Murray, as attorney of the said Thomas Stewart and Agnes Murray, his spouse, of the said lands of Garntuly, in the abthanery of Dull. Dated 22d August 1494, | 41 |
| 27. Notarial Instrument on the Protest taken by the said Alexander Stewart, on the refusal by Neil Stewart of Fordergill to accede to his request to grant him a charter of taillie of the lands of Gartolie and others, to the effect that the said refusal should not prejudice him or his heirs. Dated 2d October 1494, | 43 |
| 28. Instrument on the Sasine given by one of the Mairs of the shire of Perth, to Patrick Scott, attorney of Elizabeth Stewart, daughter and heir of the said deceased Thomas Stewart of Garnetully, with consent of Agnes Murray, her mother, of the said lands of Garnetully in feu, and of 4 merk lands of old extent, with the principal message | |

- | | Page |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| of Garnetully in feu and frank tenement. Dated at Garnetully,
12th January 1494, | 44 |
| 29. Letters by Cardinal Ludovic, Penitentiary of Pope Julius II., for
dispensing with the impediments to the marriage between Alex-
ander Stewart and Margaret Murray, who were related to each
other in the double fourth degrees of consanguinity and of affinity.
Given at Rome, at St. Peter's, under the seal of the Office of
Penitentiary, 23d June 1507, | 45 |
| 30. Instrument of Sasine, in virtue of a precept by William Lord Ruth-
ven, Sheriff of Perth, proceeding upon a brieve from the Chancery
of King James V., in favour of Andrew Rettray, as heir of Silvester
Rettre of Balnacard, his father, of the lands of Balnacard, in the
shire of Perth. The precept directs that security be taken for
25 shillings, as one half-year's mail of the said lands, and 2
silver pennies for the duplication of the blench farm due to the
Crown. Done at the principal house of the town of Balnacard,
19th April 1514, | 46 |
| 31. Instrument of Sasine, in virtue of a precept by William Murray of
Tulibardin, Knight, Steward of Stratherne, proceeding upon a
brieve from the Chancery of King James V., in favour of the
foresaid Elizabeth Stuart, daughter of the deceased Thomas Stuart
of Garnetuly, of the lands of Carnebostuart, in the stewartry of
Stratherne and shire of Perth. Dated 22d April 1516, | 48 |
| 32. Notarial Instrument on the Revocation by the said Elizabeth
Steuart, Lady of Grantully, before the Official of St. Andrews, of | |

- | | Page |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| an alienation made by her to Sir William Murray of Tulibardin, Knight, and one William Murray, a chaplain, at the command of the former, while forcibly detained within his place of Tulibardin, of her lands of Carnbo, in the shire of Perth, and her lands of Banquhory, in the shire of Clackmannan. Done in the University church of St. John the Evangelist, at St. Andrews, 1st September 1517, | 51 |
| 33. Notarial Instrument on the Intimation by the said Elizabeth Stewart, Lady of Grantully, to Sir William Murray, chaplain, residing in Stirling, of the said revocation and cassation of the alienation made by her to him under compulsion by Sir William Murray of Tulibardin, Knight, her uncle, of the said lands of Carnboy. Done within the burgh of Stirling, 17th September 1517, | 53 |
| 34. Instrument of Sasine, proceeding on a precept by the said Elizabeth Stuart of Garnetully, with consent of Agnes Murray, her mother, conjunct fiar thereof, in favour of Alexander Stuart, brother-german of the deceased Thomas Stuart of Garnetully, of the lands of Obbirfeally, in the lordship of Appin and shire of Perth. Dated 5th July 1525, | 54 |
| 35. Letters of Procuratory by the said Elizabeth Stuart, Lady of Garnetully, appointing her procurators for resigning in the hands of King James V., as superior, her lands of Garnetully, Kyiltoly, and Obbrefeally, with the mill and fishing thereof, in the stewardry of Appin Dow and shire of Perth, which were held of the Crown in chief, for new infeftment thereof to be given to the said Alexander Stuart. Dated at Tulibardin, 15th March 1525, | 57 |

- | | Page |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 36. Charter by King James V., under the Great Seal, proceeding on the forementioned resignation, in favour of the said Alexander Stewart, of the said lands of Garntuly, Kyltoly, and Obbrefrally, with the mill and fishing thereof, in the stewartry of Appindow and shire of Perth : To be held of the Crown in feu and heritage, for rendering the rights and services due and wont, under reservation of the said Elizabeth's liferent of the whole lands, mill, and fishing. Dated at Edinburgh, 28th April 1526, | 58 |
| 37. Letters of Regress, under the Privy Seal of King James V., whereby, on the narrative that Alexander Stewart of Garntuly had sold to Patrick Buttir of Gormok and Janet Gordon, his spouse, in conjunct fee, his lands of Abirfealdy, in the lordship of Garntuly and shire of Perth, under reversion, his Majesty, for the good and faithful and gratuitous service rendered to him by the said Alexander, grants to him and his heirs regress to the said lands, whenever the sum contained in the reversion should be paid to the said Patrick and Janet, his spouse, and their heirs. Dated at Edinburgh, 14th May 1526, | 60 |
| 38. Notarial Instrument, narrating the discharge by Archibald Campbell of Skypinche, in favour of the said Alexander Stewart of Garntulie, for 700 merks Scots, ordained by a decret-arbitral to be paid to the said Archibald for renouncing the claim he had through Elizabeth Stewart, his spouse, to the said lands of Garntulie, and the formal renunciation by him of his right to the said lands. The Discharge and Instrument are both dated at Perth, 1st June 1526, | 62 |

- | | Page |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 39. Instrument of Sasine, proceeding upon a precept from the Chancery of King James V., directed to the Sheriff of Perth and his bailies, in favour of Alexander Abirerumby, as heir of his father, Thomas Abirerumby of Mowrthlitie, of the lands and barony of Mowrthlitie. The precept directs security to be taken for £724 of the farms of the said barony during the nine years the lands had been in the hands of the Crown by reason of ward. Dated 12th May 1529, | 65 |
| 40. Letters of Inquest and Conjunction, whereby the lands of Pettequharne, Caltulyth, and Abbyrfeldy are found and declared to be pertinents of the lands of Garntulie. Dated at Garntulie, 5th July 1529, | 67 |
| 41. Charter by Elizabeth Stuart, Lady of Garntulye, to Thomas Stuart, son and apparent heir of Alexander Stuart of Garntulye, and to his heirs, on account of the affection she has for him, and his services to her, of the lands of Carneboy Stuart, presently occupied by George Newying : To be held for rendering to the King the service of ward and relief, with the services and burdens used and wont. Dated 4th June 1532, | 71 |
| 42. Notarial Instrument, recording sasine given by Alexander Steuart of Garntulye, from devotion and with the view of promoting divine worship, with consent of Thomas, his eldest son and apparent heir, of the lands of Croftdawe, part of Garntulye, in terms of a charter to be made, (No. 43,) to Alexander Young, sub-prior of St. Andrews, as representing the curate who is to officiate at the chapel built near the manor-place of Petquharne, and to be consecrated to God, | |

- | | Page |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| the Virgin Mary, St. Andrew the Apostle, St. Adamnanus and St. Beanus. Dated 9th May 1533, | 72 |
| 43. Notarial Transumpt of Charter by the said Alexander Stewart of Grantulye, with consent of the said Thomas, his eldest son and heir, granting to God, St. Mary, St. Andrew the Apostle, St. Adamnanus, and St. Beanus, confessors, and to a chaplain, who was to be a suitable curate, personally residing and celebrating divine worship and the sacraments irreproachably in the Church of St. Mary of Grantulye, the said land of Croftdawe, in the barony of Grantulye, extending to 240 ells from east to west, and to as many from north to south, with rights of pasturage and of cutting turf and peats in the whole barony of Garntulie for himself and his three servants : To be held for prayers to be made by the said chaplain for the universal Church, the prosperity of King James V. and his kingdom, the granter's own soul, and the souls of certain of his relatives, etc. Dated at Petquharne, 3d June 1533, | 73 |
| 44. Procuratory by Alexander Stewart of Garntulie, for resigning into the hands of the King, as superior, his right to the lands of Garntulie, Kiltulle, Tullochcrosk, and Pettoquharne, in the county of Perth, in favour of Thomas Stewart, his eldest son and apparent heir, for a charter and infeftment thereof under the Great Seal to be given to the same, under reservation to the said Alexander, of his free tenement during life of the foresaid lands. 1st March 1538, | 75 |
| 45. Charter by King James V. under the Great Seal, to Thomas Stewart, son and apparent heir of Alexander Stewart of Garntulie, and his heirs-male whomsoever, of the lands of Garntulie, Kiltulle, Tulloch- | |

crook, and Pittoquharne, which had been resigned into the King's hands by the said Alexander, and which the King also now erected into a free barony, to be called the barony of Garntulie, with the manor-place of Garntulie as the principal messuage thereof, the grantee rendering to the King and his successors the services due and wont; the said Alexander, however, reserving to himself the free tenement of the said lands during his lifetime. Dated 14th March 1538,

77

46. Charter by Walter Zoung, chaplain of the altar and perpetual chaplainry of St. Michael, in the diocese of Dunkeld, with consent of George, Bishop of Dunkeld, and the Canons and Chapter of the same, to Thomas Lindsay and Margaret Cochrane, his wife, and the longest liver of them, in conjunct infeftment, and to the heirs-male procreated betwixt them; whom failing, to the eldest of the female heirs procreated betwixt them; whom failing, to the lawful heirs-male of the said Thomas whomsoever; whom failing, to the eldest of his heirs-female whomsoever, without division, of all the lands of Wester Balnagard which the granter then occupied, in Perthshire, extending annually to a rental of 50s. Scots, one boll of barley, and one of oats, and one *cowdich*, if asked only: To be held in feu and heritage for ever, for a rent of £3, 10s. Scots, one boll of barley, and one of oats, and one *cowdich*, if asked, with three suits at the three capital pleas on the lands of Tulipowre. Dated 25th July 1540,

