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THE
SCOTTS
OF
BUCCLEUCH

By
WILLIAM FRASER

IN TWO VOLUMES.

VOL. II.

EDINBURGH 1878.



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ABSTRACT OF THE BUCCLEUCH MUNIMENTS.

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1. Charter by King William the Lion, whereby, acknowledging it to be incumbent on him, as Sovereign of the realm, to esteem highly the church of God and ecclesiastical persons, and not only to give them of his own, but also to confirm and preserve to them by his royal authority the gifts granted to them by other faithful people of God, he confirms to the Church of St. Mary of Jedworth and canons thereof the possessions and goods bestowed on them by his Majesty's predecessors, and by other nobles and faithful of the kingdom; nameily, the Abbey of Jedworth, with all belonging to it; the chapel built in the open space of the forest opposite to Xern-wingslawe; the tithe of all the king's hunting in Teviotdale; the towns of Ulveston, Alneclive near Alneerumb, Crumsethe, and Rapeslawe; three maasures, one in the burgh of Roxburgh and two in Berwick-on-Tweed, one of these with its toft surrouding it; one water opposite to the isle called Tonsmilhop; Eadwardesle; grazings for animals, and fuel and wood for their own necessities where the king himself had grazings and wood, except in Quikeheg; the multure of the mill of Jedworth where the castle is; a salt work near Stirling; Hereve's Rule, which was given to them in excambion for a £10 land which the said canons had possessed in Hardinghestorn, all gifted to them by King David; the churches of Bartou and Grendon, gifted to them by King Malcolm, the granter's brother; a toft and seven acres in the burgh of Jedworth, and such freedom in their houses in the burgh of Berwick that none of the king's servants may presume to claim the tuns of wine brought by the merchants thither and there emptied; a fishing in the Tweed above the Bridge, which William of Lamberton gave back free and quit to the

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King's grandfather, and many other portions of land and privileges therein mentioned. Among the witnesses to this charter are the bishops of St. Andrews and Glasgow, the abbots of Kelso and Holecultram, etc. Dated at Peebles, <i>circa</i> 1165,	1
2. Charter by King William the Lion to Andrew, son of Vuiet, of the lands of Witslade, namely, from the rivulet of Longhope as far as Condosus on the south side of the Alne, along the highway, etc. as particularly therein described: To be held by the said Andrew and his heirs of the king and his heirs, free from all service and custom, and with the freedom of a mill, for rendering to the king yearly twenty shillings. Dated at Trevequhar (Traquair). [1165-1171],	3
3. Charter by William of Soule, knight, to the Church of St. Mary of Jedworth, and to the abbot and convent thereof, of two acres of arable land in the territory of Castleton, lying near to the cemetery of the church of that town on the south; and half an acre of meadow land in the meadow which Hugh the Smith held of the granter: To be held by the said abbot and convent in free, pure, and perpetual alms, as freely as any alms is held and possessed in the realm of Scotland [<i>circa</i> 1280],	3
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5. Charter by Robert of Graham, Lord of Weylistoun, in the barony of Walterothilkyle, within the holding of Torboltoun, for the safety of his own soul, and that of Emma, his spouse, and the souls of their children, and of all their predecessors and successors, granting to the church of St. Mary of Melrose, and the monks serving God there for ever, the right of patronage or advowson of the church of Torboltoun, which the granter possessed by gift of John of Graham, lately Lord of Torboltoun, true patron thereof, and by confirmation of Robert the Steward of Scotland	

- and of the Chapter of Glasgow, the see being vacant ; together with ten acres of arable land in name of glebe, namely, the seven acres called Unthank, and three acres nearer the church, of the land of Carnegolayn, in free, pure, and perpetual alms, as freely as any patronage is held in Scotland. Sealed with the granter's seal, and dated at Machlyn, 11th July 1342,..... 5
6. Charter by King David the Second to John of Dalkeith, and his heirs and assignees, of the third part of the lands of Logtoun, in the shire of Edinburgh, which belonged to Laurence of Kympont, younger, and had been resigned by him : To be held by the said John and his foresaids, of the granter and his heirs, in feu and heritage, for rendering to them the service due and wont. Dated at Perth, 7th December [1368], 6
7. Charter of Sale by Thomas, son of Walter, to Henry of Douglas, son of Sir John of Douglas, knight, of his land of Logtoun, in the shire of Edinburgh and constabulary thereof, in consideration of a certain sum of money paid to him by the said Henry for the recovery of his (the granter's) inheritance : To be held by the said Henry and his heirs, from the granter and his heirs, in feu and heritage, for rendering to the king the services due and wont, only. Sealed with the granter's seal, and the common seal of the burgh of Edinburgh [1369], 6
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9. Charter of Taillie by King David the Second to James of Douglas, knight, of the whole barony of Dalkeith and the castle thereof, in the shire of Edinburgh, which belonged to the said James, and had been resigned by him into the king's hands at Montrose, on 8th December 1369, in presence of many prelates and nobles of the kingdom : To be held by the said James and the lawful heirs-male to be begotten of his body ; whom failing, by his nearest heirs-male bearing the surname of Douglas, so

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- that the said barony and castle should not descend to an heir-female, near or remote, until all the heirs-male forementioned, having the surname of Douglas, should totally fail, in which case the true and nearest heirs of the said James, male or female, should hold the said barony and castle, of the granter and his heirs, in feu and heritage for ever, in one entire and free barony and free forestry, for rendering yearly at the castle of Dalkeith, at Whitsunday, a pair of white gloves, or a penny of silver, if asked, only, for ward, reliefs, marriages, suits of court, and all other exactions. This charter contains a provision for preventing any of the heirs of the said knight from making any gift, grant, assignation, or resignation of the said barony or castle in infringement of the terms thereof, and is dated at Montrose, 9th December [1369], 8
10. Charter by King Robert the Second to Henry of Douglas, knight, of the third part of the tenement or holding of Logtoun, in the shire of Edinburgh, which belonged to John of Dalkeith, and had fallen to the Crown by reason of escheat, because the said John had feloniously slain the deceased William Pulter : To be held by the said Henry and his heirs of the king and his heirs, during the time of the said escheat, as freely as the said John held the same before the perpetration of the said homicide. Dated at Lanark, 15th November [1374], 10
11. Charter by John of Maluil of that Ilk, to John of Maluil, younger, of Carnebie, of his lands of Grantoun and the whole land of Stanhouse, and the burgage land in the tenement or holding of Stanhouse and barony of Maluil, which belonged to the grantee heritably, and were resigned by him : To be held by the said John of Maluil, younger of Carnebie, and the lawful heirs-male of his body ; whom failing, by Thomas of Maluil, his brother, and the lawful heirs-male of his body ; whom failing, by the other heirs therein mentioned, of the granter and his heirs, in feu and heritage, for rendering to them homage and fealty when they happen to be required ; a suit at his court of Maluil, at the three yearly courts, and at other courts if reasonably cited, and one man at the pleas of the Justiciary if justly warned, and ward and relief when they occur ; also in the event of the said John or his heirs committing any felony, the

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granter and his heirs to have a reasonable escheat, according to the custom of the kingdom, the said John likewise rendering to the granter, and the latter to the king, the service of two servants, one with a horse and haubergell, and the other with a horse only, without a haubergell. Dated at the Manor-place of Maluil, 20th November 1379,	10
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13. Charter by King Robert the Second, confirming to the said Henry of Douglas, knight, the lands of Logtoun, in the shire of Edinburgh, which the latter had resigned into his Majesty's hands : To be held by the said Henry and his heirs of the king and his heirs, in feu and heritage, as an entire and free barony, for payment of a penny of silver, in name of blench farm, at Whitsunday yearly, at Logtoun, if asked, for all other service, exaction, or demand. Dated at Edinburgh, 10th October [1381],	12
14. Precept by King Robert the Second to the Sheriff and his Bailies of Edinburgh, for infefting the said Henry of Douglas, knight, in the lands of Logtoun, which had been resigned by the latter into the king's hands. Dated at Edinburgh, 10th October [1381],	13
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lands of Kylbochok, Newlands, Lyntoun, Robertoun, Kyrevrd, Lochvrd, Eschelis, Qvhylt, and Fechane : the lands of Carmyltoun Dunnyng ; the barony of Aberdour ; with the lands of Wolfeld, Tyry, Seefeld, and the two Ballbrethans, etc., in free barony and regality, and blench farm ; and had excepted the said lands from the administrations and intronissions of the king's justiciars, sheriffs, and other officers, by annexing them to his barony of Dalkeith, he discharged the foresaid officers from all intronission or administration whatever pertaining to their offices within the said lands. Dated at Edinburgh, 20th February [1386],	14
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18. Charter by King Robert the Second to Henry of Douglas, knight, of the barony of Logtoun, in the shire of Edinburgh, which belonged to the said Henry, and was resigned by him into the king's hands at Linlithgow : To be held by the said Henry, and Marjory, the king's niece, his spouse, and the survivor of them, and by the lawful heirs of their bodies ; whom failing, by the lawful heirs whomsoever of the said Henry or his assignees, as freely as the said barony was held before the resignation, for rendering to the king and his heirs the services used and wont. Dated at Linlithgow, 18th March [1389],	16
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23. Letters by King James the First, in favour of Sir William of Douglas of Drumlangrig, confirming the charters of all the lands of which he was possessed in Scotland, and his possession of the lands themselves, namely, the lands of Drumlangrig, Hawick, and Selkirk. Written with the king's own hand, and given under his signet, at Croidoune, 30th November 1412, 22

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Teveot runs, with the lands and houses of Steyll, and the half of the broad meadow towards the lands of Steyll, with the half of the meadow of Lonnehyll, and the lands of Holstruther, on the west side of the Syke, running down from the kirkland ; the half of the lands of the Meyrle, and the two cottage lands on the west side of the said river of Branchsemell (Branchselme), in the barony of Hawick and shire of Roxburgh : To be held by the said Robert and his heirs of the granter and his heirs, in feu and heritage for ever, for payment yearly in the church of Hawick, on the Feast of the Assumption of the Virgin Mary, of a penny of silver, in name of blench farm, if asked, only, for all other service. The charter is dated at the Church of Menar, 31st January 1420,	22
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26. Retour of Special Service of Walter Scott, as heir of his father, Robert Scott, in the lands of Elerig, in the barony of Hawick and shire of Roxburgh, which were valued at ten merks, and the same in time of peace, and were held in chief of the Baron of Hawick, by the service of one penny, to be paid at the Feast of St. John the Baptist, in name of blench farm, if asked,—the said lands having been in the hands of the said Baron for eight days through the death of the said Robert. Done at Etibredschelis, 27th February 1426,	25
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28. Retour of the Special Service of William of Douglas, as heir of his father, William of Douglas of Drumlangrig, knight, in the barony of Hawick, in the shire of Roxburgh, which was then valued at 300 merk's yearly, and the same in time of peace, and was held in chief of the Earl of Douglas, blench, for delivering one arrow on the day of our Lady's Assumption, in the Church of Hawick, if asked,—the said barony having been in the Earl's hands for six years through the death of the said Sir William. Dated at Jedworth, 30th September 1427,..... 26
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30. Notarial Instrument narrating that James of Langlands, Lord of that Ilk, compeared in the presence of a notary and witnesses, and granted, and for himself and his heirs for ever confirmed, to a noble man, Walter Scot, Lord of Muirthoustoun, and his heirs, the lands of Hepe, in the barony of Wiltoun and shire of Roxburgh: To be held of himself and his heirs as freely in all respects as Robert of Hepe, formerly Lord thereof, held them before his resignation of the same. Done in the Cemetery of St. Mary's Church of Hawick, 5th May 1431,..... 28
31. Letters by Archibald of Douglas, Lord of Cavers and Sheriff of Teviotdale. Alexander of Murray of Cranstoun, Alexander of Chesholm of that Ilk, and John and Stephen Scott, and others, attesting that they were present and saw James of Langlands of that Ilk give heritable state and possession of the lands of Hepe to Walter Scott, Lord of Buccleuch, and to his heirs, in feu and heritage, to be held of the said James and his heirs for rendering the service due and wont. Sealed with the seals of the attesters, and dated 9th May 1431, 28
32. Letter of Reversion by John Thomson of Beneale, burges of Edinburgh, in

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- favour of Walter Scott, Lord of Buccleuch, of two annualrents, namely, one of £2, 6s. 8d. from John of Vache's lands of Ledivrd, and one of £2, 6s. 8d. out of John of Ghedes' lands of Ledivrd, in the barony of Kirkurde and shire of Peebles, upon payment by the said Walter or his heirs, to him or his heirs, in the Church of the Holy Cross of Peebles, on the high altar thereof, of £100 Scots, with £4. 13s. 4d. for the annualrent of the year following the payment thereof. Sealed with the seal of the granter, and dated at Peebles, 16th May 1431, 29
33. Charter by William of Creichtoun of that Ilk, knight, to Walter Scott of the Buccleuch, for his homage and service rendered and to be rendered during his lifetime to the granter, of the lands of Grymislaw, in the shire of Roxburgh, held in chief of the barony of Creichtoun, in the shire of Edinburgh: To be held by the said Walter and his heirs-male, of the granter and his heirs, for rendering yearly one suit of Court, at his head Court held next after Pasch (Easter), at the chief place of the barony of Creichtoun, with wards and reliefs when they occur, only. Dated at the Castle of Edinburgh. 13th March 1436, 30
34. Charter by King James the Second, confirming to Walter Scott, knight, for his homage and service rendered and to be rendered, a grant made to the said Walter by King James the First, shortly before his death, for the capture of Gilbert of Ruthirfurde, and other services, of the dominical lands of Ecfurde, namely, the East Mains and the West Mains, called Woddon, in the shire of Roxburgh: To be held of the granter and his heirs by the said Walter and his heirs, in feu and heritage, until the king or his successors should pay to Walter or his foresaids, in the Church of Ecfurde, 500 merks Scots, for rendering yearly three suits at the three head pleas of the shire of Roxburgh, only. Sealed with the great seal, and dated at Stirling, 3d May [1437], 30
35. Letters of Procuratory by Alexander of the Weyndis, appointing James of Paiblis of that Ilk, and George of Pringil, his procurators for resigning into the hands of Sir William of Douglas, knight, Lord of Drumlangrig, the lands of the Weyndis, in the barony of Hawick and shire of Roxburgh. Dated at Linlithgow, 28th June 1437, 31

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36. Precept by William of Crechtoun of that ilk, knight, to his bailies, for infefting Walter Scott, knight, and his heirs, in the lands of Grynislaw, containing fourteen husbandlands, with the pertinents, in the shire of Roxburgh, in terms of the charter granted to him thereof. Dated at Edinburgh, 7th March 1439, 32
37. Charter by Thomas Inglis of Mennar, Lord of Brankishame, to Sir Walter Scot, Lord of Buccleuch, knight, of his lands of Brankishame; Todschawhil and Todschawhauch, Gobblylandis, Quhitlaw, and Quhiteryg, with one-fourth part of the lands of Ouerhardwode, lying in the barony of Hawick and shire of Roxburgh, in excambion for the lands of Murthowstoun and Hertwod, lying in the barony of Bothvile and shire of Lanark: The said lands of Brankishame and others, and the superiority of certain lands of Kirkcoun, to be held by the said Sir Walter Scot, his heirs and assignees, from the granter, his heirs and assignees, of the Baron of Hawick and his successors, in feu and heritage, for rendering yearly the service used and wont. Dated at Edinburgh, 23d July 1446,..... 33
38. Charter by William Earl of Douglas and of Avendale, Lord of Galloway and of the barony of Hawick, etc., to Sir Walter Scot of Buccleuch, knight, confirming the immediately preceding charter. Dated at Edinburgh, 23d July 1446, 34
39. Charter of Vendition by Margaret Cusing, spouse of Simon Routluge, with consent of her husband and of Robert Scot, her son and heir, to Sir Walter Scot of the Buccleuch, knight, of her tenandry of land commonly called Cusingisland, in the town and territory of Brankishame, on the north part thereof, in the barony of Hawick and shire of Roxburgh, for a certain sum of money paid to her and her said son Robert: To be held by the said Sir Walter, his heirs and assignees, from her, her heirs and assignees, of her superior, for rendering the service used and wont. Dated at Edinburgh, 19th April 1447,..... 35
40. Sasine following on the preceding charter, No. 39, in terms of precept addressed by Margaret Cusyn to her son Robert Scott. Dated at Brankishelme, 7th August 1447,..... 36

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41. Charter of Vendition by John Burel of Ekfurd, baker, burges of Edinburgh, to Stephen Scot of Castellaw, of the lands of Burellandys, in the barony of Ekfurde and shire of Roxburgh : To be held by the said Stephen Scot, his heirs and assignees, from the granter, his heirs and assignees, of the baron of Ekfurde, his heirs and assignees, for payment of one penny of silver at the feast of Whitsunday, upon the ground of the said lands, in name of blench farm if asked, only. Dated at Edinburgh, 14th April 1448,	37
42. Charter by King James the Second to Stephen Scott, of the lands commonly called Burellis Lands, lying in the barony of Ekfurde and shire of Roxburgh, which belonged heritably to John Burell, and had been resigned by him into the king's hands : To be held by the grantee and his heirs, of the king and his successors, for the services used and wont. Dated at Stirling, 18th April 1448,	38
43. Instrument on the Sasine given by Symon of Routlug, baillie of Hawick, to Sir Walter Scot, knight, Lord of Buccleuch, of the land of Birkwood, commonly called ane oxgang of land, and also of the land of Burnflat. Done at Birkwood, 1st February 1448,	39
44. Indenture betwixt Patrick Hepburn, Lord of Halis, on the one part, and Sir Alexander Home of that Ilk, knight, on the other part, whereby it is contracted that Adam, son and heir to the said Lord of Halis, shall have to wife Elyne, daughter of the said Sir Alexander (if the said Adam has not the daughter of James of Livingstone to wife) ; and Alexander, son of the said Sir Alexander, shall have to wife Annes, sister of the said Lord of Halis ; and failing the said Adam, then the next son being heir to the said Lord of Halis shall have the daughter of the said Sir Alexander, and so forth while the said Lord of Halis has a son and the said Sir Alexander a daughter ; and failing the said Alexander by death, then George, the next son of said Sir Alexander shall have to wife the sister or a daughter of the said Lord of Halis. and so forth while the said Sir Alexander has a son and the said Lord of Halis a sister or a daughter, the said Sir Alexander paying to the Lord of Halis, on the completion of such marriage, 1000 merks, and the Lord of Halis paying 700 merks to the said Sir	

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- Alexander ; Sir Alexander's son to have the lordship and Castle of Home and lands of Teviotdale, and the son of the Lord of Halis to have the lands of Oldhamstokis and Quitsom. The indenture also contains provisions for mutual compensation by the contracting parties for seath done to each other, etc. Dated at Tynnyngame, 2d February 1448,..... 39
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46. Charter by King James the Second to Walter Scott of Kirkurd, knight, for his homage and services rendered and to be rendered to the granter, of the lands of Ekfurde, in the shire of Roxburgh : To be held by the said Walter and his heirs of the king and his heirs, for rendering the services due and wont. Dated at Edinburgh, 28th February 1450,..... 42
47. Charter by King James the Second to Walter Scott of Kyrkurde, knight, of the lands of the barony of Ekfurde, in the shire of Roxburgh, which had been resigned by the former into the king's hand for new infeftment : To be held by the grantee and his heirs of the king and his heirs, for the services due and wont. Dated at Edinburgh, 10th June 1451, 42
48. Charter of Excambion, whereby John of Langlands, Lord of half of the barony of Wiltoun, conveys to Walter Scot, knight, Lord of Kirkurde, the lands of Mylsintoun, in the barony of Wiltoun and shire of Roxburgh, in exchange for the lands of Hepe, which formerly belonged to the said Walter : To be held of the granter, as the said lands lie between the lands of Borthwick on the east, the lands of Cheshelme on the south, the lands of Dualyrig and of Høstcotis on the west, and the lands of Belindene on the north,—the said Walter Scot paying yearly therefor one red rose or six pennies Scots, if asked, only, in name of blench farm, at the Feast of St. John the Baptist. Dated at the Church of Wiltoun, 20th June 1451, ... 43
49. Charter by King James the Second to David Scott, son and apparent heir of Walter Scott of Kirkurd, knight, for his faithful service, rendered and to be rendered to his Majesty, of twenty pounds worth of the lands of

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Drumcoors, in the shire of Linlithgow : To be held of the king and his successors for three suits, to be rendered yearly at Linlithgow, by the granter and his heirs in the three head courts of the said shire. Dated at Stirling, 14th March 1451,.....	44
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52. Instrument on the Resignation by Walter Scot of Kirkurde, knight, into the hands of King James the Second, of the lands of the barony of Ekfurle, in the shire of Roxburgh, and on the new infeftment of the said lands given by the king in favour of David Scot, son and apparent heir of the said Walter Scot, under reservation of the frank-tenement thereof to the said Walter during his lifetime. Dated at Stirling, 10th April 1453,	48
53. Charter by King James the Second to David Scott, son and apparent heir of Walter Scott of Kirkurde, knight, of the lands of the barony of Ekfurde, in the shire of Roxburgh : To be held by the grantee and his heirs of the king and his successors, for rendering three suits yearly at the three head courts of the shire of Roxburgh ;—the frank-tenement of the said barony being reserved to the said Walter during his lifetime. Dated at Stirling, 16th April 1453,	48
54. Charter of Excambion by James of Langlandis, lord of the frank-tenement of half of the barony of Wiltoun, to Walter Scot of Kirkurde, knight, of the granter's frank-tenement of the town of Milsaintoun, in the said barony of Wiltoun and shire of Roxburgh, in excambion for the said	

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Walter's frank-tenement of Wester Hepe, in the said barony and shire : The said frank-tenement of the town of Milsaintoun, together with the fee thereof, to be held by the said Walter and his heirs, of the granter and his heirs, for rendering the duties and services contained in the charter of the said lands. Dated at Hawick, 31st December 1453,	49
55. Sasine, following on the preceding charter, No. 54, of Walter Scot of Kirkurde, knight, in the frank-tenement of the town of Milsaintoun. Dated at the chief messuage of Milsaintoun, 31st December 1453,	51
56. Charter by John of Irelandys of that ilk, to David Scot, son and heir of Walter Scot of Kirkurd, knight, of the lands commonly called Irelandis lands, lying in the barony of Wiltoun and shire of Roxburgh: To be held by the said David Scot and his heirs and assignees, of Sir Henry of Wardlaw, lord of the half of the barony of Wiltoun, his heirs and successors, from the granter, his heirs and successors, in feu and heritage ; the said David and his heirs rendering yearly to the said Sir Henry Wardlaw one pound of cucumbers and one pair of spurs, on the ground of the said lands, at Whitsunday, if asked, only, in name of blench farm. Dated at Wiltoun, 30th April 1454,	52
57. Charter by King James the Second to David Scott, son and apparent heir of Walter Scott of Kirkurd, knight, whereby, for the faithful service rendered to his Majesty by the said David and his father in the victory obtained by them against the traitors, Archibald sometime Earl of Moray, and Hugh of Douglas, his brother, sometime Earl of Ormond, in slaying the said Archibald and arresting the said Hugh, and for other services rendered and to be rendered by the said Walter and David, he grants to the latter the lands of Quhytchestir, lying in the barony of Hawick and shire of Roxburgh, with the annualrents in the town of Hawick for- feited to the king by John of St. Michael, traitor: To be held by the grantee and his heirs of the king, his heirs and successors, for rendering the services due and wont. Dated at Stirling, 10th September 1455,...	53
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that John of Saint Michael had been retoured heir of John of Saint Michael, his father, and infest in the lands of Qulitchester, lying in the barony of Hawick. Done in the Churchyard of the Parish Church of Hawick, 5th February 1455,	54
59. Notarial Instrument recording Attestation by Walter Scot, knight, lord of Kirkurd, at the request of David Scot of Ekfurd, of the sasine of John of Saint Michael, son of the late John of Saint Michael, lord of Quitchester, in the lands of Quitchester. Done at the principal message of Branxhelm, 2d November 1456,	55
60. Charter by King James the Second, confirming a charter, dated 25th October 1456, by Henry Douglas of Logtoun, knight, to his son and apparent heir, Robert of Douglas, and Elizabeth, his spouse, of the lands of Logtoun, in the shire of Edinburgh : To be held by the said Robert of Douglas and Elizabeth, his spouse, and their heirs, from the said Henry, of the king, for rendering annually one peuny of silver at Whitsunday, upon the ground of the said lands, if asked, only ; reserving a reasonable terce of the said lands to the said Henry's wife after his death. Dated at Edinburgh, 25th May 1457,	57
61. Notarial Instrument on King James the Second granting in pledge, to William of Douglas of Drumlanrig, his lands lying in the barony of Hawick, within the shire of Roxburgh, which, for certain causes, had been recognosed in his Majesty's hands. Done in the Monastery of the Preaching Friars, at Perth, 20th July 1459,	58
62. Letter of Reversion by Stephen Scott of Murehouse, whereby he obliges himself to resign and surrender to Robert Mure of Rowallan the lands of Dridane, Colmanside, and Vuer Harwood, lying in the barony of Hawick and shire of Roxburgh, on payment to him, his heirs or assignees, by the said Robert Mure, of the sum of two hundred merks. Dated 5th March 1462,	59
63. Instrument on the Resignation by Sir Walter Scot of Kirkurd, knight, into the hands of King James the Third, of his lands of Branxelme, lying in the barony of Hawick and shire of Roxburgh ; also of the six pound	

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lands of Langtoun, the lands of Lempatlaw, Elrig, Rankilburne, and the lands of the barony of Kirkurd, lying in the shire of Peebles; and likewise on the resignation by David Scot, son and apparent heir of the said Walter, into the hands of the King, of his lands of the barony of Ekfurd, and the lands of Quhitchester, lying within the shire of Roxburgh: which resignations having been made, the King created the said lands of Braxelme one free barony, with the liberties belonging to a barony, and also united, annexed, and incorporated the said lands of Braxelme, Langtoun, Lempatlaw, Elrig, Rankilburne, Ekfurd, Kirkurd, and Quitchester into one free barony, to be called the barony of Braxelme; and afterwards gave to the said David Scot and his heirs the foresaid lands of the said barony of Braxelme, for rendering yearly to the King and his successors, for the twenty-four merk lands of the barony of Braxelme, one red rose at the Feast of St. John the Baptist, and performing, in respect of the other lands, the services used and wont,—reserving the frank-tenement of all the lands to the said Sir Walter Scot, knight, for the whole time of his life, and a reasonable teree thereof to Margaret, his spouse. Done in the Castle of Edinburgh, 5th December 1463, ...

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64. Charter of Confirmation by King James the Third to David, son and apparent heir of Sir Walter Scott of Kirkurd, knight, confirming to the latter and his heirs the lands specified in the immediately preceding minute, and erecting them into a free barony, to be called the barony of Fraxelm. Dated 7th December 1463,

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65. Discharge by King James the Third, relieving Walter Scott of Kirkurd, knight, in respect of faithful service, and particularly in the expulsion of the traitor, James of Douglas, and his accomplices, from payment of whatever sums of money he had become surety to the King's officers for any persons whomsoever. Dated at Edinburgh, 27th January 1463,

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66. Instrument on the obligation by Robert Scott of Todschaw and others, captors of the traitor, John of Douglas, sometime of Balvany, to accept the sum of 1200 merks Scots in complete payment of the 50 merks of money, and 50 merks worth of land in heritage, promised for the apprehension of the said traitor, and to refer the distribution thereof among

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them to the Bishop of St. Andrews, and other members of the King's Council. Done in the Cemetery of the Parish Church of St. Giles, Edinburgh, 18th March 1463,	63
67. Instrument on the Sasine given by Archibald of Douglas of Caueris, Sheriff of Roxburgh, to William of Douglas of Drumlangrig, of the lands commonly called Kirktown Maynis, and Mill of the same, and of the lands of Flekkis, lying in the barony of Hawick and shire of Roxburgh. Done at the principal message of the said lands, 23d January 1464,.....	65
68. Letter of Reversion by John Lindsay, son and apparent heir of John Lindsay of Cowantoun, in favour of Sir Walter Scot of Kirkurd, knight, and David Scot, his son and apparent heir, of the lands of Kirkurd, lying in the shire of Peebles, binding himself not to uplift the maills thereof until the time that Walter Scot, son and apparent heir to the said David, came to lawful age of marriage, to fulfil the contract of marriage betwixt him and Katherine of Lindsay, the granter's sister; and in the event of the decease of the said Walter or Margaret, whereby such marriage may not be completed betwixt them, then till such time as the said marriage shall be completed betwixt a son of the said David and a daughter of the said John Lindsay, the granter's father, so long as there is a son of the said David or a daughter of the said granter's father; and further binding himself, failing the marriage through default of the said Sir Walter and David, to resign to them the said lands of Kirkurde, upon payment to him or his heirs of the sum of 600 merks. Dated 28th June 1465,	66
69. Gift by Archibald Earl of Angus and Lord Douglas, to David Scot of Buccleuch and his son and apparent heir, Walter Scot, of the keeping and governorship of the Castle of the Ermitage for nineteen years from Whitsunday 1469, and the lands which William of Douglas and his son, Archibald, had for keeping of the said castle, for nineteen years, without revocation. Dated 9th February 1469,	67
70. Obligation by David Scot of Buccleuch to pay to William of Douglas of Drumlangrig, the sum of 200 merks Scots, in case of failure to make the lands of Quhitchester to be holden of the said William, in terms of the indenture made between them. Dated 5th November 1470,	68

71. Obligation by William of Douglas of Drumlaugrig to David Scot of Buccleuch, narrating that although the said David is bound by his indentures, etc., in the sum of 900 merks Scots, of which sum he is bound to the said William in 400 merks, in the event of him failing to make his lands of Quhitchester to be holden of the said William, yet the latter binds himself to the said David, that on his making these lands to be holden as aforesaid, he shall not claim more of his 900 merks than 500 merks for the marriage and tocher of James of Douglas, his son and apparent heir, with Janet, the daughter of said David, and discharges the said David, his heirs, executors, and assignees, of the said 400 merks, etc. Dated at Edinburgh, 5th November 1470,..... 69
72. Indenture between Archibald Earl of Angus and Lord Douglas, Elizabeth Countess of Angus, and James Lord Hamilton, on the one part, and David Scott of Buccleuch, on the other part, whereby it is contracted that David Scott, son and apparent heir of the said David Scott, should marry and have to wife Jane of Douglas, sister to the Lord of Angus, and in the event of his decease before the completion of the marriage, Robert Scott, the second son of the said David Scott; whom failing, William Scott, the third son, should have the said Jane of Douglas to wife; and failing William, every son in succession should be bound to complete the said marriage; and in the event of the decease of the said Jane of Douglas before such completion, the said David should marry Elizabeth of Douglas, sister to the Lord of Angus foresaid, and so forth, every brother to David Scott, being heir to said David Scott (senior), being bound to marry one of the said Lord's sisters until such marriage be completed: and the said David Scott became bound to give in joint infeftment to the said David, his son, and to Jane of Douglas, the lands of Drifysdale, for which the said David Scott should have in tocher 600 merks Scots, of which sum he discharged 200 merks to the Lord of Angus's mother, and to the Lord of Hamilton,—the remaining 400 merks to be paid as therein specified, etc. Dated at Edinburgh, 24th February 1471, 70
73. Gift by Archibald Earl of Angus and Lord Douglas, to David Scott of Buccleuch and David Scott, his son and apparent heir, of the keeping and governorship of the Castle of the Hermitage for seventeen years from

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| Whitsunday 1472 ; assigning to them for such duty the lands which William of Douglas and his son Archibald had for keeping of the said house for seventeen years. Dated at Edinburgh, 17th April 1472, | 72 |
| 74. Letters by Archibald Earl of Angus, Lord Douglas and lord of the regalities of Lidalsdale, Eusdale, and Eskdale, appointing David Scot of Buccleuch and David Scott, his son and apparent heir, conjunctly and severally, bailies of the lordships of Lidalsdale, Eusdale, and Eskdale, for seventeen years after the date of the letters, with special powers. Dated at Edinburgh, 17th April 1472, | 73 |
| 75. Instrument of Resignation by John Lyndissay, son and apparent heir of John Lyndissay of Cowbantoune, into the hands of David Scot of Buccleuch, as superior, of the lands of Kyrkeurdle, lying in the barony of Branxhame and shire of Tweeddale, which lands the said John possessed in name of dowry with the daughter of the said David, under reversion, for a certain sum of money, of which sum he acknowledged that he had received payment. Done in the Aisle of the Black Cross, in St. Giles' Church, at Edinburgh, 24th January 1475, | 74 |
| 76. Discharge by Robert Mure of Rowalane to Robert Scot of Dogehauch, of the sum of £8, 12s. Scots, being part payment of 40 merks ; which 40 merks was the balance due to the granter of the sum of 100 merks contained in a letter of reversion upon the lands of Drylane, Herwod, and Comansid. Dated at Edinburgh, 7th October 1477, | 75 |
| 77. Procuratory of Resignation by Robert Turnbull of Bradelee, for resigning into the hands of William of Douglas of Drumlangrig, <i>ad remanentiam</i> , the lands of Bradelee, extending to a five merk land of old extent, lying in the barony of Hawick and shire of Roxburgh, which were held in chief of the said William. Dated at Bradlee, 30th September 1479, | 75 |
| 78. Obligation by James Newton of Dawcofe, whereby he bound himself and his heirs and assignees never to disturb Robert Scot of Stirkschaw in the enjoyment of the six merks' worth of land of Bundray, lying in the barony of Chalmerlane Newtown and shire of Roxburgh, which had been sold by the granter to the said Robert for 300 merks, until repayment of the said sum. Dated at Dawcof, 6th April 1481, | 76 |

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| 79. Letters of Procuratory by Thomas Armstrong of Mangertone, appointing John Scot and others his procurators for resigning into the hands of Archibald Earl of Angus, Lord of Douglas, Jedworth Forest and Liddalsdale, as superior, the lands of Mangertone, within the territory and lordship of Liddalsdale, for new infeftment in favour of David Scot of Brauxhelme. Dated at Branxhelme, 2d November 1482, | 77 |
| 80. Retour of Elizabeth Cunynghame, as heiress of her father, George Cunynghame of Beltone, in the lands of Appiltrehall, and the east part of the lands of Hassindene, in the barony of Hassindene and shire of Roxburgh, which lands of Appiltrehall were then waste, and in time of peace were valued at £5 Scots, and were held of the king for ward and relief, and for answering three suits yearly at the three head Courts of the shire of Roxburgh; and the east part of Hassindene were then waste, and in time of peace were valued at £10, and were held of the Lord of Kilmawris, Baron of Hassindene, for ward and relief. Dated at the burgh of Jedworth, 5th November 1482, | 78 |
| 81. Charter by Archibald Earl of Angus, Lord of Douglas, Jedworth Forest, and Liddalsdale, to David Scot of Branxhelme, of the lands of Mangertone, lying within the territory and lordship of Liddalsdale; which lands belonged to Thomas Armstrong, and had been resigned by him into the hands of the granter as superior thereof: To be held of the said Earl and his heirs for services due and wont. Dated 12th November 1482, | 79 |
| 82. Charter by Henry Wardlaw of Weltown to his brother-german, John Turnbull, son of the deceased Walter Turnbull of Hardane, of the lands of Hardane, lying in the barony of Weltown and shire of Roxburgh: To be held of the granter, his heirs and assignees, in feu and heritage, for payment of one penny of silver in name of blench farm, at the head manor of Weltown, at the feast of the Nativity of our Lord, if asked, only. Dated at Kirkecaldy, 20th November 1482, | 80 |
| 83. Charter by Robert Dowglas of Lochlevin, and lord of the barony of Logtoun, to Robert Dowglas, his son and apparent heir, and to Elizabeth Balfour, his spouse, and the survivor of them, of the lands of the barony of Logton, lying within the shire of Edinburgh; excepting and reserving | |

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a house and one partiate of land adjoining it : To be held by the said Robert Dowglas, younger, and Elizabeth, his spouse, and the survivor of them, and the lawful heirs-male of their bodies, whom failing, to return to the granter and his heirs whomsoever, of the granter and his heirs, in feu and heritage, for payment of two pennies Scots at Whitsunday, upon the ground of the said lands, in name of blench farm, if asked, only. Dated at Edinburgh, 18th August 1483,	81
84. Letters of Bailliary by the Subprior and Monks of the Abbey of Melrose, appointing David Scot of Branxholme and Robert Scot, his son, conjunctly and severally, bailies of the lands of Melrossland, lands of Etrik, Rodonow, Esdale, Ringwodfeld, and lands of East Tividale, pertaining to the said abbey, and of all other lands of which the said David Scot was bailie before, for five years, from the date of the said letters, with powers, etc. Dated at Melrose, 24th April 1484,	82
85. Charter by David Lord Lindisay of the Byres and of the lands of Newhall, to James Scot of Kirkurd, of the granter's dominical lands of Nether Newhall, lying in the barony of Chawmerlane Newtoun and shire of Roxburgh : To be held of the granter, his heirs and assignees, in feu and heritage, for payment annually of one penny Scots of silver at Whitsunday, upon the ground of the said lands, in name of blench farm, if asked, only. Dated at Edinburgh, 22d June 1484,	83
86. Charter by David Lord Lyndesay of the Bires and Lord of the barony of Chamerlane Newton, to James Scot of Kirkurd, of the dominical lands of Over Newhall, lying in the said barony of Chamerlane Newtoun and shire of Roxburgh : To be held of the granter and his heirs, in feu and heritage, for payment of one penny Scots, upon the ground of the said lands, in name of blench farm, if asked, only. Dated at Edinburgh, 19th October 1484,.....	84
87. Retour of James Douglas, as heir of his father, William Douglas of Drumlangrig, in the barony of Hawick, lying in the shire of Roxburgh, which was then waste, and in time of peace was valued at 300 merks yearly, and was held blench of the king for rendering yearly one arrow in the church of Hawick, on the day of the Assumption of the Virgin Mary, if	

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asked,—the said barony being then in the hands of the king, as superior thereof (excepting the easter dominical lands of Hawick, and the dominical lands of Kirkton, which the said James and his spouse held in conjunct fee), through the death of the said William. Expede at the Burgh of Jedworth, 19th October 1484,.....	84
88. Sasine of James Dowglace, son and heir of William Dowglace of Drumlangrig, in the barony of Hawick, lying in the shire of Roxburgh, on a precept by King James the Third, directed to the Sheriff and his Bailies of Roxburgh, given under the Quarter Seal, at Edinburgh, 29th October (1484). Done at the principal message of the barony of Hawick, called the Mote, 5th November 1484,	85
89. Charter by David Scott of Branxhelme to his son, Robert Scott, of the lands of the territory and lordship of Quhitehester, lying in the barony of Branxhelme and shire of Roxburgh : To be held by the said Robert Scott and the lawful heirs-male of his body, whom failing, to revert to the granter, of the said David and his heirs, blench, for payment yearly of one penny Scots at Whitsunday, upon the ground of the said lands, in name of blench farm, if asked, and attendance annually at the three head Courts of the barony of Branxhelme, only. Dated at Hawick, 25th February 1484,	86
90. Obligation by Robert Scott, for himself, his heirs and assignees, to resign to David Scott of Branxhelme, his father, the dominical lands of Quhytcheester, lying in the barony of Branxhelme and shire of Roxburgh, as soon as the latter should execute an entail of his lands. Dated 4th March 1484,	87
91. Bond of Manrent by William Cockburn of Schralling, whereby he binds himself to Patrick, Lord Hallis, in manrent and service, for all the days of his life, before all others, excepting only his allegiance to the king. Dated at Edinburgh, 12th June 1487,	89
92. Procuratory by David Scott of Branxhelme appointing his son, Robert Scott, his procurator, for resigning into the hands of King James the Third his lands of the barony of Branxhelme, also his lands of the barony of	

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| Ekfurd, his lands of Langtoun, and his lands of Buccleuch, in the shire of Roxburgh, and his lands of Kirkurd, in the shire of Peebles. Dated at Ekfurd, 8th November 1487, | 89 |
| 93. Charter of Resignation by King James the Third to David Scott of Branxelme, of the lands of the barony of Branxelme, and the lands of Ekfurd, lying in the shire of Roxburgh, and the lands of Langtoun, Lempetlaw, Rankilburne, and lands of the barony of Kirkurd, in the shire of Peebles, all which lands, by a previous charter, were united, annexed, and incorporated into one free barony, called the barony of Branxelme: To be held by the said David and the lawful heirs-male of his body; whom failing, by Walter Scott, grandson of the said David, and the lawful heirs-male to be begotten of his body; whom failing, by Robert Scott, son of the said David, and the lawful heirs-male of his body; whom failing, by Walter Scott, son of Alexander Scott, brother of the said David, and the lawful heirs-male of his body; whom also failing, by Adam Scott, brother of the said Walter, and the lawful heirs-male of his body; whom failing, by Walter Scott of Quhitehauch and the lawful heirs-male of his body; whom all failing, by the said David's lawful and nearest heirs whomsoever, of the King and his successors, for payment yearly, for the twenty-four merk land of the said barony of Branxholm, of one red rose at the Feast of St. John the Baptist, in name of blench farm, if asked, only, and rendering for the other lands above written the rights and services used and wont. This Charter bears to be granted for services rendered in times past by the said David Scot of Branxelme, and the service rendered by his son, Robert Scot, with his followers and friends, under the King's standard in the field of battle at Blacknes, in defence of his Majesty's person and crown. Dated at Edinburgh, 21st May 1488, | 89 |
| 94. Precept by Thomas Turnbull of Greenwood and of Lyne, knight, to his bailies, for infetting Robert Scott, son of David Scott of Buccleuch, in the lands of Greenwood and of Lyne, lying in the shire of Roxburgh, excepting one acre of the said lands of Greenwood, and one acre of the said lands of Lyne, both lying on the north part of the same, in terms of the charter granted to him thereof. Dated at the Church of St. Mary, in Ettrick Forest, 16th December 1488, | 91 |

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| 95. Last Will and Testament of David Scott of Buccleuch, containing—I. Inventory of all his goods, comprising (1.) sheep, oxen, cows, growing crop, etc., amounting in value to £740 ; (2.) debts due to him, amounting in all to £43, 16s. 8d. ; and (3.) debts due by him, amounting to £337. II. Testament of the said David Scott, whereby, after leaving his soul to God, and the blessed Virgin, and the whole court of heaven, and his body to be buried in the Church of the Holy Cross of Peebles, he bequeaths 4d. to the Church of St. Quintin ; 36 merks 8d. to a pious priest for saying mass for the safety of his soul, the said priest to be chosen by Sir William Scott, Rector of Soudoun ; to Robert Scott, his son, £40 ; to Walter Scott, his apparent heir, £40 and eleven oxen ; and many other legacies ; appoints the said Walter Scott, and Robert Scott his son, tutors to William Turnbull, Lord of Myntto, etc., nominates Robert Scot, his son, tutor to Walter Scot, his heir-apparent, and places the residue of all his goods at the disposal of his executors, viz., Walter Scott, his grandson and apparent heir, Robert Scott, his son, and Walter Scott of Howpaskait. Dated at his residence of Buccleuch, 9th February 1491, | 92 |
| 96. Instrument on the assignation by Walter Scott of Branxholm, one of the executors of David Scott, his grandfather, to Robert Scott, of all the moveable goods belonging to the said David, with full power to the said Robert to dispose of the goods at pleasure ; the latter becoming bound to pay all the debts contained in the testament of the said David. Dated at Peebles, in the Hall of the Mansion of Gilbert Williamson, 22d May 1492, | 95 |
| 97. Retour of the Service, before William Douglas, Sheriff of Roxburgh, of Walter Scott, as heir of his grandfather, David Scott of Branxhame, in the half of the lands of Branxhame, with the pertinents, and the lands of Quhitchester, Lempatlaw, Eylrig, Rankilburne, and Mylsintoune, in the barony of Branxhame and shire of Roxburgh, and the lands of Kirkurd in the shire of Peebles, annexed to the barony of Branxhame ; which half lands of Branxhame were then waste, and in time of peace were valued at 24 merks Scots ; and the lands of Quhitchester and Lempatlaw and Rankilburne were then waste, and in time of peace were valued at £20 | |

Scots each; and the lands of Eylrig were then waste, and in time of peace were valued at £10 Scots; and the lands of Mylsintoune were then waste, and in time of peace were valued at 10 merks; and the lands of Kirkurd were then valued at £20, and the same in time of peace; and were all held of the king in chief in blench farm for rendering yearly as follows: For the half lands of Brauxhame, and for the lands of Mylsintoun, each a red rose at the Feast of St. John the Baptist, if asked, only, and for the lands of Quhitechester, Lempatlaw, Eylrig, and Kirkurd, respectively, one penny Scots each, all in name of blench farm; the said lands being all in the king's hands, as superior, through the death of the said David Scott, which occurred in March preceding. Expede at the burgh of Jedworth, 6th November 1492, ...