80

47. Letters by Cardinal Antonius, Penitentiary of Pope Paul III., authorizing the Precentor, Archdeacon, and John Meldrum, Canon of

Brechin, after summoning Walter Zoung, chaplain of St. Michael of Dunkeld, George, Bishop of Dunkeld, or his successor, and Chapter thereof, to attend for the purpose, to confirm the feucharter, (No. 46,) granted by the said Walter to Thomas Lyndesay and Margaret Cochran, of the lands of Wester Ballyngard, if on inquiry they found such charter to be for the advantage of the said chaplainry. Dated at St. Peter's, Rome, 21st September 1540,

84

48. Letters by Cardinal Antonius, authorizing the Prior of the Monastery of Pettynweym, the Dean of Lesmore, and the Archdeacon of Ross, to confirm a charter granted by Alexander Erskyn, sub-dean of Dunkeld, with the consent of George, Bishop of Dunkeld, and the Dean and Chapter of the said diocese, of the lands of Slogynhoile and Colrau, and the part of the ground of the said sub-dean immediately adjoining the manor of Alexander Abercrummy of Murthlie, with the rectorage and vicarage teinds, the fishings of the said lands on the river Tay, and rights of pasturage in the moor of Forne, to the said Alexander Abercrummy, and the heirs-male of his body; whom failing, to the eldest of his heirs-female without division: To be held in feu and heritage for ever, for an annual rent of 24 merks, or about £3 sterling, and attendance at three courts to be held annually in the lands of the subdeanery of Dunkeld; the confirmation of the charter, however, depending on the condition of its being found, on inquiry, to be for the interest of the subdeanery. Dated at St. Peter's, Rome, 4th October 1541,

88

49. Letters of Regress by Queen Mary, addressed to the Sheriff of Perth and his bailies, commanding them to give sasine of the lands of

Abirfaldy to William Stewart, son and heir-apparent of Thomas Stewart of Garntuly, which lands had been sold under reversion by his grandfather, Alexander Stewart of Garntuly, to the late Patrick Buttir of Gormok, and had been redeemed by the said William Stewart from John Buttir of Gormok, nephew of the said Patrick. Dated 11th September 1545, 92

50. Procuratory of Resignation by William Stewart, son and apparent heir of Thomas Stewart of Garrintulye, appointing procurators for resigning into the hands of Queen Mary and James Earl of Arran, Regent, his lands of Abirfaldy, in the barony of Garrintulye, for new infestment to be made to himself and Margaret Abirerummy, his spouse, conjunctly, and to the heirs-male and of tailzie lawfully procreated, or to be procreated betwixt them ; whom failing, to his heirs-male and of tailzie whomsoever ; the said lands, however, always to remain a part and pendicle of the barony of Garrintulye. Dated 13 December 1545, 93
51. Charter by Queen Mary to William Stewart, son and apparent heir of Thomas Stewart of Garntulie and Margaret Abirerummy, his spouse, and the longest liver of them, in conjunct fee, and to the heirs-male lawfully procreated, or to be procreated betwixt them ; whom failing, to the nearest heirs-male of the said William whomsoever, of the lands of Abirfauldly in the barony of Garntulie, but without prejudice to the entail of that barony : To be held for rendering the services due and wont. Dated 2d January 1545, 95
52. Charter by Queen Mary to William Stewart, son and apparent heir

of Thomas Stewart of Grantulle, and his heirs-male, of the lands of Grantulle, within Appin of Dull, and shire of Perth, which had been resigned by the said Thomas Stewart into the Queen's hands for new infeftment : To be held, according to the charter of entail by the granter's father, for rendering the services due and wont, under reservation, however, of the free tenement of the said lands of Grantulle to the said Thomas, during his life, and of the liferent of the lands of Tullocheros and Pettoquharne, with a terce of the whole residue of the lands of Grantulle to Margaret Murray, his spouse, in the event of his death. Dated 14th May 1546,

97

53. Charter by Queen Mary to William Stewart, son and apparent heir of Thomas Stewart of Grantuly and Isabella Stewart, his wife, in conjunct fee, and to the longest liver of them, of the lands of Abirfeldy, which had been resigned by the said William : To be held by the said grantees and the heirs-male lawfully procreated, or to be procreated betwixt them ; whom failing, the male heirs whomsoever of the said William, for rendering the rights and services due and wont. Dated 22d April 1552,

99

54. Charter by Robert, Bishop of Dunkeld, with consent of the Dean, Chapter, and Canons thereof, of the lands of Eister Inschewin or Dalpowie, with the fishing in the Tay, in the Garthpuile, and Trouurquehis, with the wood in Birnen called the Reinge, in the barony of Dunkeld and shire of Perth, to Alexander Abercrumbie of that Ilk, and his heirs whomsoever : To be held in feu for ever, for rendering £4 Scots yearly, and 6s. 8d. in yearly augmentation, with duplication of feu on the first year's entry of heirs. The

	Page
charter contains a precept of sasine in favour of the said Alexander. Dated 13th and 16th January 1584,	102
55. Bond of Manrent by Archibald seventh Earl of Argyle, Justice-General of Scotland, to Sir Thomas Stewart of Grantully, Knight. Dated 5th April 1603,	106
56. Obligation by Robert Gryce, Groom of the Privy Chamber of King James VI., to pay to Sir William Stewart, apparent of Grantully, Gentleman of the Privy Chamber, the sum of £20 sterling, within forty-eight hours after such time as the King should visit his Palace of Falkland. Dated 30th December 1603,	107
57. Licence by the bailies, council, and community of Dunkeld, to Sir William Steuart of Banchrie, Knight, Gentleman of the Privy Chamber, to build a house and dike upon that part of the Common Gate of Dunkeld, having the kirkyard dike on the north, the wynd from the kirk porch to the Auld Brig on the west, and Sir William's own tenement called the mains of Ferne on the south, providing always that, when the Cathedral is repaired, and the kirkyard dike upholden, the said bailies, council, and community may, on 60 days' notice to Sir William, insist on his taking the house down again. Dated 12th March 1606,	108
58. Bond of Manrent by Archibald seventh Earl of Argyll, Justice-General of Scotland, to Sir William Stewart, far of Grantully, Gentleman of his Majesty's Privy Chamber. Dated 13th June 1610,	109
59. Bond of Manrent by Alexander Flemyng of Mones to Sir William	

	Page
Steuart of Grantullie, Knight, his heirs and successors, lairds of Grantullie. Dated 28th December 1611,	111
60. Inscription on the House of Cromartie, by Sir Thomas Urquhart, concerning his great-great-grandfather, Thomas Urquhart, Baron and hereditary Sheriff of Cromartie, recording how his spouse, Lady Helen Abernethy, daughter of Lord Salton, bore to him twenty-five sons and eleven daughters, who were all handsomely provided for, and respectably settled in life, without the family estates being thereby burdened. Dated 25th August 1646,	113
61. Agreement between Lieutenant-Colonel John Innes and Sir Thomas Stewart of Grantully, whereby the former engages to give Sir Thomas the best beaver hat and band of gold in Edinburgh, provided he does not drink more than a certain quantity of ale and aquavitæ in a stated period, with certain corresponding obligations on Sir Thomas's part. Dated 3d May 1647,	114
62. Order by General David Leslie, commanding all officers and soldiers under his command not to exact more than £160 Scots for every horseman, and £40 for every foot soldier from heritors. Dated 7th November 1648,	115
63. Patent by King Charles I., conferring on Sir John Stewart of Traquair, Knight, and his heirs-male, the title of Lord Stewart of Traquair. Dated 19th April 1628,	115
64. Extract Act of the Lords of the Privy Council, whereby, on production of a Patent of Nobility, (No. 63,) the Lords received and	

- admitted Lord Stewart of Traquair as a Baron and Lord of Parliament, and ordered the said patent to be registered in the Books of Privy Council. Dated 8th July 1628, 117
65. Patent by King Charles I., conferring on John Lord Stewart of Traquair, Deputy-Treasurer of Scotland, and his heirs-male, the title of Earl of Traquair, and Lord of Lyntoun and Caberstoun, in consideration of his public services, his zeal in the discharge of the duties of his office, and more particularly his judicious preparations and provision for the reception and entertainment of the King on the occasion of his visit to his kingdom of Scotland. Dated 23d June 1633, 118
66. Extract Act of Privy Council, recording how the King did deliver, with his own royal hand, to Lord Traquair, the preceding Patent, (No. 65,) creating him Earl of Traquair, Lord of Lyntoun and Caberstoun, for the causes and considerations therein specified. Dated 4th July 1633, 120
67. Extract from the Register of the Lyon Office, under the seal of Sir Charles Araskine of Cambo, Baronet, Lyon King of Arms, describing the blazoning of the Coat-armorial of Charles Earl of Traquair. Dated 20th September 1673, 122
68. Diploma by King Charles II., conferring on Thomas Stewart of Blair, one of the Senators of the College of Justice, and his heirs-male, the title of Baronet. Dated 2d June 1683, 123

ABSTRACT OF THE CHARTERS IN THE APPENDIX.

LOGY CHARTERS, AS PRINTED PAGES 125*-180*.

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- 69*. Charter by Malise Earl of Stratherne, son of the deceased Sir Malise Earl of Stratherne, to Sir Malise of Logy, son of the deceased Sir Malise, steward of Stratherne, for his homage and service, of the granter's whole lands of Cultenacloche, Garfene, and Kypeny, with Corecase in Glennamone: To be held of the granter and his heirs in feu and heritage for rendering the Scottish military service, and the common aid to the King pertaining to the foresaid lands; also a pair of gloves or a penny at Pasch, yearly, for all secular service, without any manner of suit of court to the granter or his heirs at any time. Witnesses—Alexander Comyne, Earl of Buchane, Justiciar of Scotland, Fergus Comyne, his brother, Malcolm of Moray, Sheriff of Perth, knights, and others—[c. 1260], 125*
- 70*. Charter by Murdoch Earl of Menteth to Robert of Logi, son of the deceased Malise of Logy, for his homage and service, of the whole lands of Easter Broculli in Menteth: To be held by the said Robert of Logi and his heirs of the granter and his heirs in feu and heritage, for rendering the King's forinsec service pertaining to the said lands, and three suits yearly at the three head pleas of the earldom of Menteth, for all other secular service, etc., which could be required by the granter, or his heirs in time to come.

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| Witnesses—Sir John of Mentethe, Sir William of Mushet, Sir Walter of Mentethe, knights, and others—[c. 1330], | 126* |
| 71*. Precept of Sasine by King David II. to the Sheriff of Perth and his bailies, narrating that, on the surrender of St. Johnstown of Perth to Robert Steward of Scotland, the King's lieutenant, and other nobles of the kingdom who were with him at the said siege, among other conditions made, granted, confirmed, and corroborated by the seals of all of them for the common good of the realm, to those who held the said town against the King in the war, the lands of Stratgartenay with the pertinents were granted to John of Logy, son of the deceased John of Logy, by common consent, under the security foresaid, to be possessed by the said John of Logy, the son, according to the same tenure as his said father held the same, and enjoining the sheriff to give the grantee sasine of the said lands, notwithstanding that John of Menteth, knight, the King's cousin, then occupied them. Dated at Dunfermline, 17th September [1344], | 127* |
| 72*. Charter by Robert Steward of Scotland and Earl of Stratherne, with consent of Eufemia, his spouse, to John of Logy, lord of that Ilk, of the following lands in the earldom of Stratherne, namely, the manor-place of Foullys, the dominical lands of Foullys, with the pertinents, Gask, Cristkynkell, Buchmyrn, Letirbonachtyn, Lekog, Dromfyne, the tofts Dromy, Fauchalathyn, Petlandyn, Fornoucht, Creef Easter, mills of Foullys and of Melach, with their pertinents, in the shire of Perth: To be held by the said John and his heirs and his assignees of the granter and his heirs in | |

feu and heritage, for payment yearly of a penny of silver at Foullys, at Whitsunday, in name of blench farm, if asked only, for all wards, reliefs, marriages, suits of courts, and other services which could be required by the granter or his heirs at any time. Witnesses—John Stewart, Lord of Kyle, Sir John Stewart, the granter's brother, and others. Dated at Perth, 12th May 1365, . 128*

73*. Declaration by Bartholomew of Lone, knight, laird of Balbougale, and Lady Philippa, his spouse, relative to the marches between the town called Coultnecloche, in the barony of Logy, and the lands called Lethyndys, belonging to the said Bartholomew, in the earldom of Stratherne, to the effect that Socoth, between the river of Erregi and the river of Telleny, is one of the just pertinents of the said land of Coultnecloche, and that Corregy also belongs, not to Lethyndyis, but to Coultnecloche. Dated [*c.* 1365], . 130*

74*. Charter by King David II., granting of new to John of Logy, son and heir of the deceased John of Logy, knight, the lands of Logy, with their pertinents, in the earldom of Stratherne, which lands had been resigned by the said John, the grantee, into the hands of Robert the Steward of Scotland, Earl of Stratherne, the King's nephew, at Edinburgh, and afterwards at Scone: To be held by the said John and his heirs of the King and his heirs in feu and heritage, in free barony and free regality, for payment of a penny of silver at Whitsunday yearly, at the chief mansion of Logy, if asked only, in name of blench farm, for all wards, reliefs, marriages, suits of courts, and others that could be required from the said barony. Dated at Scone, in the full Parliament held there, on 26th July [1366], 131*

- 75*. Assent of Alexander of Kyninmund, Bishop of Aberdeen; Alexander Barr, Bishop of Moray; Patrick of Leuchars, Bishop of Brechin; Alexander Bishop of Ross, Thomas Earl of Marr, William Earl of Douglas, and others, Peers of Scotland, to the grant made by King David II., in the said full Parliament held at Seone, to the said John of Logy, of that Ilk, of his lands in Annandale, which were granted as freely and fully in all respects as King Robert II. had formerly granted the said lands to Sir Thomas Randolph, Earl of Moray. Dated 26th July 1366, 132*
- 76*. Charter by King David II., under the testimony of the Great Seal, to the said John of Logy, son of the deceased John of Logy, knight, for his faithful service rendered to the King, of his Majesty's lands of Logy, in the shire of Perth, which lands had been resigned into the King's hands by Robert the Steward of Scotland, Earl of Stratherne, in the Castle of Edinburgh, on 20th July 1367: To be held by the said John and his heirs and assignees of the King and his heirs in feu and heritage, in free barony for ever, with the homage and services of free tenants, and whole pertinents of the said lands, for payment of a penny of silver yearly, at the manor-place of Logy, on the Feast of St. John the Baptist, in name of blench farm, if asked only, for wards, reliefs, marriages, suits of court, and all other secular services whatsoever exigible from the said lands. Witnesses—William Landale, Bishop of St. Andrews; Alexander Kyninmund, Bishop of Aberdeen, and others. Dated at Edinburgh, 26th July 1368, 134*
- 77*. Charter by Isabella Countess of Fife, to the said John of Logy, lord

of that Ilk, for his counsel and assistance rendered to her, of her whole land of Lanyne, in the shire of Edinburgh : To be held by the said John and his heirs and assignees of the granter and her heirs, in feu and heritage for ever, for rendering to them yearly a pair of white gloves, in name of blench farm, at the town of Lanyne, on the Feast of St. John the Baptist, if asked only, and for payment of an annual rent of twenty merks to William of St. Clair, Lord of Roslyne, and his heirs, for all other secular services exigible for the said lands. Dated [*c.* 1370], 135**

78*. Certification by Alexander Kyninmund, Bishop of Aberdeen, that he was personally present, with the other prelates and nobles of the kingdom, when King David II., in the full Parliament held at Scone, on 26th July 1366, with consent of the said Parliament, granted, of his special favour, to the said John of Logy, lord of that Ilk, divers lands and possessions, so that it would not be in the power of the Crown, or others, to revoke the same ; and that he, the said Alexander, along with the other members of the said Parliament, ratified the said grant. Dated at the Chanonry of Aberdeen, 29th July 1377, 137**

79*. Indenture by Andrew Mercer, Lord of Mekylhour, on the agreement between Sir Robert Stewart, Earl of Fife and Menteth, and the said John of Logy, Squire, son and heir of the deceased Sir John of Logy, knight, bearing that the said Earl and John of Logy had referred to him the settlement of all the debate and question that was between them relative to the lands of Logy and Stragartnay, and had bound themselves to abide by his decision ; that the said Sir

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| Robert and John afterwards revealed and affirmed the said arrangement in presence of King Robert II. and John Earl of Carrick, his eldest son, and others; and that the said Andrew Mercer, having a view to justice, prevailed on the said Sir Robert Stewart freely to give up and deliver to the said John of Logy all the said lands of Logy and Stragartnay, which Sir Robert did with "staff and stick." Dated Monday before Whitsunday [15th May] 1385, | 138* |
| 80*. Charter by King Robert II., confirming a charter dated 26th July 1368 (No. 76,* <i>supra</i>), by King David II., to John of Logy, of the said lands of Logy. This charter of confirmation is dated at Kilwynin, 6th October [1387], | 140* |
| 81*. Precept by King Robert II. to the sheriff of Perth and his bailies, for reinstating and infesting the said John of Logy in the whole lands of Logy and Stragartnay, as his just and right heritage, and justly and lawfully adjudged to him, and for giving him sasine of the said lands upon the ground of the same. Given under the testimony of the Great Seal, 8th June [1387], | 141* |
| 82*. Certification by Walter Stewart of Raylistoun, Sheriff of Perth, that in terms of the preceding mandate from King Robert II., under the Great Seal, he had, in presence of the King and several nobles, reinstated the said John of Logy in the lands of Logy, in the shire of Perth, as freely as he ever possessed the said lands at any time. Sealed with the granter's seal, and dated at Logy, 4th July 1387, | 142* |
| 83*. Letters by Robert Earl of Fife and Menteth, directed to the inha- | |

bitants of the said lands of Stragartnay, intimating that although he had formerly charged them not to yield obedience to John of Logy, their lord, yet, having fully considered the claim of the said John to the lands of Stragartnay, he now admitted the justness of the same; and charging them to yield obedience to him as the lawful lord of the said lands. Given under the granter's seal at Perth, 22d March 1390, 142*

84*. Certification by Murdoch Stewart, Lord of Aphane, Justiciar on the north side of the Forth, that in a full Court of Justiciary held in the Town-Hall of Perth, two men named Donald Schethsoun and Neven Donaldsoun, who had been indicted and arrested by the coroner, and who were claimed by the said John of Logy, lord of that Ilk, as persons dwelling on his lands (in evidence of which fact he produced the Charters Nos. 76* and 80*, *supra*.) were transferred to the jurisdiction of the court of the regality of Logy. Dated 20th May 1392, 143*

85*. Certification by Walter of Tolach, Chamberlain-Depute on the north side of the Forth, that in a full Chamberlain Court held in the Town-Hall of Perth, John of Logy, lord of that Ilk, appeared, and claimed as belonging to his lands of Logy, four prisoners who had been arrested for the purpose of being tried in the said court, and that, in consequence of the statement made by the said John, the said prisoners were handed over to him for trial at the court of the regality of Logy. Dated 13th April 1396, 144*