95

98. Retour of the Service before George Rutherford of Langnewtoun, Sheriff of Selkirk, of Alexander Lord Erskine, as heir of his father, Thomas Lord Erskine, in the lands of Sintoun, with tenants and tenancies thereof, in the shire of Selkirk, and in the office of Sheriff of the shire of Selkirk, which lands and office were then valued at 40 merks Scots, and in time of peace were valued at £20 only, and were held in chief of the king by blench farm, for rendering yearly for the foresaid lands a pair of gilt spurs at Whitsunday on the ground of the same, if asked only, and for the said office of Sheriff rendering account to the king's exchequer; the said lands and office being then in the king's hands by reason of the death of Thomas Lord Erskine, which took place three months previously. Expede at Selkirk, 11th April 1494,

97

99. Charter by James Scott of Kirkurd, to his son, David Scott, of the six merk lands called the Gallowlaw, in the lordship of Newhall, and three merks worth of the lands of Nether Mains of Newhall, at the west part thereof, above the common road, in the barony of Chalmerlane Newton and shire of Roxburgh: To be held by the said David and the lawful heirs of his body; whom failing, to return to the granter and his nearest lawful heirs whomsoever, of the granter and his heirs and assignees, in feu and heritage, for rendering yearly to them three silver pennies Scots at Whitsunday in name of blench farm, if asked, only; the said James reserving to himself

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his liferent of the said lands, and a reasonable terce thereof to Margaret, his spouse, after his decease. Sealed with the granter's seal, at Edinburgh, 14th June 1494.	98
100. Precept of Sasine directed by James Douglas of Drumlanrig, baron of Hawick, to his bailies, for infefting William Douglas, his son and apparent heir, in the £5 lands of old extent commonly called the West Mains, and the 40 shilling lands of old extent of Crumbauch, in the barony of Hawick and shire of Roxburgh, in terms of the charter granted to the said William. Sealed at Drumlanrig, 6th March 1494	99
101. Letters of Remission by King James the Fourth, under the Great Seal, in favour of Robert Scott of Allanehauch, for holding communication with his Majesty's rebels at his horn, and for reception and assistance granted to them, and for all other crimes and offences whatsoever committed by the said Robert, preceding the date of the letters, excepting only treason against his Majesty's royal person. Dated at Stirling, 8th February 1498,	99
102. Letters of Apprising by William of Douglas of Cavers, Sheriff of Roxburgh, in terms of his Majesty's letters, of the moveable goods that belonged to Philip Turnbull of Quthhope, within the bounds of his office, namely, four oxen, which, as he found no purchasers for them, were appraised at £7 Scots, and delivered to Walter Scott of Branxhame, as assignee to John Murray of Fallowhill, and Ninian Murray, in part of payment of 380 merks Scots due to them, by decret of the Lords of Council against Philip Turnbull, as surety for his brother, Stephen Turnbull, for burning the place of Kershope, etc.; and also of the lands of Quthhope for 400 merks, which were held in chief of the baron of Hawick, for payment yearly of a penny Scots in name of blench farm, and were delivered by the Sheriff to Walter Scott as assignee foresaid, to remain with him heritably for the said sum. Dated 20th May 1500,	100
103. Precept of Sasine directed by Patrick, Earl of Bothwell, to his bailies, for infefting Walter Scott of Brankshame in all and sundry the lands of Grymyslaw, in the shire of Roxburgh, held of the Earl as superior of the lordship of Crichtoun, in terms of the charter granted to the said Walter thereof. Dated 5th October 1500,	102

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| 104. Instrument of Sasine, proceeding upon a Precept from the Chancery of King James the Fourth, directed to the Sheriff of Roxburgh and his bailies, in favour of Walter Scott, as heir of his grandfather, David Scott of Branxhelme, of the half of the lands of Branxhelme, the lands of Eckfurd, and the six pound lands of Langtoun, lying in the barony of Branxhelme. The king's precept directed that security should be taken for 168 merks of the farms of the said half lands of Branxhelme, for £140 of the farms of Eckfurd, and for £42 of the farms of the said lands of Langtoun, which had all been in the hands of the Crown for seven years by reason of ward. Done on the said half lands of Branxhame, 31st October 1500, | 103 |
| 105. Notarial Instrument on the Resignation by Robert Scott of Allanhauch, into the hands of Walter Scott of Branxhame, his superior of the lands of Quhitchester, of his husband lands of the town of Quhitchester, in the barony of Branxhame and shire of Roxburgh, to remain with the said Walter and his heirs and assignees, in security of the payment of 100 merks Scots due by the said Robert to Alexander Cockburn of Ormistoun Hall, and for which the said Walter was cautioner. Done in the Cemetery of the Collegiate Church of St. Giles, at Edinburgh, 26th November 1500, | 104 |
| 106. Notarial Instrument on the agreement made between William Douglas, son and apparent heir of James Douglas of Drumlanrig, superior of the lands of Laris, and George Scott, his vassal thereof, with respect to the manner of holding of the said lands, whereby the said William expressed his willingness to allow the said George to hold them of him in blench farm, on condition of the latter exhibiting to him his charter describing the said lands as held of the said James Douglas of Drumlanrig blench, otherwise he should be bound to hold the said lands by ward and relief, and pay to the said William the relief thereof: to the observance of all which conditions the said George bound himself. Done in the Church of the Friars Minorites of Dumfries, 15th April 1501, | 105 |
| 107. Precept of Sasine, directed by Patrick Earl of Bothwell, superior of the lands of Roberthill, etc., to Walter Scott of Howpaslat, and others, his bailies, for infetting Walter Scott of Buccleuch, son of the deceased Walter Scott of Buccleuch, knight, as heir of his father, in the lands of Roberthill, Mantorig, and Turnur, in terms of the old infetment of the | |

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said lands, and taking security from the said Walter to do to the Earl for the said lands as he was bound by law. Dated at Edinburgh, 14th April 1504, 106

108. Charter by the said Patrick Earl of Bothwell, to Robert Scott of Stirksaw, of the six merk lands of old extent of Boyndraw, in the barony of Chamerlane Newtown and shire of Roxburgh, which lands belonged to James Newtown of Daleoif, heritably, and had been resigned by his procurators into the Earl's hands, as superior, at Edinburgh : To be held by the said Robert Scott and his heirs and assignees of the granter and his successors, in feu and heritage, for rendering the services and making the payments which the said James Newtown was wont to render and make before the said resignation. Sealed with the Earl's seal, at Edinburgh, 21st November 1505,..... 106

109. Notarial Instrument, narrating that George Scott, son and heir of the deceased Robert Scott of Quhomys, with Mathew Ker, his agent, on the one part, and Patrick Earl of Bothwell, with David Balfoure of Carestone, his agent, on the other part, compeared in the Sheriff-Court of Edinburgh, before James Logane, Sheriff-depute, and there the said George at the time of the serving of a certain brieve of inquest of the king's chapel, obtained by him through the death of the said Robert, his father, by which he claimed all the lands of Murehouse, in the barony of Crichtoun and shire of Edinburgh, produced by his agent an instrument of sasine, dated 1463, and a crown charter under the Great Seal, granted to Stephen Scott, father of the said Robert, of the said lands of Murehouse, containing the date of the year 1450 ; which having been read, the Earl's agent opposed the serving of the said brieve on the ground that Robert Scott, father of the said George, did not die seised as of fee in the said lands ; and produced, besides, a public transumpt of a royal charter granted to the said Earl of the lands of Murehouse ; pointing out also that there was no precept to infeft contained in the instrument of sasine produced by the said George, and no express mention of a month nor day in the instrument itself, for which reason he alleged that the instrument was of no force nor effect, and further, that the charter produced by the said George's agent stood under the king's revo-

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- cation, his Majesty having been a minor at the time of granting thereof; adding that the said lands had been in the peaceable possession of the said Earl for sixteen years or thereby, by gift of the king, and protesting for remedy of law, if anything were done in the contrary by the inquest: upon all which the said David, in name of the Earl, asked instruments. Dated 2d March 1505, 107
110. Obligation by Walter Scott of Howpaslot, tutor to the Laird of Buccleuch, and Elizabeth Ker, his mother, to compare before Ralph Ker of Prymside-louch and two others,—the said Walter there to give an account of his intronissions and expenses connected with the said office of tutor, before the next Exchequer. Dated at Edinburgh, 18th March 1506, ... 109
111. Notarial Instrument on the obligation by John Murray of Fawlayhill, for himself, his heirs and assignees, to deliver to Robert Scott, son and heir of the deceased Robert Scott of Qulitchester, a letter of reversion, containing the sum of £40 of usual money of Scotland, whereby the said Robert, his heirs or assignees, might redeem the tower built in the burgh of Hawick, between the bridges, of which the said John Murray had recently taken sasine, when the latter or his heirs should be required thereto by the said Robert or his foresaids, under a penalty of £200. Done at Hawick, near the said tower, 4th January 1507, 110
112. Retour of the Service before James Douglas, Sheriff of Roxburgh, of Adam Hebborne, as heir of his father, Patrick Earl of Bothwell, Lord Hales, High Admiral of Scotland, of the lands of the entire lordship of Liddesdale, with the castle, fortalice, and manor-place of Hermitage, tenants, tenandries, and services of free tenants thereof, together with the advocacy and donation of the churches, chaplainries, and hospitals thereof, in the shire of Roxburgh, and of thirty-nine husband lands, with the mills and pertinents, lying in Langnewtown, and a piece of land extending to 120 or 140 acres, lying between the Sandstones, commonly called "the Sandstones," and Vuiralancrum, which lordship of Liddesdale and castle of Hermitage, with their said pertinents, were then valued at £300, and in time of peace at £100; and the said husband lands and mill, and piece of land foresaid, were then valued at £40, and in time of peace at £10;

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and were held, the said lordship and others, of the king in chief, in free regality and forestry, for giving presence yearly in the Justice eyre, when held at Jedworth, in name of blench farm; and the said husband lands and mill, and others, were held of the king, during the lifetime of Robert Douglas of Lochlevin, formerly superior thereof, by blench farm, for rendering yearly to the king a penny, if asked only; and were all then in his Majesty's hands, as superior, through the death of the said Earl. Dated 7th November 1508,

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113. Instrument of Sasine, proceeding upon a Precept from the Chancery of King James the Fourth, in favour of the said Adam Hepburn, as heir of his father, the said Patrick Earl of Bothwell, of the lordship of Liddesdale, with the castle, fortalice, and manor-place of Hermitage, together with the patronages of the churches and chaplainries thereof, in the shire of Roxburgh; thirty-nine husband lands, mill, and pertinents in Langnewtoun, and 120 or 140 acres of land, between the Sandstones and Vuiranorum, commonly called "the Sandstones": which lordship, castle, husband lands, mill, and others, were held of the king in chief. The precept directs that security should be taken for the said Adam giving presence in the king's Justice eyre to be held in Jedburgh (and for two pennies of silver), through the doubling of the blench farm of the said lordship, and two pennies of silver through the duplication of the blench of the said husband lands, mill, and others. The sasine was given at the castle of Hermitage, the principal messuage of the said lordship, by William Douglas in Pencress, one of the Sheriffs of Roxburgh, who pointed and took a black ox for the execution of his office. Dated 11th November 1508,

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114. Act of the Privy Council of Scotland, ordaining that John Mure of Rowallane, grandson and heir of the deceased Robert Mure of Rowallane, should grant warrandice to George Scott of the Quhomys, grandson and heir of the deceased Stephen Scott of Murehouse, and make free to him heritably the lands of Dridane, Colemanside, and Over Herwod, with their pertinents, in the barony of Hawick and shire of Roxburgh, or else as much of as good land, of as great value, lying in as competent place, in terms of the said deceased Robert Mure's charter, made to the said deceased Steven

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| thereupon—the foresaid lands having been recognosced in the King's hands, and decerned to belong to his Majesty in property. Dated at Edinburgh, 16th January 1508, | 115 |
| 115. Retour of the Service, before John Murray, Sheriff of Selkirk, of Adam Earl of Bothwell, as heir of his father, Patrick Earl of Bothwell, of the lands of Ailmer, with their pertinents, in the shire of Selkirk, which were then, in time of peace, valued at £10, and not so much in time of war, and were held of the king in chief, blench, for rendering yearly one broad arrow-head, at Whitsunday, on the said lands, if asked, in name of blench farm, and were then in the king's hands through the death of the said Earl Patrick, which occurred six months previously. Expede at Selkirk, 22d May 1509, | 116 |
| 116. Contract between Archibald Earl of Angus, George Master of Angus, and Archibald Douglas, son and apparent heir of the latter, on the one part, and Adam Earl of Bothwell, John Prior of St. Andrews, and others, on the other part, for the marriage of the said Archibald Douglas with Margaret Hepburn, sister of the said Adam Earl of Bothwell : for the completing of which marriage the Earl of Bothwell and his friends became bound to pay to the Master of Angus and his heirs the sum of 2000 merks Scots, viz., 300 merks at the completing of the marriage, and the rest by instalments of 100 merks, at each term of Whitsunday and Martinmas, till the whole was paid, and to grant their bonds for such payment : and the Earl and Master of Angus, on their part, became bound, after the completion of the marriage, to grant to the said Archibald and Margaret, and the survivor of them, in conjunct fee, and to the lawful heirs of their bodies, 100 merks worth of the lands of Temptalloun, with their pertinents, in the shire of Edinburgh and constabulary of Haddington ; and the Earl of Angus became bound, for himself and his heirs, in the event of his predeceasing his said son, to grant to the said Archibald and Margaret, and their heirs foresaid, 50 merks' worth of land in augmentation of the said 100 merks worth : and the said Earls of Angus and Bothwell became bound, for themselves and their friends, to cause dispensations to be brought home, if any impediments were found to the lawfulness of the marriage ; and in the event of any debates or quarrels arising between them in time | |

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coming, to stand at the correction and counsel of the said George Master of Angus, Mr. Gavin Douglas, John Erskine of Dun, John Prior of St. Andrews, George Abbot of Arbroath, and Adam Hepburn of Craigs. The contract to be observed under the penalty of 1000 merks to be paid to the king, 1000 merks to the Archbishop of St. Andrews, and 1000 pounds to the party abiding by the premises. Dated at Edinburgh, 26th June 1509, 117

117. Indenture between Robert Lord Erskine, and Sir John Erskine, knight, his son and apparent heir, on the one part, and Ralph Ker of Prymsideloche, and Andrew Ker of Farnyhirst, on the other part, whereby, for the payment of 400 merks by the said Ralph and Andrew, the said Lord Erskine and his son became bound to wadset to them and to infett them heritably, by charter and sasine, in 20 merks worth of the said Robert's lands of Syntoun, lying next to the five merk land possessed by Walter Scott, in the barony of Syntoun and shire of Selkirk, to be held of the said Lord and his heirs in free blench farm, under reversion for the said sum; and also to infett the said Ralph and Andrew in other 20 merks' worth of Syntoun, where they pleased; for which the said Ralph and Andrew became bound to pay to the said Robert and John the sum of 400 merks at Lammas next, or within eight days thereafter, under pain of doubling; also the said Lord, and John his son, became bound to make the said Ralph and Andrew, when required, their cessioners and assignees for redeeming the said five merk land from Walter Scott, son and heir of Robert Scott, and, after redemption thereof, to infett them heritably in the same, to be held of the said Lord and his son in free blench, under reservation of the three years' tack to the said Walter, in terms of law; and the said Lord and his son to grant to the said Ralph and Andrew a seven years' tack of the whole lands after their redemption, etc. Dated at Edinburgh, 16th June 1510, 119
118. Acquittance by George Scott of the Quhamnis to John Mure of Rowallaue, for £40 and 14 merks Scots, for the warrandice of the lands of Commonsie, Harwode, and Drydane, which were recognosed in the king's hands, and which sums the said George obtained against the said John before the Lords of Council for the said recognition. Dated at Edinburgh, 7th January 1510, 121

119. Charter by King James the Fourth, to William Douglas of Drumlanark, knight, of the lands and barony of Hawick, namely, in property, the town of Hawick, with the mill thereof, the lands of East Mains, West Mains, Crumhauch, and Kirkton Mains, Flekkis and Murinese, Ramsay Clewis and Braidle; and in tenantry, the lands of Howpaslot, Chesholme, Qulithop, Dridane, Commonside, Over Harewod, Emetschelis, Teneside, Carlynpule, Nether Harewod, Weyudis Lands, Easter and Wester Heslyhope, Langhauch, Laristorts, Kirkwod, Hardwodhill, Qulitchester, Fennyk, Edgariston, Edgaristounschelis, and Quhomys, with the advocacy and donation of the churches and chaplainries thereof, in the shire of Roxburgh, which lands and others specified belonged to the said William Douglas and his predecessors heritably before, but had been recognosed in the king's hands on account of the alienation of the greater part thereof, without the permission, consent, or confirmation of his Majesty or his predecessors, and, by decree of the Lords of Council, adjudged to the Crown, but were by this charter, for the good and grateful service rendered to the king by the said William, granted to him, and erected, both in property and tenantry, into a free barony, to be in future called the barony of Hawick, the manor-place of Hawick to be the principal messuage thereof: To be held, the said lands and barony of Hawick, by the said William and his heirs, of the king and his successors, in feu and heritage and free barony for ever; and the said town of Hawick, with the freedoms and privileges of a burgh in barony, for rendering to the king and his successors, for the town and mill of Hawick and others above specified, as held in property, an arrow, on the Feast of the Assumption of the Virgin Mary, at the principal messuage of Hawick, in name of blench farm, if asked, only, and for the lands of Howpaslot, and all the other lands foresaid held in tenantry, one suit at any of the three chief Courts of the shire of Roxburgh, with wards and reliefs of the said lands and marriage when they occurred. The charter grants also to the said William and his heirs power to infeft, by charters and sasines, all the free tenants of the said barony of Hawick in their tenandries, as freely as they held them before the said forfeiture. Given under the Great Seal, at Edinburgh, 15th June 1511,..... 122

120. Instrument of Sasine, proceeding upon a Precept from the Chancery of King James the Fourth, in favour of the said William Douglas of Drumlanark, knight, of the said lands of the town of Hawick, with the mill thereof, the lands of East and West Mains, Crumhauch, Kirktown Mains, Flekkis, Murinese, Ramsy Clewis and Braidle, in the barony of Hawick and shire of Roxburgh. Done at the Mott of Hawick, 23d January 1511, ... 125
121. Retour of the Service, before Mr. Michael Agnew, Sheriff of Dumfries and Roxburgh, of James Douglas, as heir of his father, William Douglas of Drumlangrig, knight, in the lands of the barony of Hawick, as specified in No. 119, *supra*, with the patronage of the churches and chaplainries of the said barony; the said James being held to be of lawful age by dispensation of the late King James the Fourth, by virtue of a certain Act made by him, with advice of his Council, at Twisilhauch, in Northumberland; which lands were then and also in time of peace valued at 300 merks, and were held in chief of the king, for rendering for the lands and mill of Hawick, held in property, one arrow at the Feast of the Assumption of the Virgin Mary, in name of blench farm, if asked, only, and the remaining lands of the barony of Hawick were held in chief of the king by ward and relief, and one suit yearly to be rendered at any of the three head Courts of the shire of Roxburgh; and had all been in the king's hands for seven months, or thereby, through the death of the said William Douglas, knight. Expede in the Tolbooth of Dumfries, 6th April 1514. 126
122. Instrument of Sasine, in virtue of a Precept from the Chancery of King James the Fifth, following upon the foregoing retour, in favour of the said James Douglas, as heir of his father, William Douglas of Drumlangrig, knight, baron of the barony of Hawick, in the said lands of the barony of Hawick, namely, the town and mill of Hawick, East and West Mains, etc. etc., held in property, with the patronage of the churches and chaplainries thereof, and the remaining lands of the barony held in tenandry, with the services of free tenants and others. The king's precept directed that security should be taken for £20 of the farms of the said lands of the property of the barony for the term of Martinmas past, during which time they had been in the hands of the Crown, which farms extended to

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| £40 yearly ; and for two arrows, as a duplication of the blench farm ; and also 120 merks of the farms of the other lands which were possessed in tenantry, and 200 merks of relief thereof due to the king. Done at the Market Cross of Hawick, and at the chief message of the Mott. 3d June 1514, | 128 |
| 123. Instrument of Sasine, proceeding upon a Precept from the Chancery of King James the Fifth, in favour of Robert Douglas, as heir of his father, Robert Douglas of Lochleven, of the lands of Logtoun, in the shire of Edinburgh, which were held of the Crown in chief. The precept directed that security should be taken for two pennies of silver as the duplication of the blench farm due to the king. Done at the principal message of the said lands, 31st October 1514, | 129 |
| 124. Obligation by John, Duke of Albany, Regent of Scotland, in his own name and that of the king, to grant to Walter Scott of Branxhelme, knight, for his good, true, and thankful service done to the king and for the welfare of the realm, new infifment under the Great Seal, of all his lands and heritages, held immediately of the Crown, with creation and annexation thereof in baronies, in the best form, and the same to be expedite without composition. Dated and subscribed by the Regent, at Elinburgh, 23d September 1516, | 131 |
| 125. Retour of the Service, before James Douglas of Cavers, Sheriff of Roxburgh, in the Tolbooth of Jedburgh, of Walter Scott, knight, as heir of his father, Sir Walter Scott of Branxhelm, knight, of the lands of Buccleuch, Rankilburn, the half of the lands of Branxhelm, the whole lands of Quhitchester, Lampatlaw, Elyrg, and six husband lands in Grimislaw, called Porter's Lands, the lands of Heckfurd, six pounds' worth of the lands of Langtonne, and eight husband lands in Grimislaw, in the shire of Roxburgh, and in the barony of Branxhelm, by annexation ; which half of the lands of Branxhelm was then waste, and in time of peace was valued at 24 merks ; and the lands of Quitchester and Lempetlaw were then waste, and in time of peace were valued respectively at £20 ; and the lands of Elyrg were then waste, and in time of peace were valued at £10 ; and the lands of Buccleuch and Rankilburn were then waste, and in time of peace were valued respectively at £20 ; and the said Porter's Lands were then and | |

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- in time of peace valued at £4 : the lands of Hecfurd, then and in time of peace, at £20 ; the £6 lands of Langtoun, then and in time of peace, at £6 ; and the eight husband lands of Grimislaw were valued then and in time of peace at eight merks ; Buccleuch, Rankilburn, Quhitcheater, Lempetlaw, Elryg, and Porter's Lands being held of the Crown blench, for payment yearly of a penny Scots for each, if asked ; the half lands of Brauxhelm, lands of Hecfurd and Langtoun, also of the Crown, by ward and relief, and the eight husband lands in Grimislaw of the Earl of Bothwell, as superior, by ward and relief : and the whole lands above specified were then, and had been for the space of fourteen years, in the hands of their respective superiors through the decease of the said Walter Scott, knight, of Brauxhelm. Dated at Jedburgh, 27th October 1517, 131
126. Letters of Bailliery by Robert Abbot of Melrose, appointing Walter Scott of Buccleuch, knight, bailie of all the abbey lands called Melroselands, excepting Kylesmuir, and also of their lands in Carrick and Nithdale, for nineteen years (in consideration of the divers diligent labours and travails which he and his kin and friends had undergone for the good of the said abbey), with all the powers and privileges pertaining to the said office. Sealed with the common seal of the abbey, and subscribed by the abbot and monks, 20th December 1519, 133
127. Obligation by the said Walter Scott of Buccleuch, knight, to the said Robert, abbot of Melrose, and the Convent thereof, whereby, with reference to his appointment to the office of bailliery of their lands of Melroseland, Ettrick, Rodonow, Eskdalemuir, Ringwoodfield, and East Teviotdale, he becomes bound, for himself and his heirs, neither to attempt to raise nor to set any lands less or more belonging to the said abbey, nor to output or input any tenant or servant in any of the said lands, without special command of the said abbot and convent and their successors, nor raise nor use any new custom nor due service on their tenants, except such as former bailies had done, nor to injure the said abbey or its property in any manner through the exercise of the said office of bailliery. Sealed and subscribed by the granter, at the said Abbey of Melrose, 20th December 1519, 135
128. Contract between Sir Walter Scott of Brauxhelm, knight, on the one part, and James Gledstanes, son and apparent heir of John Gledstanes of

- Cocklaw, and John Gledstanes, son and heir apparent of the said James, on the other part, for the marriage of the said John Gledstanes, younger, with Janet Scott, daughter of the said Walter Scott, knight; whom failing, by decease or otherwise, with Christian Scott, also daughter of the said Walter, and failing them, any other gentlewoman selected by the said Walter: for which marriage the latter became bound to pay to the said James Gledstanes 300 merks Scots, as follows, namely, £100 at the completing of the said marriage, and £100 within a year and day thereafter; and the said James became bound to give his son John, and the said Janet or Christian, whom he happened to marry, £10 worth of land in the barony of Hundillillshope and shire of Peebles, and £20 worth of land, called Gubdiselucht, Unishepe, Binkis, and Langbitts, in the barony of Cavers and shire of Roxburgh; and if the said lands could not be got resigned by consent of the superiors, then the said lands to be given to the said Janet or Christian, as said is, in liferent, etc., both parties being bound to keep inviolate the terms of the contract, under a penalty of 1500 merks. Dated at Brauxhelm, 9th February 1519, 137
129. Instrument of Sasine, following upon a Precept from the Chancery of King James the Fifth, in favour of Robert Douglas, grandson and apparent heir of Robert Douglas of Lochleven, in the lands and barony of Logtoun in the shire of Edinburgh. The precept from Chancery bore also the lands and barony of Langnewtoun, with the patronage of the church thereof, in the shire of Roxburgh. Done at the principal message of Logtoun, 2d September 1522, 139
130. Charter by King James the Fifth, with consent of the Lords of the Regency, in the absence of the Regent Albany, granting to the said Walter Scott of Branxhelm, knight, and Elizabeth Carmichael, his spouse, and the survivor of them, in conjunct fee, the lands of the town of Eckfurd, in the shire of Roxburgh, which lands belonged to the said Walter, heritably, and were resigned by him into the hands of James Archbishop of St. Andrews, Chancellor of Scotland, one of the Lords of the Regency, at Edinburgh: To be held by the said Walter and Elizabeth, his spouse, in conjunct fee, and by the lawful heirs of their bodies; whom failing, by the said Walter's lawful heirs whomsoever, of the king and his successors.

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| in feu and heritage and free barony for ever, for rendering to the Crown for the lands foresaid, together with the remainder of the said barony, the rights and services rendered for the barony prior to the resignation thereof. Given under the Great Seal, at Edinburgh, 4th September 1523, | 140 |
| 131. Charter by Andrew Dury, Postulate of the Abbey of Melrose, granting to Walter Scott of Branxheln, knight, and the lawful heirs-male of his body whomsoever, the heritable office of bailliery of all and sundry the lands of Melroseland, Ettrickhead, Rodonoland, Eskdalemuir, Ringwoodfield, East Teviotdale, and Uiggynnis, and of all the other lands belonging to the abbey, excepting the lands of Kilesmuir, Carrick, and Nithsdale, in feu and heritage for ever, with all the powers, privileges, and profits belonging to the said office, and assigning to the grantee and his heirs foresaid the farms of the lands of Northhouse and Thirlstane for their fee. Dated at the said Abbey, 17th November 1524, | 142 |
| 132. Letters by Laurence, Bishop of Præneste, Great Penitentiary of Pope Clement VII., confirming the foregoing grant by the abbot or postulate of Melrose to Sir Walter Scott of Branxheln, knight, and his heirs and male successors lawfully begotten of his body, of the heritable office of bailliery of the lands of Melroseland, Ettrickhead, Rodonoland, Eskdalemuir, and others, specified in No. 131, <i>supra</i> ; and charging the bishop of Caserta, residing at the Court of Rome, and the officials of Lothian and Teviotdale, not to permit the said Sir Walter and his foresaids to be unduly disturbed or molested by any persons, either clergy or laymen, in their enjoyment of the said office. Given at St. Peter's at Rome, under the seal of office of the Penitentiary, 17th May 1525, | 143 |
| 133. Letters of Remission by James Archbishop of St. Andrews, Gavin Archbishop of Glasgow, Gavin Bishop of Aberdeen, and the Earls of Angus, Argyll, and Lennox, to William Master of Glencairn, Walter Scott of Branxheln, Ninian Crichtoun of Ballibucht, and John Dunbar of Mochrum, for a breach of the peace and crime committed by them on the Monday preceding, in the town of Edinburgh (and that for the good and thankful service done and to be done by them to the king and to the granters), upon condition that they should come to them, and offer to | |

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- submit themselves to punishment and correction at the king's hands, for the repressing of murmurs among the people and among strangers, and for stanching the common woes of the realm,—excepting that they should pass to the places of Craigmillar, Niddry, Edmonston, Restalric, or Brunstoun, there to remain, not as warders, but for stanching of murmurs. Dated at Edinburgh, 20th July 1525,..... 145
134. Letters of Remission by King James the Fifth, under the Privy Seal, with advice of his Lords of Council, in favour of Walter Scott of Branxhelme, knight, Andrew Ker of Prymside, John Cranstoun of that Ilk, William Stewart of Traquair, James Stewart, his brother, and about 160 others, for their treasonable art and part of the convocation of the king's lieges and coming in "fair of weir" in company with George Lord Home, David Home of Wedderburn, and other rebels, to Edinburgh, and thence to Stirling, against the Earl of Arran, then his Majesty's lieutenant, and for all other crimes committed by them in times past, excepting only the crime of treason against his Majesty's own person; the said letters to continue in full force for nineteen years from the date thereof. Given at Edinburgh, 9th May 1526,..... 145
135. Contract of Agreement between Walter Scott of Branxhame, knight, his kin, friends, servants, and partisans, on the one part, and James of Murray of Fawlayhill, his kin, friends, and servants, on the other part, whereby the said Walter and his foresaids agree to pay to the said James Murray and his friends, for slaughters and spoliation of the Hangingshaw committed by them, the sum of 500 merks; and the said James agreed to renounce and give over all apprising of the lands of Kirkurd, and to deliver the charter and sasine to the said Walter immediately after security was found for payment of the said sum; and both parties agreed to take part in each other's "good, honest, and lawful quarrels" against all men, excepting the king's allegiance; the said Walter also becoming bound to do such suffrage as use and custom was for deadly feud. Dated 14th October 1527, 148
136. Letters by King James the Fifth, with advice of the Lords of his Council, ordaining a remission to be made under his Great Seal, in due form, to Walter Scott of Branxhelme, knight, John Cranstoun of that Ilk, Robert

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Scott of Allanhauch, William Turnbull of Minto, John Scott of Borthauch, and others therein specified, for their treasonable art and part of arraying of fields and battles at Melrose and beside Linlithgow, against his Majesty's authority (he being there personally present, and his banner displayed), and for all other crimes of treason, lese-majesty, and offences whatsoever committed by the said persons in times past, without any exception, on condition of their granting satisfaction to parties complaining, in terms of law. Subscribed by the King, at Edinburgh, 3d December 1527,

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137. Letters of Pardon by King James the Fifth, under his Great Seal, to Walter Scott of Branxhelme, knight, and several of his relatives, friends, tenants, and others his partisans, for all crimes prior to the date of the remission, and discharging and freeing the said Walter from his retirement in France, exonerating also his cautioners for his retirement of the sum of £10,000 Scots, for which they stood enacted in the Books of Council, namely, William Master of Glencairn, Archibald Douglas of Kilspindy, Treasurer of Scotland, Alexander Jardine of Appilgarth, and William Scott of Balwery, knights, and charging his Majesty's Wardens, Lieutenants, Sheriffs, Bailies, and all other officers, not to molest the said Walter nor his foresaids in their persons, lands, tacks, or goods, moveable or immoveable, except in order of law. Dated at Aberdeen, 10th February 1527,.....

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138. Retour of the Service, before the Sheriffs-depute of Edinburgh, of Giles Cranstoun, as heiress of her father, William Cranstoun of Rathobires, in the third part of the lands of Logtoun, in the shire of Edinburgh, which were then valued at twenty merks, and in time of peace at £5, and were held of the king in chief by the service due and wont; the half of which third part of Logtoun had been in the hands of the king for the space of twenty years or thereby, by reason of ward, through the death of the said William. Done in the Tolbooth of Edinburgh, on the 4th March 1527,

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139. Declaration made by King James the Fifth, in presence of the Lords of his Council therein named, to the effect that Walter Scott of Buccleuch was charged by his Highness, and the Earls of Angus, Lennox, and other

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Lords, who were with his Majesty for the time at Jedburgh and Melrose, to gather his folk and make his musters as others did, and that he, the said Walter, came to Melrose only at his Majesty's command, and in token thereof came only in a leathern coat and with a black bonnet on his head, and that he professed himself willing to obey the maceers that came to him to fulfil the king's commands in all points, and either to remove home and disperse his followers, or to abide with his Majesty, at his pleasure. Dated 6th July 1528,	151
140. Discharge granted by King James the Fifth to Walter Scott of Branxhelme, knight, for 240 merks Scots, as composition for the ward, relief, and non-entry duties of the lands and lordship of Bedrule, and marriage of the heir thereof, disposed to the said Walter by his Majesty by his letters under the Privy Seal. Dated and subscribed by the King, at Edinburgh, 9th July [1528],	152
141. Obligation by James Murray of Fawlabill to deliver to Sir Walter Scott of Branxhelme, knight, all charters, precepts, instruments of sasine, and all other evidents made to the granter by the said Sir Walter of the apprising of the lands of Kirkurd, and to resign into the king's hands, in favour of the said Sir Walter, the whole of the said lands within forty days, under a penalty of 500 merks. Dated at Selkirk, 2d August 1528,	152
142. Gift by King James the Fifth to Sir Walter Scott of Branxhelme, knight, and his heirs and assignees, of the ward, relief, and non-entry of all the lands and annualrents which belonged to the late George Turnbull of Bedrule, with the tower, mill, and fishings thereof, and which were in the king's hands by reason of ward, together with the marriage of Thomas Turnbull, son of the said George, with all the profits thereof: To be held, the said ward and marriage, by the said Walter and his foresaids, with the profits of the same, with power to them to dispoene them to others should they think it expedient. Given under the Privy Seal, at Edinburgh, 9th July 1528,	153
143. Bond of Manrent by Ninian and David Armstrong, whereby they became bound, with their kinsmen and friends, to be true and leal men and servants to George, Lord Home, and his heirs, during all the time that they	

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| or their heirs held of his Lordship or his heirs, in heritage or in asseda-
tion, the lands of the over parish of Ewesdale, in the shire of Dumfries,
which they then held in feu-farm and heritage of his Lordship. Dated
at Home, 10th July 1528, | 154 |
| 144. Letters of Remission by King James the Fifth, in favour of William
Turnbull, frank-tenementar of Mynto. Robert Scott, tutor of Howpaslot.
Robert Scott of Alanhauch, and William Scott of Hassindene, of certain
crimes of which they had been convicted in a process of forfeiture led
against them by the Crown, whereby, for the good, true, and thankful
service done to his Majesty by Walter Scott of Branxhelme, knight, their
chief, he remitted to them the escheat of their moveable goods, and dis-
charged them thereof. Given under his Majesty's hand and seal, at
Edinburgh, 12th July 1528, | 155 |
| 145. Precept of Sasine by Walter Scott of Branxhelme, knight, to William Scott
and others his bailies, for infefting his son, David Scott, in the lands and
baronies of Branxhelme and Eckfurd, in the shire of Roxburgh; the
lands and barony of Kirkurd, in the shire of Peebles; and the lands,
tenements, and lordships of Buccleuch, Rankilburne, and Lempetlaw, in
the shire of Roxburgh, under reservation by the granter of the frank-tene-
ment of all the said lands, baronies, and others during his lifetime, and a
reasonable tere thereof to his spouse. Dated at Edinburgh, 20th October
1528, | 156 |
| 146. Charter of Confirmation by King James the Fifth, under the Great Seal,
confirming the charter granted by Walter Scott of Branxhelme, knight, to
his son, David Scott, for the special favour and affection which he bore to
him, of the lands and baronies of Branxhelme and Eckfurd, in the shire of
Roxburgh; the lands and barony of Kirkurd, in the shire of Peebles;
and the lands, tenements, and lordships of Buccleuch, Rankilburn, and
Lempetlaw, in the shire of Roxburgh: To be held, the said lands, baronies,
and others above mentioned, by the said David Scott and his heirs, of the
king and his successors, in feu and heritage and free barony for ever, for
rendering yearly to them the rights and services due and wont; under
reservation of the said Walter Scott's liferent of the whole of the said | |

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| lands, baronies, and others, and a reasonable teree thereof to his spouse. The charter is dated at Edinburgh, the 20th, and the king's confirmation is dated at North Berwick, the 28th, October 1528, | 157 |
| 147. Ratification by King James the Fifth of an Act of the Scottish Parliament, held at Edinburgh, 5th September 1528, declaring that the accusation and crime imputed to Walter Scott of Branxhame, knight, through his convocation and gathering made at Melrose, alleging him to have come against his Grace, was not true, but false and feigned, and that he and his people came there at that time by his Majesty's special command, and the command of the Earls of Angus and Lennox, and of the other lords who were with his Majesty at Jedburgh, and declaring him innocent of such alleged crimes, and of the summons of treason raised against him. Given under the testimony of the Great Seal, at Edinburgh, 24th May 1529, | 158 |
| 148. Signature by King James the Fifth, ordaining a charter to be made under the Great Seal to Sir Walter Scott of Branxhelme, knight, for his good, true, and thankful service done to his Majesty, of the lands in the lordship of Jedburgh Forest and shire of Roxburgh, which belonged to Archibald, sometime Earl of Angus, and were apprired to his Majesty for castle wards due to him: To be held of the king for performing the services due and wont. Dated at Edinburgh, September 1529, | 159 |
| 149. Letters under the Signet of King James the Fifth, directed to Walter Scott of Branxhelme, knight, charging him to apprehend and bring to justice William Cockburn of Henderland, who was accused of daily resetting and assisting thieves and traitors, and who could not be apprehended by his Majesty's officers; and also to seize upon all his moveable goods and escheat them to his Majesty's use. [1529]..... | 160 |
| 150. Letters under the Signet of King James the Fifth to his Sheriffs in that part, charging John Abbot of Jedburgh, Walter Scott of Branxhelme, knight, and John Edmestoun of that Ilk (who all claimed right to the teind-sheaves of the lands of Ednam), to desist from all convocation of his Majesty's lieges, and from intronitting with the said teinds, until it should | |

be decided which of them had most right thereto. Dated at Linlithgow.
5th September [1530], with executions indorsed, dated 10th, 11th, and
12th September 1530, 160

151. Contract between Walter Scott of Branxhelme, knight, on the one part, and Andrew Ker of Fernyhirst, and Janet Ker, his daughter, relict of George Turnbull of Bedrule, on the other part, for the marriage of the said Walter with the said Janet, whereby the former becomes bound to give to the latter in liferent, and to the lawful heirs-male to be gotten between them, heritably, whom failing, to return to the said Walter and his heirs whomsoever, all his proper lands of the lordship of Jedburgh Forest, except the tenandries and the advowson of the church thereof; to be held of the said Walter and his heirs in free blench: and in respect the parties were related to each other within the forbidden degrees of affinity and consanguinity, the said Walter and Andrew became bound to obtain a dispensation from Rome at their joint expense. For which marriage and causes above specified the said Andrew Ker became bound to cause his said daughter deliver to the said Walter, in name of tocher, all the insight and other goods belonging to her, except the heirship of the heir of Bedrule, and to make the same free to him, with her third of the lands and lordship of Bedrule, and all others belonging to her as terce through the death of the said George Turnbull, her spouse; and the said Andrew became bound to relieve the said Walter of the bairns' part of gear of the bairns of the said Janet; and in the event of the said Walter dying before the completion of the marriage, the said Andrew to cause his daughter to resign to the heirs of the said Walter the property of the lands and lordship of Jedburgh Forest; and the parties bound themselves to fulfil the terms of the contract in all points, under a penalty of 1500 merks. Dated at Edinburgh, January 1530, 162
152. Signature by King James the Fifth, ordaining a remission to be made under the Great Seal in due form to Symon Armstrong, called the Laird, and Clement Crosar, for treasonable fire-raising and burning of Little Newtoun, and for treasonable taking of Walter Scott of Branxhelm.

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knight, in company with Englishmen, and treasonable inbringing of them within the realm, etc. Subscribed by his Majesty, at Edinburgh, 26th January 1531,	164
153. Discharge by King James the Fifth, under the Signet, to Walter Scott of Branxhelme, knight, of the bond granted by him to his Majesty at the preceding Justiciary Court held at Jedburgh, for the peaceable behaviour of Adam and Gavin Turnbull,—the said Walter entering them into the king's ward in the Castle of Blackness. Dated at Stirling, 14th December [1534],	165
154. Letters by Archibald Earl of Argyll, Justice-General of Scotland, attesting that Robert Scott of Allanehauch compeared before him in the Justiciary Court, held in the Tolbooth of Jedburgh, on 19th April 1535, indicted for being art and part in the treasonable inbringing of thieves and traitors from Liddlelale to the town of Myllem, and for plundering and away carrying from the poor tenants thereof 100 cows and oxen, and 20 horses and mares, and for the violent seizing of a horse from John Mark, servant to the Lord of Borthwick, and for other crimes of theft, fire-raising, and others therein mentioned; and that the said Robert, in the face of the Court, utterly denied the whole charges, and after trial by a condign assize, was found entirely innocent thereof. Given under the Seal of the Justiciary Office, the said 19th April 1535,	165
155. Composition for the Remission granted to William Scott, son of Robert Scott of Allanehauch, residing in the shire of Roxburgh, for intercommuning with William Scott, his uncle, the king's rebel, being at his horn, and for wounding and hurting George Turnbull, son of Thomas Turnbull, and for all action and charge that might follow thereon. Subscribed by the Lords Compositors, at Jedburgh, 4th May 1535,	167
156. Retour of the Special Service, before the Sheriff of Selkirk in that part, of James Creichtoun, son of the deceased James Creichtoun of Cranstoun-riddel, as heir of his said father, of the place and lands of Cattislak, with the tower and fortalice thereof, the places and lands of Easter and Wester Montbergear, and the place and lands of Blackgrane, in the lordship of Etrick Forest and shire of Selkirk; which lands of Cattislak, with tower,	

etc., thereof, were then valued at £71, 16s. 8d. Scots, and in time of peace were valued at 40 merks Scots; and the lands of Easter Montberngear were then valued at £72, 3s. 4d. Scots, and in time of peace at 40 merks; and the lands of Wester Montberngear were then valued at £72, 3s. 4d., and in time of peace at 40 merks; and the lands of Blackgrane were then valued at £71, 16s. 8d., and in time of peace at 40 merks money foresaid, and were all held of the king in chief, in feu-farm, for rendering yearly for each of the said places the feu-farms above specified, with a duplication thereof at the entry of each heir, and had all been in the king's hands for thirteen weeks, or thereby, on account of the death of the said James, the elder. Done in the Tolbooth of Edinburgh, 22d January 1539,

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157. Letters by King James the Fifth, under the Signet, directed to his Chancellor, President, and Lords of Council and Session, granting power and licence to Walter Scott of Branxholme, knight, who was then in his Majesty's ward, to carry on certain law proceedings against Jonet Scott, heir of the deceased Walter Scott of Howpaslott and Thomas McDowell of M-Caristoun, her spouse, and discharging his Majesty's advocate from pursuing the action for the Crown against the said Walter. Subscribed by the King at Edinburgh, 12th June [1549],

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158. Offers made by Walter Scott of Branxholme, knight, to the Lords of the Privy Council of Scotland—1. To keep good rule and order in time coming within the bounds of Teviotdale, and make the inhabitants as peaceable and obedient to the king and his laws as any part of Lothian, etc.; 2. To take upon himself the rule of Eskdale, Ewisdale, and Wauchopdale, in the event of Lord Maxwell declining to do so, and to cause the inhabitants thereof to observe the laws, and to cause pledges to be entered to the king for all surnames and clans necessary within the said bounds, etc.; 3. To cause Lord Bothwell to pass to the Hermitage, should such be his Majesty's pleasure, and to remain there fifteen days, and to assist his Lordship, if necessary, in making the clans and surnames of Liddesdale enter pledges for their peaceable behaviour, and to be ready at the king's command to burn, slay, and destroy, once every fifteen days, until they gave his Majesty sufficient pledges. To which offers, for the fulfilment whereof

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Malcolm, Lord Fleming, Robert Charteris of Amisfield, and Ninian Crichtoun of Bellibocht were cautioners, is annexed a warrant under his Majesty's hand for the said Laird of Buccleuch and Robert Scott of Wamfray being freed from ward; the said Robert <i>simpliciter</i> , and the Laird of Buccleuch entering two friends to remain in ward as pledges for him. <i>Circa</i> 1540,	169
159. Rent Roll of the lands of the Lordship of Liddesdale, made at the Castle of Hermitage by David Wood of Craig, Comptroller of Accounts, and given up by him, containing a list of the names and extent of the various farms, more than 140 in number, the names of the tenants, and in general the yearly rent, which is always expressed either in merks or in shillings and pence. Dated 7th May 1541,	171
160. Notarial Instrument, recording that Walter Scott of Branxhame, knight, had arrived at the burgh of Elgin, in the diocese of Moray, on the 16th day of August 1541, in terms of a command delivered to him by King James the Fifth. Done within the said burgh, in the common king's highway thereof, in presence of the provost and many other witnesses, 17th August 1541,	178
161. Discharge by David Betoun, Cardinal Archbishop of St. Andrews, and Archibald Betoun of Capildra, testamentary tutors of James Creichtoun of Cranstounriddall, son and heir of the deceased James Creichtoun of Cranstounriddall, to Jonet Betoun, relict of the said deceased James, of all mails, farms, grassums, and duties of the lands of Cranstounriddall and Murehous, in the shire of Edinburgh, Blackgrane, Catslak, Montbergear Easter and Wester, in the shire of Selkirk, pertaining to the said James in fee and heritage, for all the years and terms during which the said mails, etc., had been intromitted with by the said Jonet. Sealed with the Cardinal's seal, and dated at Edinburgh, 14th November 1542,	179
162. Letters by Mary Queen of Scots, under her Privy Seal, with consent of the Regent Arran, appointing Walter Scott of Branxhelme, knight, and the lawful heirs-male of his body by Jonet Betoun, his spouse, captains and keepers of the place and Castle of Newark, in the lordship of Etrick Forest and shire of Selkirk, for nineteen years, with power to them to	

- make deputies and constables under them for whom they should be answerable; for the exercising of which office her Majesty granted to the said Walter and his heirs foresaid, the lands of Carterhauch, Quhithilwra, Auldwerk, and Huntlie, in the lordship and shire foresaid, with the mails, farms, and duties thereof, during the said space of nineteen years. Dated at Edinburgh, 9th November 1543, 180
163. Letters by Queen Mary, under the Signet, directed to William Hardy, her Sheriff in that part, narrating that her Majesty and the Regent Arran had received certain information that Walter Ker of Cessford, alleging himself to be Warden of the Middle Marches, had concurred with, fortified, and assisted Archibald Earl of Angus, who had usurped the office of lieutenant of the south parts of her Majesty's realm, George Douglas, his brother, and others, being under summons for certain crimes of treason and lese-majesty, and that he had also divers times treasonably intercommuned with the English, her Majesty's ancient enemies, and was using his office of Warden, not as it ought to be, but for his own private ends, therethrough usurping her Majesty's authority wrongfully; and charging the said Sheriff to pass to the market crosses of Edinburgh, Jedburgh, Selkirk, and other places needful, and by open proclamation discharge the said Walter Ker, and all others in his name, usurpers of the said office of wardenry, from exercising the same. Dated at Edinburgh, 22d October 1544, 182
164. Ratification by Queen Mary, under the Quarter Seal, with consent of the Regent Arran, of an Act of the Scottish Parliament, held at Edinburgh on the 12th December 1543, confirming a previous Ratification by the Crown, dated 30th March 1543, of an Act of the Scottish Parliament, held at Edinburgh on 15th March 1542, bearing that Walter Scott of Branxholm, knight, had appeared in the Justiciary Court held at Jedburgh on 19th April 1535, and placed himself at his late Majesty's will, for fear of his life, for the alleged assistance rendered by him to the Lord Daker and other Englishmen at the time of the burning of Cavers and Dennume, and that his Majesty a little before his death had released the said Walter from ward, and restored him to his property, offices, and honours: which Act her Majesty ratified and confirmed. Dated 30th April 1545, 183

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165. Obligation by Elizabeth, Prioress of Haddington, to keep the place and fortalice of Nunraw securely against the English, and not to deliver it to any person or persons without the advice and command of the Governor; and in the event of the English attacking the place, and her being unable to defend it, she became bound to cast it down, and to burn and destroy it, so that it should not be habitable thereafter. Dated at Haddington, 28th February 1547, 185
166. Memoranda relative to the proceedings of Sir Walter Scott of Branxholme, knight, Walter Ker of Cessford, John Ker of Fernyhirst, William Scott, son of the said Sir Walter, Robert Scott of Howpaslott, Robert Scott of Wamphray, Walter Scott of Syntoun, and others, after the battle of Pinkie had been fought and lost by the supporters of Queen Mary, on 10th September 1547, bearing that they met together bewest Cousland, and bound themselves to be leill and true to the queen and those bearing her authority, and to exert themselves for the "common wele" against the English, and appointed a tryst to be held at Ancrumwoodhead upon the 12th of the said month, at which tryst the above named, with the whole gentlemen of Teviotdale, were sworn to the above effect: notwithstanding which the Lairds of Cessford, Fernyhirst, Mark Ker, and others, met with Sir Ralph Bolmer, Sir Oswald Wilstrop, and others sent from the Protector of England, without the knowledge of the said Sir Walter Scott, William Scott, his son, and their friends, and remained in the English camp until their departure from Scotland, etc. The remainder of the memoranda relates to the destruction by Lord Gray and Andrew Ker, brother of Cessford, of the crops of the said Sir Walter Scott and his friends, the burning of the town of Hawick, the tower of Catslack, with the said Walter's mother therein, the town of Selkirk, etc. [1547-48]..... 185
167. Letters by Mary of Guise, Queen-Dowager of James the Fifth and mother of Queen Mary, whereby, on the narrative that Walter Scott of Branxholme, knight, had granted his bond of manrent to serve her Majesty all the days of his life, she became bound, on the faith of a princess, to maintain, assist, and defend the said Walter in all his honest and lawful actions, quarrels,

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| and controversies against all persons whomsoever, the queen, her daughter, only excepted. Dated and subscribed by the Queen-Mother, at Edinburgh, 13th August 1548,..... | 187 |
| 168. Grant by Mary Queen of Scots, with consent of the Regent Arran, to Walter Scott of Branxholme, knight, and his heirs and assignees, of the ward of all lands and annualrents that pertained to the deceased — Turnbull of Mynto, and which were then in the queen's hands by reason of ward, until the entry of the lawful heir thereto, at his lawful age : To be held, the said ward and non-entry of the said lands, with the relief thereof, during the said space, by the said Walter and his foresaids ; with power to them to intromit with the mails, profits, and duties thereof. Given under the Privy Seal, at Musselburgh, 28th August 1548, | 188 |
| 169. Letters of Diligence by the Lords of Council, anent the Summons raised at the instance of Walter Scott of Branxholme, knight, against Walter Ker of Cessford, Mark Ker of Litildane, and George Ker of Lintoun, for their wrongous, violent, and masterful spoliation, and withholding from the said Walter Scott, on the 15th of January 1547-8, of divers goods and gear pertaining to him, forth of his lands, places, and houses within his stead- ing of Newark, in the lordship of Etrick Forest and shire of Selkirk ; by which letters, which state that the said Walter Ker failed to compare before them in terms of, and on the day named in, the said summons, their Lordships continue the same in force as before till the 12th day of May next following. Dated at Edinburgh, 4th April 1549, | 189 |
| 170. Bond of Maintenance by Mary of Guise, Queen-Dowager of Scotland, whereby, on the narrative that William Scott of Kirkurde, knight, son and apparent heir of Walter Scott of Branxholme, knight, had granted to her his bond of manrent, and for other reasonable causes moving her thereto, her Majesty became bound to maintain and defend the said William in all his honest and lawful actions, quarrels, and controversies whatsoever, and also became bound to give to the said William Scott and his assignees, yearly during his lifetime, as much of fees and profits as the deceased John Melvin of Rayth had from her for his service rendered to her. Dated at Edinburgh, 24th June 1549, | 190 |

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171. Charter by Robert Scott of Howpaslot, with consent of Isabella Murray, his spouse, to Hector Turnbull, brother-german to David Turnbull, Lord of Wauchop, and his heirs and assignees, of all and sundry his two husband lands lying in the town and territory of Appletreehall, in the barony of Hassindene and shire of Roxburgh, for a certain sum of money paid to him in his necessity : To be held of the granter and his heirs for ever, for rendering to them a penny Scots yearly, in name of blench farm, on the ground of the said lands, at Whitsunday, if asked, only. Dated at Appletreehall, 29th July 1549, 191
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175. Letters of Protection by James Earl of Arran, Regent of Scotland, to the persons who were to accompany Walter Scott of Branxholme, knight, to Liddesdale on business intrusted by the Regent to the said Sir Walter. Subscribed by the Regent, at Edinburgh, 29th April 1550, 195
176. Commission by Mary Queen of Scots, under the Privy Seal, with advice of the Regent Arran, appointing Walter Scott of Branxholme, knight, Lieutenant of the Middle Marches between Mynto Craze and Craykeorse, the rule of which the said Walter had taken upon himself; with power to him to punish all transgressors within the said bounds, according to the laws of the Borders, and to exercise the said office of lieutenantry within the same, and to convene with the lieutenants or wardens of England on the days appointed for administering justice and making regulations for better observance of the laws. The commission, which was to remain in force for nineteen years, is dated at Edinburgh, 29th April 1550, 196
177. Bond granted by Walter Scott of Branxholme, knight, William Scott of Kirkurd, knight, and the Scotts of Howpaslot, Wamphray, Harden, Thirlstane, and others, eleven in number, to Mary Queen of Scots and the Regent Arran, whereby they became bound to concur with the Regent in his endeavours to "put gud ordour in the cuntre," and to secure to the inhabitants of the realm who had in the late troublous times been "bryut, hereit," and reduced to extreme poverty by the English, the peaceable possession of their lands, rooms, and privileges, and otherwise to assist his Grace in his reasonable purposes, as they had been accustomed to do to her Majesty's predecessors in times past. Dated at Ancrum, and subscribed by a notary, the granters respectively touching his pen, the 21st May 1550, 197
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Scott of Branxhelme, knight, and her heirs and assignees, of the lands of Cranstoun Riddall, commonly called the Mains of Cranstoun, with the manor-place, gardens, orchards, parks, and "doweats" thereof, in the shire of Edinburgh and constabulary of Haddington, together with the lands of Catslak, Easter and Wester Montbenger, and Blakgrane, in the lordship of Ettrick Forest and shire of Selkirk, for nineteen years, for payment of the sum of £46, 13s. 4d. yearly, namely, £26, 13s. 4d. for Cranstoun Riddall, and £20 for the other lauds above mentioned. Dated at Branxhelme, 20th August 1550,.....	199
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180. Commission by Mary Queen of Scots, under the Great Seal, bearing that, for the repression of thefts, robberies, depredations, homicides, and fire-raising, and similar cruel, dreadful, and iniquitous crimes committed by the inhabitants of the lordship of Liddesdale upon her Majesty's faithful subjects in times past, and that her subjects might be able to live in tranquillity, without damage from the said inhabitants in time to come, her Majesty had, with the advice and consent of the Regent Arran, appointed Walter Scott of Branxhame, knight, Governor-general and Justiciar within the lordship of Liddesdale and the whole bounds of Teviotdale, where any of the old inhabitants and tribes, commonly called the clans of Liddesdale, remained: with power to the said Walter and his deputies to hold Justiciary Courts as often as they should deem it expedient, and to punish transgressors according to the laws of the realm, exact fines and escheats of Court, and apply the same to his own private use, and to denounce and put to the horn, as rebels, all fugitives from the said Courts; with power also to the said Walter and his deputies to inbring the goods of such persons, as her Majesty's escheat, and to apprehend themselves; failing	

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182. Letters by Queen Mary, under the Signet, directed to her Sheriffs in that part, whereby, on the narrative that certain of the inhabitants within the Middle Marches would not obey Walter Scott of Branxholme, knight, her Majesty's Warden and Justiciar within the said bounds, she commanded her Sheriff to charge, by open proclamation at the market cross of Jedburgh, and other places needful, the inhabitants of the said bounds to answer and obey the said Walter and his deputies and officers in the execution of his office of Wardenry and Justiciary. Dated at Edinburgh. 30th June [1551],..... 205