86*. Charter of Confirmation by King Robert III. to the said John of

Logy, of a charter granted to him by King David II., of the said lands of Logy, and of a confirmation of the same charter by King Robert II. (*vide* Nos. 76* and 80*, *supra*.) with an additional grant by King Robert III., to the said John and his heirs and assignees of the said lands in free warren, and prohibiting any one from cutting, hawking, hunting, or fishing on the same, without the special permission of the said John or his heirs or assignees, under the penalty of a fine of £10 sterling, to be paid to the said John or his foresaids; and empowering them to arrest and try at the court of the lands of Logy all who should hunt, hawk, or fish thereon without such special permission, and to confine them there until they should fully satisfy the said John or his heirs or assignees of damages as well as of the said fine of £10. This charter also grants to the said John and his heirs or assignees the fishing on the Amond, belonging to the King, on both sides of the river, with the same full powers to punish trespassers. The confirmation is dated at Perth, 30th April [1396], 145*

87*. Certification by William of Rothfen, Sheriff of Perth, that a prisoner who had been apprehended for reset of theft, by John of Morton, mair of the west part of the shire of Perth, had been transferred to the jurisdiction of the regality court of Logy, upon the application, of John of Logy, of that Ilk, who claimed the prisoner as dwelling on his lands of Logy. Dated Perth, 3d October 1396, 147*

88*. Acknowledgment by William of Rothfen, knight, Sheriff of Perth, that he had received from John of Logy, of that Ilk, during all

the years that he had held the said office of Sheriff, the blench farms payable to the Crown from his said lands of Logy. Dated at Rothfen, 20th August 1400, Page 148*

89*. Process of Legitimation before William (Stephen), Bishop of Dunblane, as Judge Ordinary to Pope Martin V., of Lionel of Logy, son of the deceased John of Logy, knight, and of Janet Cardene, narrating that the said Lionel had petitioned him, in his official capacity, to dispense justice to him, which petition sets forth that the deceased John of Logy, his father, contracted a marriage *per verba de presenti* with Janet of Cardene, his mother; and that as the Petitioner suspected that the question of his legitimacy might be raised in time to come, and was, in fact, raised by David Ogilby, who pretended that he was a cousin of the said John of Logy, he wished the said judge to summon before him the said David Ogilby and all others having interest, and have the said marriage declared to be true and lawfully contracted: And that the said judge thereupon cited the parties to compear before him in the parish church of Ochterarder, and that the said David Ogilby and Lionel of Logy having appeared by their procurators, and arguments having been heard on both sides, the case was adjourned to the parish church of Perth, where both parties having compeared along with their procurators, the procurator of the said David Ogilby denied the statements in the petition, and the said Lionel's procurator produced articles in support of the facts therein stated. Finally, the said judge, after hearing evidence on both sides in the church of Dunblane, declared as follows:—That the marriage contracted between the said John of Logy and Janet of Cardene was and is

lawful, and that the said Lionel was their lawful son, and was capable of inheriting their whole heritage, lands and moveables, goods, etc., and the said David Ogilby was found liable for the expenses of the process. Dated 13th March 1422, 148*

90*. Notarial Transumpt (under the hand of Walter Awener, clerk of the diocese of Dunblane,) made by authority of Michael (Ochiltree,) Bishop-Elect of Dunblane, of the preceding Process of Legitimation in favour of Lionel Logy, son of the deceased John of Logy, of that Ilk, and of Janet of Cardene, who had contracted a marriage *per verba de presenti*. Done in the Parish Church of Muthil, 10th May 1430, 157*

91*. Notarial Instrument on the Protest made by Lyon of Logy, that it was only through force and terror that he had appointed Laurence Lord Oliphant, Henry Wardlaw of Torry, James Hering, younger of Lethdy, and others, his procurators, for resigning in the hands of King James III. the lands of Logy in favour of John of Logy, his son, and recalling and discharging the said procurators, or any others substituted by them. Done in the Hospicium of the College at Perth, 13th August 1478, 160*

92*. Charter by King James III. to John Logy, son and apparent heir of Lyon Logy of Logyalmonde, of the whole lands of the barony of Logyalmonde in the shire of Perth, which belonged heritably to the said Lyon Logy, and had been resigned by him into the King's hands: To be held by the said John Logy and his heirs of the Crown, for rendering yearly the services due and wont; under reservation of the said Lyon's liferent of the said barony, and a

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| reasonable terce thereof to Margaret, his wife. Dated at Edinburgh, 13th August 1478, | 161* |
| 93*. Precept of Sasine by King James III. to the Sheriff of Perth and his bailies for infetting the said John Logy in the said lands of the barony of Logyalmond, in terms of the preceding charter. Given under the Great Seal, at Edinburgh, 17th October [1478], | 163* |
| 94*. Instrument of Sasine, proceeding upon the foregoing Precept, in favour of the said John Logy, of the lands of the barony of Logy. Done at the principal message of Logy, 23d October 1478, | 163* |
| 95*. Notarial Instrument on the refusal of Margaret Oliphant, Lady of Torry, to resign in favour of Lyon of Logy of Logyalmond certain leases of lands and other contracts made between them. Done on the step of the lodging of Laurence Lord Oliphant, in Perth, 16th November 1483, | 165* |
| 96*. Instrument of Sasine, proceeding upon a precept from Chancery, in favour of Margaret Logy of that Ilk, as heir of John Logy, her brother, of the lands of the barony of Logyalmond. The precept directed security to be taken for two pennies of silver as the duplication of the blench farm of the said barony due to the Crown. Done at the Manor-place of Logy, 19th November 1486, | 166* |
| 97*. Confirmation by King James III., of a judgment by the Lords of Council, in an action pursued before them by Lyon of Logy of that Ilk, against Margaret Wardlaw, Lady of Torry, for alleged compulsion of the former to resign the lands of Logyalmond into the King's hands, but which resignation their Lordships sustained, and | |

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| also the charter and infeftment of the said lands following thereon.
Given under the Great Seal, at Edinburgh, 16th March 1486, | 168* |
| 98*. Decreet Arbitral pronounced by Laurence Lord Oliphant, Alexander Blair of Balthiock, John of Muucreff of that Ilk, and others, judges arbitrators, chosen by Lyon of Logy of Logyalmond and Andrew Cardeny of Foss, for settling the dispute between them relative to the said Andrew's mill of Cardeny, which had been destroyed, and the water withdrawn therefrom by the said Lyon of Logy. Dated at Perth, 2d November 1488, | 170* |
| 99*. Notarial Instrument of Resignation by Margaret Logy, Lady of Logyalmond, through John Lord Glammis, her procurator, into the hands of King James IV., of the lands and barony of Logyalmond. Done in the King's Chamber in the Castle of St. Andrews, 30th September 1493, | 171* |
| 100*. Precept by King James IV. to the Sheriff of Perth and his bailies for infefting Thomas Hay, son of William Earl of Errol and Margaret Logy, Lady of Logyalmond, his spouse, in conjunct fee in the lands of the barony of Logyalmond, which belonged to the said Margaret heritably, and had been resigned by her into the King's hands. Given under the testimony of the Great Seal, at Stirling, 4th October [1493], | 173* |
| 101*. Instrument of Sasine, proceeding on the foregoing precept by King James IV., in favour of Thomas Hay, son of William Earl of Errol, and Margaret of Logy, his spouse, of the said lands and barony of Logyalmond. Done at the town of Tucheolich, as the principal message of the said barony, 22d October 1493, | 174* |

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| 102*. Letters, under the Signet, by King James IV. to the Sheriff of Perth and his deputes, bearing that the lands of Logy are held by Thomas Hay of Logy of the Crown in blench farm, and charging the Sheriff not to poynd or distrain the said Thomas's lands or goods for alleged arrears of blench farm. Dated at Edinburgh, 15th August 1501, | 176* |
| 103*. Notarial Instrument on the appointment by Robert Murray, spouse of Dame Margaret Logy of that Ilk, and others, of George Hay, son of the said Margaret Logy, as their special deputy, to recover the price of fifteen unbroken horses and mares, which had been taken from the territories of Logy and Strabranne in the year 1527, and to do all things necessary in the premises. Done in the choir of the Collegiate Church of Methven, and the tower of Logy-almond, 5th and 12th February 1534, | 177* |
| 104*. Retour of the Special Service, before William Lord Ruthven, Sheriff of Perth, of George Hay as heir of his mother, Dame Margaret Logy of Logyalmond, in the lands and barony of Logyalmond, in the shire of Perth, which were then valued at two hundred merks, and in time of peace at one hundred merks Scots, and were held in chief of the Crown in free regality for payment yearly of a penny Scots, in name of blench farm, if asked. Dated at Perth, 3d October 1536, | 178* |
| 105*. Instrument of Sasine, proceeding on a precept from Chancery directed to the Sheriff of Perth and his bailies, in favour of George Hay, son of Dame Margaret Logy of that Ilk, of the lands and barony of Logyalmond. 31st October 1536, | 180* |

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| 106*. Notarial Instrument on the Protest by the Procurator of George Hay of Logy, before the Justiciary held at Edinburgh, 8th October 1537, that the lands of Logyalmond were held by the said George in free regality, in proof of which the said Procurator produced a charter from King David II., granting the said lands to John of Logy in free regality, and other charters confirming the same. Done at Edinburgh, 8th October 1537, | 182* |

II.—ABSTRACT OF ADDITIONAL CHARTERS OF THE GRANDTULLY FAMILY,

AS PRINTED PAGES 184*-191*.

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| 107*. Letter of Resignation by Christian Mure, Lady of Brenschelis, into the hands of John Hay of Tulibothy, her superior, of the lands of Banqware, in the barony of Tulibothy and shire of Clackmannan. Dated at Brenschelis, 8th July 1416, | 184* |
| 108*. Charter by the said John Hay, Lord of Tulibody, to Alexander Stewart, Esquire, son of Sir John Stewart, Knight, Lord of Lorne, of the said lands of Banchry, in consideration of the marriage to be contracted between the said Alexander and Margaret, the granter's sister : To be held by the said Alexander and his heirs and assignees of the granter and his heirs in feu and heritage for ever, for rendering the service due and wont. Dated at Tulibody, 15th July 1416, | 184* |

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- 109*. Letter of Obligation by the said John Hay, Lord of Tulibothy, im-
pledging to the said Alexander Steuart the said lands of Tulibothy,
until he or his assignees had realized from the said lands the sum
of £126, 13s. 4d. Scots, payable in consequence of the said mar-
riage. Dated at Colane, 28th July 1416, 186*
- 110*. Charter of Confirmation by Robert Duke of Albany, Regent of
Scotland, of the charter No. 108* hereof, by John Hay of Tulibody
to the said Alexander Stewart and his heirs, of the said lands of
Banchory. Given under the Great Seal of the Regent, at Falk-
land, 19th June 1419, 187*
- 111*. Charter by Murdoch Duke of Albany, confirming a charter
granted about 1419, by Thomas of Abercrumby of that Ilk, to
John of Irelande, son of Robert of Irelande of Brinbane, for his
good counsel and assistance often rendered to the said Thomas,
of the lands of Brinbane, in the barony of Murthly, and shire of
Perth ; which were to be held by the said John of Irelande and
his heirs of the said Thomas and his heirs for payment of two silver
pennies yearly, in name of blench farm, if asked only. Dated
22d March 1423, 188*
- 112*. Letter by the said Alexander Steuart, bearing that the Regent
Albany had confirmed the charter granted to him by the said John
the Hays, Lord of Tulibodi, of the lands of Tulibodi, in all points,
excepting the assignation made in the same to the assignees of the
said Alexander. Sealed with the seal of John Stewart, Earl of
Buchane, and dated at Fauclande, 19th June 1419, 190*

III.—ABSTRACT OF MISCELLANEOUS CHARTERS IN FAVOUR OF THE FAMILY OF STEUART, ETC.

AS PRINTED PAGES 191*-198.*

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| 113*. Charter by King Robert II. to his son Robert Earl of Fife and Menteith of the whole barony of Strathurde, with the lands of Strabravne, Dysfer, and Twefer, and the Isle with the Loch of Tay, in the shire of Perth, which belonged to Isabella Countess of Fife, and had been resigned by her: To be held, the said barony, with lands, isle, and loch foresaid, by the said Robert Earl of Fife and Menteith and his heirs of the crown, in feu, heritage, and free regality for ever, with four points belonging to the crown, as freely as any regality was granted, under reservation to the King and his heirs, of a pair of gilt spurs yearly at the Castle of Strathurde, in name of blench farm, if asked only. Dated at Dunfermline, 12th August 1389, | 191* |
| 114*. Charter by King James II., under the Great Seal, to John Lord of Lorn, of the whole lordship of Lorn, and barony of Innermeath in the shire of Perth, and the barony of Redcastel in the shire of Forfar: To be held by the said John Lord of Lorn, and the lawful heirs-male of his body, whom failing, by the other heirs therein mentioned, of the King and his successors, in feu and heritage, as freely in all respects as they had been held by the said Lord of Lorn before the resignation thereof into the hands of the King, for new infeftment. Dated at Edinburgh, 20th June 1452, | 193* |

- 115*. Charter by King James II. to the said John Lord Lorn of the whole barony of Innermeath, in the shire of Perth, and the lands of Ennyrdony and Baldenys, in the earldom of Strathern and shire foresaid; also the lands of Coludrane and of Maw, in the shire of Fife, and others therein mentioned, which belonged to the said John heritably, and had been resigned by him: To be held by the said John Lord Lorn and his heirs of the King and his successors, as freely as they were held before the said resignation. Dated 20th June 1452, 195*
- 116*. Patent of the Arms of Sir William Drummond Steuart, Baronet, of Grandtully, Murthly, and Logiealmond, granted by Robert Earl of Kinnoull, Lord Lyon King of Arms, quartering the arms of Drummond of Logiealmond and Mackenzie of Roystoun along with his paternal arms of Steuart. Dated at Edinburgh, 15th October 1839, 196*

PEDIGREE OF THE FAMILY OF STEUART OF GRANDTULLY.

I. WALTER, son of Alan (son of Flaad, a Norman). Founded the Abbey of Paisley in 1160. Was High Steward of Scotland under King David I. Died in 1177, and was buried at Paisley.

II. ALAN, the second High Steward; from 1177 till 1204, when he died, and was buried at Paisley. He was succeeded by his elder son.

III. WALTER, third High Steward; from 1204 till 1246, when he died, and was succeeded by his eldest son.

IV. ALEXANDER, fourth High Steward; from 1246 till 1283, when he died, and was buried at Paisley. He had two sons.

WALTER STEWART, married the Countess of Menteth, and in her right he became Earl of Menteth. Killed by Edward I. of England in 1296, *æt.* 76. *A quo* the Earls of Menteth.

V. JAMES, fifth High Steward; from 1283 till 1309, when he died. Ancestor of the Stewarts Kings of Scotland, the last male of whom was King James V.

SIR JOHN STEWART of Bonkyl, married Margaret, daughter and heiress of Sir Alexander Bonkyl of that ilk, and had five sons and one daughter. He fell at the battle of Falkirk, in 1298.

SIR ALEXANDER STEWART of Bonkyl, created Earl of Angus in 1357. Ancestor of the Stewarts Earls of Angus. Male line extinct in 1377.

SIR ALAN STEWART of Dreghorn, ancestor of the Stewarts Earls and Dukes of Lennox, and of King James VI. through Lord Darnley. The last male heir was Cardinal York, who died in 1807.

SIR WALTER STEWART of Dalswinton. Ancestor, through an heiress of this Walter, of the Stewarts Earls of Galloway.

VI. SIR JAMES STEWART of Pierston and Warwickhill, flourished in the reign of King Robert the Bruce, and fell at the battle of Halidonhill in 1333, leaving three sons.

SIR JOHN STEWART, ancestor of the Stewarts of Castle-milk.

ISOBEL STEWART, married to Thomas Randolph, Earl of Murray.

SIR JOHN STEWART of Pierston. He had an only daughter, who married Sir William Douglas (designated from her of Pierston).

SIR ALAN STEWART of Ochiltree. Died, s.p.

VII. SIR ROBERT STEWART of Shanbothy and Innermeath. Under these designations he received a charter of the lands of Dalzell and others, 3d March 1362. He died, *circa* 1388. Two sons and one daughter.

VIII. SIR JOHN STEWART of Innermeath, married the heiress of Eugene de Ergadia, Lord of Lorn, and was afterwards designated of Lorn.

ROBERT, of Durisdeer, ancestor of the Stewarts of Rosythie.

CATHARINE, married to John Bethune of Balfour, Fife.

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ROBERT LORD LORN AND INNERMEATH. Created Lord Lorn in 1439, which title was exchanged for that of Lord Innermeath. His descendant, the sixth Lord, was created Earl of Athole in 1595. His male line failed in 1625.

ARCHIBALD. The second son.

SIR JAMES, the Black Knight of Lorn. He married Queen Jane (of Lancaster), widow of King James I., from whom the Earls of ATHOLE, BUCHAN, and TRANQUAIR descended.

IX. ALEXANDER STEUART, fourth son of John Lord Innermeath and Lorn, was ancestor of the Steuarts of Grandtully. On the resignation of his father, Sir John (apparently the first Steuart of Grandtully), he received a charter from Archibald Earl of Douglas of the lands of Grandtully, Kytlich, and Aberfeldy, 30th March 1414. He married Margaret, sister of John Hay of Tulliebodie, who granted to Alexander a charter of the lands of Banchory, in the barony of Tulliebodie, in contemplation of their marriage, dated 15th July 1416. He died before 10th July 1449, when his son Thomas was designated of Grandtully.—[Charter, No. 11.]

X. THOMAS STEUART, third of Grandtully, entered into an agreement with William, Abbot of Cupar, concerning the marches of Murthly and Kyntully, on 10th July 1449.—[Charter, No. 11.] This Thomas, in Lord Lorn's entail in 1452, is next in the substitution to Sir James, the Black Knight of Lorn. The name of this laird's wife has not been discovered. He died in 1453, and was succeeded by his son Alexander.—[Charters, Nos. 12, 13.]

XI. ALEXANDER STEUART, fourth of Grandtully, was served heir to his father, Thomas, in the lands of Grandtully, on 13th May 1462, and in the lands of Banchory on 2d June the same year; and both retours bear that his father, Thomas, died about nine years previously.—[Charters, Nos. 12, 13.] He married Matilda, daughter of Sir James Steuart, son of Murdoch Duke of Albany, and on 26th July 1468, they as spouses received from Alexander Earl of Huntly a charter of the lands of Banchory.—[Charter, No. 15.] He died, c. 1488, and was succeeded by his son,

XII. JOHN STEUART, fifth of Grandtully. On 5th July 1470, he received a charter from King James III. of the lands of Grandtully, Kytlich, Aberfeldy, and Carnbow, on the resignation of his father, Alexander.—[Charters, Nos. 16 and 17.] The name of his wife has not been ascertained. He died shortly after his father, and before 13th March 1488 [No. 22.] leaving two sons,

THOMAS STEUART, sixth of Grandtully, was infeft in the lands of Banchory, on 13th March 1488.—[Charter, No. 22.] He married Agnes, daughter of Sir William Murray of Tullibardine. As spouses they received from King James IV. a charter of the lands of Grandtully on 2d July 1494.—[Charter, No. 23.] He died before 22d August 1494 [Charter, No. 26.] leaving an only daughter,

ELIZABETH STEUART, who was infeft in the lands of Grandtully on 12th January 1494 [Charter, No. 28.] and married Archibald Campbell of Skipnish. She resigned Grandtully to her uncle Alexander.