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- Buccleuch, Rankilburn, with the pertinents ; the lands of Eilrige, Milsyntoun, Lempetlaw, six husband lands in Grynslaw, commonly called Portar's Lands, in the shire of Roxburgh ; also the lands of Kirkurd, in the shire of Peebles, annexed by royal charter to the barony of Branxhelme ; the lands of Ringwoodfield, and the office of bailliery of Melroseland, Ettrickhead, Rodonoland, Eskdalemuir, East Teviotdale land and Ugings, belonging to the abbacy of Melrose ; also the lands of Northhouse and Thirlstane, in fee, for the said office of bailliery : which lands of Branxhelm were then valued at £24, and in time of peace at 24 merks ; and the lands of Buccleuch and Rankilburn, and the lands of Quhitchester and lands of Lempetlaw, then valued at £20 respectively, and the same in time of peace ; and the lands of Eilrige and lands of Mylsyntoun, then valued at £10 respectively, and the same in time of peace ; and Portar's Lands, then valued at £6, and the same in time of peace ; and the lands of Kirkurd, valued at 80 merks, and Ringwoodfield at £52, and the same respectively in time of peace ; and the office of bailliery of Melrose, with the lands of Northhouse and Thirlstane, valued at £20, and the same in time of peace ; and the said lands were all (except the three last mentioned) held of the queen in chief by blench farm,—Branxhelm for payment of a red rose, and the other lands, respectively, for payment of a penny Scots, all in name of blench farm ; and Ringwoodfield, etc., were held of the Abbot of Melrose in feu, for payment of £52. Expede in the Tolbooth of Jedburgh, 6th February 1553, 214
188. Inquest made before Alexander Hepburn of Whitsome, Sheriff-Depute of Edinburgh, relative to the annual value of old extent of the lands of Logtoun-Douglas, and Logtoun-Creichtoun, the former of which the assize found to extend yearly to £4, and the latter to 40 shillings, both of old extent. Dated at Edinburgh, 2d March 1554, 217
189. Retour of the Special Service, before the Sheriffs of Edinburgh in that part, of James Hepburn, as heir of his father, Patrick Earl of Bothwell, in the whole earldom of Bothwell and barony of Hales, with the other lands, lordships, and baronies annexed to the said earldom, with castles, towers, fortalices, towns, with the right of patronage of the provostries, colleges, prebendaries, parish churches, and chaplainries thereof, together

- with the offices of Sheriffships of Edinburgh, within the constabulary of Haddington, and of Berwick, and of the bailiery of Lauderdale, and the office of High Admiral of Scotland, with all the rights, profits, fees, dues, freedoms, escheats, and privileges of the said offices, erected and incorporated into a free earldom and barony, to be called the barony of Bothwell; which earldom and barony, and whole others foresaid, were then valued at £2000 Scots, and in time of peace at £608, 13s. 4d. Scots, and were held of the queen in chief, for rendering to her and her successors yearly a penny of silver, Scots money, at Hales Castle, at Whitsunday, in name of biench farm, if asked, only, and had been in the queen's hands for the space of five weeks. Expede 3d November 1556, 217
190. Contract or Agreement between James Douglace of Drumlangrig, knight, and Charles Murray of Cockpale, to submit to the arbitration of James Lord Somerville, John Gordon of Lochinvar, and William Murray of Tullibardyne, all actions and causes, quarrels and controversies between them in times past (especially with reference to the alleged unkindness of the said Charles, touching the interest he took, in opposition to the said James, in the daughters of the deceased Symon Carruthers of Mouswald). Dated at Edinburgh, 24th July 1558,..... 219
191. Abbreviate of a Letter under the Privy Seal of Queen Mary, appointing Sir Walter Scott of Branxholme, knight, Captain and Keeper of Her Majesty's place of Newark Castle, in the lordship of Ettrick Forest and shire of Selkirk, for nineteen years, and assigning to him for the discharge of the said office of captaincy her Highness's lands and steadings of Cartarhauch, Qubithilwra, Auldwark, and Huntlie, lying in the lordship and shire foresaid, with the mails, profits, and duties thereof during the said space; and also appointing the said Walter and his heirs bailies and chamberlains of her Majesty's lands and lordship of Ettrick Forest foresaid, during the same period, with all the powers and privileges belonging to the said office. Dated at Edinburgh, 24th March 1565, 220
192. Notarial Instrument on the Declaration made by Thomas Scott of Hanyng, in presence of Sir Walter Ker of Cessford, knight, to the effect that there was a contract made between Sir Walter Scott of Branxhelme, knight,

with consent of the said Thomas Scott, and of Robert Scott of Thirlstane, and others, his curators, and the said Walter Ker of Cesford, knight, for the marriage of Thomas Ker, second son of the said Sir Walter, and Elizabeth Scott, sister of the said Sir Walter Scott; and that there were several heads verbally discussed and agreed to between the said parties, which should have been fulfilled by the said Sir Walter Ker, and were not fulfilled by him: and narrating that the said Sir Walter Ker voluntarily confessed that such was the case, and became bound for himself and his sons to fulfil the said heads, points, and articles in the contract foresaid, with all the points verbally agreed upon between them; upon which the said Thomas Scott of Hanyng craved instruments in name of the said Sir Walter Scott, knight. Done at the Chapel of Halydene, 5th October 1567,

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193. Act of the Sheriff-Court of Roxburgh, narrating that Mr. Thomas Westoun, attorney for Sir Walter Scott of Branxholm, knight, and also for Grisel Scott, Lady Borthwick, presented to the Court two brieves of the Chapel Royal, duly executed, namely, one purchased by the said Sir Walter, to be served as nearest heir of the deceased David Scott, his father's brother, and the other purchased by the said Grisel, Lady Borthwick, to be served heir of the deceased Walter Scott of Branxholm, knight, her father: which brieves having been thrice proclaimed at the window of the Court, according to custom, and no objectors appearing, the said attorney required an Act of Court and further process; and after the admission and swearing of an inquest, produced before them certain evidents therein specified for instructing the rights of his said clients. Upon which the assize found that the said Grisel, Lady Borthwick, was nearest heir to her father in the superiority of the lands of Wiltoun Grene, Wiltounburne, and Vuerhall, with the alternate patronage of the parish church of Wiltoun, in the diocese of Glasgow and shire of Roxburgh, by common law and the custom of the country, as being the eldest daughter of the said Sir Walter and Lady Janet Betoun, his spouse; and that the said superiority and patronage were worth £10 Scots yearly, and the same in time of peace; and were held blench of the King, for payment of a silver penny at Whitsunday, if asked, only; and had been in the King's hands by

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reason of non-entry since the death of Lady Janet Betoun, lady of the conjunct fee thereof, who died in the month of January preceding. Dated at Roxburgh, 12th July 1569,	223
194. Discharge by Sir Walter Scott of Branxholm, knight, to his cousin, Robert Scott, grandson and heir of the deceased Robert Scott of Allanehauch, the said Sir Walter's tutor for the time, of all accounts of the intromissions made by the said deceased Robert Scott, as tutor foresaid, with his lands and heritage, etc., during the time of the granter's minority. Dated 1569,	225
195. Grant by Sir Walter Scott of Branxholm, knight, to Robert Scott, grandson of the deceased Robert Scott of Allanehauch, and his heirs and assignees, of the non-entry, mails, farms, and duties of the lands and lordship of Quhitchester, with tenants, tenandries, and service of free tenants thereof, in the barony of Branxhelme and shire of Roxburgh, from the time of the death of the said Robert until the entry of the heir of lawful age. Sealed and subscribed by the said Sir Walter, 1569,	226
196. Retour of the Special Service, before the Sheriffs of Dumfries and Roxburgh in that part, of James Douglas, as heir of his father, William Douglas of Hawick, knight, of the lands and barony of Hawick, both property and tenandry, namely, in property, the town of Hawick, with the mill thereof, the lands of East Mains, West Mains, Crumhauch, and Kirkton Mains, Flekkis, and Murynais, Ramsay Clewis, Braid Ley, Tenesyde, Carlingpull, and Almonslands; and in tenandry the lands of Howpaslet, Chesholme, Quhitehope, Drydane, Commonsie, Overharwod, Emetscheillis, Nether Harwod, Weyndislands, Easter and Wester Hislehope, Langhauch, Lauris Tofts, Kirkwod, Harwodhill, Quhitechester, Fynnisk, Edgaristoun, Edgaristounschelis, and Quhomis, with tenants, tenandries, and services of free tenants, and the right of patronage of the churches and chaplainries thereof: which lands above mentioned as held in property were valued at 100 merks Scots yearly, and were held of the Crown in free blench farm, for rendering one arrow at the Feast of the Assumption of the Virgin Mary, if asked: and the said lands held in tenandry were valued at 200 merks, and were also held of the Crown, for one suit to be rendered yearly at	

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- any of the three head Courts of the shire of Roxburgh, with ward, relief, and marriage when they occurred ; and the whole had been in the hands of the Crown by reason of non-entry and ward, for six months, or thereby, since the death of the said William Douglas. Dated at Dumfries, 18th March 1572..... 227
197. Letter of Gift to Dame Margaret Douglas, relict of Sir Walter Scott of Branxhelm, knight, and her heirs and assignees, of the ward and non-entry, mails, farms, and duties of all lands, lordships, and baronies, with castles, towers, manor places, mills, fishings, and whole pertinents thereof, which belonged to the deceased Walter Scott, her spouse, or to the deceased David Scott, son and apparent heir for the time to the said deceased Sir Walter, and grandfather's brother to Walter Scott, now apparent of Branxhelm ; which lands and others were then in the king's hands by reason of ward or non-entry, through the decease of the said Sir Walter and David Scott : To be held by the said Margaret Douglas and her foresaids, during all the time of the ward or non-entry, with the relief thereof when it happened, with power to her and her heirs to intromit therewith and to dispose thereof at their pleasure. Dated at Holyroodhouse, 17th June 1574, ... 230
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Lempitlaw, and Eilrig were held of the king in blench farm, for rendering yearly for Branxholme a red rose, and for the other lands respectively one penny Scots yearly; and the lands of Eckfurd and Langtoun were held by the service of ward and relief; and the whole of the said lands were then in the hands of the king by reason either of ward and relief or of non-entry, through the death of the said David, and of Walter Scott of Branxholm, knight, father of the said Walter, who died in April preceding, and the non-age of the said Walter Scott, knight, his father, from the death of the said David till the year 1561, in which year he attained his majority. Expede at the burgh of Edinburgh, 3d July 1574,..... 231

199. Retour of the Special Service, before the Sheriffs of Roxburgh in that part, of Walter Scott, as heir of his great grandfather, Sir Walter Scott of Branxholme, knight, in the lands of Appletreleis, the lands of Meirbank, Sutercroft, and Cartleis: the half of the lands of Haikburn, which Thomas Hunter inhabited, in the lordship and regality of Melrose; the lands of Qulithope, in the barony of Hawick; the lands of Drydane and Commonside, the lands of Greenwoide and Lyn, in the barony of Minto; the lands of Borthauch and mills thereof, and six husband lands, called Porterlands, or Gainslaw, all in the shire of Roxburgh; which lands of Appletreleis, Meirbank, Sutercroft, Cartleis, and half of Haikburne, were then valued at £45, 6s. 8d., and the same in time of peace, and were held in chief of the Commendator of Melrose, for payment yearly of the said sum; the lands of Qulithope, and the lands of Drydane and Commonside, respectively, at £5, and the same in time of peace, and were held in chief of James Douglas of Drumlanrig, knight, as Baron of Hawick, in blench farm,—the former for rendering a red rose, and the latter for payment of a penny Scots; the lands of Grenewoid and Lyn were then valued at £10, and the same in time of peace, and were held of the king by the service of ward and relief; and the lands of Borthauch and mills thereof were then and in time of peace valued at £10, and were held in chief of James Langlands of Wiltounhill, in free blench farm, for payment of a penny Scots, if asked, only; and the lands of Porterlands were then and in time of peace valued at £4, and were held of the king in free blench, for payment of a penny Scots; and the whole of the said lands were then in the

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| hands of the respective superiors thereof, on account of the death of Sir Walter Scott, his father. Expede at Edinburgh, 3d July 1574, | 234 |
| 209. Letters of Slains by Robert Scott in Hawick, and James Scott, his brother, for themselves, and taking burden on them for their mother, kin, and friends, whereby they remitted and forgave to Robert Scott of Allanauch, William Scott in Allanauch, and several others of the name of Scott therein mentioned, all rancour and malice of heart which they entertained against them for the slaughter of the deceased George Scott, brother of the said Robert, the granter, committed by the said Robert and William and their part-takers in the month of April 1578, and agreed to receive them into the same amity, friendship, and kindness as before the commission of the said slaughter. Dated at Hawick, 1st February 1581, | 237 |
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- became bound for himself and his friends not to associate with any of the sons of the said deceased Adam Scott of Allanehauch; and the said Walter Scott, of Branxhelme, for himself and his friends, became bound to maintain and defend the said Robert Scott of Allanehauch, his brothers, and other subscribers of the bond, in their just and lawful actions against all,—the king's authority alone excepted. This bond, which is subscribed by Buccleuch and seven others of the name of Scott, is dated at Selkirk and Hawick, the 19th and 22d May 1585,..... 239
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| 252. Patent by Queen Anne, under the Great Seal, conferring on Lord Henry Scott, son of Anna Duchess of Buccleuch, the titles of Earl of Deloraine, Viscount of Hermitage, and Lord Goldilands, and granting to him and the lawful heirs-male of his body the dignity of an Earl, Viscount, and free Lord of Parliament. Given at Windsor Castle, 29th March 1706. | 324 |
| 253. The Will of Anna Duchess of Buccleuch, whereby she appointed her grandson, Francis Earl of Dalkeith, her sole executor and universal legator of her moveable and personal estate in Scotland, under burden of her funeral expenses, debts, and legacies therein specified. Dated at Westminster, 16th March 1722-3, | 325 |

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| 254. Letter by King James the Fifth to the Lords of Parliament and Council, commanding them to continue the calling of the summons of treason made upon Walter Scott of Branxholm, knight, John Cranston of that ilk, Walter Scott of Sinton, and their accomplices, till 18th January, and till his Majesty should be personally present; and meantime respiting them for their treasonable opposition to the king and his lieutenants at Melrose and Linlithgow, and for all other crimes committed by them. Dated at Edinburgh, 12th November 1526, | 329 |
| 255. Charge by King James the Fifth to Archibald Earl of Angus, James Earl of Arran, Malcolm Lord Fleming, and others, not to make raids on Walter Scott of Branxholm, etc., who were under special respite of the King. Dated at Edinburgh, 8th March 1526-7, | 330 |
| 256. Copy Letter by King James the Fifth, intimating that the Laird of Buccleuch had "agreed" with the King and Lords of Council, charging that none should trouble him or his friends, and that all men of the "oist" should be ready at one hour after noon to move forward against the thieves of Liddesdale. Dated at Melrose, 20th June 1527, | 330 |
| 257. Letter by King James the Fifth, appointing Walter Scott of Branxholm, knight, to be "copper principall" (chief cupbearer) to his Majesty for | |

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262. Licence by Mary Queen of Scots, with consent of James Earl of Arran, Governor, confirming and renewing a former licence granted to him by the said Governor, to intercommune with the Protector, army, and council of England, with a view to the preservation of his men and goods from burning, "heirschip," and slaughter; and forgiving him all former intercommuning he may have had, on condition that he should "stand ane gude trew Scottisman" as in times bypast, and, when required, renounce all such bands and writings made to the English. Dated at Edinburgh, 26th September 1547,	335

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357. Letter from John Duke of Lauderdale [no address], concerning a letter the Duchess of Monmouth had received from Sir William Scott of Harden, requesting the Duke of Monmouth to obtain the King's signature for a gift of the ward and marriage and non-entry of the Earl of Tarras in favour of Sir William Scott. Dated at Ham, 22d July 1676,	397
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359. Letter from James Duke of Monmouth to his father, King Charles the Second, informing him of his arrival with the forces at Ostend, deploring the condition of the Spanish garrison there, stating his intention to send men to the defence of Bruges, and asking more men for the defence of Ostend and Nieupoort. Dated at Ostend [July 1678],.....	399
360. Extract Letter from King Charles the Second to the Privy Council of Scotland, subscribed by the Earl of Middleton, allowing payments to be made to the Duchess of Buccleuch out of the estate of Buccleuch, etc., notwithstanding that letters of intercommuning had been issued against James Duke of Buccleuch; and ordering this letter to be recorded in the books of Treasury and Exchequer. Dated at Winchester, 14th September 1683,	400
361. Copy Letter from Mr. Alexander Erskine, Lyon-King-of-Arms, to Mr. Innes, regarding the arms that might properly be borne by the daughter of the Duchess of Buccleuch and Lord Cornwallis. Dated 1699,	401
362. Letter from J. B. to the Duke of Argyll, warning him of a design to assassinate him on his way to Edinburgh, and alleging that the design was abetted by the Duke of Marlborough. Dated 1715. Appended a note by the Honourable Charles Townshend, that the letter was found in March 1760 among the papers of Mr. James Cockburn, secretary to the Duke of Argyll. Dated 20th April 1760,	402
363. Letter from Mr. Adam Smith, author of "The Wealth of Nations," etc., to Mr. David Hume, stating that he had accepted Mr. Townshend's proposal	

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that he should travel with the young Duke of Buccleuch. Dated at Glasgow, 12th December 1763,	403
364. Letter from Mr. Adam Smith to [the Honourable Charles Townshend], giving a detailed account of the illness of the Duke of Buccleuch, and informing him of the kindly inquiries made by the King of France, the Duke of Fitzjames, etc. Dated at Compiègne, 26th August 1766.	404
365. Letter from Mr. Adam Smith to Mr. Archibald Campbell, Writer to the Signet, acknowledging the receipt of his pension, etc. Dated at Kirkecaldy, 25th December 1768,	406
366. Letter from [Sir] Walter Scott to Mrs. Scott of Harden [afterwards Lady Polwarth], with reference to a criticism by Lord Egremont on the "Lady of the Lake." Dated at Melrose [1805].	406
367. Letter from Sir Walter Scott to Lady Polwarth, about Schetky's engravings and Jeffrey's "flagellation" of "Marmion." Dated at Edinburgh, 25th May [1808].	407
368. Letter from Sir Walter Scott to Lady Polwarth, with a copy of "Don Roderick," intimating that he had purchased Dr. Douglas's farm at Galashiels, and intended to "build a bower there next summer." Dated at Edinburgh, 2d July 1811,	408

APPENDIX OF CHARTERS.

369. Charter by King William the Lion, whereby he confirms to the Church of St. Mary of Melrose and the monks there serving God all the land of Eskdale, according to the marches named in the charters of Sir Robert Avenel and Gervase his heir to the Abbey; to be held for ever free of all service, etc., save the King's service from Gervase and his heirs. [1180-1201],	409
370. Renunciation by Robert Avenel and Gervase, his heir, of the four merks which the monks of Melrose had been wont to give yearly in ferm for the land of Eskdale, which sum the abbot and convent faithfully promise shall be given to the abbey as pittances four times every year, one on the	

- day on which the said Sir Robert retired from the world to the convent ; a second on the day on which he died ; a third on the sixth day from the day of the Nativity, in commemoration of the soul of Sibilla, spouse of Sir Robert ; a fourth on the day of the death of Gervase, who during his life was to appoint the day for this pittance : also on those foresaid days commemoration of their souls was to be made in the chapter. [1180-1198]..... 410
371. Charter by King William the Lion, confirming to Galfrid, the son of Richard of Inuerkunniglas, the land of Balwerie, given to him by Patrick abbot of Dunfermline, and the convent thereof ; to be held in fee and heritage according to the tenor of the charter of the said abbot and convent. Dated at Clackmannan, 1st March [*circa* 1204]..... 410
372. Charter by Thomas de Colevilla surnamed Scot, to the abbey of Vaudey, of the fourth part of Almelidun called Keresban, to wit, all he held between Polleneshan and Pollenescent on to the water of Doon ; to be held for rendering six marks yearly to him, his heirs, or assignees, three at Martinmas and three at Pentecost ; this term not to be exacted if the King of Scotland should release the monks of it for the safety of his soul and those of his ancestors. [1214-1223], 411
373. Charter by King Alexander the Second, for the safety of his soul, and those of King William his father and Queen Ermegarde his mother, etc., to the monastery of Melrose, of the whole waste, with all the pertinents beneath and above ground, from the river Ethrye up through the stream of Tymeve to the marches of Nigel de Heryz, and thus up the watershed between Ethrie and Glenkery to the marches of Eskedal, and thus up westward by the watershed between Eskedal and Ethrie as far as the hill of Vnhende ; thence east by the watershed between the vale of Anaud and the Forest to the head of Rodanoch, and thus east by the watershed between the Forest and the land of Thomas de Haya on to the head of Copthrawerisclouth, and thus down to the Meikle Loch, and thus up through the loch to the head thereof ; thence up south to the stream of Wythhop, and thus up to Thirlestangate, and then on to the head of Wulfhop, and thus through the "sicus" down to the stream of Meikle

- Thirleston, and by the same burn down to the river Ethric, and through the river up to Tymeynuth: to be held in free and perpetual alms. Dated at Selkirk, 21st February 1235-6. 112
374. Charter by Michael Scot, Lord of Balwery, whereby on the narrative that he was convinced by sealed deeds and after a diligent inquest of trustworthy men that his ancestors had in old time infefted Yvo de Burneschelis and his ancestors heritably in the whole land of Burneschelis, and although there had been a dispute between him and Yvo, he now confirmed the said land to the said Yvo as his own proper heritage, for rendering homage only and yearly service to him and his heirs of a pair of gilt spurs or seven pennies, at the Feast of the Apostles Peter and Paul. [*Circa* 1306]. 113
375. Charter by Michael de Wemyss, knight, lord of that Ilk, to John de Inglis, lord of Inglis Tarvet, his heirs and assignees, for ever, of the third part of the granter's mill of Inglis Tarvet. [*Circa* 1306], 114
376. Charter by Thomas Fraser, lord of half of Ladyurd, son and heir of the deceased Marjory de Farle, with consent of his father's and mother's kinsmen, to John de Geddes, his heirs and assignees, of the half of Ladyurd belonging to the granter by hereditary right, in the barony of Kirkurd and shire of Peebles, for a sum of money paid by the said John to him in his great need: to be held by the said John, his heirs and assignees, from the granter, his heirs and assignees, of Robert Scott, lord superior of the barony of Kirkurd, and his heirs, as freely as the said Thomas and his ancestors had held it; for rendering yearly at Pentecost and Martinmas the services used and wont to the said superior and his heirs. Dated at Peebles, 10th July 1406, 114
377. Charter by Robert Scott, lord of Rankilburn, with consent of Walter Scott, his son and heir, to the monastery of Melrose, of all his lands of Wynzehope, on the west side of the Temay, called Glenkery, in the shire of Selkirk, with twelve acres of meadow land, to be held by the monks of the said monastery in fee and heritage for ever, the granter reserving to him and his heirs the liberty of fishing and hunting in the lands of Glenkery: in excambion for the lands of Bellenden in the shire of Selkirk, the liberty of fishing and hunting therein being reserved to the said monks:

- also the said Robert Scott promises that the teinds of Glenkery and of the twelve acres of meadow land should be devoted to the monastery of Melrose, in exchange for the teinds of Bellenden to be devoted to the parish church of Rankillburn. Providing also that should the lands of Glenkery and the twelve acres of meadow land be legally evicted from the monks by any one laying claim thereto, the lands of Bellenden should be restored to the said monks for ever. Dated at the monastery of Melrose, 28th May 1415, 415
378. Confirmation by Peter de Cockburn, lord of Henryland, of the preceding charter of excambion of Glenkery and the twelve acres of meadow land held of him, with the lands of Bellenden, made between David abbot of Melrose, and Robert Scott, lord of Rankilburn. Dated at Melrose, 18th June 1415, 417
379. Attestation, in Scotch, by Wat of Tuedy of Drummelzere, and others, in the chapel of Saint Mary, of the resignation of half Ladyurd by John of Geddes, with staff and baton, in the hands of Walter Scott, lord of Murthouystoun and overlord to John of Geddes; and of the granting by the said Walter Scott, with a wand, to William of Geddes, of state real of the said lands, the said Walter charging his baillie to pass to the soil and give sasine thereof to the said William. Dated at Peebles, 22d July 1434, 418
380. Instrument of Sasine of William of Geddes in the half of Ladyurd, by John Young, sergeant of the barony of Kirkurd, on a precept from Patrick de Lowis of Menor, baillie of Sir Walter Scott, lord of Murdieston and of the barony of Kirkurd. Given at Ladyurd, 26th July 1434, 419
381. Grant, in Scotch, by James abbot of Newbottle and the convent thereof, of a fee of 100 merks Scots yearly for 19 years, to Walter Scott of Branxholm, knight, and William Scott, his son and apparent heir, for the "grete plesouris and steid done and to be done" by them, specially in defence of the abbey's lands and steadings of Lethanhopis, Morphet, and Romannes Grange, from molestation of thieves and broken men. Dated at Newbottle, 19th September 1544, 419

382. Charter by Mary Queen of Scots, with advice and consent of James Earl of Arran, Governor of Scotland, in consideration of the service of Walter Scott of Branxholm, knight, in defence of the kingdom against the English, and of the great losses and burnings his lands, etc., had suffered, to the said Sir Walter Scott and Lady Jonet Betoun his spouse, and the longer liver of them two, and their heirs-male; whom failing, the heirs-male and assignees whomsoever of the said Walter, of the lands of Easter Craig, in the shire of Roxburgh, which formerly belonged to John Cockburn of Ormiston, and had fallen into the sovereign's hands by his forfeiture for treason: to be held by the said Walter, etc., of her Majesty and her successors, in fee and heritage for ever, for rendering yearly the rights and services due and wont before the said forfeiture. Given under the Great Seal, at Edinburgh, 24 February 1548-9, 420
383. Charter by James Earl Bothwell, superior of the lands of Easter Craig, proceeding on the reduction and retractation of the decree by which the foresaid lands had been forfeited by John Cockburn of Ormiston, and on the retractation of the infestment therein of Sir Walter Scott, etc., of the foresaid lands to the said John Cockburn: to be held of the granter and his heirs and successors, in fee and heritage for ever, for rendering yearly to them one penny Scots on the ground of the said lands: with precept to his bailie to give sasine. Dated at Edinburgh, 21st April 1567, 422
384. Patent by King Charles the Second, whereby the King, in consideration of the promising endowments of Sir James Scott, knight, and the love the King cherished for him, out of his special grace and certain knowledge and mere motion, raises him to the dignity of Baron Scott of Tindall, in the county of Northumberland: to have and to hold the said dignity to the said James Scott and the heirs-male of his body for ever, with a seat, place, and voice in the Parliaments and Councils, with all the privileges of other barons of England: also to be Earl of Doncaster, in the county of York (*with clauses as above*), with gift of an annual rent of £20 sterling, so that they may be able to carry themselves . . . according to the style befitting the said name:” also to be Duke of Monmouth (*with clauses as above*), with gift of an annual rent of £40 sterling. Dated at Westminster, 14th February [1663], 124

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385. Translation, in English, of the preceding patent of the dignities of Baron Tynlall, Earl of Doncaster, and Duke of Monmouth,.....	427
386. Patent by King Charles the Second, whereby, in the hope that James Duke of Monmouth, his natural son, may be able to act with advantage in the management of Scotch affairs, and desiring to increase in honour that family now bound to his Majesty by the affinity of his said son, he creates the said James Duke of Monmouth, and the heirs-male of his body by Anna Countess of Buccleuch; whom failing, the heirs whatsoever of his body who shall succeed to the estates and earldom of Buccleuch, to be Dukes of Buccleuch, Earls of Dalkeith, Lords Scott of Whitechester and Eskdale, with all the privileges and the precedency thereto belonging in Parliament, etc. Dated at Whitehall, 20th April 1663; written to the Great Seal, 8th July 1663; and sealed at Edinburgh, 8th July 1663,...	431

APPENDIX OF CORRESPONDENCE.

387. Letter from Johan Van Oldenbarnevelt to Noel de Caron, knight, ambassador from the United Netherlands at the Court of King James the First of England, stating that his health was improved, but that the daily pressure of business was intolerable and he should require to leave the Hague to pass a month or six weeks without working; urging the necessity of the two nations taking common action against piracy; and referring to the affair of the Duke of Savoy. Dated at the Hague, 3d August 1611.	
English translation of the letter,	433
388. Letter from King James the Sixth to Walter Earl of Buccleuch, with reference to the Marquess of Hamilton's dealing with the Earl for some lands and teinds of the forfeited estate of Bothwell, which had been disposed by his Majesty to the Earl's father, earnestly recommending to him the performance of that purpose. Dated at Newmarket, 10th December 1622.....	435
389. Obligation, superscribed by King James the Sixth and subscribed by Charles Prince of Wales, whereby, on the narrative that Walter Earl of Buccleuch	

- was about to dispose to James Marquess of Hamilton part of the forfeited estate of Bothwell, they engage *in verbo principis* not to restore any of the deceased Earl of Bothwell's children or posterity to any part of the forfeited lands, without consent of the said Marquess of Hamilton and Earl of Buccleuch; also ordaining this obligation to be registered in the Books of Council. Dated at Newmarket, 10th December 1622. 135
390. Letter from Charles Prince of Wales to the Earl of Buccleuch, recommending him to proceed to the disposition (*ut supra*) to the Marquess of Hamilton. Dated at Newmarket, 10th December 1622. 136
391. Copy Letter from King Charles the First to the Lord Advocate, informing him that the two noblemen present who had interest in the Bothwell estates had submitted their right to the King's will, as if the Act of Prescription had not been made; requiring him to draw up sureties of their renunciation, and to make interruption in the King's name to the Earl of Buccleuch and others interested who might not renounce in due time; with further order to draw up a power to Francis Stewart, son of the deceased Earl of Bothwell, to make interruption to the Earl of Buccleuch and others not renouncing, should the interruption in the King's name not be sufficient. Dated March 1630, 137
392. Letter from King Charles the First to the Privy Council of Scotland, authorising them to obtain a true rental of the abbacy of Kelso, as he had before required them to obtain of the lands of the earldom of Bothwell, possessed by the Earl of Buccleuch, etc. Dated at Nonsuch, 31st August 1631. 138
393. Copy Letter from the Privy Council of Scotland to King Charles the First, intimating that the Earls of Roxburgh and Buccleuch had submitted to them the rentals of the Bothwell estates and abbacy of Kelso, with information as to the churches under lay patronage belonging to the Earl of Buccleuch. Dated at Holyroodhouse, 13th November 1632, 138
394. Copy Letter from King Charles the First to the Privy Council of Scotland, requiring that the Minute of Contract formerly subscribed by the deceased Earl of Buccleuch and Francis Stuart should be extended; that the said Francis should be entered to the uplifting of the duties, etc., due since

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the Royal decree, renouncing all title to the other lands etc. not coming under the decree, except to such as were not valued by the deceased Earl or were renounced by him, for the recovery of which the said Francis might plead ; and that both parties should sign the contract when it was expedite. Dated at Greenwich, 26th May 1634,	440
395. Letter from King Charles the First to Sir John Scott of Scotstarvit, and the other tutors of the Earl of Buccleuch, requesting them to repair with all convenient diligence to Court, as his Majesty was desirous that the business between the Earl of Buccleuch and Francis Stuart should be brought to an end. Dated at Bagshot, 15th September 1635,	441
396. Letter from King Charles the First to the Privy Council of Scotland, recommending that all process concerning the business between the Earl of Buccleuch and Francis Stuart should cease till the arrival of the tutors of the Earl, and that the Council should signify his Majesty's pleasure to any judicature concerned therein. Dated at Hampton Court, 27th October 1635,	441
397. Letter from King Charles the First to the tutors of the Earl of Buccleuch, asking them to repair to Court before the 1st of March, regarding the business between the Earl and Francis Stuart. Dated at Whitehall, 11th January 1636,	442

APPENDIX OF MISCELLANEOUS PAPERS.

398. Indenture between William of Douglas of Drumlanrig and David Scott of the Buccleuch, whereby it is agreed that James of Douglas, son and apparent heir of the said William, should marry Jonet Scott, daughter of the said David, "in all goodly haste;" the said David paying to the said William, his heirs or assignees, as tocher with the said Jouet, 500 merks Scots—100 at the completion of the marriage, 50 at the next Martinmas thereafter, 50 at the following Whitsunday, and 50 at each succeeding term till the whole 500 merks were paid; the said William to infest the said James and Jonet his spouse in £20 worth of his lands, as specified, in the barony of Drumlanrig, on the completion of the marriage; the

- said David to make the lands of Whitechester to be held in ward and relief of the said William, and if that could be done without prejudice to the said David's heritage, to become his tenant thereof within 40 days after the next justice-eyre at Jedburgh, etc. Dated at Edinburgh, 5th November 1470, 443
399. Decreet by the Lords of Council, in the action at the instance of Walter Kerr of Cessford, Walter Scott of Branxholm, and Elizabeth Kerr his spouse, spouse of the deceased Philip of Rutherford, son and apparent heir of James Rutherford of that Ilk, ordaining the said James to pay to the said Elizabeth the sum of 50 merks Scots, being the third part of 100 merks withheld from her for a year and a half bypast, and letters to be written for distraining his lands and goods therefor; also that he should give to her in liferent the third part of 100 merks' worth of land; according to a decreet-arbitral betwixt the said parties, etc. Dated 23d October 1495, 444
400. Contract betwixt Sir Walter Kerr of Cessford, knight, John Hume of Cowdenknows, Andrew Kerr of Fawdonside, Thomas Kerr of Mersington, George Kerr of Linton, and other Kerrs therein specified, taking burden on them for their bairns, friends, etc., on the one part: and Walter Scott of Branxholm and Buccleuch, with consent of James Duke of Chatelherault, Sir John Maxwell of Terregles, knight, and others his curators, taking burden for his whole surname, William Cranston of that Ilk, John Glaidstanis of that Ilk, etc., as after follows:—The said Laird of Buccleuch, nor any of those for whom he takes burden, to pursue the Laird of Cessford, etc., for any slaughter in time bypast, and to be perpetually secluded therefrom *per pactum de non petendo*, but not to be prejudiced in their lawful actions against Sir Thomas Kerr of Ferniehirst, knight, and other Kerrs specified, who had refused to take part in this contract: the Laird of Cessford, etc., not to pursue the said Laird of Buccleuch, etc.: and for the more sure staunching of grudge between the parties through the slaughter of the deceased Sir Walter Scott of Branxholm, knight, the Laird of Cessford to come to St. Giles's Kirk, in Edinburgh, on the 23d March instant, and on his knees ask forgiveness of God and the Laird of Buccleuch, and promise to truly keep this contract.

the Laird of Buecleuch then to promise to remit the grudge and to observe this contract : Thomas Kerr, second son to the Laird of Cessford, to marry

Scott, sister to the Laird of Buecleuch, under provisions therein specified : George Kerr, eldest son and apparent heir of Andrew Kerr of Fawdonside, to marry Janet Scott, father's sister to the Laird of Buecleuch, as soon as they were of perfect age, without tocher on either side, with provision that, in case of failure of either or both by death, the eldest surviving son in the one family should marry the eldest surviving sister in the other, until a marriage were accomplished, and that, in case of failure by default of the Kerrs, the Laird of Cessford should pay 1000 merks to Janet or her sister : the Laird of Buecleuch obliging himself under penalty not to agree with those Kerrs who had refused to take part in this contract, without the consent of the Laird of Cessford : and also the said Walter Kerr of Cessford, and James Ormistoun of that ilk, to submit, in their deadly feud and actions, etc., regarding certain lands, to chosen judges, the Laird of Buecleuch to "tak pairt and forfite in honest and lesun maner" with the party abiding by the decreet in case the other should reclaim therefrom : finally, all the parties to the contract to settle their "contraverses or pleys" by arbitration, in manner specified. Dated at Edinburgh, 22d March, and registered in the Books of Council, 23d March 1564, 445

401. Contract between Walter Scott of Branxholm, knight, for himself and Walter Chisholm of that ilk, and their kin, etc., with consent of his curators, on the one part, and Andrew Kerr of Hirsell, knight, for himself and James Kerr of Corbet, Walter Hogg, and their kin, etc., on the other part : ament the slaughter of the deceased Walter Scott of Branxholm, knight, and all other quarrels in time bygone :—the said Sir Andrew and James Kerr, with their kin, etc., to make homage for the said slaughter to Sir Walter and his friends in Melrose parish kirk, on Sunday, the 13th March : John Kerr, oy to Sir Andrew, to marry Elizabeth Murray, lawful sister of Sir Walter, when he was fourteen years of age, it being further provided that, in case of the decease of either or both, each brother succeeding to Sir Andrew's heritage should marry the said Elizabeth or her eldest surviving sister, under penalty of 1000 merks, to be paid by Sir Andrew and

- his son Walter Kerr of Dolphinton, in case of default ; with other conditions specified in the deed of contract. This contract to be registered in the Books of Council. Dated at Melrose, 26th February, and registered 9th March 1568-9. 451
102. Inventory and Testament of Walter Scott of Braxholm, knight, showing the "irie geir," after deduction of the debts of the deceased, to be £1395, 12s. Testament dated at Hawick, 11th April 1574. 454
103. (A.) Inscription on a flat stone, formerly in St. Mary's Church, Hawick, over the grave of Walter Scott of Goldielands, who died in 1596.
(B.) Inscription on a mural tablet, formerly in St. Mary's Church, Hawick, entitled, "The Descriptionne of Walter Scot of Govdilandis his Qualities," 460
104. Receipt by Elizabeth Scott, Lady Erskine, for 3000 merks, bestowed on her by her brother, Francis Earl of Buccleuch, on her marriage. Dated at Stirling Castle, 4th August 1641. 461
105. Contract of marriage between James Duke of Monmouth and Anna Countess of Buccleuch, whereby King Charles the First, on behalf of his son, the said Duke of Monmouth, binds himself to bestow £49,000 sterling for the purchase of lands in Scotland, in favour of the Duke of Monmouth, and the heirs-male to be gotten betwixt him and the said Countess Anna, etc. : and the said Countess, with advice of her curators, binds herself to resign her title and lands of Buccleuch—fully specified in the contract—in the hands of his Majesty and all her immediate lawful superiors, for new infeftments in favour of the said Duke and Countess in conjunct-fee or liferent, and the heirs-male to be gotten betwixt them ; whom failing, in favour of the heirs-male to be gotten of the said Countess ; whom failing, in favour of the eldest heir female to be gotten of their bodies, etc. : with procuratory by the said Countess for such resignation, and clauses of reservation, etc. Dated at Whitehall and Edinburgh, 15th and 20th April 1663, 461
106. Instructions by King Charles the Second, signed by the Earl of Lauderdale, to Richard Hopton, Esquire, gentleman of the privy chamber, directing that the curators of the Duke of Buccleuch and Monmouth should cause to be brought in the accounts of those who had managed the Buccleuch

- estates since the late Earl's death, recover and return all debts owing to the Duke and Duchess : that all arrears of rents since the death of the Earl and of the Countess Mary should be returned to England, provision being made for the payment of pensions, etc., in Scotland : that an exact list of pensions from the estate of Buccleuch should be sent to the Duke's commissioners for his Majesty's inspection, also a perfect rental, and a perfect inventory of the heirship goods and household stuff of the family : that true attested copies of the Duke's contract of marriage, etc., be sent to his commissioners, etc. Dated 22d March 1665-4, 482
407. Account of the establishment of the Duke and Duchess of Buccleuch ; comprising the wages, board wages, and liveries of their servants, chaplain, etc., the expenses of the stables, the Duke and Duchess's clothes and purse, etc., in all amounting to £7035, 13s. Dated 1665,..... 484
408. Decree-arbitral by King Charles the Second, whereby, on the narrative of the submission of their interest, by the executors of the deceased Mary Countess of Buccleuch, to his Majesty's decision, his Majesty ordains that certain debts from the Earl of Eglington, etc., belong to the Duke and Duchess of Monmouth, and the moveable bonds to the executors foresaid. Given at Whitehall, 10th July 1666, 487
409. Extract from the journal of John Paterson, Archbishop of Glasgow, containing the report of a statement that the Earl of Newburgh and Mr. Edward Progers were present at King Charles's marriage with the Duke of Monmouth's mother. Dated 20th February 1696, 488

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u. s. q. u. e. s. y. B. o. n. a. t. e. d. e. C. e. l. e. d. i. a. n. a. t. o. u. e. s. e. o. m. m. u. e.
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C. x. q. u. e. d. i. b. e. t. a. t. i. q. u. e. R. i. c. h. C. a. n. e. l. l. a. y. O. m. n. i. s. t. i. p. s. i. d. i.
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R. e. g. n. i. n. i. p. r. i. m. a. p. u. b. : s. i. d. e. l. e. t. e. : D. o. r. e. l. e. s. i. o. q. u. a. r. s. d. i. p. e. : C. a. n. o. n. i. s. i. b. i. d. C. a. n. o. n. i. s. i. b. i. d. c. o. n. s. a. l. l. i. a. m. j. e. d. i. t. o. c. o. m. o. n. i. b. : a. d. i. l. l. u. d. p. a. n. e. i. b. : C. a. p. e. l. l. a. m. q̄. n. e. s. u. n. d. i. c. i. : i. n. S. a. l. t. e. n. o. n. o. r. t. o. m. o. j. T. e. r. n. o. m. q̄. s. t. h. e. : D. e. c. a. m. J. o. n. v. e. n. a. t. i. o. n. i. s. R. e. g. i. n. i. b. e. n. e. i. c. e. l. l. U. n. c. l. o. n. a. : M. a. r. c. h. u. e. i. t. u. r. a. i. p. t. e. r. s. i. d. i. C. r. i. m. e. s. e. r. b. e. R. a. y. p. e. l. l. a. w. : c. i. u. r. a. t. d. i. n. i. s. i. d. e. d. e. l. i. c. i. i. s. v. i. l. l. o. s. p. u. n. o. n. i. b. : i. n. B. o. v. e. : p. l. a. n. o. p. a. n. c. i. p. i. t. a. t. i. s. c. u. l. t. u. r. s. V. n. a. m. a. n. t. i. s. i. m. i. n. u. r. b. o. j. R. a. d. s. V. n. a. o. d. a. t. i. a. m. i. n. B. e. q. v. T. e. r. r. a. m. q̄. d. a. l. t. i. n. i. m. e. d. e. B. e. r. w. s. u. p. h. i. v. a. l. a. c. u. m. J. e. f. f. o. s. o. o. p. t. i. u. a. u. r. e. : U. n. a. m. J. a. q̄. n. e. : c. o. n. e. i. n. s. t. i. t. u. t. i. o. n. e. q. u. e. i. n. T. o. u. l. n. a. r. h. o. p. C. a. d. v. e. r. i. f. i. c. a. t. i. o. n. e. : N. i. s. t. a. n. d. i. n. a. l. i. p. p. r. i. e. u. b. i. : R. e. q̄. : I. g. n. a. n. o. m. e. s. : r. o. d. r. i. c. u. s. a. d. h. u. i. n. t. r. e. c. e. s. s. u. a. t. i. o. n. e. : u. b. i. r. e. p. t. e. : p. e. m. R. a. d. h. o. p. : U. l. t. i. m. e. : p. o. l. e. r. i. t. a. t. i. o. n. e. d. e. o. n. i. b. : h. o. i. b. : j. e. d. i. t. o. u. b. i. c. a. s. t. e. l. l. u. m. : V. n. a. m. S. a. l. m. a. n. i. n. i. p. t. a. S. e. r. v. a. t. : K. u. l. a. m. B. e. r. c. a. : s. i. g. n. a. t. i. o. n. e. s. d. i. n. s. i. t. a. : m. a. n. o. n. : p. l. a. n. o. p. a. n. c. i. p. i. t. a. t. i. s. : J. a. q̄. n. t. : i. n. o. n. i. b. : r. e. b. : a. d. e. a. n. d. e. v. i. l. l. a. m. n. i. s. t. e. p. a. n. e. i. b. : d. i. a. m. i. n. C. a. m. b. r. i. a. : x. l. i. b. e. r. t. a. m. q̄. r. e. : q̄. i. p. s. i. a. c. a. n. o. n. i. a. h. a. b. u. e. r. e. i. n. i. n. S. a. p. i. n. g. h. e. o. n. s. : J. C. v. D. o. n. o. J. i. c. a. n. s. s. p. i. r. i. m. a. R. e. q̄. : a. d. : C. a. r. l. a. m. d. i. b. y. p. a. n. a. : C. a. r. l. a. m. d. e. r. e. n. d. o. n. a. F. e. i. n. B. o. r. g. o. m. e. d. i. s. t. b. o. v. : i. n. u. t. o. b. e. r. v. y. q. u. a. s. F. e. i. n. d. o. m. i. b. : a. n. t. q̄. h. a. b. u. e. i. n. B. o. r. g. o. m. e. d. i. b. e. r. w. : c. a. t. e. n. l. i. b. e. r. t. a. t. i. o. n. e. : s. e. l. e. x. n. u. l. l. u. s. o. m. n. i. h. u. i. v. i. R. e. q̄. T. u. r. i. c. a. v. i. m. a. d. a. r. g. o. c. a. p. i. t. i. l. l. i. c. a. : a. n. t. i. b. a. s. i. a. : i. n. r. i. b. i. t. u. a. c. i. t. a. : r. e. r. e. q̄. r. e. p. r. e. s. u. a. n. e. C. u. r. i. a. m. P. i. s. c. a. r. a. t. i. s. i. n. J. u. d. i. c. a. m. f. i. l. i. e. q. u. e. s. s. u. p. P. o. n. t. : q. u. a. m. v. e. n. i. t. i. n. S. a. m. b. o. r. a. J. u. r. o. m. e. l. i. b. e. r. a. : s. q. u. e. r. a. p. o. l. l. e. d. i. c. i. t. : E. x. d. o. n. o. C. e. s. t. i. a. : v. y. c. o. m. m. u. n. i. t. a. s. p. a. l. l. i. n. g. u. a. m. C. a. p. p. u. a. t. a. t. e. r. e. : d. i. m. i. d. i. a. m. e. s. q. u. e. r. a. c. a. p. a. m. : i. n. a. m. a. r. i. t. : E. x. d. o. n. o. B. e. r. w. i. c. i. t. i. s. : u. n. i. o. p. r. a. t. i. o. n. e. m. o. n. e. r. a. d. i. n. d. o. c. a. r. l. q. u. a. l. : : i. j. 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C. e. l. l. d. i. a. n. a. c. a. t. e. : c. o. m. m. u. n. i. s. p. a. l. l. i. n. g. : s. o. v. o. n. a. n. t. e. s. o. v. a. l. a. i. v. e. d. i. s. t. i. c. t. i. a. : E. x. n. u. o. v. i. b. o. r. g. o. m. e. : s. o. v. o. m. e. p. a. l. l. i. n. g. : i. n. o. m. n. i. s. s. o. v. a. l. a. i. c. i. u. r. a. s. h. o. i. b. : a. n. t. e. v. i. l. l. e. p. r. e. n. d. i. a. : q. u. a. s. i. f. i. d. e. v. y. o. r. t. q̄. r. e. : d. i. a. p. e. d. e. H. a. p. e. m. o. n. i. t. p. o. c. e. t. : G. s. i. f. i. s. t. : a. n. d. e. d. e. c. a. t. i. o. n. e. s. h. e. m. o. d. i. R. e. q̄. : a. d. : c. o. n. s. e. l. a. c. a. n. o. m. i. t. d. a. n. t. : E. x. d. o. n. o. R. a. d. f. i. l. d. e. n. a. q̄. : v. y. o. r. t. a. d. v. e. r. b. e. : v. n. a. m. c. a. p. p. u. a. t. a. t. e. r. e. i. n. K. i. n. g. d. o. m. i. n. e. r. e. v. a. n. c. i. s. i. l. l. e. p. a. l. l. a. r. a. : E. x. d. o. n. o. T. i. n. g. d. i. R. o. s. t. e. d. i. : D. o. m. u. R. e. l. i. q. u. i. o. s. d. i. s. t. : c. i. u. r. a. q̄. a. d. a. d. a. n. t. e. : C. a. r. l. a. m. q̄. d. i. K. u. d. i. a. m. e. : e. i. s. o. r. i. b. : a. d. i. l. l. i. p. a. n. e. i. b. : E. x. d. o. n. o. G. u. d. i. s. i. d. i. s. t. : a. s. s. e. n. t. e. r. c. o. n. s. e. n. t. e. R. a. d. s. i. n. s. i. n. : i. j. y. a. q̄. s. i. m. e. C. e. l. l. d. i. l. l. : u. b. i. C. e. l. l. c. o. n. t. e. n. i. t. e. t. e. h. e. b. a. t. e. a. q. u. e. a. f. o. l. l. a. d. i. l. l. u. s. q. u. a. d. e. t. e. l. l. a. m. d. i. l. l. : E. x. d. o. n. o. R. a. d. s. o. t. : C. a. r. l. a. m. d. : v. i. l. l. e. d. i. l. l. : C. e. l. l. a. m. d. d. o. s. i. m. e. i. n. p. e. r. a. B. e. r. w. i. c. : s. a. m. u. d. a. d. c. a. p. p. u. a. t. a. t. e. r. e. i. n. u. i. d. e. n. t. i. b. : E. x. d. o. n. o. C. e. p. a. r. l. : q. u. a. p. a. n. c. i. t. : a. n. o. m. i. s. f. a. l. e. i. s. : R. a. d. s. i. n. s. i. n. : C. e. l. l. a. m. d. i. B. o. l. d. e. s. t. e. a. o. m. i. b. : p. a. n. e. i. b. : s. q. u. a. d. d. i. n. t. i. a. : E. x. d. o. n. o. V. i. l. l. i. d. e. v. e. r. P. o. n. t. : v. n. a. c. a. p. p. u. a. t. a. t. e. r. e. i. d. e. n. o. s. i. u. i. n. d. e. v. e. r. e. : c. i. u. m. n. i. a. i. n. s. i. m. e. n. s. v. i. l. l. e. : D. e. a. n. o. m. i. a. n. a. m. a. r. t. e. p. e. r. p. i. e. n. a. r. e. : d. i. o. v. i. t. e. o. a. q. u. e. s. : s. i. p. d. i. c. i. t. a. s. c. a. n. o. m. i. s. c. o. n. c. e. d. o. : s. i. m. u. : s. i. a. n. e. i. n. a. r. e. n. a. t. : p. a. l. l. o. s. i. n. i. m. e. r. a. : i. o. t. o. z. p. l. o. z. i. m. e. s. q. u. i. b. o. n. a. p. o. c. e. t. a. s. c. o. m. m. e. r. i. t. : s. e. m. p. t. o. m. m. u. n. e. a. s. : V. o. l. o. i. t. a. q̄. d. e. i. n. i. n. e. p. a. p. o. : u. n. o. m. i. a. q. u. e. n. i. a. : n. i. p. o. s. s. i. d. e. : u. b. i. a. n. t. q̄. v. i. l. l. e. p. o. s. s. i. b. i. l. i. t. a. t. e. : r. e. a. l. i. b. e. : p. u. r. e. : o. m. n. i. r. e. n. o. a. : c. r. a. c. i. s. : s. i. q̄. n. o. C. a. n. o. n. i. e. m. e. t. p. a. s. p. r. e. t. a. t. c. o. m. m. i. s. i. o. n. a. l. i. s. i. n. l. i. b. e. r. t. a. t. i. b. : l. i. b. e. r. t. a. t. : c. o. n. s. e. r. v. a. t. i. o. n. e. : c. o. n. f. i. r. m. a. n. o. n. e. : d. i. a. c. o. r. a. t. e. m. e. a. p. o. s. s. i. b. i. l. i. t. a. t. e. : s. i. q. u. i. d. i. q̄. a. n. o. m. i. a. p. o. s. s. i. b. i. l. i. t. a. t. e. : l. i. b. e. r. t. a. t. : u. b. i. q̄. c. o. n. s. e. r. v. a. t. u. r. a. c. i. n. s. i. n. o. n. a. l. i. s. i. b. : h. u. e. q. u. i. d. e. r. e. c. a. l. l. a. t. a. : a. n. a. l. i. b. e. r. t. a. t. : q. u. e. a. d. i. q̄. h. o. n. e. s. t. a. t. p. o. s. s. i. b. i. l. i. t. a. t. : D. u. i. a. n. t. c. a. n. s. t. i. o. n. i. t. : c. o. n. s. p. i. r. a. t. i. o. n. i. s. i. n. e. T. e. l. l. e. r. h. i. s. t. o. r. e. R. e. q̄. C. i. p. d. e. d. i. c. i. t. : C. i. q̄. C. i. p. d. e. C. i. a. q̄. l. o. b. a. b. b. d. e. C. a. l. o. : C. i. q̄. a. l. l. d. e. h. e. r. a. t. i. q̄. : H. i. c. G. i. n. e. l. l. a. t. i. : D. i. a. s. q̄. r. e. d. i. d. i. s. t. o. n. a. t. : R. a. d. c. a. p. e. l. l. : W. a. l. l. e. f. i. l. i. : R. a. d. d. o. p. p. a. n. t. : P. h. i. l. d. G. i. l. l. o. m. i. t. : R. o. b. a. n. e. d. : B. e. q. u. a. s. i. f. i. l. i. B. y. r. i. n. : C. e. l. l. i. f. i. l. : R. a. d. q̄. v. i. l. l. : D. i. l. d. D. u. e. c. h. : A. q̄. P. o. l. l. e. t. :

THE BUCCLEUCH MUNIMENTS.