XIII. ALEXANDER STEUART, seventh of Grandtully, who carried on the line of the family, succeeded his brother Thomas on 22d August 1494. He interrupted and cased a sasine given to Michael Murray of the lands of Garntully.—[No. 26.] He was infeft in the lands of Aberfeldy on 5th July 1525.—[No. 34.] He received a charter from King James V. of the lands of Garntully, Kytly, and Aberfeldy on 23th April 1526.—[No. 36.] And on 1st March 1538, he resigned these lands and others in favour of his son, Thomas Steuart.—[No. 44.] He married Margaret Murray, probably of Tullibardine.—[Charter, No. 43.]

XIV. THOMAS STEUART, eighth of Grandtully, on the 14th March 1538, received a charter under the Great Seal, on his father's resignation, of the lands of Grandtully, etc.—[No. 45.] He married his cousin, Margaret Murray, daughter of William Murray of Tullibardine. They had three sons and one daughter.

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XV. WILLIAM STEUART, ninth of Grandtully, originally of Aberfeldy: married, 1st, Margaret, daughter of Abercrombie of Murthly; and on his father's resignation they, as spouses, received a charter from Queen Mary, under the Great Seal, of the lands of Aberfeldy on 2d Jan. 1545.—[No. 51.] Margaret Abercrombie died soon after, and he married, 2dly, Isabella Stewart, daughter of John third Earl of Athole. On the 22d April 1552, they received a charter from Queen Mary of the lands of Aberfeldy.—[No. 53.] He died on 2d March 1574.

ALEXANDER STEUART of Carse of Dull: mentioned in the will of his brother William, dated last February 1574. He died without issue, before 1st July 1609, when his nephew, Sir Thomas Steuart of Grandtully, was served heir-male to him in the lands of Carse, etc.—[Retons, Perth, No. 197.]

JOHN STEUART of Fondoyne. *Vide* separate Pedigree.

JANET STEUART, married George Robertson of Fascal. They received a charter under the Great Seal, on 6th April 1567, in which she is designated daughter of Thomas Steuart of Grandtully.

XVI. 1. SIR THOMAS STEUART, tenth of Grandtully, who received the honour of knighthood from Queen Mary. He was served heir of his father in the lands of Grandtully on 14th May 1575. He married Grizel, daughter of Sir Laurence Mercer of Meikleour; and as spouses they received a charter of the lands and barony of Grandtully on 13th November 1602. He died, s. p., between 13th June 1610 and 28th December 1611.—[Nos. 58 and 59.]

GRIZEL STEUART, who died in November 1579, s. p.

XVI. 2. SIR WILLIAM STEUART, second son, eleventh of Grandtully. He was born in 1567. As fiar of Grandtully he received a bond of manrent from Archibald seventh Earl of Argyll on 13th June 1610 and 28th December 1611; as Sir William Steuart of Grandtully he received a bond of manrent from Alexander Flenning of Mones.—[Charters, Nos. 58 and 59.] He received various charters of Grandtully, Murthly, and many other lands between the years 1609 and 1631. He married Agnes, daughter of Sir John Monierieff of that ilk. He died in 1646, aged 79, and was buried in the Chapel of St. Mary of Grandtully.

XVII. 1. SIR THOMAS STEUART, twelfth of Grandtully, Knight. He married Grizel Menzies (of Weem). He died on 10th August 1688. A memoir of Sir Thomas is given, p. lxxxvii.

SIR WILLIAM STEUART of Innernytie.—*Vide* Pedigree of the Steuarts of Innernytie, *infra*.

JAMES, who appears to have died young.

XVII. 2. HENRY STEUART, who carried on the male line of the Grandtully family. He was an advocate at the Scottish bar, and married Mary, daughter of Colin Campbell of Aberuchel, and had two sons and two daughters.

JOHN STEUART of Balleid. *Vide* Pedigree of the Steuarts of Balleid, *infra*.

JOHN STEUART, thirteenth of Grandtully, succeeded his father in 1688. He entailed the family estates in 1717, and died at Dundee, in February 1720, s. p. A memoir of him is given, p. cxxviii.

JEAN, married Sir James Mercer of Aklie. Issue female.

MARJORY, married David Fotheringham of Powrie. Issue male.

GRIZEL, married Sir John Drummond of Logieathmond. Issue male.

CICELY, married to John Steuart of Arntully. Issue unknown.

ANNE, married James Seton of Touch. Issue.

HELEN, married Thomas Crichton of Ruthven. Issue.

ELIZABETH, married David Lord Newark. Issue.

XVIII. SIR THOMAS STEUART of Blair, Lord Balcaiskie, was created a baronet 2d June 1683. He married Lady Jean Mackenzie, daughter of George Earl of Cromartie. Three sons and a daughter. — [Memoir, p. clxiii.]

HARRY, a Doctor of Medicine.

MARJORY, married to William Borthwick of Pilmuir.

married Monierieff of Reedie.

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THOMAS, born in July 1685. Died young.

SIR GEORGE STEUART, fourteenth of Grandtully, second baronet, born 12th October 1686, succeeded John Steuart in 1720. He married Anne, daughter of Sir Archibald Cockburn of Langton. She died at Dundee, on 20th August 1757. Sir George died at Edinburgh, on 3d November 1759, in the 73d year of his age, s.p., and was buried at Murthly.

XIX. SIR JOHN STEUART, fifteenth of Grandtully, third baronet, born 29th September 1687. He married, first, Elizabeth, daughter of Sir James Mackenzie, Lord Royston; secondly, Lady Jane Douglas, only sister of Archibald Duke of Douglas. Lady Jane Douglas died at Edinburgh, on 22d November 1753. He married, third, the Honourable Helen Murray, fifth daughter of Alexander Lord Elibank without issue. She survived her husband, and died at Ormiston, on 29th December 1809, *æt.* 94. He died in June 1764, and was buried on the 22d of that month at Murthly. His hatchment is in the mortuary chapel there.—[Memoirs, p. clxxv.]

KENNETH STEUART, born in July 1685. Died unmarried, before 20th January 1721.

Of 1st marriage.

GEORGE STEUART, who died young.

Of 1st marriage.

XX. SIR JOHN STEUART, sixteenth of Grandtully, fourth baronet. He married, at Ballechin, on 10th August 1749, Clementina, daughter of Charles Steuart of Ballechin. She died at Murthly, on 10th February 1789. He died on 6th October 1797, and was buried at Murthly.

Of 2d marriage.

ARCHIBALD STEUART, who succeeded to the estate of Douglas, and was created Lord Douglas. *Vide* separate pedigree.

SHOLTO STEUART, who died young.

XXI. SIR GEORGE STEUART, seventeenth of Grandtully, fifth baronet, born at Ballechin, on 17th October 1750. He was educated at Westminster School and Christ Church College, Oxford, 1765-1773. Married, 16th April 1792, Catherine, eldest daughter of John Drummond of Logiealmond. He died on 9th Dec. 1827, and was buried at Murthly. Lady Steuart died in 1833.

JOHN STEUART, married Ann Rattray, c. 1785. He died at Perth, on 22d July 1810. He had two sons, unmarried.

JOHN, who died on 30th January 1865, unmarried.

ROBERT, born 26th September 1789.

DOUGLAS STEUART of Drummond Park, Logiealmond.

ARCHIBALD STEUART, died in infancy.

GRIZELL STEUART, married, at Murthly, 20th May 1788, Rev. William Buckle. She died at Bansted Vicarage, on 12th Nov. 1826.

CLEMENTINA STEUART, married Alexander Moray of Abercainry, in 1782.

SIR JOHN ARCHIBALD STEUART, eighteenth of Grandtully, sixth baronet. Born at Murthly, 25th October 1794. On the death of his mother, in 1833, Sir John Steuart succeeded to the estate of Logiealmond, and assumed the name and arms of Drummond. Married, 25th January 1832, Lady Jane Steuart, eldest daughter of Francis Earl of Moray, but died, s.p., at Paris, 20th May 1838, and was buried at Murthly. Lady Jane survives him, and married, secondly, Lonsdale Pounen, M.D.

XXII. SIR WILLIAM DRUMMOND STEUART, born 26th December 1795, nineteenth of Grandtully, present and seventh baronet. Married, in May 1830, Christian Steuart. Issue one son.

XXIII. WILLIAM GEORGE STEUART (a Major in the Army). Born in February 1831. He died at Hythe, on Monday 19th, and was buried at St. Mary's Church, Grandtully, 26th October 1868, aged 37 years.

GEORGE STEUART, born at Murthly, 3d November 1798, afterwards of Braco Castle, Perthshire. He died 1847, unmarried.

THOMAS STEUART, born at Murthly on 21st Dec. 1802. He became the Abbé Chevalier Steuart, and died on 18th July 1846.

ARCHIBALD DOUGLAS, born at Newington House, Edinburgh, 29th August 1807.

CATHERINE, born 26th August 1797, married, in 1833, to Monsieur Des Ondes.

CLEMENTINA, born 9th September 1800.

PEDIGREE OF THE DESCENDANTS OF SIR JOHN STEUART OF GRANDTULLY
AND LADY JANE DOUGLAS-STEUART.

ARCHIBALD STEUART DOUGLAS: born, along with his twin-brother Sholto (who died young), on 10th July 1748, in the Faubourg St. Germain, Paris. Created Lord Douglas of Douglas Castle, 9th July 1790. Married, first, Lady Lucy Graham, only daughter of William second Duke of Montrose, who died 13th February 1780. Married, secondly, 13th May 1788, Lady Frances Scott, sister of Henry third Duke of Buccleuch. Lord Douglas died on 26th December 1827. Issue of first marriage, three sons and one daughter. Issue of second marriage, five sons and three daughters.

<p>ARCHIBALD DOUGLAS, born 25th March 1773. Succeeded his father as second Lord Douglas on 26th December 1827. Died, unmarried, in January 1844.</p>	<p>The HONOURABLE CHARLES DOUGLAS, born 26th Oct. 1775. Succeeded his brother as third Lord Douglas, in Jan. 1844. Died, unmarried, 10th September 1848, and was succeeded by his brother James as fourth lord.</p>	<p>The HONOURABLE JANE-MARGARET DOUGLAS, born 21st Dec. 1779. Married, 1st Nov. 1804, Henry Marjorie, Duke of Bough-tan, second son of Henry Duke of Buccleuch; issue three daughters, the eldest is</p>	<p>JAMES, born 9th July 1787. Succeeded his brother Charles as fourth Lord Douglas, 10th September 1848. Married, 18th May 1813, Wilhelmina, daughter of General the Honble. James Murray. Died, s.p., 6th April 1857. Title extinct. The estates devolved on his sister, Jane Lady-Montagu.</p>	<p>The HON. GEORGE DOUGLAS, born 21st August 1788. Captain R.N., died, unmarried, in 1838.</p>	<p>The HON. HENRY DOUGLAS, born 21st August 1788. Both died young.</p>	<p>The HON. CAROLINE DOUGLAS, born 16th February 1784. Married, 27th October 1810, Admiral Moray Sir George Stirling of Ardoch. She died 20th April 1857.</p>	<p>The HON. FRANCIS DOUGLAS, born 9th December 1790. Married, in 1821, Robert Douglas of Strathcurey.</p>
<p>ABLE WILLIAM DOUGLAS, born 31st Oct. 1777. Died young.</p>	<p>The HONOURABLE WILLIAM DOUGLAS, born 31st Oct. 1777. Died young.</p>	<p>LUCY ELIZABETH SCOTT DOUGLAS, married, 4th December 1842, Cospatrick - Alexander Home, Earl of Home, and has had six sons and three daughters. The eldest son is</p>	<p>LUCY ELIZABETH SCOTT DOUGLAS, married, 4th December 1842, Cospatrick - Alexander Home, Earl of Home, and has had six sons and three daughters. The eldest son is</p>	<p>The HON. CAROLINE DOUGLAS, born 16th February 1784. Married, 27th October 1810, Admiral Moray Sir George Stirling of Ardoch. She died 20th April 1857.</p>	<p>The HON. HENRY DOUGLAS, born 21st August 1788. Both died young.</p>	<p>The HON. CAROLINE DOUGLAS, born 16th February 1784. Married, 27th October 1810, Admiral Moray Sir George Stirling of Ardoch. She died 20th April 1857.</p>	<p>The HON. FRANCIS DOUGLAS, born 9th December 1790. Married, in 1821, Robert Douglas of Strathcurey.</p>

CHARLES-ALEXANDER,
LORD DOUGLAS.

PEDIGREE OF THE FAMILY OF STEUART OF INNERNYTIE,
IN THE PARISH OF KINCLEVIN AND SHIRE OF PERTH.

I. SIR WILLIAM STEUART, second son of Sir William Steuart of Grandtully, was ancestor of the Steuarts of Innernytie. In the year 1622, he received a charter of the lands of Airleywight, in the shire of Perth; and on 10th July 1643 he received a charter of the lands of Luncarty, in the same county. He married Mary Crichton, daughter and co-heiress of John Crichton of Kinvaid and Innernytie, by whom he had one son and two daughters. He died in 1672, and was succeeded by his son,

II. JOHN STEUART of Innernytie. He was retoured heir of his father, Sir William, in the lands of Innernytie, Mains of Kinclevin, the lands of Airliewright, and many other lands in the shire of Perth, on 30th October 1672.—[Retours, Perth, No. 848.] He married Jean Leslie, daughter of James Lord Lindores, by whom he had a son, John, who succeeded him. He died of fever at Edinburgh, on Sunday, 22d February 1680, and was buried at the "Abbey Kirk" on Thursday following.—[Vol. ii. p. 251, No. 184.]

ANNA (ii. 244)
STEUART,
LADY LAWERS,
mother of
John Campbell
of Lawers, who
was murdered
at Greenock
in 1723.

ANNE STEUART, who married Sir John Drummond of Machany, and had two sons—

||
WILLIAM, who succeeded to the title of Viscount Strathallan; and

ANDREW DRUMMOND, an eminent banker in London.

III. JOHN STEUART was retoured heir of his father in the lands of Innernytie and others, on 8th July 1681.—[Retours, Perth, No. 910.] He joined the rebellion in 1715, and by Act of Parliament, 1st of King George I., was with many others attainted of high treason, 13th November that year. He married Mary, daughter of Sir James Mercer of Aldie, and had an only daughter, Anne. He died in 1731.

IV. ANNE STEUART, who married, in 1723, David sixth Viscount of Stormont, and had issue two sons and two daughters. The eldest son was

DAVID SEVENTH VISCOUNT OF STORMONT, who married, secondly, in 1776, Louisa, third daughter of Charles ninth Lord Cathcart. Their eldest son was

WILLIAM EIGHTH VISCOUNT OF STORMONT, and third Earl of Mansfield. He married Frederica, daughter of William Markham, Archbishop of York. Their eldest son is

WILLIAM DAVID, present Earl of Mansfield, who is the heir of line of the Steuarts of Innernytie.

PEDIGREE OF THE FAMILY OF STEUART OF FUNGORTH
IN THE PARISH OF DUNKELD, AND OF BALLEID IN THE PARISH
OF KINLOCH, AND SHIRE OF PERTH.

I. JOHN STEUART, fifth son of Sir William Steuart of Grandtully, was ancestor of the Steuarts of Fungorth and Balleid. He married Isobel, daughter of James Stewart of Ladywell, and had by her two sons and two daughters. He died before 25th November 1664; and his wife Isobel survived him, and married, secondly, before 5th February 1670, John Blair of Ardblair.

<p>II. WILLIAM STEUART, succeeded his father in 1664. On the 25th of November that year, he, under the designation of Prebendary of Fungorth, and as nearest heir of John Steuart of Fungorth, received from the Bishop of Dunkeld a charter of novodamus, etc., of the lands of Fungorth.—[Original Charter at Murthly.] William and John Steuart of Balleid were Prebendaries of Fungorth, on 17th February 1690.—[Grandtully Inventory, p. 117, at Murthly.] William Steuart of Balleid married Marjory, eldest daughter of Colonel James Menzies of Culdare, by whom he had four sons and three daughters.</p>	<p>JAMES STEUART, a Writer to Her Majesty's Signet, Edinburgh.</p>	<p>MARGARET STEUART, married John Steuart of Balnakkillie.</p>	<p>ANNE STEUART, married Alexander Menzies of Rotmell, brother of Menzies of Weem.</p>
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<p>III. JOHN STEUART, who succeeded his father, was an advocate at the Scottish Bar. On 12th March 1697, he received from his father, William, a disposition of the lands of Fungorth; and he sold these lands to John Steuart of Grandtully by disposition, dated 9th March 1698. He died without issue.</p>	<p>ARCHIBALD STEUART, Doctor of Medicine, died with- out issue.</p> <p>WILLIAM STEUART, died in the East Indies, without issue.</p>	<p>PATRICK STEUART, a merchant and factor in Edinburgh, married Margaret, daughter of Patrick Stewart of Cardneys, and had two sons.</p> <p style="text-align: center;">JOHN ARCHIBALD STEUART, STEUART, died young, died young.</p>	<p>SUSANNAH STEUART, married Captain Archibald Stewart of Culdare.</p>	<p>AGNES STEUART, married Patrick Stewart, merchant in Edinburgh.</p>	<p>MARGARET STEUART, married, first, John Campbell of Lochdoch- art; and, secondly, David Stewart, brother to Steuart of Ardvorlich.</p>
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PEDIGREE OF THE FAMILY OF STEUART OF FONDOYNET,
IN THE PARISH OF LOGIERAIT AND SHIRE OF PERTH.

I. JOHN STEUART, third son of Thomas Steuart, eighth of Grandtully, was ancestor of the Steuarts of Fondoynet. He is designated brother-german of Sir William Steuart of Gairntully in the year 1569. He married Bannerman, daughter of George Bannerman of Middle Cardnie, in the county of Perth, and had a son, Thomas, who succeeded him. He died *c.* 1605.

II. THOMAS STEUART, succeeded his father in Fondoynet *c.* 1605. He married Steuart, daughter of Steuart of Foss, and had a son, John.

III. JOHN STEUART of Fondoynet, succeeded his father *c.* 1635. He, as John Steuart of Fondoynet, was serving in Montrose's army in 1645.—[Original Deposition, dated 22d February 1645, in Montrose Charter-Chest.] He married Dorothy, daughter of John Steuart of Bonskeid, and had a son, Thomas Steuart, who succeeded him.

IV. THOMAS STEUART, as fir of Fondoynet, served in Montrose's army in 1645.—[Deposition, *ut supra.*] He married Elizabeth Steuart, by whom he had two sons.—[Records of Parish of Logierait.]