1. CHARTER by KING WILLIAM THE LION to the CHURCH OF ST. MARY of Jedworth, confirming all prior grants and privileges. [*Circa 1165.*]

WILLELMUS Dei gracia Rex Scottorum, episcopis, abbatibus, prioribus, comitibus, baronibus, justicijs, vicecomitibus, ceterisque hominibus totius terre sue, Francis, Anglis et Scottis, cunctisque sancte Dei ecclesie filijs, salutem : Ex suscepto regimine regni incumbit nobis ecclesiam Dei et ecclesiasticas diligere personas, et non solum de nostris eis benefacere, set etiam beneficia ab alijs Dei fidelibus eis collata auctoritate regia confirmare, et cum sua eis integritate conservare : Inde est quod nos, consilio proborum hominum nostrorum, possessiones et bona que a predecesoribus nostris et ab alijs regni nostri principibus et fidelibus Deo et ecclesie sancte Marie de Jeddworth et canonicis ibidem Deo servientibus collata sunt presenti eis privilegio confirmamus : Videlicet, ex dono Regis Daudid, monasterium Jeddworthense cum omnibus ad illud pertinentibus; capellam quoque que fundata est in saltu nemoris contra Xerwingslawe; decimam totius venationis Regis in Theuetedalia; Ullestonam, Alneclive iuxta Alneclumb, Crumesethe, Rapeslawe, cum rectis diivisis ad easdem villas pertinentibus, in bosco et plano, pratis, pascuis et culturis; vnam maisuram in burgo Rochesburgh; vnam maisuram in Berewic, terciam quoque maisuram in eadem Berewic super Twedam, cum tofto suo circumiacente; unam aquam que est contra insulam que uocatur Tonsmidhop; Eadwardesle, pascua animalium proprie ubi et Regis; ligna nemorum et materiam ad suas necessitates, ubi et ipse, preter in Quikeheg; molturam molendini de omnibus hominibus Jeddworthensibus ubi castellum est; vnam salinam iuxta Strevelin; Rulam Hereuei, per suas rectas diivisis in nemore et plano, pratis et pascuis et aquis et in omnibus rebus ad eandem villam iuste pertinentibus, datam in escambio . x . libratarum terre quas prefati canonici habuerant in Hardlinghestorn; ex dono dilecti fratris mei Regis Malcolmi, ecclesiam de Barton et ecclesiam de Grendona; et in burgo meo de Jeddworth unum toftum, et

· vij · acras : et in domibus suis quas habent in burgo meo de Berewie talem libertatem, scilicet, ut nullus ministrorum Regis tenella vini a mercatoribus illuc allata et ibi euacuata exigere presumat : et unam piscariam in Tuede, illam, scilicet, que est supra Pontem quam Willelmus de Lambertona auctore meo liberam et quietam reddidit ; ex dono Gospatrici vicecomitis in Craaling, unam carrucatam terre et dimidiam et tres acras cum · ij · maisuris ; ex dono Berengarii Engaini, unam marcam argenti in molendino eiusdem Craaling, et · ij · bouatas terre cum uno villano et uno tofto, et ad sustentamentum uictus capellani capelle eiusdem ville seruituri, alias · ij · bouatas terre cum alio tofto, et unum aliud toftum iuxta ecclesiam ; ex dono David Olifer, decimam molendi eiusdem Craaling ; ex dono Oromi filii Eilau, unam carrucatam terre in altera Craaling ; ex dono Ricardi Angli, duas bouatas terre in Seragesburgh, et duas bouatas terre in Langeton ; ex dono Gameli clerici, Cauerum, Osulfo et Vghtrredo filiis eius concedentibus illius donationem ; ex dono Margarete vxoris Thome de Londonia, concedentibus eodem Thoma et Henrico Louel filio eiusdem Margarete, Vghtrrede-xaghe cum suis rectis diuisis ; ex dono Christiane vxoris Gervasii Ridal, terciam partem ville de Xernwingselawe ; ex dono Gaufredi de Perci, ecclesiam de Oxenham cum · ij · carrucatis terre et · ij · bouatis eidem ecclesie adiacentibus, et communem pasturam et communem foaliam eiusdem Oxenham, et Niwebigginghe, et communem pasturam et communem foaliam cum ceteris hominibus eiusdem ville Oxenham, quam scilicet Niwebigginghe Henricus de Perci, post mortem predicti Gaufredi fratris sui, ante dilectum fratrem meum Regem Malcolmum concessit canonicis datam ; ex dono Radulphi filii Dunegalli et vxoris eius Bethoe, unam carrucatam terre in Rughechestre et communem eiusdem ville pasturam ; ex dono Turgot de Rossedalia, domum religionis de Lidel, cum tota terra ei adiacente, ecclesiam quoque de Kirchandres cum omnibus ad illam pertinentibus ; ex dono Guidonis de Rossedalia, assensu et consensu Radulphi filii sui, · xliij · acras inter Esch et Lidel, ubi Esch et Lidel conueniunt, et libertatem aque a fossa de Lidel usque ad ecclesiam de Lidel ; ex dono Ranulphi de Solis, ecclesiam de Valle Lidel, et ecclesiam de Dodintun iuxta Bertonam, et dimidiam carrucatam terre in Nasebith ; ex dono Gervasii Ridal, qui post factus est canonicus Jeddworthensis, et Radulphi fratris sui, ecclesiam de Alboldesle, cum omnibus pertinentiis et rectitudinibus suis ; ex dono Willelmi de Veteri Ponte, unam carrucatam terre de dominio suo in Caredene, cum communi aisiamento ville : Hec autem omnia ita integre et plenarie, Deo et beate Marie et supradictis canonicis concedo et confirmo, sicut in autentice predecessorum meorum et aliorum proborum uirorum qui bona predicta eis contulerunt, scriptis continetur. Volo itaque

W. di. q. r. r. sonac. D. n. m. b. p. h. s. hominib; t. o. t. t. p. e. s. i. e. t. a. c. i. e. s. q. u. l. a. r. i. s. f. a. l. S. a. n. c. t. p. l. e. n. e. s. s. i. m. i. t. i. n. e. /
me dedisse ⁊ concessisse ⁊ hac uia capta ⁊ firmasse Andree filio d. n. u. i. t. V. i. s. t. a. d. p. p. e. c. c. a. s. d. i. n. i. s. a. s. f. a. l. t. e.
de p. u. n. i. l. o. d. e. l. o. n. g. h. o. p. e. v. s. q. ad g. d. o. s. u. m. e. r. a. i. s. p. h. i. p. i. p. r. e. a. l. i. e. s. i. c. u. t. m. a. g. n. a. t. u. a. g. e. n. t. i. u. r. ⁊ g. e. n. t. i. a. n.
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n. 39. ad v. a. c. e. l. l. u. m. q. u. i. i. n. p. r. i. m. o. o. p. r. i. u. m. n. e. s. s. i. t. a. q. u. i. l. o. n. e. ⁊ d. e. s. c. e. n. d. i. t. i. n. p. u. n. i. t. u. d. e. l. o. n. g. h. o. p. e. ⁊ i. n.
m. i. n. u. s. d. e. l. o. n. g. h. o. p. e. d. e. s. c. e. n. d. e. n. d. o. v. s. q. ad d. i. n. i. s. a. s. d. n. i. m. d. e. A. s. k. e. c. h. i. r. e. h. e. T. e. n. e. n. d. o. d. e. m. e. h. e. e. b. i. t.
m. e. i. s. s. i. b. i. ⁊ h. e. d. e. b. ⁊ e. u. s. l. i. b. e. ⁊ q. u. e. r. e. ⁊ h. o. n. o. r. i. f. i. c. e. a. b. o. i. s. e. q. u. i. t. i. a. ⁊ g. f. i. e. n. d. i. t. i. n. i. n. b. o. s. q. p. l. e. n. o.
⁊ p. a. s. s. i. s. ⁊ a. i. s. s. ⁊ c. i. i. l. i. b. e. r. a. t. e. m. o. l. e. n. d. i. m. R. e. d. d. u. d. o. i. n. u. s. i. n. g. u. l. a. s. a. n. n. i. s. x. s. o. l. T. e. p. o. y. u. n. d. e. p. a.
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ae firmiter precipio, ut omnia quecunque modo possident, uel deinceps iuste possessori sunt, ita libere et pure, omni remota exactione, suprafati canonici mei pace perpetua, cum omnibus monasterij sui libertatibus, liberisque consuetudinibus confirmatione et auctoritate mea possideant, sicut aliqui canonici possessiones et libertates liberasque consuetudines sui monasterij, siue quelibet ecclesiastica iura, liberius, quietius atque honestius possident. Huius autem concessionis et confirmationis mee testes hi sunt: Ricardus episcopus de Sancto Andrea, Engelramus episcopus de Glasgw, Johannes abbas de Calceo, Euerardus abbas de Holecultram, Nicholaus cancellarius, Matheus archidiaconus de Sancto Andrea, Ricardus capellanus, Walterus filius Alani, Ricardus de Moreuille, Philippus de Valonijs, Robertus Auenel, Bernardus filius Brien, Gillebertus filius Richerij, Dauid Onieth. Apud Pebles.

2. CHARTER by KING WILLIAM THE LION to ANDREW, son of Viuet, of the lands of Witslade [1165-1171.]

WILLELMUS Dei gratia Rex Scocie, omnibus probis hominibus totius terre sue, tam clericis quam laicis, salutem. Sciant presentes et futuri me dedisse et concessisse, et hac mea carta confirmasse Andree filio Viuet, Witslade, per rectas diuisas, scilicet, de riulo de Longhope vsque ad Condosum ex australi parte Alne, sicut magna uia graditur, et ex eadem parte de riulo de Haruude usque ad proximum wacellum ab occidentali parte de Wiuenesae, et ex parte aquilonari Alne, a petia stante que est inter Witslade et Annemur vsque ad ortum de Blakeden, et [ab eodem] ortu usque ad wacellum qui in proximo oritur uersus aquilonem, et descendit in riulum de Longhope, et riulum de Longhope descendendo vsque ad diuisas Orm de Askeehirche: Tenendo de me et heredibus meis, sibi et heredibus suis, libere et quiete et honorifice, ab omni seruiicio et consuetudine, in bosco, et plano, et pratis, et pascuis, et aquis et cum libertate molendini: Reddendo inde mihi singulis annis .xx. solidos: Testibus, Episcopo Yngilramo de Glascu, Johanne abbate de Kelchou, Ricardo de Moreville, Ricardo Cumin, Roberto Auenel. Apud Treuequar.

3. CHARTER by WILLIAM OF SOULE, Knight, to the CHURCH OF ST. MARY of Jeddworth, of lands in Castleton. [Circa 1280.]

OMNIBUS hoc scriptum visuris uel auditoris, Willelmus de Soule, miles, salutem in Domino: Nouerit vniuersitas uestra me dedisse, concessisse, et hac carta mea con-

firmasse Deo et ecclesie beate Marie de Jeddworth, et abbati et conuentui eiusdem loci duas acras terre arabilis in territorio de Casteltoun, illas, videlicet, que iacent propinquiores cimiterio ecclesie eiusdem ville ex australi parte, et dimidiam acram prati in prato quod quondam Hugo Faber de me tenuit, prout dictam terram et pratum mensurari feci. et metas poni precepi, cum omnibus libertatibus, communis et asiamentis predictae terre ubique pertinentibus : Tenendam et habendam predictis abbati et conuentui in liberam puram et perpetuam elemosinam, adeo libere, quiete, pacifice et honorifice sicut aliqua elemosina liberius, quietius, plenius et honorificentius in regno Scocie tenetur et possidetur : Ego vero et heredes mei predictam terram cum prato et pertinencijs predictis contra omnes in perpetuum warantizabimus, acquietabimus, et defendemus : In cuius rei testimonium presenti scripto sigillum meum apposui : testibus, domino Johanne de Soule, fratre meo, domino Hugone de Perisby, militibus, Thoma de Soule, fratre meo, Ricardo de Soule, Roberto de Prendirlath, et alijs.

4. CHARTER by JOHN OF GRAHAME, Lord of Torboltone, to ROBERT OF GRAHAME, Lord of Walstone, of the patronage of the Church of Torboltone. [21st September] 1335.

VNIERSIS sancte matris ecclesie filiis presentem cartam visuris vel audituris, Johannes de Grahame dominus de Torboltone in Kyle Senescalli, salutem in Domino sempiternam : Noueritis me, pro me et heredibus meis, dedisse, concessisse, et hac presenti carta mea confirmasse Roberto de Grahame domino de Walstone, consanguineo meo, heredibus suis et suis assignatis, a me et heredibus meis in perpetuum, contradictione cuiusquam non obstante, jus patronatus ecclesie de Torboltone, cum terra de Vnthank super quam eadem ecclesia est fundata, nomine dotis eiusdem ecclesie, pro se et heredibus suis perpetuo possidendam et habendam : Et ego vero Johannes et heredes mei predicto Roberto, heredibus suis et suis assignatis, predi tam donacionem juris patronatus ecclesie antedictae de Torboltone, vna cum terra prenominata de Vnthank, cum omnibus suis libertatibus, contra omnes homines et feminas warandizabimus, acquietabimus et in perpetuum defendemus : In cuius rei testimonium presenti carte sigillum meum apponi feci, apud monasterium de Fale, die sancti Mathie apostoli. anno gracie millesimo trescentesimo tricesimo quinto ; hijs testibus, dominis Dauid de Lyndesay de Brenwele, Johanne de Lyndesay de Crakyne, militibus, Johanne de Crauforde de Comnok, Jacobo de Crauforde de Colrath, Alexandro de Rathe, et multis alijs.

Omnia hoc scripta visus in andreas Wille de Soule oxalis exalim in domino. Sicut dicitur
res sua me adesse concessisse. Et hac carta mea confirmasse. Deo et eter beate regie de sede et
alibi. Et cetera eiusdem lra duas ad tre arabie in regno de Mesopotam illa dicitur que ra
cent pinguetiam amittit etiam eiusdem ville ex austriali parte. Et omnidiam agrum qui in paco go
fiam hugo pale se me tenuit. Item deam lram et prum mansueti lra et meas pum pcepti.
Et omnibus libertatibus. Et a facientibus p dicitur de aliis pertinentiis. Et cetera et saluand.
p dicitur alibi. Et cetera in liberam p am et ppetuam demoriam adde hore quere pax se et honori.
sive. etiam alii elemosino libys quicquid p dicitur et honorificum in Regno scone tenet et p dicitur p d.
Ego vero et herede mei p dicitur lram in p dicitur et p dicitur. p dicitur et cetera in p dicitur p dicitur.
Simul p dicitur lram et descendimus. In cuius p dicitur et cetera in p dicitur p dicitur. p dicitur
p dicitur. Sicut p dicitur de Soule sic meo. Sicut hugone de p dicitur et cetera p dicitur p dicitur
meo. p dicitur de p dicitur. Et aliter p dicitur p dicitur.

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Venerabilis pater et dominus Johannes de Gresham dominus de Walsingham in Anglia et Cantuarie
 hunc ad nos transiit de Cantuarie Gresham in duo. Scilicet nos p[ro] salute anime mee a die et omnia sponte mee et illi ad nos p[ro]
 et salute anime domini successore meo. Illi p[ro] salute anime mee et illi ad nos p[ro] salute anime domini successore meo
 assepos ac assensibus lib[er]is de servitute in p[er]petuum servituri. Nos p[ro] salute anime domini successore meo et illi ad nos p[ro]
 tenentibus p[ro] salute anime domini successore meo et illi ad nos p[ro] salute anime domini successore meo et illi ad nos p[ro]
 domini successore meo et illi ad nos p[ro] salute anime domini successore meo et illi ad nos p[ro] salute anime domini successore meo
 de d[omi]no a d[omi]no tenentibus tam nominatis q[uam] no[n] nominatis ad d[omi]no p[ro] salute anime domini successore meo et illi ad nos p[ro]
 nobis p[ro] salute anime domini successore meo et illi ad nos p[ro] salute anime domini successore meo et illi ad nos p[ro]
 que vocantur Assensibus a t[er]ris acris p[ro]ximitate de ecc[lesi]a de Lyn de Carnegordou in t[er]ra p[ro] salute anime domini successore meo et illi ad nos p[ro]
 demondat[ur] qualiter d[omi]no tenentibus ab omni t[er]rena servitute p[ro] salute anime domini successore meo et illi ad nos p[ro]
 honore. Sicet aliqua d[omi]no tenentibus seu advocatis. Aliqua ecc[lesi]a in regno Dacie ab aliquibus p[ro] salute anime domini successore meo et illi ad nos p[ro]
 servitute. n[on] tamenque p[ro] salute anime domini successore meo et illi ad nos p[ro] salute anime domini successore meo et illi ad nos p[ro]
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 ut p[ro] salute anime domini successore meo et illi ad nos p[ro] salute anime domini successore meo et illi ad nos p[ro]
 rei et d[omi]no tenentibus hunc capite servitum meo p[ro] salute anime domini successore meo et illi ad nos p[ro] salute anime domini successore meo et illi ad nos p[ro]
 de Cantuarie. d[omi]no tenentibus Joh[ann]e de Gresham et p[ro] salute anime domini successore meo et illi ad nos p[ro] salute anime domini successore meo et illi ad nos p[ro]
 theobaldus a filio de Cantuarie. Roberto de Cantuarie tunc vicario de Cantuarie et Jacobo de Cantuarie. Nicholaus de Cantuarie
 p[ro] salute anime domini successore meo et illi ad nos p[ro] salute anime domini successore meo et illi ad nos p[ro] salute anime domini successore meo et illi ad nos p[ro]
 secundo

5. CHARTER by ROBERT OF GRAHAM, LORD OF WEYLSTOUN, to the CHURCH OF SAINT MARY OF MELROSE, of the patronage of the Church of Torboltoun. 11th July 1342.

VNIERSIS sancte matris ecclesie filiis presentibus et futuris, Robertus de Graham dominus de Weylistoun, in baronia de Walterothilkyle infra tenementum de Torboltoun, salutem in Domino: Noueritis me, pro salute anime mee et anime Emme sponse mee ac liberorum nostrorum, et pro salute animarum omnium antecessorum et successorum meorum, dedisse, concessisse, et hac presenti carta mea confirmasse Deo et beate Marie de Melros, ac monachis ibidem Deo seruientibus et in perpetuum seruituris, ius patronatus seu aduocacionem ecclesie de Torboltoun infra tenementum predictum, quam habui ex donacione Johannis de Graham domini nuper de Torboltoun, veri patroni eiusdem, et ex confirmacione domini mei Roberti senescalli Scocie et capituli Glasguensis, sede vacante, cum omnibus et singulis pertinentiis, iuribus, libertatibus, commoditatibus et aisiamentis tam nominatis quam non nominatis ad dictum patronatum seu aduocacionem spectantibus seu quouismodo spectare valentibus, vna cum decem acris terre arabilis quas eisdem limitaui nomine glebe, videlicet, septem acris que vocantur Vnthane, et tribus acris proximioribus diete ecclesie de terra de Carnegolayn, in liberam, puram et perpetuam elemosinam, quietam et solutam ab omni terreno seruiicio, consuetudine, exaccione seculari et demanda, ita libere, quiete, plene et honorifice, sicut aliquod ius patronatus seu aduocacionis alicuius ecclesie in regno Scocie ab aliquibus personis ecclesiasticis uel secularibus, a quocunque patrono, liberius, quietius, plenius et honorificentius tenetur uel possidetur: Et ego Robertus predictus et heredes mei totum ius patronatus seu aduocacionis ecclesie predictae prefatis religiosis et eorum successoribus in omnibus et per omnia, vt predictum est, contra omnes homines et feminas warantizabimus, acquietabimus et in perpetuum defendemus: In cuius rei testimonium huic carte sigillum meum apposui; hiis testibus, domino Roberto senescallo Scocie, milite, domino capitali de Torboltoun, dominis Johanne et Johanne Senescallo de Prowye et de Dernelley, Duncano Cambell, Johanne de Lyndesay de Thorystoun, et Alexandro de Rath, militibus, Roberto Walys tunc vicecomite de Are, Jacobo Boyde, Nicholao filio Walteri, Patricio filio Hugonis, et aliis: Apud Machlyn, xi^{ma} die mensis Julii, anno gracie millesimo trecentesimo quadragesimo secundo.

6. CHARTER by KING DAVID THE SECOND to JOHN OF DALKEITH, of the third part of the lands of Logtoun, which belonged to Laurence of Kympont. 7th December [1368.]

DAVID Dei gratia rex Scottorum, omnibus probis hominibus totius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto et fideli nostro Johanni de Dalketh, terciam partem terrarum de Logtoun, infra vicecomitatum de Edynburgh ; que quidem tercia pars terrarum de Logtoun, cum pertinenciis, fuit Lawrencij de Kympont, filij et heredis quondam Laurencij de Kympont, et quam terciam partem dictarum terrarum idem Laurencius, non vi aut metu ductus nec errore lapsus, set mera et spontanea voluntate sua nobis per fustum et baculum sursum reddidit, pureque et simpliciter resignauit, ac totum jus et clameum que in dicta tercia parte dictarum terrarum habuit vel habere potuit, pro se et heredibus suis omnino quietum clamauit et inperpetuum : Tenendam et habendam eidem Johanni, heredibus suis et assignatis, de nobis et heredibus nostris in feodo et hereditate, per omnes rectas metas et diuisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis suis quibuscunque ad dictam terciam partem spectantibus seu quoquo modo iuste spectare valentibus in futurum, adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia sicut dictus Laurencius dictam terciam partem dictarum terrarum aliquo tempore de nobis ante resignacionem suam nobis exinde factam liberius, quietius, plenius, integrius et honorificencius iuste tenuit seu possedit : Faciendo inde nobis et heredibus nostris dictus Johannes et heredes sui ac assignati seruicium de predicta tercia parte dictarum terrarum debitum et consuetum : 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, Roberto senescallo Scocie comite de Stratherne, nepote nostro, Willelmo comite de Douglas, Roberto de Erskyne, Archebaldo de Douglas, et Willelmo de Dysschyngtoun, militibus : Apud Perth, septimo die Decembris anno regni nostri tricesimo nono.

7. CHARTER by THOMAS, son of Walter, to HENRY OF DOUGLAS, of his land of Logtoun [1369.]

OMNIBUS hanc cartam visuris uel auditoris, Thomas filius Walteri, salutem in Domino sempiternam : Vestra nouerit vniuersitas me vendidisse et titulo vendicionis

alienasse Henrico de Douglas, filio domini Johannis de Douglas militis, totam et integram terram meam de Logtoun eum pertinentiis, infra vicecomitatum de Elynburghie, in constabularia eiusdem, ac totum jus juris et recti clameum que in dicta terra cum pertinentiis habeo seu aliquo titulo habere potero in futurum, pro quadam summa pecunie quam idem Henricus mihi pre manibus persoluit ad recuperacionem mee hereditatis: Tenendam et habendam totam et integram terram predictam cum pertinentiis prefato Henrico et heredibus suis, a me et heredibus meis et assignatis, in feodo et hereditate inperpetuum, libere, quiete, bene et pacifice, per omnes rectas metas suas et antiquas diuisas, in moris, marresiis, petarijs, pratis, pascuis et pasturis, apuis, stagnis et riuis, vijs, semitis, boscis, planis, aucupacionibus, venacionibus et piscarijs, molendinis, multuris et eorundem sequelis, fabrinis, brasinis et alijs officinis, bondis, bondagijs et natiuis cum eorundem sequelis, cum tenandijs et seruijs libere tenendum, ac cum omnibus alijs et singulis libertatibus, commoditatibus et aysiametis, tam non nominatis quam nominatis, ad predictam terram cum pertinentiis spectantibus, seu aliquo modo de jure aut consuetudine spectare valentibus quomodolibet in futurum: Faciendo inde domino nostro regi seruiicia debita et consueta tantum, pro omnibus alijs seruijs secularibus, exaccionibus seu demandis que de dicta terra cum pertinentiis exigí poterunt aut requiri: Ego vero Thomas predictus, heredes mei et assignati, totam et integram terram predictam cum pertinentiis, in omnibus et per omnia ut predictum est, prefato Henrico, heredibus suis et assignatis, contra omnes homines et feminas warantzabimus, acquietabimus et inperpetuum defendemus: In cuius rei testimonium presenti carte mee vendicionis et alienacionis sigillum meum est appensum, vna cum sigillo communi burgi de Elynburghie in euidentius testimonium premissorum; testibus, religiosijs viris, dompnis Thoma et Hugone, Sancte Crucis iuxta Elynburghie et de Nevbtil monasteriorum abbatibus, discretis viris dominis Dauíd de Anandia et Johanne de Edmoundstoun, militibus, Symone de Prestoun vicecomite de Elynburghie, Willelmo de Lyndesay, Thoma de Cranystoun, et multis alijs.

8. CHARTER by KING DAVID THE SECOND, to HENRY OF DOUGLAS, of the third part of Logtoun, which had formerly belonged to Thomas, son of Walter. 29th September [1369.]

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 Henrico de Douglas, omnes terras tercię partis de

Logtoun cum pertinenciis, infra vicecomitatum de Elinburgh, que fuerunt Thome filij Walteri, et quas idem Thomas, non vi aut metu ductus nec errore lapsus, sed mera et spontanea voluntate sua nobis per fustum et baculum sursum reddidit, pureque et simpliciter resignavit, ac totum ius et clameum quod in eadem terciâ parte dictarum terrarum habuit vel habere potuit pro se et heredibus suis omnino quietum clamavit inperpetuum: Tenendas et habendas eidem Henrico et heredibus suis de nobis et heredibus nostris in feodo et hereditate per omnes rectas metas et diuisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiamētis et iustis pertinenciis suis quibuscunque ad dictam terciam partem predictarum terrarum spectantibus seu quoquo modo iuste spectare valentibus in futurum, adeo libere et quiete, plenarie et honorifice, sicut idem Thomas dictam terciam partem predictarum terrarum cum pertinenciis de nobis ante resignacionem suam nobis exinde factam liberius, quietius, plenius et honorificencius tenuit seu possedit: Faciendū nobis et heredibus nostris ipse Henricus et heredes sui seruicium inde debitum et consuetum: 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, Roberto senescallo Scocie nepote nostro, Willelmo comite de Douglas, Georgio comite Marchie, Roberto de Erskyn, Archibaldo de Douglas, et Willelmo de Dysschyngtoun, militibus: Apud Elinburgh, penultimo die Septembris, anno regni nostri quadragesimo.

9. CHARTER by KING DAVID THE SECOND to JAMES OF DOUGLAS, Knight, of the barony of Dalkeith. 9th December [1369.]

DAVID Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos delisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Jacobo de Douglas, militi, totam baroniam de Dalkethe, et castrum eiusdem, cum pertinenciis, infra vicecomitatum de Edynburgh, que fuerunt dicti Jacobi, et quam ac quod dictus Jacobus, non vi aut metu ductus, nec errore lapsus, sed mera et spontanea voluntate sua, nobis apud Monros, die octauo mensis Decembris anno Domini millesimo ccc^{mo} sexagesimo nono, coram pluribus regni nostri prelatiis et proceribus, per fustum et baculum sursum reddidit, pureque et simpliciter resignavit, ac totum ius et clameum quod in dicta baronia et castro predicto habuit vel habere potuit, pro se et heredibus suis omnino quietum clamavit et inperpetuum: Tenenda et habenda dicto Jacobo et here-

2
 1. Satis nos dedisse concessisse et
 Waltero et Caspino eiusdem cu p[ro]prietate
 in curia[m] exire lapsus. Et mox et
 1. c. 10. *Sextage* nono coram p[ro]prietate
 cu ius et claimen quod in tenetione
 tenent et hunc eto Jacobo et h[ab]et
 nomine de Douglas h[ab]itabit eto p[ro]prietate
 si forte contigit omnes h[ab]itantes heredes nos
 nisi q[ui] s[un]t et p[ro]prietate heredes eto Jacobo
 h[ab]et in p[ro]prietate et h[ab]et in p[ro]prietate
 nos mox eto p[ro]prietate h[ab]et eto p[ro]prietate
 eto s[un]t eto h[ab]itabit eto p[ro]prietate eto p[ro]prietate
 h[ab]et p[ro]prietate ad tenetione eto p[ro]prietate
 acobi et h[ab]et in p[ro]prietate iuncti eto p[ro]prietate
 iuncti omnia eto p[ro]prietate eto p[ro]prietate
 q[ui] no[n] sit h[ab]itabit eto h[ab]et eiusdem p[ro]prietate
 h[ab]et cu p[ro]prietate eto p[ro]prietate p[ro]prietate
 eto p[ro]prietate p[ro]prietate p[ro]prietate p[ro]prietate
 p[ro]prietate eto p[ro]prietate eto p[ro]prietate
 p[ro]prietate de Douglas. Waltero de lesley eto p[ro]prietate

dibus masculis de corpore suo legitime procreandis; quibus forte deficientibus, propinquieribus semper heredibus masculis dicti Jacobi cognomen de Douglas habentibus, sic quod dicta baronia et castrum cum pertinenciis ad heredem femellam quamcunque propinquam vel remotam non descendat aut pertineat vilo modo, nisi forte contigerit omnes huiusmodi heredes masculos prenominatos cognomen de Douglas habentes totaliter deficere; et hoc forte, quod absit, contingente, volumus et concedimus quod veri et propinquieres heredes dicti Jacobi masculi seu femelle habeant, teneant et possideant totam ipsam baroniam et castrum predictum cum pertinenciis, de nobis et heredibus nostris, in feodo et hereditate inperpetuum, in vnam integram et liberam baroniam ac liberam forestam per omnes rectas metas et diuisas suas, in boscis et planis, pratis, pascuis, moris, maresiis, viis, semitis, aquis, stagnis, molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus et piscariis, bondiis, bondagiis, natiuis et eorum sequelis, cum furca et fossa, cum sacco et soeca, cum toll et theme et infangandtheff, necnon cum omnibus aliis et singulis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis suis quibuscunque ad dietam baroniam spectantibus seu quoquo modo iuste spectare valentibus in futurum, libere, quiete, bene et in pace: Reddendo inde nobis et heredibus nostris dictus Jacobus et heredes sui prenominati annuatim, apud castrum de Dalketh, ad festum Pentecostes, vnum par cyrothecarum albarum, vel vnum denarium argenti, si petatur tantum, pro warda, releuijs, maritagijs, curiarum sectis, consuetudinibus, exaccionibus seu demandis, que de dietis baronia et castro cum pertinenciis exigí poterunt seu requiri aliquo tempore in futurum: Volumus eciam et concedimus quod non sit licitum alicui heredum eiusdem militis predictorum aliquam donacionem, concessionem, assignacionem seu resignacionem qualemcunque facere aliquo tempore in futurum de dietis baronia et castro cum pertinenciis, vel aliqua parte earundem, per quas seu quam presens nostra infeodacio talliata adnichilari, diminui vel frangi valeat, sed quod ipsa presens infeodacio, in omnibus et per omnia vt premititur, inperpetuum permaneat plena, integra et illesa: In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi; testibus, venerabilibus in Christo patribus, Will-elmo episcopo Sancti Andree et Patricio episcopo Brechinensi cancellario nostro, Roberto senescallo Scocie nepote nostro, Willelmo comite de Douglas, Roberto de Erskyne, Archebaldo de Douglas, Waltero de Lesley, et Alexandro de Lyndesay, militibus: Apud Monros, nono die Decembris, anno regni nostri quadragesimo.

10. CHARTER by KING ROBERT THE SECOND to HENRY OF DOUGLAS, Knight,
of the third part of the tenement of Logtoun. 15th November [1374.]

ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus suis ad quos presentes litere pervenerint, salutem: Sciatis nos dedisse, et per presentes literas nostras confirmasse Henrico de Douglas, militi, dilecto et fideli nostro, terciam partem tenementi de Logtoun cum pertinenciis, infra vicecomitatum de Elyinburgh, que fuit Johannis de Dalketh, et que nos continget ratione eschaete, ex eo quod dictus Johannes quondam Willelham Pulter feloniter interfecit: Tenendam et habendam eidem Henrico et heredibus suis, de nobis et heredibus nostris, adeo libere per omnia, durante tempore dicte eschaete, sicut dictus Johannes ipsam terciam partem eiusdem tenementi cum pertinenciis ante perpetracionem huiusmodi homicidii liberius tenuit seu possedit: In cuius rei testimonium has literas nostras sibi fieri fecimus patentes: Apud Lanark, xv^{to} die Nouembris anno regni nostri quarto.

11. CHARTER by JOHN OF MALUIL of that Ilk, to JOHN OF MALUIL,
younger of Carnebie, of the lands of Grantoun and Stanhouse. 20th
November 1379.

SCIATIS presentes et futuri, quod ego Johannes de Maluil, dominus eiusdem baronie, dedi, concessi, et hac presenti carta confirmaui Johanni de Maluil, filio Johannis de Maluil de Carnebie, meas terras de Grantoun, per suas rectas diuisas, et totam terram de Stanhouse, per suas rectas diuisas, et terram burgagiam¹

in tenemento de Stanhouse baroniam

de Maluil et quas idem Johannes, non vi aut metu ductus, nec errore lapsus, set mera et spontanea voluntate sua mihi per fustem et baculum sursum reddidit, pureque et simpliciter resignauit, et totum jus et clameum que in dictis terris cum pertinenciis habuit vel habere poterit, pro se et heredibus suis omnino quittumclauauit imperpetuum: Tenendas et habendas dictas terras cum pertinenciis, eidem Johanni et heredibus suis masculis de corpore suo legitime procreandis; quibus vero deficientibus, Thome de Maluil, fratri dicti Johannis, et heredibus suis masculis, de corpore suo legitime procreandis; et ipsis forsan deficientibus, Jacobo de Maluil, fratri dictorum Johannis et Thome, et heredibus suis masculis de corpore suo legitime procreandis; quibus vero deficientibus, Cristiane filie predicti Johannis de Maluil, patris, ac eciam sorori dicti Jacobi, et legitimo thoro procreate, et heredibus suis, tam masculis quam femellis, de corpore

¹ A few words defaced in the original.

suo legitime procreandis; et quibus omnibus deficientibus, extunc veris et legitimis heredibus dicti Johannis patris quibuscunque, de me et heredibus meis, in feodo et hereditate, in manerijs et molendinis, in boscis et planis, in pratis et pascuis, in aquis et piscarijs, in stangnis et venarijs, et cum omnibus iustis pertinentencijs, libertatibus, commoditatibus et aysiamenis, ad prefatas terras pertinentibus, vel pertinere valentibus, tam sub terra, quam supra terram, et tam in non nominatis quam nominatis, libere, quiete, plenarie et honorifice: Faciendo inde mihi et heredibus meis, seruicia in hac carta inferius tantummodo nominata, videlicet, homagium [et] confidelitatem quum acciderint, sectam ad curiam meam de Maluil, scilicet, ad tres curias annuatas, et ad alias si racionabiliter fuerit citatus, et vnum hominem ad placita iusticiarij, si iuste premunitus, wardam et relemium quum acciderint: Et si contingat, quod absit, dictum Johannem vel heredes suos aliquam feloniam facere per quam eschaeta haberi poterit, ego predictus Johannes et heredes mei habebimus racionabilem eschaetam secundum consuetudinem regni et ordinem quos [feuditarij] regni habent de tenentibus suis: Et predictus Johannes et heredes sui facient mihi, et ego regi, seruicium duorum seruientium, videlicet, vnus cum equo et haubergello, et alterius cum equo solummodo sine haubergello: Volo etiam et concedo quod predictus Johannes et heredes sui sint quieti et soluti a warda castri, et ab omnibus seruicijs forinsecis vel intrinsecis, exaccionibus et demandis secularibus, nisi solummodo de hijs que specialiter et nominatiue in ista carta nominantur et specificantur: Ego vero Johannes et heredes mei hanc donacionem, concessionem et confirmacionem eidem Johanni et heredibus suis, prout superius in ista carta notantur facte contra omnes homines et feminas warentizabimus, acquietabimus et defendemus imperpetuum: In cuius rei testimonium huic presenti carte sigillum meum apposui: Datum patenter apud manerium meum de Maluil, vicesimo die mensis Nouembris, anno Domini millesimo ccc^{mo} septuagesimo nono; hijs testibus, domino Johanne abbate de Dunfermelyne, Archebaldo priore eiusdem, Willelmo de Lyndesay et Willelmo de Dischingtoun, militibus, Jacobo de Maluil, Jacobo de Valance, Alano Grahame, Willelmo de Crok, Johanne de Lastdryk, Patricio clerico, Alano de Southouse, et multis alijs.

12. CHARTER by JOHN OF DALKEITH to HENRY OF DOUGLAS, Knight, of his third part of Logtoun, which had belonged to Laurence of Kynpont. 28th September 1380.

OMNIBUS hanc cartam visuris vel auditoris, Johannes de Dalketh, salutem in Domino sempiternam: Nouerit vniuersitas vestra me dedisse, concessisse, et hac

presenti carta mea confirmasse nobili viro domino Henrico de Douglas, militi, illam terciam partem meam terrarum de Logtoun, infra vicecomitatum de Edynburghe; que quidem tercia pars terrarum de Logtoun cum pertinenciis fuit Laurencij de Kynpont, filij et heredis quondam Laurencij de Kynpont: Tenendam et habendam eidem domino Henrico, heredibus suis et suis assignatis, de domino nostro rege, in feodo et hereditate, per omnes rectas metas et diuisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiametis et iustis pertinenciis suis quibuscunque ad dictam terciam partem spectantibus, seu quoquo modo spectare valentibus in futurum, adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia sicut ego dictus Johannes dictam terciam partem terrarum aliquo tempore de domino nostro rege liberius, quiccius, plenius, integrius et honorificentius tenui seu possedi: Faciendo inde domino nostro regi dictus dominus Henricus et heredes sui ac assignati seruicium de predicta tercia parte dictarum terrarum debitum et consuetum: In cuius rei testimonium huic presenti carte mee sigillum meum est appensum; testibus, dominis Jacobo de Douglas, domino de Dalketh, et Willelmo de Douglas fratre suo, militibus, Jacobo de Douglas de Strabrokis, Alexandro de Cokburne, Adam Forster, Nicholao de Douglas, Willelmo de Falfyntoun, Willelmo de Kyncardyn, et multis aliis: apud monasterium de Neubotle, vicesimo octauo die mensis Septembris anno Domini millesimo trescentesimo octuagesimo.

13. CHARTER by KING ROBERT THE SECOND, confirming to HENRY OF DOUGLAS, Knight, the lands of Logtoun. 10th October [1381.]

ROBERTUS Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Henrico de Douglas, militi, terras de Logtoun cum pertinencijs, infra vicecomitatum de Edynburghe; quas quidem terras cum pertinenciis dictus Henricus, non vi aut metu ductus nec errore lapsus, set mera et spontanea voluntate sua, nobis per fustum et baculum sursum reddidit pureque et simpliciter resignauit, ac totum ius et clameum que in dictis terris cum pertinencijs habuit vel habere potuit, pro se et heredibus suis, omnino quietum clamauit imperpetuum: Tenendas et habendas dictas terras cum pertinencijs predicto Henrico, heredibus et assignatis suis, de nobis et heredibus nostris, in feodo et hereditate, per omnes rectas metas et diuisas suas, in vnam integram et liberam baroniam, in boscis et planis, pratis, pascuis et pasturis, moris, marresijs, vijs, semitis, aquis, stagnis et viuarijs, molendinis, multuris et eorum sequelis, aucupa-

ratō nos dēdīffe concessiffē & hāc p̄m̄
n̄p̄ die de Octobrysh quas quidē n̄as
fuit nob̄ p̄ fūffe & dādū dūp̄ p̄dīdīo
dūm̄ q̄ de thēdīno sūo dūm̄ quēm
dūm̄ de nob̄ & hēdīno n̄o in fādō &
p̄as p̄asūs & p̄asūs mōis m̄p̄p̄s
& p̄asūs hōdīs / hōdīgō / n̄as
p̄asūs līrātīs / cōmīrātīs / cūp̄m̄
p̄asūs līrātīs / cōmīrātīs / cūp̄m̄
dūm̄ dēdīgō dūm̄ nōtē alīo fūm̄
cūp̄ p̄ rēfūm̄ p̄m̄ cūp̄ n̄e n̄e
alīo cūp̄ ep̄o jōh̄ p̄m̄ n̄o
p̄ cūp̄m̄ n̄o cōmīrātīs jacobō.
p̄ dēcimo die Octobr̄ dūm̄ Regn̄

Robertus dei gra Rex Scotie omnibus pbe hominibus tunc esse sine dno & layas dntm. Scitis nos edisse concessisse & hac pua
capa nra confirmasse dno confanguineo nro Henrico de Douglas milia terras de Loctome cu ptinencijs nris die de Edinburgh quas quide tunc
cu ptinencijs dno Henrico no erant nra dnti n excoceptis hys q; nra & spontanea voluntate nra nob p fuisse & dntm dntm reddidit
pura & simpliciter resignavit. ac tunc nos & dntm que in dno tunc cu ptinencijs habuit ut hys potuit & de tunc dntm suis omnia quecu
clamantur nra. Tenend & hnd dntm qas cu ptinencijs pnt Henrico heredibus & assignatis suis de nob & heredibus nris in feodo &
hereditate p omnes terras metas & divisas suas in una integra & libera baronia in bosnis & pbe pas pasens & pasturis / moris / maffesio
vys / comat / aquis / frangis / & dntm / molendinis / malmis & coz sequelis / aucupantibz venantibz & pasturis / bondis / bondagis / natis
& coz sequelis. cu fura & fossa vel & salt toll & theam & pntm dntm / uno cu omibz alijs & Anglis libtatis / comitatibz / assensu
ac nris ptinencijs quibzcuq; ad dntm hanc optantibz / seu quibz nris optas valentibz in fura. libz quere plenam integritate
honorifica hnt & in pace. reddendo inde nob & heredibus nris dntm Henrico heredes sui & sui assignati unum denarium argenti noie albi p pme
annua apud Loctome in festo Pentecostes si petat. p or alio festo ex parte sui demandat. In cui rei testiom / pura capta nra nra
pceptm / apud Ogillu / Westis / sed no xpo partibz / Willmo & Johi dntm nro Scardice & dntm / catuar / epus Johi pntem nro
de Capest / Sen / dntm / de ffr / & de exentibz filio nro dntm / de Douglas & de ex / confanguineo nro comat / Jacobo
de Lindsay nepote nro / & Roberto de Essex confanguineo nro milibz / apud Edinburgh / decimo die Octobr / anno Regni
nri / Indictimo

domibus, venacionibus et piscarijs, bondis, bondagijs, natiuis et eorum sequelis, cum farca et fossa, sok et sak, tole et theam et fangandthef, necnon cum omnibus alijs et singulis libertatibus, commoditatibus, aysiamentis ac iustis pertinencijs quibuscumque ad dietam baroniam spectantibus seu quomodolibet iuste spectare valentibus in futurum, libere, quiete, plenarie, integre et honorifice, bene et in pace: Reddendo inde nobis et heredibus nostris dictus Henricus, heredes sui et sui assignati, unum denarium argenti nomine albe firme annuatim, apud Logtoun, in festo Pentecostis, si petatur, pro omni alio seruicio, exaccione seu demanda: In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum; testibus, venerabilibus in Christo patribus, Willelmo et Johanne cancellario nostro Sancti Andree et Dunkeldensis ecclesiarum episcopis, Johanne primogenito nostro de Carryk, senescalle Scocie, Roberto de Fyf et de Menteth filio nostro dilecto, Willelmo de Douglas et de Marr consanguineo nostro, comitibus, Jacobo de Lyndesay nepote nostro karissimo, et Roberto de Erskyn consanguineo nostro, militibus; apud Edynburgh, decimo die Octobris anno regni nostri vndecimo.

14. PRECEPT by KING ROBERT THE SECOND for infesting HENRY OF DOUGLAS, Knight, in the lands of Logtoun. 10th October [1381.]

ROBERTUS Dei gracia rex Scottorum, vicecomiti et balliuis suis de Edynburghe, salutem: Quia concessimus hereditarie dilecto consanguineo nostro Henrico de Douglas, militi, terras de Logtoun cum pertinencijs, infra balliam vestram, quas quidem terras cum pertinencijs dictus Henricus, non vi aut metu ductus nec errore lapsus, set mera et spontanea voluntate sua, nobis per fustum et baculum sursum reddidit, pureque et simpliciter resignauit; vobis mandamus et precipimus quantum dicto Henrico, vel suo certo attorney latori presencium, saysinam dictarum terrarum cum pertinencijs, visis literis, iuste habere faciatis et sine dilacione, secundum tenorem carte nostre quam inde habet; et hoc nullo modo omittatis: Teste meipso, apud Edynburghe, decimo die Octobris anno regni nostri vndecimo.

15. RENUNCIATION by PETER OF KOEBURN, Lord of Henryland, in favour of THOMAS OF ERSKYNE, Lord of Dun, and his SPOUSE, of an annual duty, and of the superiority of Dalgles. 8th December 1383.

OMNIBUS hoc scriptum visuris vel auditoris, Petrus de Koeburn dominus de Henryland, salutem in Domino sempiternam: Noueritis me precise vendidisse domino

Thome de Erskyne domino de Dun et domine Johanne sponse sue, pro se et suis heredibus, de me et heredibus meis, pro quadam summa pecunie michi pre manibus persoluta, de qua me fateor bene esse contentum, illum annuum redditum vnius paris calcarium deauratorum qui solet deberi michi et predecessoribus meis de terra de Dalgles, infra vicecomitatum de Selkyrk, ac ipsum annum redditum pro me et heredibus meis dictis domino Thome et domine Johanne et suis heredibus per presentes literas inperpetuum remisisse; renunciando pure et simpliciter in hiis scriptis omni iuri et clameo que in eodem annuo reddito et in superioritate dominij siue in superiori dominio dicte terre de Dalgles cum pertinenciis michi et meis heredibus competunt seu competere potuerunt aliquo tempore retroacto, ita quod dicti dominus Thomas et domina Johanna et heredes sui prefatam terram de Dalgles cum pertinenciis de domino nostro rege Scocie et suis heredibus de cetero teneant et possident in feodo et hereditate sine medio, libere, integre et quiete: Et insuper obligo me et heredes meos fimiter fide media per presentes, quod quotiescunque fuero premunitus aut requisitus, aut ipsi heredes mei fuerint premuniti aut requisiti ex parte dicti domini Thome vel dicte domine Johanne, statim, sine mora et dilacione, dolo et fraude, personaliter veniam vel venient, aut procuratorem iniciam vel iniciem, per patentes literas, sufficientem potestatem habentem ad presenciam ipsius domini nostri regis, et eidem domino regi per propriam personam vel per procuratorem resignabo vel resignabunt pure et simpliciter ac per fustum et baculum sursum reddam, et sursum reddent, omne ius et clameum que habeo, habui vel habere potui, habent, habuerunt vel habere potuerunt in superiori dominio seu in superioritate dominij dicte terre de Dalgles cum pertinenciis, necnon in dicto annuo reddito ac quibuscunque aliis seruiciis, si que aliquo tempore de eadem terra de Dalgles per nos exigi potuerunt aut possunt seu aliqualiter demandari: In cuius rei testimonium sigillum meum presentibus apposui: Data apud Selkyrk, octavo die Decembris anno Domini n^o ccc^{mo} octogesimo tercio.

16. LETTER by KING ROBERT THE SECOND, excepting the lands of Kylbochok, Newlands, etc., from the administration of Justiciars, Sheriffs, and others.
20th February [1387.]

ROBERTUS Dei gracia rex Scottorum, omnibus probis hominibus suis ad quos presentes littere peruenerint, salutem: Sciatis quod alias per cartam nostram sub magno sigillo nostro, cum consensu et assensu karissimi primogeniti nostri Johannis comitis de Carrie, concessimus karissimo fratri nostro Jacobo de Douglas de

6.. Sator Carolus nos de consensu et
hac presenti carta nra confirmasse -
et quibus magnas rege et principis
us suis. de nobis et heredibus nris in feodo
nobis. assistentibus. et in suis pertinentiis
perpetue habentibus quemolibet in
omni albe firme in feodo perpetuo
presenti carta nra nra p[ro]p[ri]a appon
at[que] curis. Johanne p[ro]genito nro de curi
rines nro. comitibus. Jacobo de Douglas
in curia nra (scilicet) et (scilicet) ac custode
uno ..

Robertus dei gra. Rex Scottorum, Omnibus probis hominibus totius regie sue claus et laicis. Salutem. Scitis nos de consensu et
 assensu carissimorum progenitorum nostrorum Johannis comitis de Carris Seneschalli Scotie. Adisse concessisse et hac presenti carta nostra confirmasse -
 dicto et fidei nostro Waltero Scot filio et heredi quondam Roberti Scot superiorum baronia de Wyndesore et quibus majestatis regie ad pertinentis
 in eadem baronia infra vicecomitatum de Peebles. Tenendi et habendi eidem Waltero et heredibus suis. De nobis et heredibus nostris in feodo
 et hereditate pro omnes terras metas et dimensas suas cum omnibus et singulis libertatibus. Commoditatibus. arboribus. et in suis pertinentiis
 quibusvis. ad duas superioritatem et quibus majestatis regie ad pertinentis spectantibus seu in feo spectantibus quomodolibet in
 presentibus. Reddendo nobis et heredibus nostris dictis Waltero et heredibus suis. De nobis et heredibus nostris in feo annuatim
 annuatim apud Peebles si petat. tantum quod omni alio servicio seculari. In cuius rei rationem presentem cartam nostram precipimus apponi
 sigillis. Testibus venerabilibus in xpo patribus. Waltero et archiepiscopo Cantuarie et Glasgowie catharum episcopus. Johanne progenitore nostro de Carris
 Seneschallo Scotie Roberto de Wyndesore filio nostro dicto. Nicholao de Douglas consanguineo nostro comitibus. Jacobo de Douglas
 dicto de Dalkeith fratre nostro dicto Thoma de Giffyne consanguineo nostro cyllibus. et Johanne Gray clero nostro Aviniorum et Cantuarie. ac custode
 regni sigilli nostri apud Edinburgum. Septimo die mensis Decembris Anno Regni nostri trigesimo octavo.

Dalketh, militi, baroniam de Dalketh cum pertinenciis, vna cum terris de Kylbochok, de Newlandis, de Lyntoun, de Robertoun, de Kyrevrd, Lochvrd, Eschelis, Qvyll, et Fechane, terras de Carmyltoun, Dunnyng cum pertinenciis, baroniam de Abirdour, vna cum terris de Wodfeild, Tyry, Scefeild et duas Balbrethanis, cum annuis redditibus, molendinis, aduocacionibus et donacionibus ecclesiarum et capellaniarum ad predictas terras vel ipsarum aliquas pertinentibus, in vnam integram et liberam baroniam, et in liberam regaliam seu regalitatem, et in albam firmam, et ipsas terras et annuos redditus predictos cum pertinenciis ab intronissionibus et administrationibus justiciariorum et aliorum ministrorum nostrorum excepimus, easdem terras ad baroniam suam de Dalketh annectendo: Quare justiciarijs, vicecomitibus, coronatoribus, ceterisque ministris nostris quibuscunque, damus tenore presencium firmiter in mandatis quatinus ab omni intronissione seu administratione que sibi ex suis officijs infra dictas terras pertinent seu poterint pertinere omittant et desistant penitus et omnino; et quod nullus ipsorum aut seruicium suorum attachiet seu arrestet aliquos homines dicti Jacobi aut heredum suorum dictas terras inhabitantes, aut ipsos capiat seu quouis modo perturbet pro aliquibus delictis sibi impositis, sed omnem huiusmodi intronissionem ministris per predictum fratrem nostrum deputandis committi volumus et specialiter reseruari: In cuius rei testimonium has literas nostras eis ostendendas et penes prefatum fratrem nostrum et heredes suos remansuras sibi fieri fecimus patentes: Apud Edynburghe, vicesimo die Februarii anno regni nostri septimo decimo.

17. CHARTER by KING ROBERT THE SECOND, with consent of JOHN EARL OF CARRIC, Steward of Scotland, to WALTER SCOTT, of the superiority of Kirkurd, etc. 7th December [1389.]

ROBERTUS Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos, de consensu et assensu carissimi primogeniti nostri Johannis comitis de Carric senescalli Scocie, dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Waltero Scot, filio et heredi quondam Roberti Scot, superioritatem baronie de Kirkurde et quinque marcas terre cum pertinenciis in eadem baronia, infra vicecomitatum de Peblis: Tenendas et habendas eidem Waltero et heredibus suis de nobis et heredibus nostris in feodo et hereditate, per omnes rectas metas et diuisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis et iustis pertinencijs quibuscunque ad dictas superioritatem et quinque marcas terre cum pertinencijs

spectantibus seu iuste spectare valentibus quomodolibet in futurum: Reddendo inde nobis et heredibus nostris dictus Walterus et heredes sui vnum denarium argenti nomine albe firme, in festo pentecostes annuatim, apud Peblis, si petatur tantum, pro omni alio servicio seculari: In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum; testibus, venerabilibus in Christo patribus, Waltero et Matheo, Sancti Andree et Glasguensis ecclesiarum episcopis, Johanne primogenito nostro de Carric, senescallo Scocie, Roberto de FyT et de Menteth filio nostro dilecto, Archebaldo de Douglas consanguineo nostro, comitibus, Jacobo de Douglas domino de Dalketh fratre nostro dilecto, Thoma de Erskyne consanguineo nostro, militibus, et Johanne Gray clerico nostro rotulorum et registri ac custode magni sigilli nostri; apud Edynburghe, septimo die mensis Decembris, anno regni nostri nonodecimo.

18. CHARTER by KING ROBERT THE SECOND to HENRY OF DOUGLAS and his spouse, MARGORY, of the barony of Logtoun. 18th March [1389.]

ROBERTUS Dei gracia rex Scottorum, omnibus probis hominibus totius terre sue, clericis et laicis, salutem: Sciatis nos delisse, concessisse, et hac presenti carta nostra confirmasse dilecto consanguineo nostro Henrico de Douglas, militi, baroniam de Logtoun cum pertinencijs, infra vicecomitatum de Edynburghe, que fuit eiusdem Henrici, et quam ipse, non vi aut metu ductus nec errore lapsus, set sua mera et spontanea voluntate nobis, apud Lynlithen die confectionis presencium, per fustum et baculum sursum reddidit, pureque et simpliciter resignavit, ac totum ius et clameum que in dicta baronia cum pertinencijs habuit vel habere potuit, pro se et heredibus suis, omnino quietum clamavit imperpetuum: Tenendam et habendam eidem Henrico et carissime nostre nepti Mariorie sponse sue et eorum diutius viuenti, et heredibus inter ipsos legitime procreatis seu procreandis, quibus forte deficientibus, heredibus dicti Henrici legitimis quibuscunque, seu eciam assignatis suis, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis et iustis pertinencijs quibuscunque ad dictam baroniam spectantibus seu iuste spectare valentibus quomodolibet in futurum, a deo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut dictus Henricus dictam baroniam cum pertinencijs de nobis tenuit ante resignacionem huiusmodi nobis factam: Faciendo inde nobis et heredibus nostris seruicia debita et consueta: In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum; testibus, venerabilibus in Christo patribus, Waltero et Matheo, Sancti Andree et Glasguensis

ecclesiarum episcopis, Johanne primogenito nostro de Carric, senescallo Scocie, Roberto de Fif et de Meneteth filio nostro dilecto, Archebaldo de Douglas consanguineo nostro, comitibus. Jacobo de Douglas domino de Dalketh fratre nostro dilecto, Thoma de Erskyne consanguineo nostro, militibus, et Alexandro de Cokburne custode magni sigilli nostri; apud Lynlitheu, octodecimo die mensis Marcij anno regni nostri vicesimo.

19. TRANSCRIPT, under the Great Seal of KING ROBERT THE THIRD, of the Charter No. 18, *supra*. 31st January [1392.]

TRANSCRIPTUM de Registro: Robertus Dei gracia rex Scottorum, omnibus probis hominibus [*etc.*, *ut supra*, No. 18]: Datum per copiam transumptam de Registro, sub signo Johannis Gray clerici rotulorum et registri domini nostri regis, ad instanciam domine Mariorie de Lyndesay, apud Perth, ultimo die mensis Januarij, anno Domini millesimo trecentesimo nonogesimo secundo, sub testimonio magni sigilli domini nostri regis Roberti tercii, anno eodem, et regni sui tercio.

J. GRAY.

20. CHARTER by ARCHIBALD EARL OF DOUGLAS AND LORD OF GALLOWAY AND BOTHWELL, to JAMES OF ABERNETHY, of the lands of Theynsyde and Harwode. 26th July 1393.

OMNIBUS hanc cartam visuris vel audituris, Archebaldu comes de Douglas et dominus Galwydie ac de Bothuill, salutem in Domino sempiternam: Nouerit vniuersitas vestra nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Jacobo de Abernethy, pro homagio et seruicio suo nobis impensis et impendendis, omnes terras de Theynsyde et de Harwode cum pertinenciis, in baronia nostra de Hawyk, infra vicecomitatum de Roxburgh, que fuerunt domini Willelmi de Abernethy iunioris fratris ipsius Jacobi, et quas idem dominus Willelmus, non vi aut metu ductus nec errore lapsus, sed sua mera ac spontanea voluntate nobis per fustum et baculum sursum reddidit, pureque et simpliciter resignauit eorum pluribus fidedignis ac imperpetuum quietum clamauit: Tenendas et habendas omnes predictas terras cum pertinenciis suis predicto Jacobo et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate, per omnes rectas metas et diuisas suas libere, quiete, plenarie, integre et honorifice, in boscis, planis.

moris, marresiis, aquis, stagnis, viis, semitis, pratis, pascuis et pasturis, ac omnibus alijs libertatibus, commoditatibus, aysiamenis et iustis pertinencijs quibuscunque ad



dictas terras spectantibus seu iuste spectare valentibus in futurum: Faciendo inde nobis et heredibus nostris idem Jacobus et heredes sui forinsecum seruitium de dictis terris cum pertinencijs debitum et consuetum: In cuius rei testimonium sigillum nostrum presenti carte nostre precepimus apponi, apud Bothuil, vice-simo sexto die mensis Julij anno gracie millesimo ccc^{mo} nonogesimo tercio.

21. RESIGNATION by CHRISTIAN OF GRYMISLAW of that Ilk, of the lands of Grymislaw, in the barony of Eckford. 15th August 1400. [1445.]

IN nomine Domini, amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnacione Domini millesimo cccc^{mo},¹ indictione septima, die vero mensis Augusti xv^o, pontificatus sanctissimi in Christo patris ac domini nostri, domini Eugenii diuina prouidencia pape quarti, anno xiiii; in mei notarii publici ac testium subscriptorum presencia personaliter constitutus honorabilis vir, Stephanus Scott de Castellaw, frater germanus ac procurator nomine procuratorio nobilis et potentis viri, Walteri Scott de Buckeluch, militis, quamdam literam procuratoriam in pergamino scriptam, sigillo discrete mulieris, Cristiane de Grimislaw de eodem, rubea cera albe impressa a longo pendente, ut michi et subscriptis testibus ex circumscriptione et armis dicte Cristiane insculptis infra circumscriptionem manifeste apparuit, michi notario publico scripto coram testibus infrascriptis tradidit perlegendam, copiandam sub publica forma, propter viarum discrimina et casus fortuitos, ne originalis copia deperiret, transcribendam, sanam et integram, sed in vltima parte dicte litere seu clausula defuit tale verbum, *coniunctim et diuisim*, sed omni prorsus vicio et suspesione ut prima facie apparuit

¹ The dates in this instrument are inconsistent with each other. The year of the Incarnation is plainly written 1400. But this does not agree either with the year of the Indiction or with the Pontifical year,

while the date of the resignation transcribed by the notary is 1429. The Pontifical year probably represents the true date, being the fourteenth year of the pontificate of Pope Eugenius IV., that is 1445.

carentem : quarum quidem literarum tenor sequitur et talis est : VNIUERSIS pateat per presentes me Cristianam de Grimislaw de eodem, non vi aut metu ductam nec errore lapsam, sed mea mera et spontanea voluntate, in mea pura et legitima viduitate fecisse, constituisse et per presentes ordinasse, necnon facere, constituere et ordinare nobiles viros, dominum Willelmum de Creghtoun de eodem, militem, dominum Willelmum Clere, vicarium ecclesie de Maluil, et Henricum de Douglas de Logtoun, procuratores meos et deputatos speciales : dantem et concedentem eisdem procuratoribus meis coniunctim et eorum cuilibet per se diuisim quem presentem esse contigerit meam liberam, generalem et specialem potestatem ac mandatum speciale ad sursum reddendum, pureque et simpliciter resignandum, pro me et nomine meo, per fustem et baculum et alias literas resignacionis, omnes et singulas terras meas de Grimislaw cum pertinenciis, iacentes infra baroniam de Ekfurde et vicecomitatum de Roxburgh, in manus serenissimi principis et domini nostri, domini Jacobi Scotorum regis illustrissimi, et domini mei superioris dictarum terrarum cum pertinenciis, ac totum ius et iuris clameum, proprietatem et possessionem quod et quas in dictis terris cum pertinenciis habui uel habere potui quoquomodo pro me et heredibus meis dicto domino nostro regi superiori domino meo antedicto omnino quietum clamando imperpetuum : ita quod nec ego, nec heredes mei, nec aliquis alius nomine nostro iure aut titulo, aliquod ius aut iuris clameum, proprietatem aut possessionem in dictis terris cum pertinenciis, aut aliqua parte earundem, aequaliter vendicare poterimus aut poterit in futurum, sed ab omni iuris titulo tam petitorio quam possessorio dictarum terrarum cum pertinenciis simus imperpetuum exclusi penitus et omnino : Ratum et gratum habentem et habituram totum et quicquid dicti procuratores mei coniunctim et diuisim in premissis [literis] resignacionis nomine meo iuste aut rite duxerint aut duxerit faciendum : anno Domini M^o CCCC^{mo} XXIX^o : Super quibus omnibus et singulis prefatus Stephanus Scott a me notario publico infrascripto sibi publicum peciit fieri instrumentum. Acta erant hec in castro de Edinburgh, anno, die, mense, indicione, et pontificatu superius annotatis, presentibus honorabilibus viris ad premissa specialiter rogatis, videlicet, domino Jacobo de Creghtoun domino de Frendracht, domino Georgeo de Creghtoun de Blaknes, militibus, Nicholaio de Borghvic, Andrea Creghtoun, Willelmo Creghtoun, Roberto Scott, Johanne Chesholme, Willelmo Barovne, et Waltero Scott, scutiferis, domino Willelmo Grant, capellano, et Alexandro Wod burgensi de Edinburgh, cum multis aliis.

Et ego Willelmus Graunt presbiter Sancti Andree dyocesis, publicus imperiali auctoritate notarius [etc., in forma communi].

22. CHARTER by ROBERT DUKE OF ALBANY, Regent, confirming Charter by ARCHIBALD EARL OF DOUGLAS, to WILLIAM OF DOUGLAS OF DRUMLANGRIG, Knight, of the barony of Hawyk. 24th October 1407.

ROBERTUS dux Albanie, comes de Eufe et de Mentethe, ac Gubernator regni Scocie, omnibus probis hominibus tocius regni predicti, clericis et laicis, salutem : Sciatis nos quamdam cartam dilecti consanguinei nostri, Archibaldi comitis de Douglas, domini Galwylie, factam et concessam hereditarie dilecto consanguineo nostro Willelmo de Douglas de Drumlanguig, militi, de tota et integra baronia sua de Hawyk cum pertinentiis, iacente infra vicecomitatum de Roxburghe, de mandato nostro visam, lectam, inspectam et diligenter examinatum, non rasam, non abolitam, non concellatam, nec in aliqua sui parte viciatam, sed omni prorsus vicio et suspicione carentem, intellexisse ad plenum, in hec verba : OMNIBUS hanc cartam visuris vel audituris, Archibaldus comes de Douglas, dominus Galwylie et baronie de Hawyk, salutem in Domino sempiternam : Noueritis nos de nostre voluntatis arbitrio concessisse, de stabili proposito dedisse, atque deliberato consilio nostro super hoc prehabito, sub presenti carta nostra, confirmasse honorabili dilecto et speciali consanguineo nostro domino Willelmo de Douglas, militi, domino de Drumlanguig, totalem et integram baroniam nostram de Hawyk cum suis pertinentiis, iacentem in Tevidalia infra vicecomitatum de Roxburghe, per rectas marchias suas diuisas atque metas cognitatas et cognoscendas, infra villam nostram de Hawyk, extra eandem et circa, tam procul quam prope, coniacentem, per singulas partes planas et loca dicte nostre baronie principalis : Tenendam, habendam imperpetuum et possidendam dicto domino Willelmo de Douglas, militi, nostro speciali consanguineo, et suis heredibus masculisque femellis de suo corpore procreatis aut procreandis, in puro feodo et hereditate, a nobis et heredibus nostris imperpetuum, in pace bona et fide, absque quocunque titulo reclamandi, cum omnibus terris, tenementis, burgis, villis, campis, aquis, marresiis, stagnis, siluis, boscis, pratis, pascuis, et pasturis, molendinis, multuris, piscariis, venacionibus, aucupacionibus, et iure patronatus ecclesie parochialis de Hawyk, cum singulis possessionibus annexis de iure nobis pertinentibus infra villam eandem de Hawyk et baroniam supradictam, aut valentibus ad nos spectare vtrobiusque quouis modo de futuro, sic quoque burgum nostrum seu villam predictam de Hawyk concedimus, ut supra, et confirmamus eidem nostro consanguineo fidei, cum omnibus et singulis iuribus, iurisdictionibus, libertatibus, customis et aliis commoditatibus, et aysia-

mentis quibuscunque, wardis adiunctis premissis et rebus vniuersis presentibus, ne futuris, spectantibus aut spectare valentibus, ad dictum burgum et baroniam prius patena, cum ceteris auantagijs inuentis et inueniendis tam subitus quam supra quamcunque partem dicte baronie principalis: reseruandam perpetuo et habendam dicto nostro consanguineo et suis heredibus in omni honore, pace firma, et quiete quemadmodum vnequam sumus gauisi his premissis, aut gauisus fuerit aliquis predecessorum nostrorum: preterea concedentes ordinamus quod dictus Willelmus, miles, consanguineus noster dilectus et sui heredes soluet et soluent annuatim, apud ecclesiam de Hawyk, nobis et nostris heredibus in festo assumptionis beate Marie Virginis, si petatur, vnam sagittam sub nomine albe firme pro omni seruiicio, onere quocunque, exactione et demandacione generali vel speciali petendis pro premissis aut aliquo premissorum; quam quidem donacionem liberam premissam factam eidem nostro consanguineo et heredibus suis obligamus nos et nostros heredes esse fideliter conseruatuos sibi per omnia defensuros, ut in nostra presenti carta plene continetur, contra omnes homines et feminas vitalesque mortales: In cuius rei testimonium huic carte nostre plane presenti sigillum nostrum fecimus apponi: hijs testibus, Archebaldo de Douglas filio et herede nostro, domino Herberto de Maxwell, domino Symone de Glendonwyne, domino Alexandro de Gordoun, domino Johanne de Setoun, militibus, et multis alijs: QUAM QUIDEM cartam, donacionem et concessionem in eadem contentas in omnibus punctis suis et articulis, condicionibus et modis ac circumstancijs suis quibuscunque, forma pariter et effecta, in omnibus et per omnia approbamus, ratificamus et auctoritate officij nostri gubernacionis regni predicti nobis commissi, imperpetuum confirmamus: saluo domino nostro regi et heredibus suis de dictis terris et burgo cum pertinentijs seruiicio debito et consueto: In cuius rei testimonium presenti carte nostre confirmacionis sigillum officij nostri apponi precepimus: testibus, reuerendo in Christo patre Gilberto episcopo Aberdonensi, cancellario Scocie, Waltero comite Atholie, fratre nostro, Alexandro Senescalli comite de Marr, Duncano comite de Leuenax, Willelmo de Graham de Kynearlyn, Johanne Senescalli de Lorn, Georgio de Lesly, militibus, consanguineis nostris, et Andrea de Hawyk, canonico Dunkeldensi, secretario nostro: Apud Perth, vicesimo quarto die mensis Octobris anno Domini millesimo quadringentesimo septimo, et gubernacionis nostre anno secundo.

23. LETTER OF CONFIRMATION by KING JAMES THE FIRST, in favour of SIR WILLIAM DOUGLAS of Drumlangrig, of the lands of Drumlangrig, Hawick, and Selkirk. 30th November 1412.

JAMES, throu the grace of God Kynge, of Scottis, Til all that this Lettre heris or seis, sendis gretyng: Wit ze that we haue grauntit, and be this presentis Lettres grauntis, a speciall confirmaciun in the mast forme, til oure traiste and wele beloved Cosyng, Schir William of Douglas of Drumlangrig, of all the landis that he is possessit and chaarit of within the kyngdome of Scotlande; that is for to say, the landis of Drumlangrig, of Hawyke and of Selkirke, the whilkis chartris and possiouns be this lettre we confourme, and wil for the mare sekernes this oure confirmacioune be formabill efter the fourme of our chanussellare, and the tenor of his chartris, selit with oure grete sele, in tyme to come; In witnes of the whilkis, this presentis Lettres we wrate with our propre hande, vnde the signet visit in selyng of oure lettres, as now at Croidoun, the last dai of Nouember, the zere of oure Lorde J^{mo} cccc^o xij^o.

24. TRANSMUMPT, dated 18th February 1431, of Charter by JOHN INGLIS of Menar, to ROBERT SCOTT of Morthostoune, of the half of Branchselne and others. 31st January 1420.

IN DEI nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno a Natiuitate Domini millesimo cccc^{mo} xxxj^{mo}, indicione nona, die uero decimo octauo mensis Februarij, pontificatus sanctissimi in Christo patris et domini, domini nostri Martini diuina prouidencia pape quinti anno decimoquarto: in mei notarij publici et testium subscriptorum presenciam personaliter constitutus honorabilis vir Walterus Scote dominus de Morthostoune michi notario publico tradidit quandam cartam cum sigillo rubie cere pendenti in alba cera impresso, cum circumscriptiōe et armis Johannis Inglis, perlegendam, publicandam, et in hanc publicam formam redigendam, non rasam, abolitam, cancellatam nec interliniatam neque in aliquo viciatam, sed omni vicio et suspiciōe carentem; cuius tenor sequitur in hec uerba: OMNIBUS HANC CARTAM VISURIS uel AUDITURIS, Johannes Inglis, dominus de Menar, salutem in Domino sempiternam: Vestra nouerit ueritas me delisse, concessisse et hac presenti carta mea confirmasse dilecto meo Roberto Scote domino de Murthastoun dimediatatem omnium terrarum mearum de

Robras nos edisse concessisse & hac pua
causa in die de Comburga quato quide pas
ca pua nob p fuisse & hanc duxit reddere
pua & p de heredibus suis omni quem
clamaus de nob & heredibus nris in fudo &
hereditas pastus & pastus moris massifs
vys & psta pns bonis / bonitatis / natus
& eoz pntis libentis comeditatis assuunt
ad nra libe quere plenay nra
honore in ducem nra note alio fime
annate pta restom pua caute nre nre
pcepim edy nra epns iose pnto nro
de daf sanguines nro Comabz iacobo
de lra decimo die Octobr Anno Regni
nri die

Robertus dei gra Rex. Statum omnibus plis hominibus tunc esse sine thesa & layas Dultin. Satis nos edisse concessisse & hac pua
capa nra confirmasse dilo consanguineo nro henrico de douglas milite regis de logrome cu pmanens nro die de edynburgh quas quide ipas
cu pmanens dno henric no vi tunc nra dno n' exois hppis & meya & spontanea voluntate sua nob p fustis & bacm omnia reddidit
pape & simpliac resignata. ac totu nro & clamor que in dno die ad pmanens habuit et hpc putuit p se & heredibus suis omni quiete
clamant imppetunt. Tenend & hnd dno ipas cu pmanens p dno henric heribus & assignatas omis de nob & heredibus nris in feodo &
hereditate p omes pccas metas & dimisio omis in dno nregra & liberta bayona in bosnis & plenis pas pastus & pastus / mous / maffes /
Dys / amas / aquas / fagnis / & omnia / molendinis / milturis / & coz sequendis / aucupaculis / venaculis / & pisturis / hordis / bondagis / natus
& coz sequendis / cu fuyta & fossa solt & salt toll & theam & ftingandis / nro cu omibz alijs & pntis libertatibz / comeditatibz / assuunt
ac nris pmanens quibzcuq; ad dnam bayona pmanens / seu quouis nro pmanens / balenabz in fuytu. libe quiete plenay nregra &
honore hnt & in pace. reddendo inde nob & heredibus nris dno henric heribus sui & sui assignata omi denarym signa note albo firme
annate apud logrome in feodo pmanens / si petat. p alio fuytu ex tunc su denaria. In cui rei testom / pua capte nre nro
pcepim / apud sigillu nre / Sed no xpo patibz / Willms & iohs dno nro / dandree & duntidibz / cathay epus iohs pmanens nro
de dappit / dno dno / Robt de fuff & de exentel filio nro dno / Wille de douglas & de way / consanguineo nro / comitibz / iacob.
de hndesay nepote nro / hno & colisto de effon consanguineo nro / milibz / apud edynburgh / decimo die octobr / anno regni
nri / videlicet

Branchselme, videlicet, a riuolo de Branchselme usque ad aquam de Borythwyk, et ut aqua de Teveot currit, videlicet cum terris et edificiis de Steyll, et cum dimedietate lati prati versus terras de Steyll, et cum dimedietate prati de Lonnehyll, et cum terris de Holstruther, ex parte occidentali de le Syke decurrente de terra ecclesiastica, et cum dimedietate terrarum de le Meyrle, et cum duabus terris cotagiis iacentibus ex parte occidentali dicti riולי de Branchsemell cum pertinentiis, in baronia de Hawyk infra vicecomitatum de Roxburgh: Tenendas et habendas dicto Roberto et heredibus suis, de me et heredibus meis, in feodo et hereditate imperpetuum, in boscis, planis, pratis, pascuis et pasturis, viis, semitis, aquis, stagnis, moris, mossis et moraciis, cum communi pastura, cum curiis et exitibus curiarum, aucupacionibus, venacionibus et piscacionibus, et cum omnibus aliis et singulis libertatibus, commoditatibus, asyamentis ac iustis pertinentiis quibuscunque ad dictas terras cum pertinentiis spectantibus seu quouismodo spectare valentibus in futurum, libere, quiete, honorifice, bene et in pace, in omnibus et per omnia: Reddendo inde dictus Robertus et heredes sui michi et heredibus meis annuatim, in ecclesia parochiali de Hawyk in festo Assumptionis beate Marie uirginis, unum denarium argenti nomine albe firme, si petatur tantum, pro omni alio seruicio, exaccione seu demanda que de dictis terris cum pertinentiis per me vel heredes meos exigi poterunt seu requiri: Ego uero dictus Johannes et heredes mei, omnes dictas terras cum pertinentiis prefato Roberto et heredibus suis contra omnes homines warantizabimus, acquietabimus et imperpetuum defendemus: In cuius rei testimonium huic presenti carte mee sigillum meum apposui, apud ecclesiam de Menar, vltimo die Januarij anno Domini millesimo quadringentesimo vicesimo; hiis testibus, Waltero de Twede domino de Drummelzer, Johanne de Cauerhill domino eiusdem, Bernaba de Wache domino de Dawyk, Andrea Ker domino de Altonburn, Matheo de Glendonwin, et multis aliis: SUPER QUIBUS OMNIBUS et singulis prefatus Walterus Scote a me notario publico sibi fieri petiit publicum seu publica instrumentum seu instrumenta. Acta fuerunt [hec] in ecclesia de Caueris, sub anno, die, mense, indicione et pontificatu quibus supra; presentibus ibidem, venerabilibus et discretis viris, Archibaldo de Dowglas domino de Caueris, Henrico Turnbull de Crak, Jacobo Gray, Duncano Gray, Alexandro Ker et multis aliis testibus ad premissa vocatis,

Et ego Robertus Turnbull presbyter Glasguensis diocesis publicus auctoritate imperiali notarius [etc. in forma communi].

25. CHARTER by ARCHIBALD EARL OF DOUGLAS to WALTER SCOT, son of Robert Scott of Morthoustoun, of the lands of Lempatelaw. 2d July 1426.

OMNIBUS hanc cartam visuris vel auditoris, Archibaldus comes de Douglas et de Longauill, dominus Galwidie et regalitatis de Sproustoun, salutem in Domino sempiternam : Noueritis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto armigero nostro Waltero Scot, filio et heredi Roberti Scot de Morthoustoun, omnes et singulas terras nostras de Lempatelaw, pro suo seruitio nobis impenso et impendendo, cum tenandis et tenandriis eiusdem, jacentes infra regalitatem nostram antedictam de Sproustoun et vicecomitatum de Roxburgh, quequidem terre cum pertinentiis fuerunt dicti Roberti Scot, et quas idem Robertus Scot, non vi aut metu ductus, nec errore lapsus, set sua mera et spontanea voluntate, nobis per fustem et baculum sursum reddidit, pureque et simpliciter resignauit : Tenendas et habendas totas et integras prefatas terras de Lempatelaw cum pertinentiis prefato Waltero et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, . . . Reddendo inde annuatim prefatus Walterus et heredes sui nobis et heredibus nostris vnum denarium argenti in festo beati Johannis Baptiste nomine albe firme, si petatur tantum, pro omni alio onere, exactione, demanda aut seruitio seculari que de dictis terris de Lempatelaw cum pertinentiis iuste exigi poterunt aut requiri : Quam quidem cartam, donacionem et concessionem in eadem contentas in omnibus punctis et articulis, modis, conditionibus ac circumstantiis suis quibuscunque, forma pariter et effectu, in omnibus et per omnia, prefato Waltero et heredibus suis pro nobis et heredibus nostris approbamus, ratificamus et imperpetuum confirmamus, saluo nostro seruitio antehicto : In cuius rei

testimonium huic presenti

carte nostre sigillum nostrum fecimus apponi, apud manerium nostrum de Edibrodelschelis, secundo die mensis Julij anno Domini millesimo quadringentesimo vicesimo

sexto ; testibus, nobilibus viris

Jacobo de Douglas aunculo nostro predilecto, domino Johanne de Cokburn, milite, de Ormstoun, Alexandro de Morauia de Cranstoun, Johanne de Newtown de Dalcofe, cum multis aliis.



26. RETOUR of WALTER SCOTT as heir to his father, Robert Scott, in the lands of Elerig. 27th February 1426.

INQUISICIO facta apud Etibredeschelis, penultimo die mensis Februarij anno Domini millesimo cccc^{mo} vicesimo sexto, super articulis contentis in hoc breui incluso, per hos subscriptos et iuratos, videlicet, Johannem de Samichell, Johannem de Cauerhill, Alexandrum de Newtoun, Willelmum de Aynisle, Walterum de Dalyhell, Robertum de Dalyhell, Willelmum Turabull de Philiphaleh, Willelmum Turnbull de Todgishaleh, Alexandrum de Pringill, Willelmum de Cokburne, Adam de Hangaldside, Alexandrum de Murrafe, Johannem Robsoun, Johannem Turnbull de Foultoone et David Turnbull; Qui iurati dicunt quod quondam Robertus Scot, pater Walteri Scot latoris presencium, obiit vestitus et saisitus vltimate vt de feodo ad pacem et ad fidem domini nostri regis de terris de Elerig cum pertinenciis, iaentibus in baronia de Hawik et infra vicecomitatum de Roxburgh; et quod dictus Walterus est legitimus et propinquior heres eiusdem Roberti quondam patris sui de predictis terris cum pertinenciis, et est legitime etatis; et quod dicte terre cum pertinenciis nunc valent per annum decem marcas, et tantum tempore pacis valuerunt, et tenentur in capite de barone de Hawik, per seruicium vnus denarij soluendi ad festum beati Johannis Baptiste, nomine albe firme, super solum terre tantum si petatur, et sunt in manibus dicti baronis per spacium octo dierum ante festum Sancti Martini vltimo elapsum, per mortem dicti quondam Roberti, et in defectu veri heredis non in dictis terris introeuntis: In cuius quidem inquisitionis testimonium sigillum balliui, vna cum sigillis quorundam qui dicte inquisitioni intererant faciende, est appensum, anno, die, loco et termino supradictis.

27. NOTARIAL TRANSMPT of the Charter No. 22, *supra*. 25th July 1427.

TRANSCRIPTUM et datum in copiam sub signo et subscriptione mei notarii publici subscripti, apud Dalketh in festo sancti Jacobi apostoli, videlicet, vicesimo quinto die mensis Julij anno Domini millesimo quadringentesimo vicesimo septimo, indictione quinta, pontificatus sanctissimi in Christo patris ac domini nostri, domini Martini digna Dei prouidentia pape quinti, anno decimo, in hiis verbis: Robertus Dux Albanie, comes de Fyfe et de Menteith, ac gubernator regni Scocie, omnibus probis hominibus [*tc., ut No. 22, supra*]: QUAMQUIDEM 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 officii nostri gubernamus.

cionis regni predicti nobis commissi, imperpetuum confirmantus: In cuius rei testimonium presenti carte nostre confirmacionis sigillum officii nostri apponi precepimus; testibus, reuerendo in Christo patre, Gilberto episcopo Aberdonensi, cancellario Seocie, Waltero comite Atholie, fratre nostro, Alexandro Senescalli comite de Marr, Duncano comite de Leuenaux, Willelmo de Grahame de Kincardin, Johanne Senescalli de Lorn, Georgio de Lesly, militibus, consanguineis nostris, et Andrea de Hawyk, caonico Dunkeldensi, secretario nostro, apud Perth, vicesimo quarto die mensis Octobris, anno Domini millesimo quadringentesimo septimo, et gubernacionis nostre anno secundo.

Et ego Gavinus Gilberti, clericus Sancti Andree diocesis, publicus auctoritate imperiali notarius, suprascriptam cartam confirmacionis coram hiis testibus, videlicet, magifico et potente domino, domino Jacobo de Douglas, milite, domino de Dalketh, Henrico de Douglas de Dalketh, Malcolm Fleming, domino de Bigar, domino Willelmo Monypeny milite, Alexandro Giffurde de Schirrefhall, domino Willelmo de Conynggahame, rectore de Malwin, et domino Willelmo de Carale, capellano, cum multis aliis, legi, tenui, et diligenter examinaui, non rasam, non abolitam, non cancellatam, nec in aliqua ipsius parte suspectam, set omni prorsus vicio et suspicione carentem, et sanam et integram, in pargamino scriptam, sigillatamque vero sigillo rotundo officii dicti domini Ducis Albanie gubernatoris regni Seocie supradicti in cera alba, ideoque ad instanciam prouidi domini, domini Jacobi de Douglas domini de Ennerawin de verbo ad verbum copiaui, et in hanc publicam formam redegii, manuque mea propria scripsi, et me hic subscripsi, signumque meum consuetum apposui, rogatus et requisitus, in fidem et testimonium veritatis omnium premissorum.

G. G.

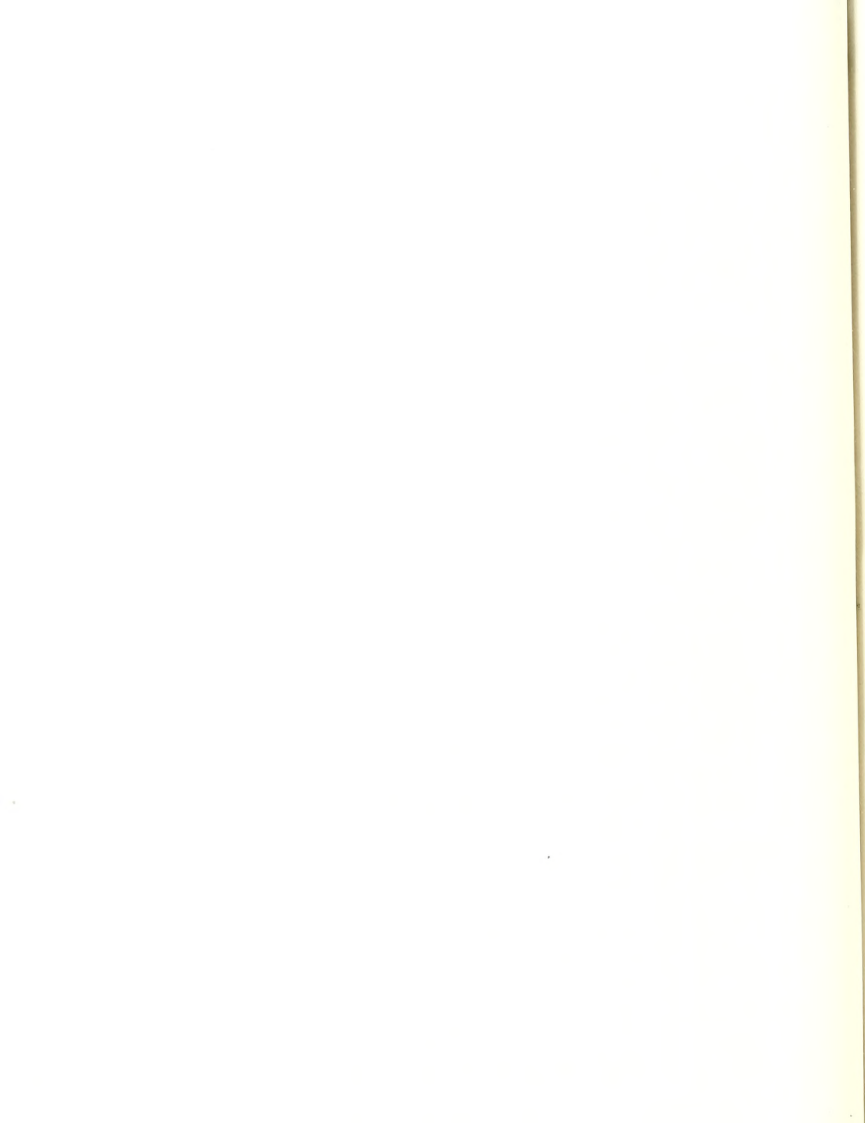
28. RETOUR of WILLIAM OF DOUGLAS, as heir of his father, Sir William of Douglas of Drumlangryg, in the barony of Hawick. [30th September] 1427.

INQUISICIO facta apud Jedworth, die Martis proximo post festum Sancti Michaelis, anno Domini millesimo cece^{mo} xxvij^{mo}, coram Archebaldo de Douglas, vicecomite de Roxburgh, per istos subscriptos, videlicet, Thomam de Cranstoun, Symonem de Dalgles, Jeorgeum de Hoppryngile, Alexandrum de Scheisholme, Jacobum de Langlandis, Willelmum Turbule, Willelmum Colwele, Dauyd Turbule, Andream Ker, Jacobum Ker, Willelmum Schewile, Walterum Turbule, Adam Gibsoun,

(12)

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In quibus hanc cartam inscribere ut Anglorum Archiepiscopus comes de Douglas p. de langobate
 Thome Cantuarie p. de illa amandem et in domino Thome Stratton eorum approbasse et ratificasse
 et hanc partem cartam ipsam confirmasse p. nobis et heredibus nostris dilectis et singulis nostris
 Willmo de Douglas filio et heredi quondam Thome Willm. de Douglas dno et dominum Willm.
 ambrosii de duntocord et concessione sua p. singulis et heredibus suis et heredibus suis
 penitentibus quibus quidam benevolentie archidiaconi comes de Douglas poss. part.
 dedit et concessit quibus quondam Thome Willmo de Douglas p. dno et heredibus suis et heredibus
 totas et integras terras et heredes suos benevolentie dno penitentibus suis et heredibus suis
 Willmo de Douglas et heredibus suis de nobis et heredibus nostris in feodo a herede imperatoris
 in omnibus et p. omnibus partibus nostris dno Thome Willmo patris sui p. de castro
 in se plenius committere et servare in eadem respectu omnium sigillo nostro p. de castro
 est appensum apud nos factis die mensuris anno dno Willmo quondam regis
 Decimo septimo hinc testibus honorabilibus Episcopo Jacobo de Douglas de Salinhum
 cano episcopo et ipsius benedictus de abirethy de Suleoid dno et Thome de castro
 Jacobo de castro et Thome de Salinhum et Henrico de Salinhum et
 multis aliis.



Robertum de Hepe, et Patricium Inglise; qui jurati dicunt quod quondam Willelmus de Douglas de Drumlangryg, miles, pater Willelmi de Douglas, latoris presentium, obiit ultimo vestitus et saisitus ut de feodo ad pacem et fidem domini nostri regis de tota baronia de Hawyk cum pertinentiis, infra vicecomitatum de Roxburgh; et quod dictus Willelmus est legitimus et propinquior heres eiusdem quondam Willelmi patris sui de predicta baronia cum pertinentiis; et quod est legitime etatis; et quod dicta baronia valet nunc per annum tres centum marcas cum pertinentiis, et tantum valet tempore pacis; et quod tenetur in capite de domino comite de Douglas nomine albe firme, videlicet, soluendo unam sagittam in die assumptionis nostre Domine in ecclesia de Hawyk, si petatur; et quod est in manibus dicti comitis per mortem dicti quondam Willelmi, militis, per spacium vij annorum, in defectu prosecutionis veri heredis: In cuius rei testimonium sigillum mei vicecomitis, vna cum sigillis quorundam aliorum qui dicte inquisitioni intererant, presentibus est appensum, anno, die et loco supradictis.

29. CHARTER by ARCHIBALD EARL OF DOUGLAS AND LONGOVILE to WILLIAM OF DOUGLAS, son of William of Douglas of Drumlangryge, Knight, of the barony of Hawick. 5th March 1427.

OMNIBUS hanc cartam visuris uel auditoris, Archibaldus comes de Douglas et de Longovile, dominus Galvidie et vallis Anandie, eternam in Domino salutem: Sciatis nos approbasse, ratificasse, et hac presenti carta nostra confirmasse, pro nobis et heredibus nostris, dilecto consanguineo nostro Willelmo de Douglas, filio et heredi quondam domini Willelmi de Douglas domini de Drumlangryge, militis, illas donationem et concessionem omnium et singularum terrarum baronie de Hawyk cum pertinentiis, quas quondam bone memorie Archibaldus comes de Douglas, noster pater, dedit et concessit predicto quondam domino Willelmo de Douglas, militi: Tenendas et habendas totas et integras predictas terras baronie supradicte cum pertinentiis suis quibuscunque dicto Willelmo de Douglas et heredibus suis, de nobis et heredibus nostris in feodo et hereditate imperpetuum, in omnibus et per omnia prout carta patris nostri dicto domino Willelmo patri suo inde confecta in se plenius continet et testatur: In cuius rei testimonium sigillum nostrum presenti carte nostre est appensum, apud Perth, quinto die mensis Marci anno Domini millesimo quadringentesimo vicesimo septimo; hiis testibus, honorabilibus viris Jacobo de Douglas de Balvany auunculo nostro carissimo, Laurencio de Abirnethy de Saltoun, David Stewart de Castelmilk, Jacobo de Rothirfurd eiusdem, et Henrico de Halibowrtoun, nostris consanguineis, cum multis aliis.

30. INSTRUMENT, on the Disposition by JAMES OF LANGLANDS, of the lands of Hepe to WALTER SCOTT, Lord of Muirhoustoun. 5th May 1431.

IN Dei nomine, amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnacione Domini millesimo cccc^{mo} xxxj^{mo}, mensis Maij die quinto, indicione nona pontificatus sanctissimi in Christo patris et domini, domini nostri Martini diuina prouidencia pape quinti, anno xiiij^{mo}, in mei notarij publici et testium subscriptorum presencía personaliter constitutus nobilis homo Jacobus de Langlandis dominus eiusdem dedit hereditarie et concessit, et pro se et heredibus suis imperpetuum confirmauit, omnes terras de Hepe cum pertinenciis in baronia de Wyltoun et infra vicecomitatum de Roxburgh jacentes, nobili viro Waltero Scot domino de Muirhoustoun et heredibus suis: Tenendas et habendas de ipso et heredibus suis, ita libere et quiete in omnibus et per omnia sicut Robertus de Hepe quondam dominus eiusdem ante resignacionem earundem de ipso tenuit et possedit: Super quibus omnibus et singulis predictus Walterus Scot a me notario publico sibi petijt fieri publicum instrumentum: Acta fuerunt hec in cimiterio ecclesie Sancte Marie de Havié, hora quasi xij^{ma}, anno, die, mense, indicione et pontificatu supradictis; presentibus probis viris Roberto de Hepe, Archibaldo de Douglas vicecomite de Roxburgh, Johanne Inglis domino de Menar, Magistro Willelmo Turnbule rectore de Havié, Alexandro de Murray, Alexandro de Newtoun, et Willelmo Turnbule, cum diuersis alijs testibus ad premissa vocatis specialiter et rogatis.

Et ego Willelmus de Myntow presbyter Glasguensis diocesis, publicus auctoritate imperiali notarius, [*etc., in forma communi.*]

31. ATTESTATION that JAMES LANGLANDS of that Ilk gave heritable possession of the lands of Hepe to WALTER SCOTT of Buccleuch. 9th May 1431.

TYLL all and syndry off qwam the knowlege thir presentis letterys ma to come, Archbald off Dowglas, lord off Cauerys and Scherraffe off Teuidaylle, Alysander off Murray off Cranstoun, Alysander off Chesholne off that ylk, Maystar William Turnbulle, persone off Hawyc, Wylliam Turnbule off Qwythope, Jhone off Murray, Jhone Turnbull, Richart Turnbull off Harden, Daudid Turnbull, Richart off Symontoun, Jhone Scot, and Stephyn Scot, gretyng in Gode ay lestande: For that yt ys neidfull and merytable to ber wytues to the suthfastness, thairfor to zowr vniuersite we mak it knawin that on the Wednysday next efter the Feest offe the Inuencioum off the Haly Cros the zer off our Lord M^{no} cccc^{mo} xxxj^o, we, the sayde

Archibald, Alysander and Alysander, William and William, Jhone and Jhone, Richart, David, James, Richart, Jhon and Stephyn, war present, hard, and saw, and in wytnesyng thairto war callit, and war James off Langlandis, lord of that ylk, and our Lord of the landis off the Hepe, gayffe heritabelle stat and possessioun off all the landis off the sayde Hepe, witht all frutis, asyamentis and pertinentis to the sayd landis off the Hepe belangand, or ony way mayand belang in tyme to com, to Walter Scot, Lord off the Buccleuche, and to hys ayris, in fee and in heritage perpetualy, to be halden off the sayd James off Langlandis and hys harys, makand haucht and wont seruis for the sayd landys, ays hayfis beyn doyn ande kepit in tym gayn by: In wytnes off the qwyk thyngis, we, the sayd Archibald, Alisander and Alysander, William and William, Jhone and Jhone, Richart, David, Richart, James, Jhone and Stephyn to thys present letter off wetnes hayfis set our seellis.

32. LETTER OF REVERSION by JOHN THOME of Beneale, Burgess of Edinburgh, in favour of WALTER SCOTT, Lord of Bukcluch, of two annual rents from Lediwrde. 16th May 1431.

VNIERSIS ad quorum noticiam presentes littere peruenerint, Johannes Thome de Beneale, burgensis de Edynburgh, salutem in Domino: Noueritis quod quamuis probus vir, Walterus Scot dominus de Bukcluch, concesserit, vendiderit et per cartam suam alienauerit michi suos annuales redditus duos, uidelicet, duarum librarum sex solidorum et octo denariorum de terris Johannis de Vache de Lediwrde, et duarum librarum sex solidorum et octo denariorum exeuntium annuatim de terris Johannis de Ghedes de Lediwrde predicto baronie de Kirkeurde et infra vicecomitatum de Peblis iacentibus, pro certa summa pecunie dicto Waltero per me pre manibus persoluta; volo tamen, concedo et pro me et heredibus meis bona fide me obligo ad sursum reddendum, quiete clamandum et libere deliberandum dicto Waltero uel heredibus suis dictos annuales redditus duarum librarum sex solidorum et octo denariorum, necnon et duarum librarum sex solidorum et octo denariorum, debitos de terris predictis Johannis Vache et Johannis de Ghedes de Lediwrde, cum pertinenciis, vnacum carta michi inde confecta, quodocunque contigerit dictum Walterum uel heredes suos persoluere michi uel heredibus, vno die inter solis ortum et occasum eiusdem, in ecclesia Sancte Crucis de Peblis, super magno altare eiusdem, simul et semel, centum libras, vnacum quatuor libris tresdecim solidis et quatuor denariis pro annuali reddito anni sequentis solucionem centum librarum predictarum, bone et legalis monete regni Scoeie, fraude et dolo semotis quibuscunque; ita quod, facta dicta solucione, ego nec heredes mei aliquod

ius uel clameum, proprietatem aut possessionem in dicto annuali reddito exigero uel exigerint qualitercunque, sed ab omni juris clameo, tam petitorio quam possessorio, simus quitti penitus et omnino. In cuius rei testimonium sigillum meum presentibus apposui, apud Peblis, xvj^{to} die mensis Maij anno Domini M^o cccc^o tricesimo primo.

33. CHARTER by WILLIAM OF CREICHTOUN of that Ilk, Knight, to WALTER SCOTT OF BUCCLEUCH, of the lands of Grymslaw. 13th March 1436.

OMNIBUS hanc cartam uisuris vel audituris, Willelmus de Creichtoun de eodem, miles, et [dominus] certarum terrarum de Grymslaw, salutem in Domino sempiternam: Noueritis me dedisse, concessisse et hac presenti carta mea confirmasse dilecto meo et speciali Valtero Scot de lee Bukcluche, pro suo homagio et seruicio michi impenso et pro toto tempore uite sue impendendo, omnes et singulas terras meas de Grymslaw cum pertinenciis, iacentes infra vicecomitatum de Roxburghe, et que tenentur in capite de baronia de Creichtoun infra vicecomitatum de Edinburghe: Tenendas et habendas . . . prefato Valtero Scot et heredibus suis masculis, de me . . . Reddendo inde annuatim . . . unam sectam curie ad curiam meam capitalem annuatim tenendam proximo post festum pasche apud capitalem locum baronie de Creichtoun, cum uarlis et releuis cum contigerint tantum . . . Apud castrum de Edinburghe, decimo tercio die mensis Marcii, anno Domini millesimo quadringentesimo tricesimo sexto; hiis testibus, uidelicet, Jacobo de Rutherford de eodem, Thoma de Crennestoun de eodem, Georgeo de Creichtoun de lee Blacness, Thoma de Crennestoun de Edinburghe, Willelmo de Crennestoun filio suo et herede, Patrio de Kokburne et Thoma de Prestoun, burgensibus de Edinburghe, cum multis aliis.