PATRICK STEUART, who was baptized 16th February 1676, seems to have died young, during the lifetime of his father.—[*Ibid.*]

V. ALEXANDER STEUART, who was baptized 12th October 1678, succeeded his father in Fondoynet. He married Helen, daughter of Commissary Charles Steuart of Rotmell.—[*Ibid.*]

VI. JOHN STEUART of Fondoynet, was baptized 19th December 1702. He married Margaret, daughter of John Steuart of Balnakely in 1723, their names having been given up for proclamation 16th June that year.—[*Ibid.*]

ALEXANDER STEUART, brother of John of Fondoynet, married Amelia, daughter of John Robertson of Gay. Their names were booked for proclamation 29th July 1738.—[*Ibid.*] Alexander died in September 1788.—[*Ibid.*]

JEAN STEUART, baptized 13th May 1704.—[*Ibid.*]

VII. I. JOHN STEUART, was baptized in 1724 —[*Ibid.*], and was in possession of Fondoynet in 1739.

CHARLES STEUART, was baptized 27th December 1745.—[*Ibid.*]

VII. 2. ALEXANDER STEUART, born 12th and baptized 13th August 1756.—[*Ibid.*] He married, on 20th July 1785, Marjory Stewart, daughter of William Stewart in Dalcalloch.—[*Ibid.*; and Records of the Parish of Blair Athole.] He died in 1820, and was succeeded by his son Alexander.—[Sasine dated 2d October 1820, General Register of Sasines, vol. 1178, fol. 32.]

JOHN STEUART, both 11th September 1786.—[Records of Parish of Logierait.]

WILLIAM STEUART, born 28th July 1792.—[*Ibid.*]

ROBERT STEUART, born 10th January 1795.—[*Ibid.*]

CHARLES STEUART, born 1st May 1799.—[*Ibid.*]

VIII. ALEXANDER STEUART, was born 17th April 1807.—[Records of Parish of Logierait.] He was infested as heir of his father, Alexander, in the lands of Easter and Wester Findynetts, etc., on 2d October 1820, on a precept by the superior, Major James Alston of Auchenhard.—[*Sasine, ut supra.*]

MARGARET STEUART, born 16th July 1788.

MARJORY STEUART, born 15th June 1802.—[Records of Parish of Logierait.]

IX. JOHN STEUART, M.D., succeeded his father *c.* 1855, and died in 1868, leaving by his wife two daughters, Mrs. Hamilton and Mrs. Peter, in Aberfeldy.

PEDIGREE OF THE FAMILY OF DRUMMOND OF LOGIEALMOND,
IN THE COUNTY OF PERTH.

JAMES THIRD
EARL OF PERTH.
Died 1662.

JAMES FOURTH
EARL OF PERTH,
was created Duke
of Perth by King
James VII. From
him descended the
subsequent Dukes
of Perth. The di-
rect male line
failed on the
death of Edward
styled Duke of
Perth in 1760.

I. SIR JOHN DRUMMOND, first of Logiealmond, was the third son of John second Earl of Perth and Lady Jean Ker, eldest daughter of Robert first Earl of Roxburgh. Previous to his acquisition of Logiealmond, he possessed Burnbank, formerly belonging to the family of Mushet, and now part of the Blair-Drummond estates, in the lordship of Kincardine and county of Perth, and he was designated of Burnbank till about the year 1670.—[Vol. ii. p. 179, No. 114; p. 196, No. 130.] On 3d October 1671, under the designation of Sir John Drummond of Logie, Knight, he received from Robert Bishop of Dunblane, a lease of the teinds of the Mains of Logie and others, in the parish of Monzie and diocese of Dunblane.—[Original Lease at Murthly.] On 31st July 1674, he also, under the same designation, received from Henry, Bishop of Dunkeld, a lease of the teinds of Little Findowie, in the parish of Little Dunkeld and shire of Perth.—[Original Lease, *ibid.*] Sir John married Grisel, third daughter of Sir Thomas Steuart of Grandtully. Their contract of marriage is dated 18th August 1664, and her tocher was 20,000 merks.—[Original Contract, *ibid.*] Sir John died before 22d July 1678 (survived by his wife), and was succeeded by his eldest son.

SIR WILLIAM
DRUMMOND,
second Earl
of Roxburgh,
whose grand-
son, John
fifth Earl of
Roxburgh,
was created
Duke of Rox-
burgh on 27th
April 1707.
He was the
ancestor of
the present
Duke of
Roxburgh.

11. THOMAS DRUMMOND, second of Logiealmond. He was born in the year 1673, as appears from his portrait at Murthly, painted by Alexander in 1735, when Thomas was aged 62. As eldest son of the deceased Sir John Drummond of Logiealmond, he, on the 22d July 1678, received from General William Drummond of Cromlix a lease of the teinds of Condycloich, etc., in the parish of Foulis and shire of Perth.—[Original Lease at Murthly.] He also received from William Viscount of Strathallan a disposition of the teinds of Dalnacloich, etc., dated 21st, 25th, and 26th October 1700.—[Extract Disposition, *ibid.*] On 21st March 1707, he received from Queen Anne a lease of the teinds of Logy, etc. He distinguished himself at the battle of Sheriffmuir in 1716, having emptied sixteen saddles of his opponents. He was in the army of the Earl of Mar, and was made a prisoner, and taken to the castle of Carlisle. He afterwards obtained a pardon from the Crown. He married, first, Anna, daughter of Patriek Lord Kinnaird, without issue; second, about the year 1722, his first cousin, the Honourable Grisel Leslie, fourth daughter of David second Lord Newark. She survived her husband, and died at Logiealmond on 12th July 1761. After being in possession of Logiealmond for upwards of seventy years, this laird died on 18th December 1757, without surviving issue.—[Retour of John Drummond, nephew of Thomas, 21st February 1758, in which Thomas is called grandson of the Earl of Perth.]

MR. WILLIAM DRUMMOND,
second son of Sir John,
and brother of Thomas,
was proprietor of Bal-
lathie, in the county of
Perth. He is styled brother
of Logiealmond by
James Marquis of Drum-
mond, in a letter dated
26th December 1704.—
[Vol. ii. p. 291, No. 224.]
In the retour of his son
John, 21st February
1758, to his uncle
Thomas, he is designat-
ed William Drummond
of Ballathie.—[Decen-
nial Indexes of the Ser-
vices of Heirs in Scot-
land.] He married Eliza-
beth, daughter of George
Oliphant of Clashbeny.
He died in June 1724.

GRISEL,
living
at Logie
on 11th
October
1686.—
[Letter
from
her.]

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III. JOHN DRUMMOND, third of Logiealmond, born in August 1713. He succeeded his father, William Drummond, in Ballathie, and he was designated of Ballathie till he succeeded to Logiealmond. He was served heir to his father on 14th January 1741. He was also served heir to his uncle Thomas, in Logiealmond, Fandowie, Moulting, Ballathie, Kercock, etc., in the shire of Perth, 21st February 1758.—[Decennial Indexes of Services of Heirs in Scotland.] He entered the service of the King of Prussia, under Marshal Keith, and he was aide-de-camp to Frederick the Great, King of Prussia, in 1750. He married, at Perth, 8th January 1761, Lady Catherine Murray, second daughter of William third Earl of Dunmore. He died at Logiealmond, on 9th September 1776, leaving two sons and five daughters. Lady Catherine died in 1791.

DOCTOR THOMAS DRUMMOND, was a minister in the Episcopal Church in Scotland. He died at Edinburgh, on 23d November 1766, and was buried in the Chapel of Holyrood.

MARY, named in Letters of Lord John Drummond in 1744, and in entail by her brother John, 12th February 1767.

IV. The Right Honourable SIR WILLIAM JAMES CHARLES MARIA DRUMMOND, Knight of the Crescent, fourth of Logiealmond, born at Logiealmond on 8th, and baptized 26th September 1769, was served heir of provision and in general of his father, John, 4th February 1778.—[Decennial Indexes of Services of Heirs in Scotland.] He sold the lands of Ballathie and Kercock. He was educated at the University of St. Andrews, where he went through a regular course of philosophy; and he afterwards became a distinguished statesman and diplomatist. In 1796 he was elected Member of Parliament for Lestwithiel. In 1802 he was envoy and minister-plenipotentiary to the Court of Sicily. In 1804 he was appointed a privy-councillor, and in 1808 he was again minister at the Court of Sicily. Sir William was also distinguished as a man of letters. He was author of a Dissertation on the Government of Greece, of a Translation of the Satires of Persius, etc. He married, in December 1794, Harriet, daughter of Charles Boone of London, M.P. Sir William Drummond died at Rome, on 29th March 1827, and was succeeded by his sister Catherine (Lady Steuart).

THOMAS GEORGE, baptized 9th December 1771. He died at the Cape of Good Hope (?) unmarried.

CATHERINE DRUMMOND, baptized 11th February 1762. Married Sir George Steuart of Grandtully, and had five sons and two daughters. She died in March 1833, when her eldest son, Sir John Archibald Drummond Steuart, succeeded to the estate of Logiealmond. He was succeeded in 1838 by his next brother, Sir William Drummond Steuart, who sold Logiealmond, in 1842, to the Earl of Mansfield for £203,000.

ELIZABETH DRUMMOND, baptized 16th June 1763. Died at Logiealmond, on 5th July 1842, unmarried.

FRANCES MARIE, baptized 27th September 1764. She purchased, in 1843, Braco Castle, where she died, in September 1845, unmarried.

MARY, baptized 8th January 1766. She died unmarried.

CHARLOTTE ANNA, baptized 5th February 1768. Died young, and unmarried.

LOUISA CLEMENTINA, baptized 25th February 1774. Married, at Murthly, on 13th December 1797, 1st, Lieutenant Cecil of the Windsor Foresters, issue two children; and 2dly, on 13th September 1805, Robert Steuart of Alderston, in the county of Haddington, by whom she had issue three children.

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