34. CHARTER by KING JAMES THE SECOND confirming to WALTER SCOTT, Knight, the dominical lands of Eefurde. 3d May [1437.]

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: cum bone memorie dominus progenitor noster, paulo ante eius obitum, prout coram nobis et consilio nostro sufficienti testimonio exitit declaratum, concessit dilecto nostro Waltero Scot, militi, pro capcione Gilberti de Ruthirfurde et aliis suis benemeritis et seruicijs impensis et impendendis, omnes et singulas terras dominicales de Eefurde, uidelicet le Est Maynis et le West Maynis uocatas Woddon, iacentes infra vicecomitatum de Roxburgh; nos itaque pro suo seruicio nobis impenso et impendendo dictam concessionem approbare, complere et

bone memorie domini. proventor noster. paulo
noster. Waltero deo milite. pro capone gilberti
de Cefunde de le Cef. moine & le Cef. moine
deo deam concessione. apud bar. complere de co
de moine & le Cef. moine de Cef. moine locat am.
Dico Waltero et heredibus suis de nobis & heredibus
nostris in casibus suis sicut in equis sicut in pratis
et de cum omnibus aliis & fructibus libertatibus
et sicut in fructibus valentibus quomodo debet in.
ffigantibus suis in ecclesia. prochali de Cef. moine de Cef. moine
in nobis annuatim. Dico Waltero et herede
et de in pratis de mandata aut fructus pccari que
nostris in maximis sigillim. nostris in pratis
profron milite annuatim noster. Waltero de halibmo
et de deo. Cef. moine de deo de deo noster. ap

actibus de gratia rex Scotorum omnibus probis hominibus tenens terre sue clerice & laice Saluem Emuloze memorie domini progenitoris nostri patris
ante eius obitum prout coram nobis & consilio nostro sufficienter testimonio acriter declaratum concessit dilecto nosro Baldezo Scoti militi pro capone gilberti
de Buchneside et aliis suis beneficiis & possessionibus imperio & impediendis omnibus & similibus terris dominicalibus de Seffinde & de Seff moynis & de Seff moynis
loci Ardoy iocore infra baroniam de Seff moynis nec itaq; pro suo seruo nobis impenso & impediendo deinde concessione approbatam complere et co-
firmare volens concessimus & concedimus p omnes eadem Baldezo et deinde terras dominicales de Seffinde & de Seff moynis & de Seff moynis loci Ardoy cum
pertenentijs iacere infra baroniam de Seff moynis p dictam Tenendam & habendam dictas terras cum ptenentijs dicto Baldezo et heredibus suis de nobis & heredibus
nostris in feodo et hereditate imperpetuum p omnes rectas metas suas antiquas et diuisas In lepis & lauris in ore sua vestis sue fontis aque fatis p ratis
pafine & pafine anaproumbe bonationibus et pifactionibus p ratis tuncayre & calonabys cum lapide & calce de cum omnibus alijs & similibus libertatibus
conditibus & asserentijs ac iuris ptenentijs quibuscuq; ad dictas terras cum ptenentijs factis antequam p ratis fuerat talentibus quomodolibet in
futurum Quousq; nos aut successores nros p ducimus aut possideat dicto Baldezo militi heredibus su assignatio sine in eadem p ratis de Seffinde una
die inaz solis octum & eiusdem octum & quingentas marcas bone & spualis monete regni nri Et faciendo in eam nobis annuatim dictus Baldezo et hce
de sui terre terras ad tria plura capitalia baroniam nros de Seff moynis Tenendam pro omni alio onere exactione qm tunc dme demandata aut p ratis p ratis que
de dictis terris cum ptenentijs p quoscunq; usq; eorum p ratis p ratis nri In cuius rei testimonium p ratis nri in magnum sigillum nostrum apponere
cepimus & factibus p ratis nri p ratis nri in magnum sigillum nostrum apponere cepimus & factibus p ratis nri in magnum sigillum nostrum apponere cepimus
milia & p ratis nri in magnum sigillum nostrum apponere cepimus & factibus p ratis nri in magnum sigillum nostrum apponere cepimus & factibus p ratis nri in magnum sigillum nostrum apponere cepimus
Omnibus hce tenore die mensis maij anno regni nostri p ratis nri

confirmare volentes, concessimus et concedimus per presentes eidem Waltero easdem terras dominicales de Ecfurde, videlicet le Est Maynis et le West Maynis de Woldon vocatas cum pertinenciis, iacentes infra vicecomitatum de Roxburgh predictum : Tenendas et habendas dictas terras cum pertinenciis dicto Waltero et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, in boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, pratis, pascuis et pasturis, aucupacionibus, venacionibus et piscacionibus, petarijs, turbarijs et carbonarijs, cum lapide et calce, ac cum omnibus alijs et singulis libertatibus, commoditatibus et aisiamenis ac iustis pertinenciis quibuscunque ad dictas terras cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum, quousque nos aut successores nostri persoluerimus aut persoluerint dicto Waltero militi heredibus seu assignatis suis, in ecclesia parochiali de Ecfurde, vna die inter solis ortum et eiusdem occasum, quingentas marcas bone et vsualis monete regni nostri ; et faciendo interim nobis annuatim dictus Walterus et heredes sui tres sectas ad tria placita capitalia vicecomitatus nostri de Roxburgh tantum, pro omni alio onere, exaccione, consuetudine, demanda aut seruicio seculari que de dictis terris cum pertinencijs per quoscunque iuste exigí poterunt seu requiri : In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus, reuerendo in Christo patre Johanne episcopo Glasgouensi cancellario nostro, Johanne Forestarii de Corstorfin, milite, camerario nostro, Waltero de Haliburton, milite, thesaurario nostro, Magistro Willelmo Foulis Archidiacono Sancti Andree, nostri priuati sigilli custode, et Magistro Ricardo Crag vicario de Dunde, clerico nostro ; apud Striuelyne, tercio die mensis Maii anno regni nostri primo.

35. RESIGNATION by ALEXANDER OF THE WEYNDIS to WILLIAM OF DOUGLAS, Knight, Lord of Drumlangrig, of the lands of the Weyndis. 28th June 1437.

UNIERSIS pateat per presentes me, Alexandrum de le Weyndis, fecisse, constituisse et ordinasse, et per presentes facere, constituere et ordinare prouidos viros, Jacobum de Paiblis de eodem et Georgium de Pringil meos veros et legitimos procuratores, actores, factores et negociorum meorum gestores ac nuncios speciales : dantem et concedentem eisdem et eorum cuilibet coniunctim et diuisim meam plenariam potestatem et speciale mandatum ad sursum reddendum, pureque et simpliciter resignandum, pro me et nomine meo, per fustem et baculum et literas meas resignacionis, omnes et singulas terras meas de le Weyndis, cum pertinenciis,


iacentes in baronia de Hawik infra vicecomitatum de Roxburgh, in manus nobilis domini, domini Willelmi de Douglas domini de Drumlangrig, militis, ac domini mei superioris dictarum terrarum, ac totum jus et clameum que in eisdem terris cum pertinenciis habeo, habui, vel habere potero quoquomodo prefato domino meo superiori pro me et heredibus meis omnino quitum clamandum imperpetuum; ita quod nec ego dictus Alexander, nec heredes mei, nec aliquis alius nomine meo, aliquid ius vel clameum, proprietatem vel possessionem, in vel ad dictas terras cum pertinenciis, vel aliquam partem earundem, exigere seu vendicare potero vel poterint in futurum, sed ab omni actione earundem tam petitorio quam possessorio simul imperpetuum absoluti et exclusi per presentes; ratum et gratum habentem et habiturum quicquid dicti procuratores mei vel eorum aliquis coniunctim vel diuisim nomine meo in premissis duxerint vel duxerit faciendum: In cuius rei testimonium, quia sigillum proprium non habui, sigillum prouidi viri Johannis de Cranfurde, burgensis de Lithgw. presentibus apponi cum instancia procurauit, apud Lithgw, antepenultimo die mensis Junii anno Domini M^o CCCC^o XXX^o septimo; presentibus prouidiis viris Archebaldo Maluil, Johanne de Cors, Patricio de Lothian, Johanne Collane et Jacobo de Foulis publico notario, cum diuersis aliis.

36. PRECEPT by SIR WILLIAM OF CRECHTON of that Ilk for infesting
WALTER SCOTT, Knight, in Grymslaw. 7th March 1439.

WILLELMUS de Crechtoun de eodem, miles, dilectis nostris Jacobo de Rutherford, Andree Ker et Roberto de Gledstanis, coniunctim vel diuisim balliuis nostris hac vice specialiter deputatis, salutem: Quia concessimus hereditarie dilecto consanguineo nostro Waltero Scot, militi, et heredibus suis, omnes et singulas terras de Grymslaw que continent quatuordecim terras husbandias cum pertinenciis, iacentes infra vicecomitatum de Roxburgh, prout in carta nostra sibi inde confecta plenius continetur: Vobis igitur coniunctim vel diuisim precipiendo mandamus quatenus dicto domino Waltero, vel suo certo actornato, saisinam hereditariam dictarum terrarum cum pertinenciis, secundum tenorem dicte carte nostre, iuste haberi faciatis et sine dilacione: Ad quod faciendum vobis coniunctim vel diuisim nostram committimus plenariam potestatem: In cuius rei testimonium presentibus sigillum nostrum appendi fecimus, apud Edinburgh, septimo die mensis Marcij anno Domini millesimo quadringentesimo tricesimo nono.



omnium ad dnm
viro sine ulla p
id uoluerit nfr
mfm p pced m dnm
ad care nra in p
tari te fmo omni p
tici mo nono



Uelimus de Ecclesiam de eodem mico dilectus noster Jacobus de Tindimundus Andree filii dilectus de Gledhamo amicum et dilectum
balliuum nostrum hac vice iudicem deputat salutem. Quia concessimus hereditarie dilecto consanguineo nostro Abalero sicut nomen et si
uaditio suo omnia et singula dno de Gledhamo que genuit quatuordecim dno husbandias ad pueritiam uadentes infra
aromuntum de Gledhamo prout in carta nostra fieri de confecta plenius uenit in libro legitur quidem et dilectum proprium mediam
quartam dno dno Abalero et suo dno uicario suam hereditaria dno dno cum primis secundis uicariis de carta nostra in se habet
facit et sine dilacione ad quod faciendum libro eundem et dilectum noster plenaria potestatem in omni re testimonium patet
sigillum nostrum apponit. Signum nostrum septimo die mensis Augusti Anno dno millesimo quadringentesimo tricesimo nono.

37. CHARTER by THOMAS INGLIS of Mennar, of Brankishame, to SIR WALTER SCOTT of Buccleuch, Knight, of the lands of Brankishame and others. 23d July 1446.

OMNIBUS hanc cartam visuris uel auditoris, Thomas Ingelis de Mennar, dominus de Brankishame, salutem in Domino sempiternam: Noueritis me dedisse, concessisse, et hac presenti carta mea confirmasse nobili viro domino Waltero Scot, domino de Buccleuch, militi, omnes et singulas terras meas de Brankishame cum pertinentiis, terras meas de Todschawhil et Todschawhauch, terras de Goldylandis, terras de Qulitlaw et Quliteryg cum vna quarta parte terrarum de Ouerharwode cum pertinentiis, iacentes in baronia de Hawik infra vicecomitatum de Roxburgh, in excambium pro terris de Murthowstoun et Hertwod cum pertinentiis iacentibus in baronia de Bothvile infra vicecomitatum de Lanark: Tenendas et habendas omnes et singulas prenomatas terras de Brankishame, terras de Todschawhil, de Todschawhauch, de Goldylandis, de Qulitlaw et Quliteryg cum dicta quarta parte terrarum de Ouerharwode ac superioritate certarum terrarum de Kirkton michi pertinentibus, cum tenandis, tenandriis et seruiciis libere tenencium prefato domino Waltero Scot, heredibus suis vel assignatis, a me, heredibus meis et assignatis de domino barone de Hawik et eius successoribus in feodo et hereditate imperpetuum, per omnes rectas metas antiquas et diuisas suas, prout iacent in longitudine et latitudine, in boscis, planis, moris, marresiis, pratis, pascuis et pasturis, viis, semitis, aquis, stangnis, riuis, siluis, et lacubus, petariis, turbariis, carbonariis, brueriis, genestis et columbariis, cum lapide et calce, cum molendinis multuris et eorum sequelis, aucupacionibus, venacionibus et piscacionibus, cum curiis et curiarum exitibus et eschaetis, bludewitis, hereyheldis et merchetis mulierum, cum communi pastura et libero introitu et exitu, ac cum omnibus aliis et singulis commoditatibus, libertatibus et aisiamentis ac iustis pertinentiis suis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, tam procul quam prope, ad predictas terras cum dicta quarta parte terrarum de Ouerharwode ac superioritate et seruicio predictis, cum omnibus suis pertinentiis spectantibus seu iuste spectare valentibus quomodolibet in futurum libere, quiete, plenarie, integre, honorifice, bene et in pace sine retenemento uel renouacione quacunque: Faciendo inde annuatim dictus dominus Walterus Scot, heredes sui et assignati, dicto domino baroni de Hawik seruicium debitum et consuetum, ac suis heredibus et successoribus consimiliter tantum, pro omni alio onere, exaccione, demanda seu seruicio seculari que de dictis terris et dicta quarta parte terrarum cum dicta superioritate et omnibus suis

pertinenciis per quoscunque iuste exigi poterunt quomodolibet uel requiri: Et ego uero dictus Thomas Ingelis, heredes mei et assignati omnes et singulas prenominate terras de Brankishame de Todschawhil et Todschawhauch, de Goldylandis, de Quhitlaw, et Quhiteryg, cum dicta quarta parte terrarum de Ouerharwod et superioritate predicta, cum omnibus suis pertinenciis prefato domino Waltero Scot heredibus suis et assignatis adeo libere et quiete in omnibus et per omnia, ut predictum est, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus: In cuius rei testimonium sigillum meum huic presenti carte mee est appensum, apud Edinburgh, uicesimo tercio die mensis Julii, anno Domini millesimo quadringentesimo quadragésimo sexto; hiis testibus, uidelicet Andrea Ker de Awtonburne, Patricio de Lewis, Willelmo de Kokburne de Henrilande, Thoma Dickesone de Ormystoun, Roberto de Gleddistansy de le Crag, Alexandro Chesholme de eodem, et Roberto Scot, cum multis aliis.

38. CHARTER OF CONFIRMATION by WILLIAM EARL OF DOUGLAS, of the
Charter No. 37, *supra*. 23d July 1446.

OMNIBUS hanc cartam visuris uel auditoris, Will-elinus comes de Dowglas et de Aendale, dominus Galwedie et baronie de Hawik, etc., miles, salutem in Domino sempiternam: Noueritis nos quandam cartam dilecti tenentis nostri Thome Ingelis de Mennar domini de Brankishame datam et concessam nobili viro domino Waltero Scot de Bukeluch, militi, de omnibus terris suis de Brankishame, de Todschawhil, de Todschawhauch, de Goldylandis, Quhitlaw et Quhiteryg cum quarta parte terrarum de Ouerharwod, ac superioritate certarum terrarum de Kyrktoun cum pertinenciis, iacentibus in baronia de Hawik infra vicecomitatum de Roxburgh, in excambium pro terris de Murthowstoun et Hertwode cum pertinenciis, iacentibus in baronia de Bothvile, infra vicecomitatum de Lanark, de mandato nostro visam, lectam, inspectam et diligenter examinatum, non rasam, non abolitam, non cancellatam, non viciatam, sed omni prorsus uicio et suspicione carentem, sigillatam uero sigillo dicti Thome in cera rubea alba impressa pendente, ad plenum intellexisse sub hac forma que sequitur in hiis uerbis: OMNIBUS hanc cartam visuris uel auditoris, Thomas Ingelis de Mennar dominus de Brankyslame, salutem in Domino sempiternam: Noueritis [*etc., ut No. 37, supra.*] QUAMQUIDEM cartam, donacionem, concessionem et excambium in eadem contentas in omnibus articulis, modis, conditionibus et circumstantiis uniuersis forma pariter et effectu approbamus, ratificamus et pro nobis heredibus et successoribus nostris imperpetuum confirmamus, saluo

seruicio nostro : In cuius rei testimonium sigillum nostrum huic presenti carte confirmacionis nostre precepimus apponi, apud Edinburgh, vicesimo tercio die mensis Julij anno Domini millesimo quadringentesimo quadragesimo sexto ; hiis testibus, videlicet dominis Jacobo de Achinlek de eodem, Symone de Glendynwyn de eodem, Roberto de Crechtoun de Sanchquhar, militibus, Thoma de Cranstoun de eodem scutifero, et magistro Jacobo Lyndyssay de Cowantoun rectore de Dowglas, cum multis aliis.

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39. CHARTER by MARGARET CUSING to WALTER SCOTT of Buccleuch, Knight, of Cusingisland in Brankishame. 19th April 1447.

OMNIBUS hanc cartam visuris vel auditoris, Mergareta Cusing sponsa Symonis Routluge salutem in Domino sempiternam : Noueritis me de speciali licencia dieti Symonis sponsi mei ac cum consensu et assensu ipsius Symonis et Roberti Scot filij mei et heredis . . . titulo vendicionis alienasse et hac presenti carta mea confirmasse nobili et potenti viro domino Waltero Scot de lee Buccleuch militi totam et integram illam meam tenandriam terre vulgariter nominatam le Cusingisland cum pertinenciis iacentem in villa [et] territorio de Brankishame ex parte boreali eiusdem, iacentem in baronia de Hawic infra vicecomitatum de Roxburgh, pro certa summa pecunie michi et dicto Roberto filio meo . . . integre persoluta . . . Tenendam . . . predictam tenandriam terre cum pertinenciis prefato Domino Waltero heredibus suis et assignatis a me heredibus meis et assignatis de domino meo superiore in feodo et hereditate imperpetuum per omnes rectas metas . . . Faciendo inde annuatim dictus dominus Walterus heredes sui vel assignati domino meo superiori diete tenandrie terre seruicium debitum et consuetum tantum pro omni alio onere . . . seu seruicio seculari que de dicta tenandria terre cum pertinenciis per quoscunque iuste exigii poterunt . . . Et ego dicta Mergareta et heredes mei totam predictam tenandriam . . . prefato Domino Waltero heredibus suis et assignatis . . . contra omnes mortales warantzabimus . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum vna cum sigillis dictorum Symonis et Roberti in signum eorum consensus et assensus, Apud Edinburgeh xix^{mo} die mensis Aprilis anno Domini millesimo quadringentesimo quadragesimo septimo, hiis testibus Alexandro de Chesholme de eodem, Andrea Ker de Awtanburne, Jacobo Langlandis de eodem, Willelmo Turnbull de Qwhithop, et Johanne de Sancto Michaeli juniore, cum multis alijs.

40. SASINE of WALTER SCOT of Brankisholme, Knight, in Cusynlandis.
7th August 1447.

IN nomine Domini, amen : . . . anno a natiuitate Domini millesimo quadringentesimo quadragésimo septimo, indicione nona, mensis vero Augusti die septimo, pontificatus sanctissimi in Christo patris et domini nostri domini Nicholai diuina prouidencia pape quarti, in mei notarij publici et testium infra scriptorum . . . presencia personaliter constitutus honorabilis dominus Walterus Scot, miles, dominus de Brankisholme, presentans quandam litteram ballie honeste matrone Mergrete Cusyne, filie et heredis Willelmi Cusyne, tunc vxoris Symonis de Routluge burgensis de Hawie, quam quidem litteram a me notario publico peeijt idem Walterus perlegi, cuius tenor sequitur et est talis : MERGRETA Cusyne sponsa Symonis Routluge dilecto balliuo meo, Roberto Scot filio meo et heredi in hac parte, salutem : quia dedi et concessi hereditarie per vendicionem et alienacionem de speciali licencia dicti Symonis, cum consensu et assensu dicti Roberti Scot filij mei et heredis, nobili viro domino Waltero Scot domino de lee Bukelouch, militi, totam illam tenandriam meam terre vulgariter nominatam lee Cusynlandis cum pertinenciis, iacentem in villa et territorio de Brankishelme ex parte boreali eiusdem, in baronia de Hawie infra vice-comitatum de Roxburgh ; quare vobis do in mandatis quatenus visis presentibus sasinam . . . tocuis predictae tenandrie terre cum pertinenciis prefato domino Waltero uel suo certo attorney . . . iuste deleberetis . . . In cuius rei testimonium sigillum meum presentibus est appensum, apud Hawie septimo die mensis Augusti anno Domini millesimo quadringentesimo quadragésimo septimo . . . FINITA autem lectura littere predictae . . . prefatus Robertus Scot prefate matrone antedictae balliuus uirtute sui officij prefato domino Waltero militi sasinam et statum hereditarium de predicto tenemento siue tenandria in Brankishelme sine plure conferendo [dedit.] . . . Acta fuerunt hec in predicta tenandria de Brankishelme hora quinta post meridiem uel eocirca, sub anno, indicione, mense, die et pontificatu quibus supra, presentibus ibidem honorabilibus et honestis uiris Stephano Scot, armigero, fratre predicti domini Walteri, domino de Castellaw, domino Willelmo Scot presbitero perpetuo vicario de Westerker, Patricio Turnbul et Joanne Stodhird testibus . . .

Et ego Matheus de Romanox presbyter Glasguensis dyocesis, publicus auctoritate imperiali notarius [*etc., in forma communi.*]

11. CHARTER by JOHN BUREL of Eckfurd to STEPHEN SCOTT of Castellaw, of Burellands, in Eckfurd. 14th April 1448.

OMNIBUS hanc cartam visuris vel audituris, Johannes Burel de Ekfurde pistor burgensis de Edinburgh salutem in Domino sempiternam: Noueritis me . . . vendidisse et titulo vendicionis alienasse et hac presenti carta mea confirmasse honorabili viro Stephano Scot de le Castellaw omnes et singulas terras meas cum pertinenciis de le Burellandys, jacentes in baronia de Ekfurde, infra vicecomitatum de Roxburgh, pro quadam certa summa pecunie michi in mea magna et vrgenti necessitate pre manibus per predictum Stephanum gratanter et integre persoluta in pecunia numerata . . . Tenendas et habendas omnes et singulas prenominate terras de le Burellandys cum pertinenciis prefato Stephano Scot, heredibus suis et assignatis, a me heredibus meis et assignatis, de domino barone de Ekfurde heredibus suis et assignatis in feodo et hereditate imperpetuum, prout jacent in longitudine . . . Reddendo inde annuatim dictus Stephanus Scot heredes sui et assignati domino baroni de Ekfurde, heredibus suis et assignatis, vnum denarium argenti in festo Pentecostes super solum dictarum terrarum nomine albe firme, si petatur tantum, pro omni alio onere, exactione, demanda seu seruicio seculari que de dictis terris, cum pertinenciis, per quoscunque iuste exigi poterunt . . . Et ego vero predictus Johannes Burel heredes mei et assignati omnes et singulas prenominate terras de le Burellandys, cum pertinencijs, prefato Stephano Scot heredibus suis et assignatis . . . pro me heredibus meis assignatisque contra omnes mortales warrantabimus, acquietabimus et imperpetuum defendemus: In cuius rei testimonium sigillum meum vna cum sigillo prouidi viri Roberti Michaelis notarii publici burgensis dicti burgi in evidencijs testimonium per me instanter procurato presenti carte mee est appensum: Apud Edinburgh decimo quarto die mensis Aprilis anno Domini millesimo quadringentesimo quadragesimo octauo, hijs testibus videlicet: Dominis Wilhelmo Domino de Crechtoun cancellario Scocie, Jacobo de Crechtoun Domino de Frendracht, Georgio de Crechtoun de Carnis admirallo Scocie, Johanne Forstare de Corstorfyne magno Camerario Scocie, Archibaldo de Dowglas de Caueris vicecomite Tevidalie, Waltero Scot de Kyrkurde, militibus, Wilhelmo de Laweder de Haltoun, Patricio de Cokburne preposito burgi de Edinburgh, Andrea Ker de Sesfurde, Jacobo de Rudderfurde de eodem, Georgio de Cauerhil de eodem, Jacobo de Ormystoun de eodem, Roberto de Mol de eodem, et Georgio Turnbule de Bethokrowle cum multis alijs.¹

¹ There is a resignation by John Burel of the barony of Eckfurd, into the hands of Eckfurd, of his lands called Burellandis, in the King, as lord superior of the same.

42. CHARTER by KING JAMES THE SECOND to STEPHEN SCOTT of Burellis lands, in the barony of Eckfurd. 18th April 1448.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue clericis et laicis salutem ; Sciatis nos delisse, concessisse et hac presenti carta nostra confirmasse dilecto nostro Stephano Scott, omnes et singulas terras, vulgariter nuncupatas Burellis Landis, cum pertinenciis, iacentes in baronia de Eckfurde, infra vicecomitatum de Roxburgh : quequidem terre cum pertinenciis fuerunt Jolliannis Burell hereditarie, et quas idem Johannes . . . per procuratorem suum ad hoc legitime constitutum in manus nostras . . . resignavit . . . Tenendas . . . terras prenominatas cum pertinenciis predicto Stephano Scott et heredibus suis de nobis, heredibus et successoribus nostris in feodo et hereditate imperpetuum per omnes rectas metas . . . Adeo libere et quiete . . . sicut prefatus Johannes, aut aliquis predecessorum suorum prefatas terras cum pertinenciis de nobis aut predecessoribus nostris ante dictam resignacionem nobis inde factam liberius tenuit seu possedit : Faciendo inde nobis heredibus et successoribus nostris predictus Stephanus et heredes sui seruicia debita et consueta : In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus : Testibus Willelmo Domino Creghtoun cansanguineo et cancellario nostro, reuerendis in Christo patribus Willelmo et Johanne custode nostri priuati sigilli et secretario nostro ecclesiarum Glasguensis et Dunkeldensis episcopis, Willelmo et Georgio de Douglas et Angusie comitibus, consanguineis nostris carissimis, Alexandro de Levingstoun de Calenter, Johanne Sibald de Balgovny militibus, Jacobo de Levingstoun nostre persone custode, capitaneo de Streuelyn, et Roberto de Levingstoun computorum nostrorum rotulatore : Apud Streuelyn decimo octauo die mensis Aprilis, anno Domini millesimo quadringentesimo quadragesimo octauo, et regni nostri duodecimo.¹

so that neither he nor his heirs should ever again claim them. Sealed with the granter's seal, at Edinburgh, the 14th of April 1448. [Seal attached and entire.] There is also a precept of sasine by the said John Burell to his bailies, Andrew Ker of Sesfurde, James of Ormystoun of that ilk, and William Davidson, natural son of the late Richard Davidson, burgess of Jedworde, for infefting Stephen Scott of Castellaw in

the lands of Burellandis, which lands the said Stephen Scott purchased from the said John Burell. Sealed with the granter's seal, at Edinburgh, the 14th April 1448. [Seal attached, slightly broken.]

¹ Connected with the acquisition of Burellands by Stephen Scott, there is an instrument of sasine proceeding on a precept from King James the Second, which is contained therein, in favour of an honourable man,

43. SASINE of WALTER SCOT of Buccleuch, in the lands of Birkwood and Burnflat. 1st February 1448.

IN nomine Domini amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno a natiuitate Domini millesimo quadringentesimo quadragesimo octano, indiccione decima, mensis vero Februarij die primo, pontificatus sanctissimi in Christo patris et domini nostri domini Nicholai diuina prouidencia Pape quarti, in mei notarij publici et testium subscriptorum ad hoc vocatorum specialiterque rogatorum presenciam personaliter constitutus honorabilis vir dominus Walterus Scot, miles, dominus de Bakclouch alloquens aggreditur honesto et discreto viro Symoni de Routlug tunc temporis balliuo de Hawie postulans ab eo sasinam, statum et possessionem hereditariam uirtute sui officij sibi concito conferri tocius terre de Birkwod, quam quidem vocatam wlgariter *ane organg of land*, ac eciam terre de Burnflat prout incet, se extendens ad Smale Burn ; accedens autem prefatus Symon cliens hereditarie tempore suo ex feodo honorabilis et magnifici domini domini Willielmi de Douglas domini de Hawie, uirtute sui officij prefato domino Waltero militi sasinam statum et possessionem hereditariam sibi conferendo secundum tenorem carte sue inde confecte prout latius continetur : De et supra quibus omnibus et singulis supradictis prefatus dominus Walterus, miles, sibi fieri fecit per me notarium publicum infrascriptum vnum instrumentum. Acta fuerunt hec in quadam domo eiusdem terre de Birkwod hora decima ante meridiem uel ea circa, presentibus ibidem honorabilibus et discretis uiris Stephano Scot de Castel-law, Adam Scot, Waltero Scot, Ricardo Scot, et Johanne de Hawie, testibus ad premissa vocatis specialiterque rogatis.

Et ego Matheus de Romanox presbyter Glasguensis diocesis publicus auctoritate imperiali notarius [*etc., in forma communi.*]

44. CONTRACT OF MARRIAGE between ADAM, son and heir of Patrick, Lord of Halis, and ELYNE, daughter of Sir Alexander Home, Knight. 2d February 1448.

THIS Indenture made at Tynnynghame, the secunde day of Feueryhere, in the yhere of oure Lorde ane thousande four hundreth fourty and aucht, proportis and beris witnes that [it] is acordit betuix honorable men, Patrik Hepburne, Lorde of Stephen Scott, of the said lands within the town and territory of Eckfurl, called Burellands, which formerly belonged to John Burell, and had been resigned by him into the King's hands. Dated at Burellands, 20th February 1448.

Halis, on the ta part. and Schir Alexander Home, Knycht, of that ilk, on the tother part, in maner and forme that efter folois; that is to say, that Adam, soune and ayre to the saide Lorde of Halis, sal haue to wyf, God ledare, Elyne, the dochter of the said Schir Alexander, gif the saide Adam has nocht the dochter of James of Levingstone to wyf, ande Alexander, the sone of the saide Schir Alexander sal haue to wif, God ledare, Annes, the sister of the saide Lorde of Halis; and gif it happynis to falyhe, as God forbeide, through the dede of the said Adam, than sall the next sone, beande ayre to the saide Lorde of Halis, haue the dochter of the saide Schir Alexander, and sa furth quhil the saide mariage be complete, aye quhil the said Lorde of Halis has a sone, and the saide Schir Alexander a dochter, ande richt sa gif it happynis to falyhe, as God forbeide through the dede of the said Alexander, sone to the said Schir Alexander, than sal George, the next sone of the saide Schir Alexander, haue to wif, God ledare, the sister or a dochter of the saide Lorde of Halis, and sa furth quhil the said mariagis be complete, aye quhil the said Schir Alexander has a sone, and the said Lord of Halis a sister or a dochter; for the quhilk mariage the saide Schir Alexander sal gif to the saide Lord of Halis ane thousande markis of vsuale mone of Scotland, as sal proport in ane obligation made tharvpon; and for the mariage of the said Schir Alexanderis sone, the said lorde of Halis sal gif to the saide Schir Alexander sevyne hundreth markis of vsuale mone of Scotland as sal proport in ane obligatioun made tharvpon, and the said Schir Alexander sal gif to his sonnys leving the lordschipe and the Castel of Home, with his landis of Teydale, and the said Lorde of Halis sal gif to his sonnys leving, and to the dochter of the said Schir Alexander, and to the langare levare of thaim, all his landis of Aldhamstokis and Quhitsum, with thair penence, and feft thaim thairrof, excepande the donation of the kyrkis; and for alsmekil as the said lord of Halis son is nocht now of age to mak matrimonii, it is acordit betuix the saide partis gif the said mariage happynis to falyhe in the defaut of the saide Lorde of Halis, or of ony of his sonnys forsaide, the said Schir Alexander and his ayris sal haue and joys al the saide landis of Aldhamstokis for thuenty povnde be yhere, ay quhill he or his ayris haue raysit thua thousande markis of vsuale mone of Scotlande of the saide landis for his expensis, costis, and scathis, and the said son of the said Lord of Halis salbe in gouernance with the said Schir Alexander: Item, it is acordit that the saide Lorde of Halis sal for the plesance of God and the frendis of Robyne of Nesbet, and Williame of Chyrnside, fette a preste perpetuale in the college of Dunglas: Item, for the suppressis and scathis done be the said Schir Alexander and his party to the saide Lorde of Halis

and his party, it salbe amendit to the plesance and worschiþe of the said Lorde of Halis be the sicht of thair speciale frendis; and for the surpris and seathis done to Schir Daid Home and the said Schir Alexander and thair party be the said Lorde of Halis and his party, it salbe amendit to the plesance and worschiþe of the saide Schir Daid and the said Schir Alexander be the sicht of thair speciale frendis: Item, it is acordit that faithful frendschipe, kyndnes, and lawte salbe kepit betuix thaim, lelely and threuly, withoutyn fraude or gile for all the dayis of thair lifis; and gif ony strevis happynis betuix thaim and thair frendis or men, thai sal stande to the ordenance and consale of four or sex of thair nerrest frendis, and gif it be amendit with thair avice, and be rewlyt be thaim for euermar; ande at al thir conditiones and appointmentis salbe haldyn and kepit lelely and threuly, but fraude or gile, in maner and forme as is befor writtyn, aithir partis forsaide, the haly ewangell touchit, has geuyn thair bodely athis; and to the mar witnessing herof enterchangeably has set to thair selis, day, yher, and place forsaide.

45. RETOUR of WILLIAM OF DOUGLAS, as heir of his father, WILLIAM OF DOUGLAS, Knight, in the barony of Hawick. 6th October 1450.

HEC inquisicio facta fuit apud Jedworth, coram domino Archebaldo de Douglas de Caueris, milite, vicecomite de Roxburgh, sexto die mensis Octobris anno Domini millesimo quadringentesimo quinquagesimo per istos subscriptos, videlicet, dominum Walterum Scot de Bukeluch, militem, Johannem de Rutherford de Hundwaley, Johannem de Aynsley de Dolphinstoun, Willelmum Colwele, Jacobum de Douglas, Johannem de Langlandis, Jacobum Ker, Robertum de Rutherford de Chattow, Ricardum de Aynsley, Johannem Arnots, Johannem Sinclair, Thomam de Blar, Robertum Fawconnar, Robertum Veltre et Adam Bell: Qui iurati dicunt, in virtute sui iuramenti, quod quondam Willelmus de Douglas, miles, pater Willelmi de Douglas latoris presencium, obiit ultimo vestitus et saisitus vt de feodo ad pacem et fidem domini nostri regis de tota baronia de Hawik, cum pertinenciis, infra vicecomitatum de Roxburgh, et quod dictus Willelmus est legitimus et propinquior heres eiusdem quondam Willelmi patris sui, de dicta baronia cum pertinenciis, et quod est legitime etatis, et quod dicta baronia, cum pertinenciis, valet nunc per annum trecentis marcis, et tantum valet tempore pacis, et quod dicta baronia, cum pertinenciis, tenetur in capite de domino comite de Dowglas per albam firmam, videlicet soluendo vnam sagittam in die assumptionis beate Marie uirginis in ecclesia de Hawik nomine albe firme,

tantum si petatur, et quod dicta baronia, cum pertinenciis, in manibus dicti domini comitis de Dowglas nunc existit tanquam domini superioris eiusdem per mortem dicti quondam Willelmi in defectu veri heredis ius suum non prosequentis, et sic fuit a tempore obitus dicti Willelmi militis qui obiit in autumno sex annis jam elapsis: In cuius rei testimonium sigillum dicti vicecomitis, una cum sigillis quorundam qui dictae inquisitioni intererant cum breui incluso, presentibus sunt appensa, anno, die et loco supradictis.

46. CHARTER by KING JAMES THE SECOND to WALTER SCOTT of Kirkurd,
Knight, of the lands of Eckfurde. 28th February 1450.

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 Waltero Scott de Kyrkevurde, militi, pro suo homagio et serviciis nobis impensis et impendendis, totas et integras terras nostras de Eckfurde, cum pertinenciis, jacentes infra vicecomitatum nostrum de Roxburgh: Tenendas et habendas supradictas terras de Eckfurde, cum pertinenciis, dicto Waltero Scott, militi, et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum, per omnes rectas metas . . . Faciendo inde annuatim dictus Walterus et heredes sui nobis et successoribus nostris servicia de dictis terris de Eckfurde debita et consueta: In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus, reuerendo in Christo patre Willelmo episcopo Glasguensi, Willelmo domino Creichtoune nostro cancellario et consanguineo predilecto, venerabili in Christo patre Andrea abbate de Melros nostro confessore et thesaurario, dilectis consanguineis nostris Alexandro domino Montgomery, Patricio domino Glannis, magistro hospicii nostri, Willelmo de Edmondstoun de Collodin, Alexandro Ramsay de Dalwolsy, militibus, Magistris Johanne Arous archidiacono Glasguensi, et Georgeo de Schoriswod rectore de Culbre; apud Elyinburgh, ultimo die mensis Februarij anno Domini millesimo quadringentesimo quinquagesimo, et regni nostri decimo quinto.

47. CHARTER by KING JAMES THE SECOND to WALTER SCOTT of Kyrkurde,
Knight, of the lands of the barony of Eckfurde. 10th June 1451.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus totius terre sue, clericis et laicis, salutem: Sciatis nos dedisse, concessisse et hac presenti carta

nostra confirmasse dilecto nostro Waltero Scott de Kyrkurde, militi, totas et integras terras baronie de Ekfurde cum pertinenciis, jacentes infra vicecomitatum de Roxburgh; quequidem terre cum pertinenciis fuerunt dicti Walteri, militis, hereditarie, et quas idem Walterus . . . in manus nostras apud Edynburgh coram subscriptis testibus . . . resignavit . . . imperpetuum: Tenendas . . . prenomi-
natas terras baronie de Ekfurde cum pertinenciis dicto Waltero Scot de Kyrkurde, militi, et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum per omnes rectas metas . . . adeo libere, quiete . . . sicut dictus Walterus aut sui predicesores prenomi-
natas terras cum pertinenciis de nobis aut predicesoribus nostris ante dictam resignacionem nobis inde factam liberius tenuit seu possedit, tenuerunt seu possederunt: Faciendo inde annuatim dictus Walterus et heredes sui seruicia de dictis terris debita et consueta: In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus, reuerendo in Christo patre Willelmo episcopo Glasguensi. Willelmo domino Creichtoune nostro cancellario et consanguineo predilecto, dilectis consanguineis nostris Alexandro domino Montgomery, Patricio domino Glammys, Magistro Johanne Arous archidiacono Glasguensi, et Georgeo de Schoriswod rectore de Culre, apud Edynburgh, decimo die mensis Junii anno Domini millesimo quadringentesimo quinquagesimo primo, et regni nostri decimo quinto.

48. CHARTER by JOHN OF LANGLANDS of Wiltoun to WALTER SCOTT of Kirkurde, Knight, of the lands of Milsintoun in excambion for the lands of Hepe. 20th June 1451.

OMNIBUS hanc cartam visuris nel audituris, Johannes de Langlandis, dominus de lee dimediatatis baronie de Wiltoun, salutem in Domino sempiternam: Noueritis me dedisse, concessisse et hac presenti carta mea confirmasse honorabili viro Waltero Scot, militi, domino de Kirkurde, videlicet, pro permutacione terrarum de lee Hepe cum pertinenciis, que terre de Hepe quondam fuerunt predicti Walteri

Scot militis, omnes et singulas terras meas de Milsintoun in baronia de Wiltoun, iacentes infra vicecomitatum de Roxburgh: Tenendas et habendas omnes et singulas terras de lee Milsintoun cum pertinenciis prefato Waltero Scot, militi, heredibus suis et assignatis, de me et heredibus meis in feodo et hereditate imperpetuum, per omnes rectas metas antiquas et diuisas suas prout iacent in longitudine et latitudine inter rectas metas terrarum de Borthwik ex parte orientali, et rectas metas terrarum de Cheshelme ex parte anstrali, et rectas metas terrarum de Dualyrig et de lee Hosteotis ex parte occidentali, et rectas metas terrarum de Belindene ex parte boriali, in boséis . . . Reddendo inde annuatim predictus Walterus Scot et heredes sui et assignati mihi et heredibus meis vnam rubeam rosam vel sex denarios vsualis monete Scocie, si petatur vel petantur in festo Sancti Johannis Baptiste quod dicitur Natiuitas, nomine albe firme, super solum dictarum terrarum, tantummodo pro omni alio onere, exactione, demanda seu alio seruicio seculari que de dictis terris cum pertinenciis per me vel heredes meos seu alios quoscunque iuste exigí poterunt quomolibet vel requiri: Et ego vero predictus Johannes de Langlandis et heredes mei omnes et singulas terras predictas de Milsintoun, cum pertinenciis, prefato Waltero Scot, militi, et heredibus suis adeo libere et quiete sicut predictum est contra omnes mortales warantizabimus, acquitabimus et imperpetuum defendemus: In cuius rei testimonium sigillum meum huic presenti carte mee est appensum: Apud ecclesiam de Wiltoun, vicesimo die mensis Junii anno Domini millesimo quadringentesimo quinquagesimo primo, coram hijs testibus, Archibaldo de Dowglas, milite, domino de Caueris, Willelmo de Dowglas, filio et herede predicti Archibaldi, Andrea Ker de Prinsid, Alexandro de Chasheleme de eodem, domino Philippo Walgh, perpetuo vicario de Sibbaldby, Stephano Scot.

49. CHARTER by KING JAMES THE SECOND to DAVID SCOTT, son of Walter Scott of Kirkurd, Knight, of part of Drumeors. 14th March 1451.

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 Dauid Scott filio et heredi apparenti Walteri Scott de Kirkurde, militis, pro suo fidei seruicio nobis impenso et impendendo, viginti libratas terrarum de terris nostris de Drumcoers, cum pertinenciis, jacentibus infra vicecomitatum de Lynlithqw: Tenendas et habendas predictas viginti libratas terrarum, cum pertinenciis, dicto Dauid Scott et heredibus suis de nobis, here-

dibus et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas et diuisas, cum omnibus et singulis libertatibus, commoditatibus, asiamentis ac justis pertinenciis suis quibuscumque, tam non nominatis quam nominatis, ad dietas viginti libratas terrarum de Druncors, cum pertinenciis, spectantibus seu quouismodo iuste spectare valentibus in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo retinemento aut obstaculo quocunque, semper et quousque nos vel heredes nostri infeodauerimus vel infeodauerint dictum Dauid vel heredes suos per cartam et sasinam in viginti libratas terrarum jacencium infra vicecomitatus nostros de Berwic, Roxburgh et Peblis, aut vnum eorundem : Faciendo inde annuatim dictus Dauid et heredes sui tres sectas apud Lynlithqw, in tribus curiis capitalibus dicti vicecomitatus ibidem annuatim tenendis : In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus reuerendo in Christo patre, Willelmo episcopo Glasguensi, Willelmo domino Creichton, nostro cancellario et consanguineo predilecto, dilectis consanguineis nostris, Thoma domino Erskin, Willelmo domino Somyrulle, et Andrea domino le Gray, magistro hospicii nostri. Magistris Johanne Arous, archidiacono Glasguensi, et Georgeo de Schoriswod, rectore de Cultre, apud Striuelyne, decimo quarto die mensis Martii anno Domini millesimo quadringentesimo quinquagesimo primo, et regni nostri decimo sexto.

50. RESIGNATION by WILLIAM OF DOUGLAS of Drumlangrig of the barony of Hawick for new infeftment. 25th June 1452.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat manifeste quod anno ab Incarnacione eiusdem millesimo quadringentesimo quinquagesimo secundo, indicione decima quinta, et mensis Junii die vero vicesimo quinto, pontificatus sanctissimi in Christo patris ac domini nostri, domini Nicholai diuina prouidencia pape quinti anno sexto, in presencia omnium dominorum et testium subscriptorum meique notarii publici infrascripti personaliter constitutus honorabilis vir, Willelmus de Douglas de Drumlangrige, accessit ad presenciam excellentissimi principis domini Jacobi secundi Scotorum regis illustrissimi, ibique, genibus flexis, omnes et singulas terras suas baronie de Hawick cum pertinenciis, jacentes infra vicecomitatum de Roxburgh, in manus dicti domini regis tanquam domini superioris, per fustem et baculum, vt moris est, pure et simpliciter resignauit ; qua resignacione facta, prefatus excellentissimus rex omnes et singulas terras antedictas baronie de Hawick, cum pertinenciis, cum donacione ecclesie

eiusdem, cum omnibus iuribus, proficiis, et pertinenciis suis quibuscunque, eidem Willelmo Douglas et heredibus suis in liberam baroniam, secundum tenorem [carte] antefati domini regis sibi inde conficiende reddidit ac donauit; super quibus omnibus et singulis supradictis prefatus Willelmus Douglas a me notario publico infrascripto sibi vnum vel plura instrumentum vel instrumenta peccit fieri publicum vel publica: Acta erant hec apud castrum de Edinburgh, in camera prefati domini regis, hora quasi vndecima ante meridiem, anno, die, mense et pontificatu superius annotatis; testibus, reuerendo in Christo patre et domino, domino Thoma episcopo Cambricase, nobilibus et potentibus dominis et viris, Willelmo domino Crechtoun cancellario Scoeie, Andrea domino le Gray, magistro hospitii domicilii domini regis, Jacobo Crechtoun de Frentraucht, Roberto Crechtoun de Sanchar, militibus, ac nobilibus et honorabilibus dominis et viris, Patricio Hepburn de Halis, Willelmo Douglas, Georgio Hepburn, Roberto Blakader de eodem, Jacobo Crechtoun, Jacobo Cokburne, Willelmo Cokburne, Edwardo Cokburne, Georgio Cokburne, Edwardo Bonkill, Jacobo Chawmer, Roberto de Caruderis, et Roberto Hunter, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Willelmus Blar, presbyter Glasguensis diocesis, auctoritate imperiali publicus notarius, quia [*etc., in forma communi.*]

51. SASINE, on a Precept from JAMES EARL OF DOUGLAS AND AVANDALE, of WILLIAM OF DOUGLAS of Drumlangryk, in the barony of Hawick. 11th November 1452.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab incarnatione Domini millesimo quadringentesimo quinquagesimo secundo, mensis vero Nouembris die vndecima, indictione prima, pontificatus sanctissimi in Christo patris ac domini nostri, domini Nicholai diuina prouidencia pape quinti anno sexto, in mei notarii publici et testium subscriptorum presencia personaliter constitutus honorabilis scutifer, Jacobus de Douglas, capitaneus de Drumlangryk, balliuus in hac parte constitutus excellentis domini, Jacobi comitis de Douglas et de Avandale ac domini de Galwidia, etc., de cuius balliui mandato michi notario publico infrascripto luculenter constabat per literam prefati comitis de Douglas sigilloque eius autentico sigillatam, in quo insculpta erat ymago et forma nudi pilosi hominis genu flexo sedentis, gerentis scutum in pectore, et in scuto insculptum erat, in superiore parte ex vno latere,

forma cordis hominis ; ex alio vero latere superioris partis, forma siue ymago vnius leonis ; et in vna inferiorum partium, forma trium stellarum ; et in altera inferiorum partium, forma scaccarii in rubra cera impressa ; in circuiitu vero sigilli scriptum fuit, S[igillum] Jacobi Comitis de Douglas et Avendale, domini Gallwidie, etc. ; cuius littere tenor sequitur in hee verba : JACOBUS comes de Douglas et de Avendale, dominus Galwidie, etc., dilecto nostro Jacobo de Douglas capitaneo de Drumlangryk, salutem : quia concessimus hereditarie carissimo consanguineo nostro Willelmo de Douglas de Drumlangryk omnes et singulas terras de Hawyk cum pertinenciis, pro suo seruicio nobis impenso et impendendo, vobis precipimus et mandamus quatenus, visis presentibus, saisinam hereditariam dicto Willelmo vel suo certo actornato, latori presencium, dictarum terrarum, secundum tenorem carte nostre sibi inde confecte iuste haberi faciatis et sine dilacione ; et hoc nullo modo omittatis, saluo iure cuiuslibet : Datum sub sigillo nostro, apud Lanark, vicesimo octavo die mensis Octobris anno Domini millesimo quadringentesimo quinquagesimo secundo : POSTQUAM vero dicta litera michi notario publico presentata fuerat et per me perfecta, Jacobus balliuus prescriptus Willelmum de Douglas de Drumlangryk induxit et imposuit in principaliori domo capitalis messuagii predictae baronie de Hawik, et dedit eidem lignum et terram, vt moris est, in signum possessionis et saisine hereditarie, dicens similia verba : Ego Jacobus de Douglas balliuus constitutus in hac parte per Jacobum comitem de Douglas, etc., nomine et vice eius, do Willelmo de Douglas de Drumlangryk, hic presenti, possessionem hereditariam et saisinam omnium terrarum baronie de Hawik, secundum tenorem carte dicti domini comitis de Douglas desuper inde confecte, saluo iure cuiuslibet ; et ostio clauso, Willelmus antedictus aliquantulum in prefata domo remansit, deinde exiuit, et palam coram astantibus a me notario publico infrascripto de et super omnibus et singulis premissis instrumentum publicum seu publica instrumenta instanter petiit : Acta fuerunt hec super solum dictarum terrarum de Hawik, hora quasi decima ante meridiem, presentibus ibidem honorabilibus et discretis viris Roberto de Gledstanis, Georgio de Douglas, Alexandro de Abirnethe, armigeris, Roberto Scot, Thoma de Blar, prefate wille de Hawik balliuis, Johanne Walch, Roberto Falconar, Thoma de Lutherdale, Roberto Wchtiltre, burgensibus, domino Thoma Falconar capellano, Roberto Skarlate, Jacobo Wchtiltre, et Thoma Falconar, cum pluribus aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Patricius Moscrop, presbyter Glasguensis diocesis, bacallarius in decretis, publicus autoritate imperiali notarius [*etc., in forma communi.*]

52. RESIGNATION by WALTER SCOTT of Kirkurde, Knight, of the barony of Eckfurde, in favour of his son David Scott. 10th April 1453.

IN DEI nomine amen : Per hoc presens publicum instrumentum eunctis pateat manifeste quod anno ab incarnatione Domini millesimo quadringentesimo quinquagesimo tercio, indicione prima, et mensis Aprilis die decimo, pontificatus sanctissimi in Christo patris ac domini nostri, domini Nicholai diuina prouidencia pape quinti anno septimo, in excellentissimi principis ac domini nostri metuendissimi domini Jacobi regis Scotorum illustrissimi presencia, ac coram dominis et testibus subscriptis, et me notario publico infrascripto, personaliter constitutus nobilis vir dominus Walterus Scot de Kirkurde, miles, genibus flexis, in manus dicti domini nostri regis omnes et singulas terras baronie de Eckfurde, cum pertinenciis, jacentes infra vicecomitatum de Roxburgh . . . resignauit . . . imperpetuum : qua resignatione sic, vt premittitur, pure et simpliciter facta, prefatus supremus dominus noster rex omnes et singulas predictas terras baronie de Eckfurde, cum pertinenciis, David Scot filio et heredi apparenti dicti domini Walteri Scot, secundum tenorem et effectum carte eiusdem domini nostri regis dicto David desuper conficiende tradidit et deliberauit ; reseruato tamen libero tenemento terrarum dicte baronie de Eckfurde cum pertinenciis dicto domino Waltero, militi, pro toto tempore vite sue . . . Acta erant hec apud Castrum de Striuelin, hora quasi quarta post meridiem, anno, die, mense, indicione et pontificatu quibus supra ; presentibus, reuerendo in Christo patre ac domino, domino Willelmo episcopo Glasguensi, Willelmo domino Crechtoun, magnifico et prepotente domino, domino Georgeo comite de Cathnes regni Scocie admirallo, magistro Jacobo Lindessay preposito ecclesie collegiate de Lincludan, Stephano Scot de Murehous, et Roberto Liddale de Balmure, cum multis aliis . . .

Et ego Thomas Broun clericus Sancti Andree diocesis, publicus auctoritate apostolica notarius [*etc., in forma communi.*]

53. CHARTER by KING JAMES THE SECOND to DAVID SCOTT, son of Walter Scott of Kirkurde, Knight, of the barony of Eckfurde. 16th April 1453.

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 et fideli nostro David Scott, filio et heredi apparenti dilecti nostri Walteri Scott de Kirkurde, militis, totas et integras terras baronie de Eckfurde, cum pertinenciis, jacentes infra vicecomitatum nostrum de Roxburgh ; que terre baronie

de Ekkfurde, cum pertinenciis, fuerunt dicti Walteri hereditarie, et quas idem Walterus . . . in manus nostras, apud Striueline, coram subscriptis testibus . . . resignauit . . . imperpetuum: Tenendas et habendas omnes et singulas prefatas terras baronie de Ekkfurde, cum pertinenciis, dicto Dauid Scott et heredibus suis de nobis, heredibus et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas . . . Et adeo libere, quiete . . . sicut dictus Walterus aut sui prediceffores prenominate terras baronie de Ekkfurde, cum pertinenciis, de nobis aut predicefforibus nostris ante dictam resignacionem nobis inde factam liberius tenuit seu possedit, tenuerunt seu possederunt: Faciendo inde annuatim dictus Dauid et heredes sui tres sectas ad tres curias capitales vicecomitatus nostri de Roxburgh annuatim tenendas, tantum pro omni alio onere . . . seruicio seculari que de dictis terris baronie de Ekkfurde, cum pertinenciis, per quoscunque iuste exigi poterunt . . . Reservato tamen libero tenemento dictarum terrarum baronie de Ekkfurde cum pertinenciis dicto Waltero pro toto tempore vite sue: In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus, reuerendo in Cristo patre Willelmo episcopo Glasguensi, Willelmo domino Creichtoune nostro cancellario, Georgeo comite de Cathnes admirallo regni nostri, consanguineis nostris predilectis: dilectis consanguineis nostris Thoma domino le Er-kin, Willelmo domino Somyrville, Roberto domino Lyle, magistris Jacobo Lindesay preposito ecclesie collegiate de Lincludane, nostri secreti sigilli custode, et Georgeo de Schoriswode cancellario Dunkeldensi secretario nostro, apud Striueline, decimo sexto die mensis Aprilis anno Domini millesimo quadringentesimo quinquagesimo tercio, et regni nostri decimo septimo.¹

54. CHARTER (of Excambion) by JAMES OF LANGLANDIS to WALTER SCOTT of Kirkurde, Knight, of the free holding of Milsaintoun, for the free holding of Hepe Wester. 31st December 1453.

OMNIBUS hanc cartam visuris vel auditoris Jacobus de Langlandis dominus liberi tenementi dimedietatis baronie de Wiltoun, salutem in Domino sempiternam:

¹ Connected with the preceding Resignation and Charter there is a Notarial Instrument on the Sasine given by Andrew Ker of Ald-townburn to David Scot, son and apparent heir of Walter Scot of Kirkurde, Knight, by virtue of a Precept from Chancery, of the lands of the barony of Eckfurd in the shire of

Roxburgh, which belonged to the said Walter heritably, and had been resigned by him into his Majesty's hands. The Precept and Crown Charter are both engrossed in the instrument, and are dated at Stirling, 16th April 1453. The Instrument is dated May 1453.

Noueritis me dedisse, concessisse et titulo excambii alienasse, et hac presenti carta mea confirmasse, honorabili viro Waltero Scot de Kirkurde, militi, totum liberum tenementum meum ville de Milsaintoun jacentis in baronia de Wiltoun predicta, infra vicecomitatum de Roxburgh, cuius liberi tenementi de feodo dictus Walterus, Scot, miles, gaudet pacifica possessione per statum et saisinam hereditariam, ac euidenciam exinde sibi per dilectum filium meum primogenitum Johannem de Langlandis ex consensu et assensu meis et facti mei in effectu datas et confectas similiter in excambium; Quas videlicet possessionem, statum, saisinam hereditariam et euidentias in omnibus suis punctis et articulis, forma pariter et effectu, in omnibus et per omnia approbo, ratifico, et pro me et successoribus meis pro perpetuo confirmo in excambium, vt premittitur, pro libero tenemento de le Hepe Wester dicti Walteri, militis, jacente in prefata baronia de Wyltoun infra vicecomitatum de Roxburgh: Tenendum et habendum predictum liberum tenementum meum vniuersum ville de Milsaintoun cum pertinenciis, vna cum feodo eiusdem, predicto Waltero Scot, militi, heredibus suis et assignatis, de me et heredibus meis in feodo et hereditate imperpetuum, per omnes rectas metas suas . . . Reddendo inde annuatim dictus Walterus heredes sui et assignati heredibus meis et successoribus secundum quod continetur in carta desuper sibi de feodo dicte ville de Milsaintoun per Johannem heredem meum sepedictum confecta et deliberata, sine aliquo alio onere, exaccione, questione, demanda sui seruitio seculari que de dicto libero tenemento et de feodo eiusdem cum vniuersitate et pertinenciis per quoscunque exigi poterunt in proprietate aut possessione petitorie aut possessorie vendicari quomodolibet seu requiri: Et ego vero dictus Jacobus de Langlandis et heredes mei dictum liberum tenementum ville de Milsaintoun, vna cum feodo eiusdem cum vniuersitate et pertinenciis adeo libere in omnibus et per omnia in excambium pro libero tenemento de le Hepe Wester, ut predictum est, dicto Waltero Scot, militi, et heredibus suis et assignatis contra omnes mortales warantizabimus, acquietabimus, et imperpetuum in forma premissa defendemus: In cuius rei testimonium sigillum meum presenti carte mee est appensum: Apud Hawik, vltimo die mensis Decembris anno Domini millesimo quadringentesimo quinquagesimo tercio.



55. SASINE by JAMES OF LANGLANDIS, Superior of the half of Wiltoune and of Milsaintoun, to WALTER SCOT of Kirkurde, Knight, of the freeholding of Milsaintoun. 31st December 1453.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab incarnatione Domini millesimo quadringentesimo quinquagesimo tercio, mensis vero Decembris die vltima, indicione tercia, pontificatus sanctissimi in Christo patris ac domini nostri domini Nicholaij diuina prouidencia pape quinti anno septimo, in mei notarij publici et testium subscriptorum presencia personaliter constitutus honorabilis vir Jacobus de Langlandis dominus liberi tenementi dimedietatis de Wiltoune, et dominus liberi tenementi ville de Milsaintoun, dedit, contulit et deliberauit saisinam, statum et possessionem hereditariam de toto et vniuerso libero tenemento suo ville de Milsaintoun cum pertinentiis, per tradicionem terre, lapidis et ligni, super solum et apud capitale messuagium terrarum dicti liberi tenementi, honorabili viro Waltero Scot de Kirkurde, militi, secundum formam et tenorem cartarum et euidentiarum per prefatum Jacobum desuper dicto libero tenemento prefato Waltero, militi, confectarum et deliberatarum, saluo iure cuiuslibet; de et super quibus omnibus et singulis prefatus Walterus Scot, miles, sibi fieri pecijt publicum instrumentum vel publica instrumenta per me notarium publicum infrascriptum, vna cum appensione sigilli dicti Jacobi de Langlandis et certorum sigillorum quorundam subscriptorum ad maiorem omnium premissorum roboracionem et testimonium : Acta erant hec apud capitale messuagiuna terrarum predictae ville de Milsaintoun, jacens in baronia de Wiltoune, infra vicecomitatum de Roxburgh, hora quasi tercia post meridiem, sub anno, mense, die, indicione et pontificatu quibus supra ; presentibus ibidem honorabilibus viris, videlicet. Johanne Jardyn domino de Appilgarth, Johanne de Langlandis filio et herede prefati Jacobi de Langlandis, domino feodi dimedietatis baronie de Wiltoune, Roberto Scot filio et herede Stephani Scot de Murhous, Roberto de Langlandis, Johanne de Creichtoun, Wmfrao de Ranwyk, Roberto de Ranwyk, Jacobo de Wechtersyde, Adam de Lydgat et Jacobo Huntar, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego vero Patricius Moscrop presbyter Glasguensis diocesis, publicus autoritate imperiali notarius [*etc., in forma communi.*]

56. CHARTER by JOHN OF IRELANDYS of that ilk to DAVID SCOT, of the lands called Irelandis Lands. 30th April 1454.

OMNIBUS hanc cartam visuris vel audituris, Johannes de Irelandys de eodem, salutem in Domino sempiternam: Noueritis me non vi aut metu ductum, nec errore lapsum, sed mea mera et spontanea voluntate, utilitateque mea vndeque preuisa et pensata, concessisse, titulo vendicionis tradidisse, et hac presenti carta mea confirmasse honorabili viro Dauid Scot filio et heredi domini Walteri Scot de Kirkurd, militis, omnes et singulas terras meas vlgariter nuncupatas Irelandis landis, jacentes in baronia de Wiltoun, infra vicecomitatum de Roxburgh, pro quadam certa summa pecunie michi in mea vrgenti et coguita necessitate pre manibus totaliter et integre persoluta, de qua quidem certa summa pecunie teneo me bene contentum et totaliter persolutum, dictumque Dauid, heredes suos, executores et assignatos exinde quittumclamo imperpetuum per presentes: Tenendas et habendas omnes et singulas predictas terras de Irelandis landis cum pertinenciis predicto Dauid Scot, heredibus suis et assignatis, de domino Henrico de Wardlaw domino dimedietatis baronie de Wiltoun, heredibus suis et successoribus, a me heredibus et successoribus meis in feodo et hereditate imperpetuum, prout iacent in longitudine et latitudine per omnes rectas metas antiquas et diuisas suas in boscis . . . Reddendo inde annuatim dictus Dauid, heredes sui et assignati, prefato domino Henrico Wardlaw domino dimedietatis de Wiltoun, heredibus suis et assignatis, vnam libram cucumeris, et vnum par calcarium, in festo Pentecostes, super solum dictarum terrarum de Irelandis landis nomine albe firme, si petantur tantum, pro omni alio onere, exactione, demanda seu seruiicio seculari que de dictis terris cum pertinenciis per quoscumque exigí poterunt quomodolibet vel requiri, et ego vero predictus Johannes de Irelandis, heredes mei et assignati, omnes et singulas pre-nominatas terras de Irelandis landis cum pertinenciis, prefato Dauid Scot, heredibus suis et assignatis, adeo libere et quiete, in omnibus et per omnia, vt predictum est, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus: In cuius rei testimonium sigillum meum huic presenti carte mee est affixum, apud Wiltoun, vltimo die mensis Aprilis anno Domini millesimo quadringentesimo quinquagesimo quarto; coram huius testibus, Philippo Turnbul de Qubithop, Wilhelmo Dalgles, domino Philippo Walch capellano, Thoma Clerc et Wilhelmo Melross.

57. CHARTER by KING JAMES THE SECOND to DAVID SCOTT, son of Sir Walter Scott of Kirkurd, of the lands of Quhitchestir. 10th Sept. 1455.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus totius terre sue, clericis et laicis, salutem : Sciatis nos pro fideli seruiicio dilectorum familiarium nostrorum, Walteri Scot de Kirkurd, militis, et Dauid Scot, filii sui et heredis apparentis, nobis impenso in victoria per eos optenta contra proditores nostros, quondam Archibaldum olim comitem Moraue et quondam Hugonem de Douglas fratrem suum, olim comitem de Ormonde, in interfectione dicti Archibaldi ac arrepta et captione dicti Hugonis in eorum proditoriis actionibus contra nostram regiam maiestatem nequiter perpetratis, et pro aliis benemeritis et seruiiciis per dictos Walterum et Dauid nobis multipliciter impensis et impendendis, dedisse, concessisse et hac presenti carta nostra confirmasse dicto Dauid Scot omnes et singulas terras nostras de Quhytchestir cum pertinenciis, jacentes in baronia de Hawick, infra vicecomitatum nostrum de Roxburgh, vna cum annuis redditibus infra villam de Hawie nobis pertinentibus, ratione forisfacture per quondam Johannem de Sancto Michaeli proditorem nostrum contra nos nequiter et proditorie commissis, sicuti in nostro plano parlamento alias apud Edinburgh tento per tres regni nostri status declaratum et iudicatum fuerat : Tenendas et habendas omnes et singulas prenomi-natas terras de Quhitchestir vncum dictis annuis redditibus cum pertinenciis dicto Dauid et heredibus suis de nobis, heredibus et successoribus nostris regibus Scotie, in feodo et hereditate imperpetuum, . . . in omnibus et per omnia sicut dictus Johannes de Sancto Michaeli aut sui prediessores, predictarum terrarum et dictorum annuorum reddituum possessores, ipsas terras et annuos redditus cum pertinenciis ante dictam forisfacturam liberius tenuit seu possedit, tenuerunt seu possederunt : Faciendo inde annuatim dictus Dauid et heredes sui nobis et successoribus nostris, regibus Scotie, seruiicia de dictis terris et annuis redditibus debita et consueta : In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus, reuerendis in Christo patribus Thoma et Georgeo Dunkeldensis et Brechinensis ecclesiarum episcopis, Willelmo comite Orchadie et de Cathnes, domino de Sancto claro, nostro cancellario et consanguineo predilecto, dilectis consanguineis nostris, Thoma domino Erskin, Patricio domino Grahame, Alexandro domino Montegomere, Patricio domino Glammys, Jacobo de Levingstoune magno camerario nostro, Roberto domino Lile, et Alano domino Cathkert, apud Striuelin, decimo die mensis Septembris anno Domini millesimo quadringentesimo quinquagesimo quinto, et regni nostri decimo nono.

58. NOTARIAL INSTRUMENT recording Attestations that JOHN OF SAINT MICHAEL had been retoured heir of his father, and infeft in Qwhitcheſter. 5th February 1455.

IN Dei nomine amen : Per hoc preſens publicum instrumentum cunctis pateat euidenter quod anno ab incarnatione Domini millesimo quadringentesimo quinquagesimo quinto, mensis vero Februarij die quinta, indictione tertia, pontificatus sanctissimi in Christo patris ac domini nostri domini Kalisti pape tereij anno primo, in mei notarii publici et testium subscriptorum presencia personaliter constituti honorabiles viri Johannes de Langlandis dominus feodi dimedietatis baronie de Wiltoun, Symon de Routluge, Johannes Walch, Thomas de Blar, et Thomas de Luthirdale, burgenses de Hawik, requisiti per honorabilem virum David Scot, filium et apparentem heredem domini Walteri Scot de Kirkurd, militis, super quandam inquisitionem factam coram nobili et potenti viro domino Archbaldo de Douglas vicecomite de Roxburgh, de terris de Qwhitcheſter, cum pertinenciis : Qui Johannes, Symon, Johannes, Thomas et Thomas concorditer dixerunt quod ipsi cum alijs de senioribus patrie in vniuerso minime tresdecim ad minus interfuerunt huiusmodi inquisitioni facte coram prefato vicecomite de mandato domini nostri regis per breuia directa a capella regia ad instanciam quondam Johannis de Sancto Michael filij quondam Johannis de Sancto Michael senioris, et respondentes ad vniuersos articulos predictorum breuium iurati dixerunt, prout adhuc dicunt, quod Johannes de Sancto Michael, pater Johannis de Sancto Michael tunc latoris dictorum breuium, obiit vltimo vestitus et saisitus vt de feodo ad pacem et fidem domini nostri regis de omnibus et singulis terris de Qwhitcheſter cum pertinencijs, jacentibus in baronia de Hawik infra vicecomitatum de Roxburgh, et quod dictus Johannes fuit legitimus et propinquior heres eiusdem quondam Johannis patris sui de dictis terris cum pertinencijs, et quod fuit legitime etatis, et quod dicte terre de Qwhitcheſter, cum pertinencijs, valuerunt per annum tunc et tempore pacis viginti libris vsualis monete regni Scocie, et quod dicte terre de Qwhitcheſter cum pertinencijs tenebantur in capite de barone de Hawik. videlicet. Jacobo tunc comite de Douglas, in alba firma, reddendo inde annuatim vnum denarium argenti super solum dictarum terrarum de Qwhitcheſter in festo Pentecostes nomine albe firme, si petatur tantum ; et quod dicte terre de Qwhitcheſter, cum pertinencijs, in manibus dicti baronis tunc existebant tanquam domini superioris earundem, per mortem dicti quondam Johannis, et sic fuerunt a tempore obitus sui in defectu veri heredis jus suum minime prosequentis : Preterea prefatus Symon de Routluge, burgensis ac

sergendus dicte baronie de Hawik, dixit et fatebatur quod presens fuit, vidit et audiuit quum prefatus Johannes de Sancto Michael junior de mandato dicti baronis, videlicet, Jacobi comitis de Douglas, et per literas ballivatus ipsius baronis transmissas et directas domino Waltero Scot, militi, ac ballivo eiusdem in hac parte constituto, recepit possessionem, statum et saisinam hereditariam omnium dictarum terrarum de Qwitchester cum pertinenciis per tradicionem terre, lapidis et ligni, vt moris est, de manibus dicti domini Walteri jure et nomine quo supra, coram multis testibus, ut asseruit: Et predictus Johannes de Langlandis dicit quod apposuit sigillum suum huiusmodi littere inquisitionis predictae; Et post uniuersa eorum dicta prefatus Daudid Scot de omnibus et singulis premissis a me notario publico infra-scripto sibi fieri peccit publicum instrumentum seu publica instrumenta: Acta fuerunt hec in cimiterio ecclesie parochialis de Hawik, hora quasi vndecima ante meridiem, sub anno, mense, die, indicione et pontificatu quibus supra, presentibus ibidem nobilibus ac discretis viris Waltero Scot, Thoma de Dalgles, Willelmo de Dalgles, Philippo Turnbule.

Et ego Patricius Moscrop presbyter Glasguensis diocesis, publicus autoritate imperiali notarius, premissis omnibus [*etc., in forma communi.*]

59. NOTARIAL INSTRUMENT recording Attestation of the Sasine of JOHN OF SAINT MICHAEL, in the lands of Qwhitchester. 2d November 1456.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab incarnatione Domini millesimo quadringentesimo quinquagesimo sexto, mensis vero Nouembris die secunda, indicione quarta, pontificatus sanctissimi in Christo patris ac domini nostri domini Kalisti pape tercij anno secundo, in mei notarij publici et testium subscriptorum presencia personaliter constitutus honorabilis vir Walterus Scot, miles, dominus de Kirkurd, sedens pro tribunali et iudice in sua curia principali de Branxhelm, requisitus et rogatus per honorabilem virum Daudid Scot de Ekfurd exponere et declarare veritatem, si ipse Walterus, miles predictus, dedit saisinam quondam Johanni de Sancto Michael, filio quondam Johannis de Sancto Michael domini de Qwitchester, de terris de Qwitchester, cum pertinenciis, sic quod talis declaracio seu exposicio facta per ipsum in plana curia, ipso scilicet domino Waltero sedente pro tribunali et iudice in sua plena et plana curia, dabit et exhibebit fidem et testimonium audientibus in futurum de huiusmodi sasina et possessione sicut sibi ipsimet presenti et superstiti : qui

juratus dixit quod habuit in mandato a domino Jacobo de Douglas, milite, quondam comite de Douglas per litteras precepti sui suo sigillo sigillatas ad dandum et deliberandum saisinam dicto Johanni, et quod accessit ad villam de Qwichester et dedit saisinam, statum et possessionem hereditariam dicto Johanni de Sancto Michaeli, filio quondam Johannis de Sancto Michaeli domini de Qwichester, de omnibus et singulis terris de Qwichester cum pertinenciis, per tradicionem terre, lapidis et ligni, prout moris est, salvo jure cuiuslibet, secundum tenorem precepti in littera michi directi et presentati, salvo jure cuiuslibet, et ad maiorem certitudinem et verificacionem eiusdem huic presenti instrumento sigillum ipsius dictus dominus Walterus iussit in prima cauda apponi, et post hec honorabilis vir Willelmus Turnbule de Mynto, magno sacramento interueniente, juratus, dixit quod ipse in propria persona recepit in mandatis a dicto domino Jacobo de Douglas ad presentandum dictum preceptum seu litteram saisine dicto domino Waltero Scot, et illud sibi presentavit, ad cuius verificacionem huic publico instrumento sigillum suum iussit apponi; preterea nobiles viri, videlicet, Johannes Jardyn dominus de Appilgarth, Walterus Scot de Fenwyk, Symon de Routluge de Hawik, Alexander Scot, Walterus Jakson, Robertus Buleman, cum multis aliis testibus, magno sacramento interueniente, jurati, dicunt quod personaliter interfuert presentes quum dicta saisina fuerat collata, et eam viderunt, et verba ibidem prolata audierunt, et in testimonium eiusdem capti fuerunt, in quorum testimonium sigilla eorum dicti Johannes Jardyn, Walterus Scot et Symon de Routluge huic publico instrumento iusserunt apponi; de et super quibus omnibus et singulis dictus David Scot sibi fieri peccijt publicum instrumentum seu publica instrumenta: Acta fuerunt hec apud capitale messuagium de Branxhelm, hora quasi decima ante meridiem, presentibus ibidem nobilibus et discretis viris, videlicet, Archbaldo de Douglas, milite, domino de Cauers ac vicecomite de Roxburgh, Archbaldo de Douglas filio dicti domini Archbaldi, Georgeo de Douglas, Stephano Scot de Murhous, Roberto de Chesholm de eodem, Willelmo de Dalgles, Jacobo Turnbule de Hormshole, Thoma de Blar, Johanne Walch, Thoma de Lutherdale, burgensibus, Johanne de Canerhyll de Breryzardis, Andrea Turnbule de Driden, Adam Turnbule de Calfshaw, David Armstrang de Sourby, Archbaldo Armstrang, Thoma de Dalgles, et Willelmo de Dalgles, cum multis alijs testibus ad premissa vocatis specialiter et rogatis, anno, mense, die, loco, indicione et pontificatu supradictis.

Et ego Patricius Moscrop presbyter Glasguensis diocesis, publicus auctoritate imperiali notarius [*etc., in forma communi.*]



60. CHARTER by KING JAMES THE SECOND, confirming a Charter by HENRY DOUGLAS of Logtoun, Knight, to ROBERT DOUGLAS and spouse, of Logtoun. 25th May 1457.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos quandam cartam dilecti nostri Henrici Douglas de Logtoun, militis, factam et concessam dilectis nostris Roberto de Douglas filio et apparenti heredi dicti Henrici et Elizabeth sponse ipsius Roberti, de omnibus et singulis terris de Logtoun cum pertinenciis, iacentibus infra vicecomitatum nostrum de Edinburgh, de mandato nostro visam, lectam, inspectam et diligenter examinatum, sanam, integram, non rasam . . . ad plenum intellexisse, sub hac forma : OMNIBUS hanc cartam visuris vel audituris, Henricus de Douglas de Logtoun, miles, salutem in Domino sempiternam : Noueritis me dedisse, concessisse et hac presenti carta mea confirmasse carissimo filio meo et apparenti heredi Roberto de Douglas, pro suis benemeritis michi multipliciter impensis, omnes et singulas terras meas de Logtoun cum pertinenciis, iacentes infra vicecomitatum de Edinburgh : Tenendas et habendas . . . prefato Roberto de Douglas et Elizabeth sponse sue . . . et heredibus suis inter ipsos legitime procreatis seu procreandis ; quibus forte deficientibus, veris legitimis et propinquioribus heredibus et assignatis meis quibuscumque, a me, heredibus meis et assignatis de domino nostro rege et heredibus suis in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dicti Robertus et Elizabeth . . . domino nostro regi et heredibus suis vnum denarium argenti in festo penthecostes, super solum dictarum terrarum in nomine albe firme, si petatur tantum . . . saluo et reseruato tamen rationabili tertia parte omnium dictarum terrarum cum pertinenciis vxori mee que pro tempore fuerit, dum contigerit, post decessum meum : Et ego vero predictus Henricus de Douglas, heredes mei et assignati, omnes et singulas prenominate terras de Logtoun . . . prefatis Roberto de Douglas et Elizabeth sponse sue . . . warrantizabimus. . . In cuius rei testimonium sigillum meum presenti carte mee est appensum, apud Edinburgh, vice-simo quinto die mensis Octobris anno Domini millesimo quadringentesimo quinquagesimo sexto ; hiis testibus, videlicet, nobilibus dominis et honorabilibus viris, Thoma domino Erskin, Patrio domino le Grahame, Alexandro Inglis de Tarvate, Archibaldo Stewart, Alexandro le Grahame, Alexandro de Douglas, fratre meo, et Willelmo de Striueline, cum multis aliis : QUAM QUIDEM cartam ac donationem et concessionem in eadem contentas in omnibus suis punctis et articulis . . . confirmamus, saluis nobis, heredibus et successoribus nostris, iuribus et seruiciis

nostris ante dictam confirmationem nobis debitis et consuetis : In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus ; testibus, reuerendo in Christo patre Georgeo episcopo Brechinensi, cancellario nostro, dilectis consanguineis nostris, Patricio domino le Glammys, Andrea domino le Gray, Roberto domino Boide, Jacobo de Levingstoune de Calentare magno camerario nostro, et Willelmo de Morauia de Tulibardin, apud Edinburgh, vicesimo quinto die mensis Maij anno Domini millesimo quadringentesimo quinquagesimo septimo, et regni nostri vicesimo primo.

61. INSTRUMENT ON KING JAMES THE SECOND granting in pledge, to WILLIAM OF DOUGLAS of Drumlangryg, his lands in the barony of Hawick.
20th July 1459.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice millesimo quadringentesimo quinquagesimo nono, die vero mensis Julii vicesimo, indicione septima, pontificatus sanctissimi in Christo patris et domini nostri, domini Pii diuina prouidencia pape secundi anno primo, in excellentissimi principis supremique domini nostri, domini Jacobi secundi Dei gratia Scotorum regis illustrissimi, meique notarii publici et testium subscriptorum presenciam personaliter constitutus honorabilis vir, Willelmus de Douglas de Drumlangryg, terras suas jacentes in baronia de Hawike, infra vicecomitatum de Roxburghe cum pertinenciis, ad manus regis certis de causis alias recognitas, sibi ad plegium dari et dimitti peciit, offerendo se pro dictis suis terris quod de iure et regni consuetudine facere incumberat facturum : Quo petito, dictus dominus noster rex ipsas terras dicto Willelmo ante dictam recognitionem hereditarie pertinentes, alias ut premittitur recognitas, ad plegium dimisit et relaxauit ; super quibus, etc. : Acta fuerunt hec in camera regia, infra monasterium Fratrum Predicatorum de Perth, hora quarta vel eocirca post meridiem, anno, die, mense, indicione et pontificatu quibus supra ; Presentibus reuerendo in Christo patre, Georgio episcopo Brechinensi, regni Scotie cancellario, nobilibus et potentibus dominis Georgio domino de Gordoun, Andrea domino Avendalie, Patricio domino le Grahame, Johanne Skrymgeoure, constabulario de Dundee, Symone de Glendynwyne de eodem, et Alexandro Hume de Douglas, militibus, testibus, cum multis aliis ad premissa vocatis specialiter et rogatis.

Et ego Johannes de Atheray, presbyter Dunblanensis diocesis, publicus auctoritate imperiali notarius [*etc., in forma communi.*]

62. REVERSION by STEPHEN SCOTT of Muirhouse to ROBERT MURE of Rowallan in regard to Dridane, etc. 5th March 1462.

VNICERSIS et singulis ad quorum notitias presentes litere peruenerint, Stefanus Scot de Murehous, salutem in Domino: Noueritis quod quamuis honorabilis vir, Robertus Mure de Rowallane, michi vendiderit et per cartam suam alienauerit omnes et singulas terras suas de Dridane, Colmanside, et Vuer Harwod cum pertinentenciis, jacentes in baronia de Hawie infra vicecomitatum de Roxburghe, prout in carta sua michi desuper confecta plenius continetur, volo tamen et concedo, ac me, heredes meos, executores et assignatos bona fide obligo dicto Roberto, heredibus suis, executoribus et assignatis, ad resignandum, sursum reddendum, ac pro me, heredibus meis et assignatis, quitum clamandum et libere deliberandum dicto Roberto, heredibus suis et assignatis, omnes et singulas predictas terras de Dridane, Colmanside et Vuer Harwod, cum pertinentenciis, vna cum carta, sasina et euideenciis michi desuper confectis, quam cito et quandoecumque contigerit prefatum Robertum, suos heredes vel assignatos persolvere michi, heredibus meis vel assignatis, vno die inter solis ortum et eiusdem occasum, simul et semel, summam ducentarum marcarum bone et vsualis monete Scocie, in ecclesia parochiali beati Egidii de Edinburgh, super altare beati Andree apostoli fundatum in ecclesia eiusdem, sine fraude vel dolo aliquo, ita quod, facta solutione prefate summe ducentarum marcarum, nec ego prefatus Stefanus, heredes mei aut assignati, nec aliquis alius nomine nostro, aliquid ius vel clameum, proprietatem vel possessionem in vel ad predictas terras cum pertinentenciis, vel aliquam partem earundem, exigere, aut vendicare poterit vel poterint in futurum, set ab omni iuris titulo, tam petitorio, quam possessorio dictarum terrarum cum pertinentenciis sim et sint exclusus et exclusi imperpetuum penitus et omnino, omni fraude et dolo semotis: Insuper, si contingat, quod absit, me prefatum Stefanum, heredes meos vel assignatos, fraudulenter absentare a receptione dicte summe, si fuero aut fuerint per predictum Robertum heredes suos vel assignatos personaliter premuniti, . . . licitum erit dicto Roberto, heredibus suis et assignatis, liberum habere regressum in et ad omnes et singulas predictas terras suas de Dridane, Colmanside et Vuer Harwod, cum pertinentenciis, sine licentia mei, heredum meorum vel assignatorum, et sine aliquo processu iuris, dicta summa nichillominus in custodia ad proficuum mei et heredum meorum deposita et custodita, omni fraude et dolo semotis: In cuius rei testimonium presentibus sigillum meum est appensum, apud Edinburgh, quinto die mensis Marcii anno Domini millesimo quadringentesimo sexagesimo secundo.

63. RESIGNATION by WALTER SCOTT of Kirkurd, Knight, and DAVID, his son, of the lands of Branxelm, etc. 5th December 1463.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat manifeste quod anno ab Incarnacione eiusdem millesimo quadringentesimo sexagesimo tercio, iudicacione duodecima, ac mensis Decembris die quinta, pontificatus sanctissimi in Christo patris ac domini, nostri domini Pii diuina prouidencia pape secundi anno sexto, in mej notarij publicj, et testium subscriptorum presencia personaliter constituti honorabiles viri dominus Walterus Scot de Kirkurde, miles, et Daud Scot filius et heres apparens dicti Walteri accesserunt personaliter ad presenciam excellentissimi principis ac domini nostri metuendissimi domini Jacobi tercii Scotorum regis illustrissimi, et ibidem dictus dominus Walterus omnes et singulas terras suas de Branxelme cum pertinenciis, iacentes in baronia de Hawie infra vicecomitatum de Roxburghe, necnon sex libratas terrarum de Langtoun, terras de Lempatlaw, terras de Elrig, Rankilburne, et terras baronie de Kirkurde cum pertinenciis, iacentes infra vicecomitatum de Peblis, in manibus dicti suppremi domini nostri regis . . . resignauit; et similiter dictus Daud Scot omnes et singulas terras suas baronie de Ekfurde et terras de Quhithestir cum pertinenciis, iacentes infra dictum vicecomitatum de Roxburghe, in manibus eiusdem suppremi domini nostri regis . . . resignauit: Quibus resignacionibus sic factis, idem suppremus dominus noster rex dictas terras de Branxelme, cum pertinenciis, vnam meram et liberam baroniam cum libertatibus ad baroniam spectantibus pro perpetuo creauit, ac eiam omnes et singulas dictas terras de Branxelme, Langtoun, Lempatlaw, Elrig, Rankilburne, Ekfurde, Kirkurde et Quitchester, cum pertinenciis, in vnam meram et liberam baroniam, baroniam de Branxelme perpetuis futuris temporibus nuncupandam, vniuit, annexit et incorporauit; et deinde dictus suppremus dominus noster rex omnes et singulas predictas terras dicte baronie de Branxelme dicto Daud Scot et heredibus suis, secundum tenorem carte eiusdem suppremi domini nostri regis sibi desuper conficiende dedit et deliberauit: Idem Daud et heredes sui reddendo annuatim dicto suppremo domino nostro regi et successoribus suis de viginti quatuor mercatis terrarum dicte baronie de Branxelme vnam rosam rubiam in festo beati Johannis Baptiste, apud capitale messuagium eiusdem, nomine albe firme tantum, et faciendo pro ceteris terris seruicia debita et consueta, libertate dicte noue baronie semper salua; reseruato tamen libero tenemento omnium dictarum terrarum cum pertinenciis dicto domino Waltero Scot, militi, pro toto tempore vite sue, et racionabili tercia parte earundem Margarete sponse eiusdem Walteri

cum contigerit . . . Acta erant hec in castro de Edynburgh, anno, die, mense, indicione et pontificatu quibus supra; presentibus ibidem, nobilibus et potentibus dominis, Andrea domino Avandale cancellario Scoeie, Colino comite de Ergyle, Magistro Jacobo Lyndesay preposito de Lyncoudane, Magistro Archibaldo de Quhitlaw, archidiacono Morauensi, David de Creichtoune, Roberto Hunter et Johanne Rede, cum multis aliis testibus . . .

Et ego Johannes Layng presbyter Sanctiandree diocesis, publicus auctoritate imperiali notarius [*etc., in forma communi.*]

64. CHARTER OF CONFIRMATION by KING JAMES THE THIRD to DAVID SCOTT, son of Walter Scott of Kirkurd, Knight, erecting Branxholm into a barony. 7th December 1463.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos pro fideli et laudabili seruicio quondam progenitori nostro et nobis nostra tenera in etate per dilectum militem nostrum Walterum Scot de Kirkurde et David Scot filium eius et heredem apparentem tam in rebellium nostrorum Jacobi de Douglas et fratrum suorum invasione quam expulsionem, multipliciter impenso, dedisse, concessisse et hac presenti carta nostra confirmasse predicto David Scot, filio et heredi apparenti dicti Walteri Scot, militis, totas et integras terras de Branxelme, cum pertinenciis, iacentes in baronia de Hawie infra vicecomitatum nostrum de Roxburghe: Quas terras de Branxelme vnam meram et liberam baroniam cum libertatibus ad baroniam spectantibus creamimus, et pro perpetuo creamus tenore presentis carte; necnon sex libratas terrarum de Langtoune, terras de Lempetlaw, terras de Elryg, Rankilburne et terras baronie de Kirkurde, cum pertinenciis, iacentes infra vicecomitatum nostrum de Peblis; ac etiam terras baronie de Ekfurde et terras de Quhithestir cum pertinenciis, iacentes infra dictum vicecomitatum nostrum de Roxburghe: Quequidem terre de Branxelme per nos, vt premittitur, in liberam baroniam create, sex librate de Langtoune, terre de Lempetlaw, Elryg, Rankilburne, et Kirkurde cum pertinenciis fuerunt dicti Walteri Scot, militis, patris dicti David hereditarie, et que terre baronie de Ekfurde et Quhithestir cum pertinenciis fuerunt dicti David Scot hereditarie, et quas omnes predictas terras cum pertinenciis predicti Walterus et David, non vi aut metu ducti, nec errore lapsi, sed suis meris et spontaneis voluntatibus, in manus nostras apud Edinburgh, coram subscriptis testibus personaliter

et diuissim singulariter sursum reddiderunt pureque simpliciter resignauerunt, ac totum jus et clameum que in dictis terris cum pertinenciis habuerunt seu habere potuerunt pro se et heredibus suis omnino quitum clamauerunt imperpetuum : Quas terras de Braxhelme, Langtoun, Lempatlaw, Elryg, Rankilburne, Kirkurde, Ekkfurde et Quithestir, cum pertinenciis, in vnam meram et liberam baroniam, baroniam de Braxhelme perpetuis futuris temporibus nuncupandam, vniuimus, anneximus et incorporauimus pro perpetuo per presentes : Tenendas et habendas omnes et singulas prenomintas terras baronie de Braxhelme, Langtoun, Lempatelaw, Elryg, Rankilburne, Ekkfurde, et Quhithestir cum pertinenciis in vnam meram et liberam baroniam, vt premittitur, BARONIAM DE BRANXELM nuncupandam, dicto Dauid et heredibus suis, de nobis, heredibus et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas . . . Reddendo inde annuatim dictus Dauid et heredes sui nobis, heredibus et successoribus nostris, de vizinti quatuor marcatis terrarum dicte baronie de Braxhelme vnam rosam rubeam in festo natiuitatis beati Iohannis Eaptiste, apud capitale messuagium eiusdem baronie nomine albe firme, si petatur tantum ; Et faciendo annuatim pro ceteris terris antedictis dictus Dauid et heredes sui, nobis et successoribus nostris, seruicia ante presentem infeodacionem debita et consueta, libertate tamen presentis noue baronie semper salua : Reseruato libero tenemento omnium dictarum terrarum cum pertinenciis dicto Waltero Scot, militj, pro toto tempore vite sue, et reseruata racionabili tercia parte earundem Margarete sponse eiusdem Walteri cum contigerit : In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precipimus : Testibus, reuerendo in Christo patre Iacobo episcopo Sancti Andree, con-sanguineo nostro carissimo, dilectis con-sanguineis nostris, Andrea domino Avandale cancellario nostro, Colino comite de Ergile domino Cambell, venerabili in Christo patre Archibaldo abbate monasterii nostri Sancte Crucis de Edinburghe, Johanne domino Dernele, Willelmo domino Abirnethy, Willelmo domino Borthwie, Magistris Iacobo Lindissay preposito de Lincloudane, nostri secreti sigilli custode, et Archibaldo de Quhitelaw archidiacono Morauienti, secretario nostro : Apud Edinburghe, septimo die mensis Decembris anno Domini millesimo quadringentesimo sexagesimo tercio, et regni nostri quarto.¹

¹ On the same date as the charter, King James the Third granted a Precept for infefting David Scot, the grantee, in the barony of Branxholm ; and sasine was expedie on the

13th December 1463, by John Gledstanis of Wyndetounhall, as Sheriff of the county of Roxburgh in that part, at Branxholm, as the principal messuage of the barony.



65. DISCHARGE by KING JAMES THE THIRD in favour of WALTER SCOTT
of Kirkurd. 27th January 1463.

JACOBUS Dei gracia rex Scotorum, vniuersis et singulis legiis et subditis nostris ad quorum noticias presentes litere peruenerint, salutem : Sciatis nos pro fideli et laudabili seruiicio per dilectum militem nostrum, Walterum Scot de Kirkeurde, nobis impenso, et signanter in expulsionem proditoris Jacobi de Douglas et complicitum suorum, remisisse ac tenore presencium remisimus dicto Waltero de solutione quarumcumque pecuniarum summarum in quibus dictus Walterus officariis nostris pro quibuscumque personis vsque in diem confectionis presencium traxit se in plegiagium siue debitorem; de quibus quidem pecuniarum summis predictum Walterum et heredes suos pro perpetuo pro nobis et successoribus nostris exoneramus et quittum clamauimus ac exoneramus et quittum clamamus tenore presencium literarum : quare vniuersis et singulis officariis nostris stricte precipiendo mandamus, ne quis dictum Walterum seu heredes suos ad solutionem quarumcumque summarum predictarum, in quibus nobis seu ministris nostris traxit se in debitorem, compellet, aut pro eisdem terras aut possessiones suas namare quouis modo presumet in futurum, sub omni pena que competere poterit in hac parte : Datum sub nostro secreto sigillo, apud Edinburgh, vicesimo septimo die mensis Januarii, anno Domini millesimo quadringentesimo sexagesimo tercio, et regni nostri quarto.

66. INSTRUMENT as to the REWARD to ROBERT SCOTT of Todschaw and others,
for the capture of John of Douglas of Balvany. 18th March 1463.

IN Dei nomine amen : per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnacione eiusdem millesimo quadringentesimo sexagesimo tercio, indicione duodecima, et mensis Marci die decima octaua, pontificatus sanctissimi in Christo patris et domini, nostri domini Pii diuina prouidencia pape secundi anno septimo, in mei notarii publici et testium subscriptorum presenciam personaliter constitute persone subscribe, captores quondam proditoris, Johannis de Douglas olim de Baluany; videlicet, Johannes Scot, Robertus Scot de Todschaw, Robertus de Gledstansys, Simon Scot, Andreas Turnebule, Stephanus Turnebule, Johannes Turnebule, Johannes Langlandis, Ricardus Turnebule, Thomas Scot, Adam de Dalglese, niger Walterus Scot. Adam Broune, Johannes de Mortoun, Patricius Smyth, Johannes Walcar, Johannes Broune, Johannes Alane, et

Philippus Jaksoun fatebantur iniuicem coniunctim et singulariter, diuisim, ac ipsos et eorum quemlibet sinilliter, obligarunt bene et gratanter fore contentos de summa mille et ducentarum marcarum vsualis monete Scoeie pro munere et retributione capcionis dicti pro-litoris, tam pro qui[n]qua[gi]nta marcis de pecunia, tam de quinquaginta marcatis terrarum in hereditate pro capcione eiusdem proditoris promissis et proclamatis; de qua summa totali mille et ducentarum marcarum diete persone fatebantur quinque centum marcas a supremo domino nostro Rege pro retributione predicta receptas, et restam diete totalis summe, videlicet, septem centum marcas non-lum solutas eis persoluendas fieri; quam summam integram et totalem mille et ducentarum marcarum receptam et recipiendam diete persone vnanimi consensu desiderarunt, ordinarunt, et absque reuocacione dederunt et concesserunt distribucionem, diuisionem, et participacionem reuerendi in Christo patris et domini, domini Jacobi, Dei et apostolice sedis gracia episcopi Sancti Andree, ac aliorum consulum dicti supremi domini nostri regis et aliarum personarum per eos ad huiusmodi distribucionem faciendam, in consilium eligendarum, per eorum discretionem participandam, distribuendam et diuidendam fieri inter personas antedictas; que eciam persone predictae vnanimi consensu absque reuocacione fidei-mediis obligarunt stare ad distribucionem, diuisionem et participacionem antedictas, et nuncquam illas contrauenire, ac quittanceas dicto supremo nostro regi post solutionem diete reste septem centum marcarum soluendarum de totali summa predicta mille et ducentarum marcarum dare et deliberare, et illo casu quod dictus reuerendus in Christo pater dominus episcopus Sancti Andree ac domini consules regii et persone per eos in consilium eligende non deliberant in distribucionem predictam, diete persone asseruerunt et declararunt ipsos et eorum quemlibet clameum eorundem totius muneris et retributionis dicti domini nostri regis promissis et proclamatis pro capcione dicti traditoris, iuxta tenorem clamei desuper facti prosequi: Acta erant hec in cimiterio ecclesie parrochialis beati Egidii de Edinburgh. hora quasi undecima ante meridiem, anno, die, mense, indicione et pontificatu quibus supra; presentibus ibidem nobilibus viris, dominis Waltero Scot de Kirkurde, Thoma de Cranstoune de eodem, militibus, Johanne de Anysle de Dolfynstoune, Waltero Twedy, Daud Turnebule, Herberto Twedy, et Willelmo Lindesay, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

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

67. SASINE in favour of WILLIAM DOUGLAS of Drumlangryg, of the lands of Kirktoone Maynis and Flekkis. 23d January 1464.

IN DEI nomine amen : Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno Domini millesimo quadringentesimo sexagesimo quarto, indicione decima tertia, ac mensis Januarii die vicesima tertia, pontificatus sanctissimi in Christo patris ac domini nostri, domini Pauli divina providencia pape secundi anno primo, in mei notarii publici et testium subscriptorum presenciam personaliter constitutus nobilis vir, Archibaldus de Douglas de Caueris vicecomes de Roxburgh, de mandato, vt asseruit, nobilium dominorum Willelmi domini Abirnethy et Willelmi domini Borthwic, justiciariorum suppremi domini nostri regis, accessit personaliter ad capitale messuagium terrarum vulgariter nuncupatarum Kirktoone Maynis et molendini earundem, et deinde ad capitale messuagium terrarum de Flekkis, jacentium in baronia de Hawye infra vicecomitatum de Roxburgh, que terre cum molendino, cum pertinentiis, nobilis vir Willelmus de Douglas de Drumlangryg in itinere justiciarie suppremi domini nostri regis tento apud Jedworth coram dictis dominis justiciariis, vicesimo secundo die dicti mensis Januarii anno predicto, per breve de morte antecessoris capelle regie ab Alexandro de Gledstanis legitime recuperavit vt in rotulamento curie desuper confecto plenius continetur : quiquidem Archibaldus vicecomes supradictus, sasinam actualem et hereditariam dictarum terrarum de Kirktoone Maynis ac molendini earundem cum pertinentiis, necnon dictarum terrarum de Flekkis cum pertinentiis, predicto Willelmo de Douglas per terre et lapidis exhibicionem hereditarie dedit, tradidit et deliberavit, qualem quondam dictus Willelmus de Douglas de Drumlangryg, miles, avus dicti Willelmi de Douglas habuit de eisdem terris et molendino predicto cum pertinentiis die qua fuit vivus et mortuus : De et super quibus, etc. ; et ad maiorem hujus rei evidenciam sigillum dicti Archibal[d]i de Douglas vicecomitis huic presenti instrumento est appensum : Acta erant hec apud capitale messuagium dictarum terrarum de Kirktoone Maynis et Flekkis, hora secunda post meridiem vel eocirca, anno, die, mense, indicione et pontificatu superius annotatis ; presentibus ibidem honorabilibus viris, Wilelmo Hog, Thoma Turnebull de Penryse, Simone Routelych, Jacobo Buky, Ricardo Hammyltoone, Alexandro Crechtoune, Roberto Mateland, Andrea Valance, Roberto Scot, et Archibaldo Zungare, cum multis aliis testibus . . .

Et ego Alexander Scot, Sancti Andree diocesis, publicus autoritate imperiali notarius, premissis omnibus [*etc.*, in formu communi.]

68. REVERSION by JOHN LINDSAY, younger of Cowantoun, to SIR WALTER SCOTT of Kirkurd, Knight, and DAVID, his son, of the lands of Kirkurd.
28th June 1465.

TILL all and sindry quhais knaulage thir present lettres sal cum, John Lindsay son and apperand aire til John Lindsay of Cowantoun, greting in God: Wit ze that abeid nobill men, Schir Waltir Scot of Kirkurde, knicht, and Daidid Scot, his son and aire apperande, hafe gevin to me heritabilly, be chartir and sesing, al and sindry thair landis of Kirkurde witht thair pertinentis, liande in the scherefdom of Peblys, as thair chartir to me thairapone made mare fullyly proportis, I will nevirtheles and grantis for me, myn aieris and assignais, ande in gude faith bindis and oblis me and thaim to the saidis Sir Walter and Daidid, and to the tother of thaim, thair aieris and assignais, that I, myne aieris nor assignais, nor nane vther in myn nor thair namis, sal nocht in na time to cum raise, lift, na vptak na malis nor profitis of the said landis of Kirkurde, nor poind nor distrenze thaim, nor na part of thaim, for ony payment thair of on to the time that Waltir Scot, son ande apperande are to the said Daidid Scot, cum to lauchfull aige of mariage to complete and fulfill the band and contract of matrimone betuix him and Katerin of Lyndesay, my sister; and gif it hapnis, as God forbeid it do, the saidis Walter or Margaret to decess, quhar throw the said mariage may nocht be complete betuix thaim, ay and a quhilest ane vther son of the said Daidid cum to lauchful age of mariage to mary ane vther dochter of the said John Lindsay, my faderis, sa that the said mariage sal be compl-tit and fulfillit betuix a son of the said Daididis and a dochter of the said John Lindsay the faderis, ay and quhill there is a son of the said Daidid or a dochter of the said John the faderis, as in the endentouris made betuix thaim thairapone mare fullyly proportis; of les than it happyn the said mariage to falze in the saidis Sir Walter and Daididis defalt, or the said Daididis sone or sones, efter their cummyn to lauchfull age of mariage: Attour, I binde and oblis me, be the faith of my body, myn aieris and assignais, to the saidis Schir Walter and Daidid, and to the tother of thaim, thair aieris, executouris and assignais, that gif it hapnis the said mariage to falze in thair defalt, that nochtwithstanding quhensauer it sal happin the saidis Schir Walter or Daidid, or the tother of thaim, thair aieris, executouris and assignais, to pay to me, the said John Lindsay the son, myn aieris or assignais, apoun a day betuix the son rising and the doume falling of that ilk, at anis and togidder, in the Colledge Kirk of Lincludane, vppoun the hee altar of the samyn, the soume of sex hundreth merkis of gude and vsuale mone of

Scotlaunde, that I, myn aieris and assignais, sal resigne, vpgif, and purely and simply quitecleme, and frely gif oure to the saidis Schir Walter or Dauid, or to the tother of thaim, thair aieris or assignais, all and sindry the said landis of Kirkurde with the pertinentis, togedder with charter, sesing, and eidentis to me thairapon made; swa that the payment of the said soume of sex hundreth merkis being made, I, na myn aieris nor assignais, nor nane vtheris in myn nor thair namis, may or sall clame ony richt, propirte, or possession in or to the said landis, or ony part of thaim: bot fra al richt and titill of rycht, alswele petitor as possessour of the samyn landis with thair pertinentis, we be excludit al vterly and for euermare, al fraude, gile, dissate, and male engine away put: and attour, I binde and oblis me, be the faith of my body, myn aieris, executouris and assignais, that I nor thair sal nocht in na time to cum absent me nor thaim fra the resstate of the said soume fraudefully, I being warnit to the resstate thair of vppon aucht dais warning, at the tour and place of Cowanton; the quhilk gif it hapnis me or thaim to do, I will that it sal be lefull to the saidis Schir Walter and Dauid, thair aieris and assignais, til haf ful regres in and to the said landis foroutyn ony processe of law, the said some being put in sekir kepin to the proffit of me and myn aieris: In witness of the quhilk thing to thair present lettres I haf to hunging my sele, at Edinburgh, the xxviij day of the moneth of Junii, the zere of oure Lord M.CCCC. sixty and fyve zeris.

69. GIFT by ARCHIBALD EARL OF ANGUS to DAVID SCOTT of Buccleuch, and his son WALTER, of the Governorship of Hermitage Castle. 9th February 1469.

BE it kend to all men be thir present lettres, vs, Archebald Erle of Angus and Lorde Dowglas, for to haue assignit, gevin and grantid, and be thir our lettres, gevis and grantis, and assignis vnto our welchelouede cousingis, Dauid Scot of the Bukcluch, and his sone and aperande ayre, Waltir Scot, the keping and gouernance of our Castell of the Ermitage for all the termis of nyntene yheris next and togidder folowand eftir the Feste of Witsunday eftir the making of thir our lettres, and to the keping of our said Castell of Ermtage, we gefe, grantis and assignis vnto the said Dauid Scot, and to Waltir his sone, the landis quhilkis Wilyhame of Dowglas and his sone Archibald of Dowglas, schirafis, had for keping of the said Castell for six zeris, as said is, withoute reuocayoun or again calling: In witness of the quhilk thing we haf gevin our bodely ath, the euangel tuchit, and to the mare

sikkernes we haue gert set our sele to thir oure present lettres, at Edinburgh, the ix day of the moneth of Februar, the yhere of God J^mIII^o sixty and nyne yheris. befor thir witness, James Lorde Hamiltoun, Andro Ker of Sesfurde, John of Carmichale, Alexander Brus, and John Inglis, with diuers vtheris.

70. OBLIGATION by DAVID SCOTT of Buccleuch to make his lands of Quhitchester holden of WILLIAM OF DOUGLAS of Drumlangrig. 5th November 1470.

BE it kend til al men be thir present lettris, me David Scot of the Bukeluch to be oblist, and be thir present lettris and the faith in my body lelely and treuly bindis and oblis me til a nobil and honorabil man, William of Douglas of Drumlangrig, in the soume of twa hundreth merkis of vsuale mone of Scotland, becaus of verray det, ande gif it sal happyn me or myn aieris, as God forbeit it do, to falze in myn or thair defaltis, and nocht to mak the landis of Quhitchester to be haldin of the said William and his aieris, as is contenit in the endentouris made betuix him and me thairapoun, to be pait to the said William, his aieris, executouris or assignais in the parroche kirk of Hawie, within the terme of a zere next eftir folowand that it be made knawin that I or myn aieris falzeis in the makin of the said landis of Quhitchester to be haldin of the said William and his aieris in myn or thair defaltis, and beis nocht tennandis til hym of the samyn. foroutyn ony langer delay, fraud or gile: to the payment of the quhilk soume of twa hundreth merkis wele and lelely to be made as said is, I bind and oblis me, myn aieris, executouris and assignais, landis, rentis, possessionis and gudis, movabil and vnmovabil, had and to be had, quarsaeuer thai may be fundin, to be tane, poyndit, distrenzeit, and at the will of the said William, his aieris, executouris, or assignais, for outyn the leve of ony juge of law, spirituale or temporale, to be away led and sauld, quhillis til him or thaim, alswele of costis, skathis, expensis, dampniagis and interessis, gif he or thai ony sustenis in default of payment of the said soume, in al or in part, as of the principal soume, ful assith and payment be made, na remede of law to be proponit in the contrare, all fraud and gile away put: In witnes of the quhilk thing to thir lettris I haue hunging my sele, at Edinburge, the fift day of Nouember, the zere of our Lord M.CCCC and sevynty.

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71. OBLIGATION by WILLIAM OF DOUGLAS of Drumlangrig to DAVID SCOTT of the Buckleuch, on the marriage of their children, James Douglas and Jonet Scott. 5th November 1470.

TILL all and sindry quhais knaulage thir present lettris sal to cum, William of Dowglas of Drumlangrig, greting in God : Wit ze that albeid a nobill and honorabil man, David Scot of the Bukeluch, is bundin and oblist to me, and his aieris, be his endentouris and lettris obligatour vudir his sele, in the soume of nyne hundreth merkis of vsuale mone of Scotlande, of the quhilk nyne hundreth merkis he is bundin to me and myn aieris in four hundreth merkis vsuale mone foresaid, gif it sal happin him or his aieris, as God forbeit it do, to falze in his or thair defaultis, and nocht to mak his landis of Quhitchester to be haldyn of me and myn aieris, and to becum tennand to me and thaim of the sammyn, as is contenit in the endentouris made betuix ws thairapoun : Nevirtheles, I bind and oblis me, be the faith of my body, and myn aieris, to the said David and his aieris, that he or his aieris makand the said landis to be haldin of me or myn aieris, and beand tennandis to me and thaim of the sammyn, as is contenit in the said endentouris, I, myn aieris nor assignais, nor nane vthir in myn nor thair namis, sal nor may in ony time ask, raise nor clame ony mair of the said nyne hundreth merkis bot alanerly fyve hundir merkis for the mariage and tochir of James of Douglas, my sone and apperand are, wyth Jonet, the dochter of the said David, contenit in the said endentouris, of les than the said David or his aieris falze and brek in thair defaultis, as said is : Of the quhilk four hundreth merkis foresaid, and of al lettris and bandis made to me thairapoun, I, for me, myn aieris, executouris and assignais, now as than, and than as now, frely quiteclenis and dischargis the said David, his aieris, executouris and assignais, for euermair, be thir presentis : Ande attour, gif it beis fundin that the said David nor his aieris may nocht be tennandis to me or myn aieris of the said landis, but preiudice of his or ther heritage, the said David and his aieris sal content and pay to me or myn aieris the some of sevin hundreth merkis contenit in his lettris obligatour made thairapoun, for the mariage of my said sone and appering are wyth his said dochter, like as is contenit in the sammyn lettris obligatour, nochtwithstanding the discharge foresaid, the said David and his aieris altymis being dischargit of the lave : Ande attour, I promit, bindis and oblis me and myn aieris, that I or myn aieris, the said landis of Quhitchester beand made to be haldin of me and thaim, sal ressaue the said David, or his sone and appering are, tennand or tennandis to me and myn aieris of the

sammy n landis but ony impediment, and sal infest the said David, or his sone, heritably, be charter and sesing, in the sammy n, in the best wis; and to the keping, obseruing and fulfilling of al and sindry the pointis and thingis abone writtin, in maner as said is, I bind and obdis me. be the faith of my body, myn aieris, executouris and assignais, landis, rentis, possessiouns and gudis, movabil and vnmovabil, had and to be had, quharesaeuer thai may be fundyn, to the said David, his aieris, executouris and assignais, in the stratest and sekirrest fourme and stile of obligatioun, al fraude and gile away put, na remeid of law to be proponit in the contrare: In witnes of the quhilk thing to thir present lettris I haue to hunging my sele, at Edinburghe, the fift day of Nouember, the zere of our Lord M.CCCC and sevynty.

72. CONTRACT OF MARRIAGE between DAVID SCOTT, son of David Scott of the Buccleuch, and JANE OF DOUGLAS, sister of Archibald Earl of Angus. 24th February 1471.

THIR indenturis maile at Edinburgh, the xxiiij dai of Februar, the zer of God J^mIII^oLXXXJ zeri, proportis, contenis and beris witnes that it is apontid and accordit betuix ane honorable lorde, Archibald Erle of Angus and Lorde Douglas, Elezabeth Countes of Angus, and James Lord Hamiltone, on the ta parte, and a worshipfull man, David Scot of the Bukeluch, on the tother parte, in manner eftir folowand; that is to say, that David Scot, sone and aperand ayr vnto the said David Scot, sall, God willand, mary and hafe to wife Jane of Douglas, sistyr to my lorde of Angus; and gif it hapnys the said David Scot for to discess, as God forbeid, befor the mariage be completyd, Robert Scot, the secund sone vnto the said David Scot, sall mary and hafe to wife the forsaid Jane of Douglas; and failzeand of the said Robert, Wilzam Scot, the thrid sone, sall hafe the said Jane of Douglas to wife; and failzeand of the said Wilzam Scot, ilk sone eftir vther sall complete the said mariage; and gif it hapnis the said Jane of Douglas for to discess or the mariag be complete, as God forbeid, the said David sall mary Elezabeth of Douglas, sister to my Lord of Angus forsaid, and sa furth, ilk bruther to David Scot, beand ayr to the said David Scot, sall mary ane of my lordis sisteris vnto the tyme that the mariage be anys complet; and the said David Scot sall gif in junt fethtment vnto the said David his sone, and to Jane of Douglas, the landis of Drifysdale with thair pertynens, for the quhilk the said David Scot sall haf in tochir sex hunder merkis of vsuale mone of Scotland: of the quhilk sex hunder merkis the said David Scot quiteclamyis and dischargis twa hunder merkis vnto my Lord of Angus

his moder, and to the Lord of Hamiltoun, and the four hunder merkis to be pait in maner eftir folowand; that is to say, a hunder merkis to be pait incontynent and withoute delay, and at the feste of Witsunday next efter of thair lettres, forty merkis, and at Martymes next thair efter, xl merkis, and sa furth ilke terme of Witsunday and Martymes xl merkis, ay and quhill the thre hunder merkis be pait, and the payment of the said iij^e merkis to be raisit of the hale lordschip of Euisdale pertenying to my Lord of Angus and to his moder, and of the thrid pertenying to my Lord of Angus moder of the lordschip of Lidalsdale; and gif that throw were of Inglisemen the said Dauid Scot can nocht hafe the fermys of Lidalsdale and Eusdale at the termys of Witsunday and Martymes zerly, the forsaid Lord of Angus and his moder bindis and assignis thare landis of Jedworth Forest to be raisit be the said Dauid Scot, als fer as he wantis of Lidalsdale and Eusdale; and atoure, the said Dauid Scot, and his sone Dauid sall hafe the balzery of Lidalsdale, Eusdale, and [Eskd]ale, with the keping of the hous of the Ermtag, for all the termys of threttene zeris; and to the keping of the said house thair sall hafe the landis lyand aboute the hous, quhillkis Wilzam of Douglas and his sone Archibald, scherrafis, had for thair keping of the said hous: the forsaid Dauid and his sone Dauid bindis and oblis thaim in manrent and seruice vnto the forsaid Lord Erle for all the tyme that other of thaim has the balzery of the lordschipsis of Lidalsdale, Eusdale and Eskdale, and the keping of the Ermtage; and in likewis my Lord of Angus sall haf fre ische and entre als oft as him likes in the Ermtag, and to mak reselence with mouy or few als lang as plesis him, withoute ony obstakyll or demand; and also the said Dauid Scot and his sone Dauid bindis and oblis thaim that thair sall, at all thair power, withoute dissymelacyoun, mynister in the office of balzery to the avale and profet of my Lord of Angus, in settin of the landis, raising of the malis, and all vther profitis, dewetis, and eschetis of justice ayris and courtis, and at all thridis of Inglisemen, be raisit be the said Dauid and his sone, and the half thairof to be faithfully deliuerit and gevin to my Lord of Angus; and in like wis the said Lord Erle bindis and oblis him vnto the said Dauid Scot and his sone Dauid for to mantene, suple and defend thaim in all actyonis, causis and querelis lefull and honest, like as his lettres of mantenans thairvpoun proportis: and gif it hapnis that the said Lord Erle brekis to the said Dauid Scot, or tyll his sone Dauid, sa that he sufferis thaim nocht for the termys abuf writin for to browke and joyse the keping of the Ermtag, togider with the balzeris of Lidalsdale, Eusdale, and Eskdale, the said Lord Erle bindis him, his landis and all his gudis whatsumeuir, to be tane, pundit and sald, ay and quhill the said Dauid Scot or

his sone David be falllely content and pait of foure hunder merkis of vsuale mone of Scotland ; and in like wise, the said Lord Erle, his moder and the Lord Hamilton sall mak of nolt and schepe vnto the said David Scottis sone, and Jane of Douglas, his spouse, a hunder merkis, and the said David Scot sall gif thaim in mone and gudis a hunder merkis, and steding to thair gudis ; als the said Lord Erle bindis and obllissis him for to gif the balzery of Selkirk to the said David alsoun as leve and faouris may be optenyt of Wilzam of Douglas, togider with the set of the said landis for all the dais of the said Davidis life, he payand thairfor male and gersum as was in time bypast ; and gif consent can nocht be optenyt of Wilzam of Douglas, eftir his desess the said David Scot sall hafe the set and balzery, as said is, and the said David sall gif tyll his sone and to Jane in junct fethment to the landis of Drifis-lale, the hole felde or Stevinnis Rig in Lempatlaw : and at all thir condecyonis sall be keptit, to the parte remanand with David Scot, the said Lord Erle and his moder has set to thair selis, dai, zer and place befor writin.

JAMES LORD HAMILTON.¹

73. GIFT by ARCHIBALD EARL OF ANGUS to DAVID SCOTT of the Bukcluch, and his son DAVID, of the Governorship of Hermitage Castle. 17th April 1472.

BE it kend tyll all men be thir present lettres, vs, Archibald Erle of Angus and Lorde Douglas, for to hafe assignit, gevin and grantyd, and be thir our lettres gevis, grantis and assignis, vnto our wele belouet cousingis, David Scot of the Bukcluch, and till his sone and aperand ayr, David Scot, the keping and gouernans of our Castell of the Ermtag for all the termys of sevintene zeris next and togider folowand eftir the Feste of Witsunday next efter the makin of thir our lettres ; and to the keping of the said Castell of the Ermtage we gevis, grantis and assignis

¹ Affixed to the original Contract are the seals of the Earl of Angus, and of the Countess, his mother, and also the signature of " James Lord Hamilton." The seal of Lord Hamilton has also been affixed, but it is now broken, and only a very small fragment of it remains. The seal of the Earl of Angus is nearly entire. It bears quarterly, first, a lion rampant; second, a lion rampant debruised with a ribbon for Abernethy; third, three chevrons for Liddesdale; fourth, a fess chequé, sur-

mounted with a bend charged with three buckles, for Steuart of Bonkil. On a surtout, a man's heart, and as a chief three mullets for Douglas. The circumscription is—" S. Archibaldi Douglass Comit. Angvsie Dni. Dougl." The seal of the Countess of Angus is impaled on the dexter side the same arms as the Earl's, and on the sinister a cross moline square pierced, the latter being her paternal arms as Elizabeth, otherwise Isabel, Sibbald of Balgonie.

Lord Douglas be to have assigne of
the same land part of the baronage
of the baron of the baronage for all
the daye in the year in which of the land
assigne of the same land part to
the baron of Douglas for the same
reason as the same baronage
of the same baronage for the same
of the same baronage for the same

of the same baronage for the same

It is thus to be had all and be in one land be divided Cole of Auguste lord Douglas for to have assigne of his
and guiden (the y) lord of his great assigne unto the noble bilowet of James David Scot of the bukclurth
till his said assigne and lord David Scot the ising and guiden of the Castell of the Ermitage for all the
travayle of solidene and next to the said place and the first of the said day next after the making of the said lord
and to the keeping of the said Castell of the Ermitage as the great assigne unto the said David Scot to
David his said assigne and lord of Douglas the said assigne and lord David Scot to
of the said house for the travayle of the said assigne and lord David Scot the said assigne and lord David Scot to
the said thing we have given our letters and the said assigne and lord David Scot to
great set of the Cole to you and out land at Edinburgh the vij day of Aprile the year of our lord 1571
John Scot

Richard = 21 of August

vnto the said Dauid Scot and to Dauid his sone, the landis quhilkis Wilzam of Douglas and his sone Archibald of Douglas, schirafis, had for kepin of the said hous, for the termys of xvij zeris, as said is, without reuocacyoun or again calling : In witnes of the quhilk thing we hafe gevin our bodely ath, the ewangelis twchid, and to the mare sickernes we hafe gert set our sele to thir our present lettres, at Edinburgh, the xvij day of Aprile, the zer of God J^mIII^oLXXII^r yheris.

Archibald. = 21 of Angus

74. APPOINTMENT by ARCHIBALD EARL OF ANGUS of DAVID SCOTT of the Bukeluch, and DAVID his son, to be bailies of the lordships of Lidalsdale, Eusdale and Eskdale. 17th April 1472.

BE it kend till all men be thir present lettres, vs, Archibald Erle of Angus and Lorde Douglas and of the regalyteis of Lidalsdale, Eusdale and Eskdale, for to haue made, constitute and ordanit, and be thir our lettres makis, constitutis and orlannis, our wele belouet cousingis, Dauid Scot of the Bukeluch, and Dauid Scot his sone and aperand ayr, coniuntly and seueraly, our balzeis of our lordschipis of Lidalsdale, Eusdale and Eskdale forsaid, for all the termys of sevintene zeris next and togider folowand the makin of thir present lettres ; gevand and grantand vnto the forsaid Dauid Scot and his sone Dauid forsaid, our full and playne power, autoritie, and speciale maudment our landis to set, our malis to rais, courtis to hald, trespassouris to ponyis, our men tenandis and inhabitautis, befor quhatsumeuer juge or jugis thae be attachit or arestid, for to borow, repleg, and to the fredom of our said lordschip hame bring ; ferm and stabill haldand, and for to hald all and quhatsumeueris our forsaid balzeis in our name, coniuntly or seueraly, dois, or lachfully ledis to be done, and as we war present in propir person : In witnes of the quhilk thing we haue gert put our sele to thir our present lettres, at Edinburgh, the xvij day of the moneth of Aprile, the yhere of God J^mIII^oLXXII^r zeris.

ARCHIBALDE ERL OF ANGUS.

75. RESIGNATION by JOHN LYNDISSAY, son of John Lyndissay of Cowbantoune, to DAVID SCOT of Buklucht, of certain dowry lands of Kyrkcurde. 24th January 1475.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice millesimo quadringentesimo septuagesimo quinto, die vero mensis Januarij vigesimo quarto, indictione nona, pontificatus sanctissimi in Christo patris et domini nostri, domini Sixti divina providencia pape quarti, anno quinto, in mei notarij publici et testium subscriptorum presencia personaliter constitutus nobilis vir Johannes Lyndissay filius et apparens heres Johannis Lyndissay de Cowbantoune, non vi ductus, nec errore lapsus, seu dolo aut fraude circumventus, sed ex sua propria et spontanea voluntate, pure et simpliciter resignavit, ac per fustum et baculum sursum reddidit in manibus nobilis et egregii virij David Scot de Bukelucht, tanquam in manibus domini superioris, omnes et singulas illas terras de Kyrkcurde cum pertinencijs, jacentes in baronia de Branxhame, infra vicecomitatum de Tuedall, quas terras ipse Johannes habuit nomine dotis cum filia dicti David pro certa summa pecunie sub litera reuersionis, que litera ostensa fuit et plenarie perfecta in presencia dicti Johannis et testium subscriptorum: quo facto, ipse Johannes Lyndissay fatebatur se bene pagatum, plenarie et integre persolutum et bene contentum de dicta summa, et prefatum David, heredes et assignatos suos pro ipso, heredibus et assignatis suis quiete clamavit imperpetuum de eadem, et firmiter promisit per manus sue extensionem quod nec ipse, nec aliqua media persona nomine suo in iudicio aut extra, vniquam vexaret dictum David aut heredes suos in dictis terris, et quod quam citius potuerit sibi deliberaret cartas et omnia munimenta per ipsum habita de prefatis terris, omnibus dolo, fraude et mala ymachinacione seclusis et remotis: Super quibus omnibus et singulis prefatus David Scot a me notario publico subscripto sibi fieri peccit publicum instrumentum: Acta erant hec infra oppidum de Edynburgh, in ecclesia beati Egidij eiusdem, in insula nigre crucis, sub anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem prouidis et discretis viris, videlicet, Andrea Ker de Cesfurd, Magistro Jhoanne Lutherdale, mecum notario in predictis, Thoma Lermond, Waltero Gledstansys, Johanne Scot et Willelmo Scot, testibus ad premissa vocatis pariter et rogatis.

Et ego Johannes Lokhart clericus Glasguensis diocesis, publicus apostolica et imperiali autoritatibus notarius, quia [*etc., in forma communi.*]

76. DISCHARGE by ROBERT MURE of Rowalane in favour of ROBERT SCOT of Dogehauch. 7th October 1477.

BE it kend till all men be thir present lettris, me, Robert Mur of Rowalane, to haue ressaut and fully to haf had be the handis of a worthi man, Robert Scot of Dogehauch, ful contentacioun, satisfaccioun, payment, and assithing, of the sowme of aucht pundis and tuelf schillingis of vsual mone of Scotland, in part of payment of a mar sowme of fourty merkis quhilk the said Robert is awand to me be his lettris of reuersioun maid to me thairapoun, quhilk sowme of fourty merkis he is rest awand to me of a mar sowme of ane hundredth merkis ekit apou a new reuersioun maid apou the landis of Drydane, Herwod, and Comansid, be him to me; of the quhilk forsuth sowme of aucht pundis and tuelf schillingis I grant and hallis me wele content, fully assithit, and thankfully pait, ande the said Robert his airis, executouris and assignais, for me, myn airis, executouris and assignais thairof, I quyteleme and dischargis, now and for euermar, be thir present lettris, but fraud or gile: In wroius of the quhilk thing, because I had na sele of myn awin present, I haf procurit with instance the sele of a worschifful man, John of Carnis, burges of Edinburghe, for me to thir present lettris to be to put, befor thir wtnes, Johne of Mur, Wat Hage, Gilbert Androsoune, and Thomas of Haliburtone, at Edinburghe, the vij daye of October, the zer of our Lord J^m IIIrd seventy and sevin zeris.

77. RESIGNATION by ROBERT TURNBULL of Bradelee, to WILLIAM OF DOUGLAS of Drumlangrig, of the lands of Bradelee. 30th September 1479.

NOBILI et potenti domino Willelmo de Douglas de Drumlangrig et baronie de Hawik, suus seruitor, Robertus Turnbule de Bradelee, reuerencias omnimodas et honores: Ad sursum reddendum, deliberandum, et in manibus vestris a me, heredibus meis et assignatis pro perpetuo pure et simpliciter resignandum omnes et singulas terras meas de Bradelee cum pertinenciis, extendentes annuatim ad quinque marcas antiqui extentus, jacentes in baronia vestra de Hawik infra vicecomitatum de Roxburghe, quas terras de vobis teneo in capite, prouidos viros, Archibaldum de Douglas, Johannem Ker, et Johannem Doddis, ac eorum quemlibet coniunctim et diuisim, meos veros, legitimos, indubitatos et irreuocabiles procuratores ac nuncios speciales facio, constituo et ordino irrevocabiliter tenore presencium litterarum: Ratam et gratam habens et habiturus pro me, heredibus meis et assignatis irreu-

cabilliter pro perpetuo, totum et quicquid dicti mei procuratores vel eorum aliquis coniunctim seu diuisim nomine meo in premissis duxerint vel duxerit faciendum : quas etiam dictas terras de Bradlee cum pertinentiis, ego dictus Robertus, non vi aut metu ductus, nec errore lapsus, set mea mera, libera et spontanea voluntate in manibus vestris, tanquam in manibus domini superioris earundem, sursum reddo, ac pure, simpliciter et irrevocabiliter resigno per presentes, ita quod, facta dicta resignacione, nec ego, nec heredes mei nec assignati, nec aliquis alius nomine nostro, aliquod jus vel juris clancum in vel ad dictas terras cum pertinentiis exigere aut vendicare potero vel poterint in futurum : In cuius rei testimonium presentibus sigillum meum est appensum, apud Bradlee, vltimo die mensis Septembris anno Domini millesimo quadringentesimo septuagesimo nono.

78. OBLIGATION by JAMES NEWTON of Dawcofe, in favour of ROBERT SCOTT of Stirkschaw. 6th April 1481.

BE it kend to al men be thir present lettres, me, James Newtoun of Dawcofe, to be bundyn and oblist, and be thir present lettres, and the fath in my body, bindis and oblistis me to ane worthi mane, Robert Scot of Stirkschaw, in maner and forme as efter folowis ; that is, forsamekil as I have sekde and analyt heretably to the said Robert Scot my sex markis worth of lande of Bundray, with the pertinentis liand in the barony of Chawmerlanewtoun, within the schereflome of Roxburgh, for ane certane sowme of money, pait to me be the saide Robert in numeryt money, as in my chartir maide to hyme therapone is mar fully contenyt, tharfor I binde and oblist me, myn aieris and assignais, be the fath in my body, to the said Robert, his aieris, and assignais, that I, myne aieris nor assignais, sal neuer vex, inquiet nor distruble the said Robert, his aieris nor assignais, in the brewkyne and josing of the said sex markis worth of landis, nor sall clame, folow, nor persew the saidis sex markis worth of landis, with the pertinentis, fra the saide Robert Scot, his aieris nor assignais, be me, myn aieris or assignais, nor be na vthir persone or persons in our name, in jugsment nor without jugsment : and geve it sall happyne me, myn aieris or assignais, or ony vther persone or persons, in myn or thar namys, to folow, clame, or persew the said sex markis worth of land, with the pertinentis, fra the said Robert Scot, his aieris or assignais, in jugsment or without jugsment, I binde and oblist me, myn aieris, executoris, and assignais, to the said Robert Scot, his aieris and assignais, in the sowme of thre hundreth markis of vsuale money of Scotland, the quhilkis I grant me to haue resavit

fra the said Robert Scot, in numeryt money, for the said sex markis worth of landis, with the pertinentis, to be pait to the said Robert Scot, his aieris and assignais, at anys and togiddir, in a sowme apone a day betuix the rising of the sone and downpassing of that ilk, or euer I, myn aieris or assignais, or ony vtheris in myn or thair namys, be herle in jugsment or without jugsment, anentis the said sex markis worth of landis of Bundraw, with the pertinentis, but ony delay, caullacione, or fraude : to the payment of the quhilk sowme of thre hundreth merkis to be maide, as saide is, I binde and oblis me, myn aieris, executoris, and assignais, myn and theris landis, rentis, possessiounis and guidis, moveabile and vnmoveabile, present and to be hade, to the said Robert Scot, his aieris, executoris, and assignais, in the mast strat forme and stile of obligacione, na remede of law, canone nor ciuile, to be proponit in the contrar, all fraude, gile and dissait removit. In witnes of the quhilk thing to thir present lettres I have hungyne my seil, at Daweof, the sext day of the moneth of Aprile, in the zer of Gode ane thowsande four hundreth ahti and ane zer, befor thir witnes, Johne Watstone, Williame Neinen, Johnne Jarlane.

79. RESIGNATION by THOMAS ARMSTRANG of the lands of Mangertone.

2d November 1482.

VNIERSIS pateat per presentes me Thomam Armgstrang de Mangertone fecisse, constituisse et orlinasse, necnon per presentes facere, constituere et ordinare prouidos et discretos viros Johannem Scot, Dauid Fresell, Gilbertum Geddes et Georgium Inglis, meos veros, legitimos et indubitatos procuratores, actores, factores, negociorum meorum gestores et nuncios speciales, dantem et concedentem predictis meis procuratoribus et eorum cuilibet in solidum coniunctim et diuisim meam plenariam potestatem et speciale mandatum pro me et nomine meo ad sursum reddendum pureque simpliciter resignandum per fustem et baculura, ut moris est, omnes et singulas terras meas de Mangertone cum pertinenciis, iacentes infra territorium et dominium de Liddalisdale, in manibus nobilis et potentis domini Archibaldi comitis Angusie domini de Dowglas, Jedworth Forest, et Liddalisdale, tanquam domini mei superioris predictarum terrarum, in fauorem honorabilis viri Dauid Scot de Branxhelme, vnacum omni jure, clameo, proprietate et possessione quibus predictae terre de Mangertone cum pertinenciis michi et heredibus meis pertinent seu pertinere poterunt quomodolibet in futurum; ita quod post resignationem et sursum redditionem predictarum terrarum, sic vt premittitur, fiendam,

nec ego nec heredes mei nec assignati nec aliquis alius nomine nostro aliquod jus, clameum, proprietatem uel possessionem in seu ad predictas terras de Mangertone cum pertinentiis aliquo modo vindicare potero seu poterunt in futurum, sed ab omni juris titulo tam petitorio quam possessorio predictarum terrarum cum pertinentiis sim et sint exclusus et exclusi penitus et omnino imperpetuum; et generaliter omnia alia et singula faciendum, gerendum et exercendum que ad officium huiusmodi procuratorum de jure uel consuetudine dinoscuntur pertinere, et que egomet facerem seu facere possem si presens personaliter interessem; ratum et gratum habentem et habiturum totum et quicquid predicti mei procuratores seu eorum aliquis coniunctim et diuisim nomine meo in premissis duxerint seu duxerit faciendum, sub hypotheca et obligatione omnium bonorum meorum presencium et futurorum: In cuius rei testimonium sigillum meum presentibus est appensum, apud Braxhelve, secundo die mensis Nouembris anno Domini millesimo quadringentesimo octogesimo secundo; hiis testibus, Roberto Scot, Ada Scot, domino Wilhelmo Scot rectore de Sowdone, domino Symone Heshliop capellano.

80. RETOUR of ELIZABETH CUNYNGHAME as heiress of her father, George Cunyngame of Beltone, in the lands of Appiltrehall, etc. 5th November 1482.

INQUISICIO capta coram vicecomite de Roxburgh, apud burgum de Jedworth, quinto die mensis Nouembris, anno Domini millesimo quadringentesimo octogesimo secundo, per hos subscriptos, videlicet, Robertum Ruthirfurd de Chatto, Georgium Dowglas de Bunj-dworth, Walterum Turnbull de Gargunno, Johannem Anisle de Dolphinstone, Thomam Ruthirfurd, Jacobum Dowglas, Patricium Dowglas, Thomam Newlandis, David Dowglas, Willelmum Turnbull, Johannem Waleh, Ricardum Anisle, Johannem Grimyslaw, Johannem Ormstone et David Anisle: Qui iurati, in virtute sui iuramenti dicunt quod quondam Georgius Cunyngame de Beltone, pater Elizabeth Cunyngame latricis presencium, obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem domini nostri regis de omnibus et singulis terris de Appiltrehall cum pertinentiis, et de orientali parte terrarum de Hassindene in baronia de Hassindene infra vicecomitatum [de] Roxburgh; et quod dicta Elizabeth Cunyngame est legitima et propinquior heres eiusdem Georgij patris sui de dictis terris cum pertinentiis; et quod est legitime etatis; et quod dicte terre de Appiltrehall nunc sunt vaste et tempore pacis valuerunt quinque libras monete Scoicie, et dicte terre de Hassindene nunc sunt vaste et tempore pacis valuerunt

decem libras diete monete, et quod diete terre de Appiltrehall tenentur in capite de domino nostro rege per wardam et releuium, faciendo inde annuatim tres sectas tantum ad tria placita capitalia in curia vicecomitis de Roxburgh; et quod diete terre de orientali parte de Hassindene tenentur in capite de domino de Kilmawris, barone de Hassindene, per wardam et releuium, et quod diete terre de Appiltrehall nunc existunt in manibus domini nostri regis tanquam domini superioris earundem; et diete terre de orientali parte de Hassindene nunc existunt in manibus domini de Kilmawris baronis de Hassindene tanquam domini superioris earundem, per mortem dicti quondam Georgij Cunynghame, et sic extiterunt a tempore obitus ipsius Georgij qui obiit post festum Pentecostes ultimo elapsum, in defectu vereredis jus suum lucusque non prosequentis: In cuius rei testimonium sigilla quorundam qui diete inquisitioni intererant, vnicuique sigillo predictij vicecomitis, presentibus sunt appensa, anno, mense, die et loco supradictis.

81. CHARTER by ARCHIBALD EARL OF ANGUS to DAVID SCOT of Branxhelme of the lands of Mangertone. 12th November 1482.

OMNIBUS hanc cartam visuris vel auditoris, Archibaldus comes Angusie, dominus de Dowglas, Jedworth Forest et Liddalsdale, salutem in Domino sempiternam: Noueritis nos dedisse, concessisse et hac presenti carta nostra confirmasse, necnon dare, concedere et hac presenti carta nostra confirmare honorabili viro David Scot de Branxhelme, pro suo seruitio nobis multipliciter impenso, omnes et singulas terras de Mangertone cum pertinenciis, iacentes infra territorium et dominium de Liddalsdale; que quidem terre cum pertinenciis fuerunt Thome Armgstrang hereditarie, et quas idem Thomas, non vi aut metu ductus nec errore lapsus, sed sua spontanea voluntate in manus nostras per suum procuratorem ad hoc specialiter constitutum, per fustem et baculum sursum reddidit, pureque simpliciter resignauit, omne jus, elameum, proprietatem et possessionem que et quas habuit seu habere poterit in seu ad dictas terras cum pertinenciis pro se et heredibus suis nobis quittum clamando: Tenendas et habendas omnes predictas terras de Mangertone cum pertinenciis prefato David Scot, heredibus suis et suis assignatis, de nobis et heredibus nostris in feodo et hereditate imperpetuum, per omnes rectas metas suas . . . sicut dictus Thomas Armgstrang et predecessores sui predictas terras cum pertinenciis ante huiusmodi resignacionem predictarum terrarum tenuit seu possedit, tenuerunt seu possederunt: Faciendo inde siue reddendo dictus David Scot et heredes sui nobis et heredibus nostris seruicia de dictis terris debita et consueta

tantum, pro omni alio onere, exactione, seruicio seculari seu demanda que de predictis terris cum pertinentiis per quoscunque iuste exigi poterunt quomodolibet vel requiri: et nos predictus Archibaldus comes Angusie, dominus de Douglas, Jedworth Forest et Liddalsdale, et heredes nostri, omnes et singulas predictas terras de Mangertone cum pertinentiis predicto David Scot, heredibus suis et suis assignatis, adeo libere in omnibus et per omnia vt premissum est, contra omnes mortales homines et feminas warrantabimus, acquitabimus et imperpetuum defendemus: In cuius rei testimonium sigillum nostrum huic presenti carte est appensum, apud Dowglas, duodecimo die mensis Nouembris anno Domini millesimo quadringentesimo octogesimo secundo.¹

82. CHARTER by HENRY WARDLAW of Weltown, to JOHN TURNBULL, of the lands of Hardane. 20th November 1482.

OMNIBUS hanc cartam visuris uel auditoris, Henricus Wardlaw de Weltown, salutem in Domino sempiternam: Noueritis me zelo dilectionis naturalis, et pro multiplicibus beneficiis michi sepius temporibus retroactis gratanter impensis, libere dedisse, concessisse, et hac presenti carta mea confirmasse, necnon dare, concedere et hac presenti carta mea confirmare carissimo fratri meo germano Johanni Turnbull, filio quondam Walteri Turnbull de Hardane, totas et integras terras meas de Hardane cum pertinentiis, iacentes in baronia de Weltown, infra vicecomitatum de Rochisburgh: Tenendas et habendas totas et integras terras meas de Hardane cum pertinentiis dicto Johanni, heredibus suis et assignatis, de me, heredibus meis et assignatis, in feodo et hereditate imperpetuum, per omnes rectas metas, . . . Reddendo inde annuatim dictus Johannes, heredes sui et assignati michi, heredibus meis, successoribus et assignatis, vnum denarium argenti, nomine albe firme, apud capitale manerium de Weltown, in festo natalis Domini, si petatur tantum, pro omnibus aliis oneribus seruiciis, . . . que de dictis terris cum pertinentiis exigi poterunt in futurum quomodolibet uel requiri: Et ego vero predictus Henricus, heredes mei et successores, totas et integras terras prenominate de Hardane cum pertinentiis dicto Johanni, heredibus suis et assignatis, in omnibus et per omnia, [forma] pariter et effectu ut superius est expressum, contra omnes homines mortales warrantabimus, acquietabimus, et imperpetuum defendemus: In cuius rei testimonium sigillum meum presenti carte est appensum, apud Kyrkcalde, vicesimo die mensis

¹ Following upon this Charter there is a Precept of the same date, addressed by the Earl to his bailies, Robert Scot, Walter Scot, John Gledstanis, and John Turnbull, to infest David Scot of Branhelme in the lands of Mangertone.



Nonembris, anno Domini millesimo quadringentesimo octuagesimo secundo; coram hiis testibus, videlicet, Gilberto Smyth, Willelmo Morison et Alexandro Turnbull, cum diuersis aliis.

83. CHARTER by ROBERT DOWGLAS of Lochlevin, to his son ROBERT DOWGLAS, and spouse, of the barony of Logtoun. 15th August 1483.

OMNIBUS hanc cartam visuris vel audituris, Robertus Dowglas de Lochlevin ac dominus baronie de Logtoun, salutem in Domino sempiternam: Noueritis me dedisse . . . dilectis meis Roberto Dowglas filio meo et heredi apparenti, et Elizabeth Balfoure sponse sue, ac eorum alteri diucius uiuenti, omnes et singulas terras meas dicte mee baronie de Logton cum pertinenciis, iacentes infra vicecomitatum de Edynburghie, pro singulari fauore et filiali dilectione que erga ipsos Robertum et Elizabeth sponsam suam habeo et gero, excepta et reseruata michi et heredibus meis vna domo dictarum terrarum et vna perticata terre huic domui proxime et immediate adiacente: Tenendas et habendas . . . exceptis prius exceptis et resernatis, prefatis Roberto Dowglas et Elizabeth, sponse sue, ac eorum diutius uiuenti et heredibus masculis inter ipsos legitime procreatis seu procreandis; quibus forte deficientibus, reuertendo michi et heredibus meis legitimis quibuscumque, de me et heredibus meis, in feodo et hereditate imperpetuum: . . . Reddendo inde annuatim dicti Robertus Dowglas et Elizabeth sponsa [sua] eorumque alter diucius uiuens, et heredes sui masculi inter ipsos legitime procreati seu procreandi, michi et heredibus meis duos denarios legalis monete Scocie ad festum penthecostes super solum dictarum terrarum nomine albe firme, si petantur tantum . . . Et ego vero dictus Robertus Dowglas et heredes mei omnes et singulas predictas terras huiusmodi baronie de Logtoun cum pertinenciis prefatis Roberto Dowglas et Elizabeth sponse sue, ac eorum alteri diutius uiuenti, et heredibus masculis inter ipsos legitime procreatis seu procreandis . . . contra omnes mortales warrantizabimus . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum, apud Edynburghie, decimo octauo die mensis Augusti anno Domini millesimo quadringentesimo octuagesimo tercio; coram hiis testibus, Luvail de Bawlomy, Archibaldo Meldrum de Byns, Johanne Halkerstoun, notario publico, Dauid Scraling, Roberto Ferny et diuersis aliis.¹

¹ On the same date a Precept was granted by Robert Douglas of Lochlevin to Thomas Douglas, his brother, and others, his bailies, to infest the grantees in the charter in the

barony of Lugton, and sasine was given to them on the same day, at the chief messuage of the lands.

84. GRANT by the SUPPRIOR and MONKS of MELROSE, to DAVID SCOTT of Branxholme, and ROBERT his son, of the bailiery of lands belonging to Melrose Abbey. 24th April 1484.

BE it kend till al mene be thir present letteris. ws Lowrence Tuedy, supprior of Melros, James Cambell, Patric of Jedworth, Robert Cotis, Johne Riddale, Johne Diksene, Johne Carnecross, Johne Cady, William Wat, Bernard Bell, Johne Medil-mest, Andro Hudson, Robert Giky, Alexander Bowstone, Johne Tempill, Johne Tuedy, William Forhouse, monkis of the Abbay of Melros, to have mad, constitut and ordand, and be thir presentis letteres makis, constitutis and ordanys, in als fer as we may, honorabill mene, David Scot of Branxholme and Robert Scot his sone, coniunctly and seueraly balzeis of all and sindry our landis of Melrossland and of the landis of Etrik, Rodonow, Esdale, Ringwodfeld, and of the landis of Est Teividale, pertenyng to our said Abbay, and of all vthir landis of the quhilkis the said David Scot was balze of befor, for all the dayes and termys of fyf zeris next and immediat efter the making of thir presentis: Geveand and grantand to the saidis balzeis and to ilk ane of thame, coniunctly and seueraly, full power and speciale mandment the forsaidis landis to set with our consell and awis, malis and fermys of thame to the profit and vtilite of ovr Abbay to inbryng, courtis to hald, transgressoris to punys, amerciamentis to vplyft and rais, the tenendis and inhabi-tantis of the said landis and thar gudis, befor quhatsumeuer jugis spirituale or temporale thai be attachyt or arestyt, to the courtis and fredome of our said Abbay to replege and reduce, cautionys and culrathis to leif and to fynd, and generally all and sindry vthir thingis to led, excers and to do, the quhilkis to the office of sik balzeis of consuetul or law are knawyne to perten: ferme and stabill haldand and for till hald quhatsumeuer thingis the said balzeis or ony ane of thame, coniunctly or seueraly, in the forsaid thingis ledis to be done: and atour, we the forsaidis supprior and monkis bindis and oblis ws to the saidis David Scot and Robert Scot, that quhat tyme it sall happyne ws to haf ane ourmane that hes power to mak balzeis with our consent, that we sall consent that the saidis David and Robert haf a letter of balzery for the said fif zeris vnder the seill of our owrmane, and we sall caus that to be done in sa fer as we may, with-owt fraud or gile: In witnes of the quhilkis thingis, we the saidis supprior and monkis hes maid thir present letteres to the saidis David and Robert, and subscryvit thame with our awyne handis at Melros, the xxiiij day of the

moneth of Aprile, in the zeir of God a thowsand four hundreth ahti and four zeris.

Ego Laurencius Tuedy, supprior, manu propria.

Et ego Patricius Jedworth ad idem.

Et ego Johannes Medylmast ad idem.

Et ego Johannes Carneros ad idem.

Et ego Bernardus Bell ad idem.

Ego Jhohannes Tempyl ad idem.

Et ego Alexander Bostoun ad idem.

Et ego Johannes Twede ad idem.

Et ego Johannes Cade ad idem.

Et ego Jacobus Campbell ad idem.

Et ego Johannes Dikson ad idem.

85. CHARTER by DAVID LORD LINDSAY of the Byres, to JAMES SCOTT of Kirkurd, of the mains of Nether Newhall. 22d June 1484.

OMNIBUS hanc cartam visuris uel auditoris, Dauid dominus Lyndissay de Byris ac terrarum de Newhall, salutem : . . . Noueritis me dedisse, concessisse, vendidisse et titulo vendicionis alienasse, et hac presenti carta mea confirmasse . . . honorabili viro Jacobo Scot de Kirkurd omnes et singulas terras meas dominicales Nethir terrarum mearum de Newhall cum pertineneciis, iacentes in baronia de Chawmerlane Newtoune, infra vicecomitatum de Roxburgh, pro certa summa pecunie michi per dictum Jacobum in mea necessitate pre manibus gratanter et integre persoluta . . . Tenendas et habendas omnes et singulas predictas terras meas dominicales Nethir terrarum mearum de Newhall cum pertineneciis suis dicto Jacobo Scot, heredibus suis et assignatis, de me, heredibus meis et assignatis in feodo et hereditate imperpetuum per omnes rectas metas . . . Reddendo inde annuatim dictus Jacobus Scot heredes sui et assignati michi, heredibus meis et assignatis, vnum denarium argenti vsualis monete Scocie in festo Penthecostis super solum dictarum terrarum nomine albe firme, si petatur tantum . . . Et ego vero dictus Dauid dominus Lindissay de Byris, heredes mei et assignati, omnes et singulas dictas terras dominicales Nethir terrarum mearum de Newhall cum pertineneciis dicto Jacobo Scot, heredibus suis et assignatis, adeo libere et quiete in omnibus et per omnia ut predictum est, contra omnes mortales warantizabimus, acquietabimus et in perpetuum defendemus. In cuius rei testimonium presenti carte mee sigillum meum est

appensum, coram hiis testibus, honorabilibus et prouidis viris Jacobo Forster de Craggis, Jacobo Durame, Thoma Grundestoun, Alexandro Cogiltone, Roberto Durane, domino Willelmo Thomsoun capellano, Willelmo Finuely et Johanne Walch notariis publicis, cum diuersis aliis, apud Edinburgh, vicesimo secundo die mensis Junij anno Domini millesimo quadringentesimo octuagesimo quarto.

86. CHARTER by DAVID LORD LINDSAY of the Bytes, to JAMES SCOTT of Kirkurd, of the lands of Over Newhall. 19th October 1484.

OMNIBUS hanc cartam visuris vel auditoris, David dominus Lyndesay de le Biris ac dominus baronie de le Chamerlane Newtowne, salutem . . . Noueritis me dedisse, concessisse, vendidisse ac titulo vendicionis alienasse et hac presenti carta mea confirmasse . . . honorabili viro Jacobo Scot de Kirkurd totas et integras terras meas dominicales de Vuer Newhall, jacentes in dicta mea baronia de Chamerlane Newtown infra vicecomitatum de Roxburghe, pro quadam certa summa pecunie michi grantanter per dictum Jacobum pre manibus et integre persoluta in pecunia numerata . . . Tenendas et habendas totas et integras predictas terras dominicales de Vuer Newhall cum pertinentiis predicto Jacobo Scot, heredibus suis et assignatis, de me et heredibus meis in feodo et hereditate imperpetuum, per omnes rectas metas . . . Reddendo inde annuatim dictus Jacobus Scot, heredes sui et assignati, michi et heredibus meis vnum denarium monete Scocie super solum dictarum [terrarum] nomine albe firme, si petatur tantum . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum, apud Edinburgh, decimo nono die mensis Octobris anno Domini millesimo quadringentesimo octuagesimo quarto, coram hijs testibus, Alexandro Inglis filio et herede apparente Alexandri Inglis de West Tarvet, Waltero Heryot, Andrea Kid ciue ciuitatis Sancti Andree, Thoma Grundystoun, Johanne Lile capellano, Johanne Walche notario, et Jacobo Derane, cum aliis.

87. RETOUR of JAMES DOUGLAS, as heir of his father, William Douglas of Drumlangrig, in the barony of Hawick. 19th October 1484.

INQUISICIO capta coram Willelmo Dowglas, vicecomite de Roxburgh, apud burgum de Jedworth, decimo nono die mensis Octobris anno Domini millesimo quadringentesimo octuagesimo quarto, per hos subscriptos, videlicet, David Scot de Branxhelme, Willelmum Dowglas, Philippum Turnbull de Quhithop, Willelmum Dowglas,



Jacobum Pringile, Symonem Rowtlugh, Robertum Gledstanis, Adam Scot, Johannem Fresell de Vuertone, Archibaldum Scot, Johannem Gurlaw, Jacobum Gurlaw, Willielmum Lewis, Johannem Davidstone, et Adam Tait : qui jurati, in virtute sui juramenti, dicunt quod quondam Willielmus Dowglas de Drumlangrig, pater Jacobi Dowglas, latoris presencium, obiit ultimo vestitus et sasitus vt de feodo ad pacem et fidem domini nostri regis de tota baronia de Hawic cum pertinenciis, iacente infra vicecomitatum de Roxburgh, et quod dictus Jacobus est legitimus et propinquior heres dicti quondam Willielmi patris sui de dicta baronia cum pertinenciis, et quod est legitime etatis, et quod dicta baronia cum pertinenciis est nunc vasta et tempore pacis valuit per annum trecentis marcis monete Scocie, et quod dicta baronia cum pertinenciis tenetur in capite de domino nostro rege per albam firmam, reddendo inde annuatim vnam sagittam in die assumptionis beate Marie virginis in ecclesia de Hawic, nomine albe firme, si petatur; et quod dicta baronia cum pertinenciis nunc existit in manibus dicti domini nostri regis tanquam domini superioris eiusdem, exceptis orientalibus terris dominicalibus de Hawic et terris dominicalibus de Kirktone quas dictus Jacobus et Joneta sponsa sua habent in coniuncta infeodacione, per mortem dicti quondam Willielmi Dowglas, qui obiit in festo beate Marie Magdalene ultimo elapso, et sic extitit a tempore obitus dicti quondam Willielmi in defectu veri heredis jus suum hucusque non prosequentis : In cuius rei testimonium sigillum predicti vicecomitis ac sigilla quorundam qui dicte inquisitioni intererant presentibus sunt appensa, anno, mense, die et loco supradietis.

88. SASINE of JAMES DOWGLACE, son of William Dowglace of Drumlangrig, in the barony of Hawick. 5th November 1484.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice millesimo quadringentesimo octuagesimo quarto, mensis vero Nouembris die quinta, indiccione secunda, pontificatus sanctissimi in Christo patris et domini nostri domini Innocentij pape octauo anno primo, in mei notarii publici et testium subscriptorum presenciam personaliter accessit honorabilis vir, Vellelmus Dowglace vicecomes de Roxburgh, ad capitale messuagium baronie de Hawyk nuncupatum le Mote, habens in manibus suis vnum preceptum sub testimonio magni sigilli supremi domini nostri regis sibi directum pro donacione saisine tote et integre baronie de Hawyk cum pertinenciis, jacentis infra dictum vicecomitatum de Roxburgh, honorabili viro Jacobo Dowglace filio et heredi quondam Vellelmi Dowglace de Drumlangrig, iuxta tenorem dicti precepti saisine :

cuius quidem tenor sequitur sub hac verborum forma et est talis: JACOBUS Dei gracia rex Scotorum, vicecomiti et balliuis suis de Roxburgh, salutem: Quia per inquisitionem de mandato nostro per vos factam et ad capellam nostram retornatam compertum est quod quondam Villelmus Douglace de Drumlangrig, pater Jacobi Douglace, latoris presencium, obiit vltimo vestitus et saisitus vt de feodo et ad pacem et fidem nostram de totis et integris baronia de Hawik cum pertinenciis; et quod dictus Jacobus est legitimus et propinquior heres eiusdem quondam Villelmi sui patris; et quod est legitime etatis; et quod dicta baronia de nobis in capite tenetur; quare vobis precipimus et mandamus quatenus eidem Jacobo vel suo certo attorney, latori presencium, saisinam hereditariam dicte baronie de Hawyk cum pertinenciis [deliberetis], et sine dilacione, saluo jure cuiuslibet; ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim committimus potestatem: Datum sub testimonio magni sigilli nostri, apud Edinburgh, xxix^o die mensis Octobris anno regni nostri vicesimo sexto: ET IBIDEM dictum mandatum regium siue saisine preceptum per me notarium publicum publicali et intelligibili voce perlegi fecit: cuius vero precepti vigore, virtute et tenore, ipse Villelmus vicecomes predictus, vt superius exprimitur, possessionem et saisinam hereditariam de tota et integra baronia predicta de Hawik cum suis pertinenciis Archibaldo de Dowglace attorney et [ad] hoc legitime constituto dicti Jacobi Dowglace per donacionem terre et lapidis, ut moris est, tradidit, contulit et deliberavit in feodo et hereditate imperpetuum, saluo jure cuiuslibet: Super quibus omnibus et singulis sic premissis peccit prefatus Archibaldus attorney predictus a me notario publico infrascripto sibi fieri publicum instrumentum: Acta erant hec apud dictum lie Mote de Hawik, hora quasi decima ante meridiem vel ea circa, sub anno, die, mense, indiccione et pontificatu quibus supra: presentibus ibidem honorabilibus viris David Scot de Bukleuch, Georgio Douglace, Johanne K^r, Georgio de Pryngyle, et Georgio Keyne, cum multis aliis ad premissa vocatis pariter et rogatis.

Et ego vero Thomas Kowe, presbyter Glasguensis diocesis, publicus imperiali ac regali autoritatibus notarius, quia [*etc., in forma communi.*]

89. CHARTER by DAVID SCOTT of Branxhelme, to his son ROBERT SCOTT, of the lands of the lordship of Quhitchester. 25th February 1484.

OMNIBUS hanc cartam visuris vel audituris, David Scot de Branxhelme, salutem in Domino sempiternam: Noueritis me dedisse, concessisse et hac presenti carta mea confirmasse, necnon dare, concedere et hac presenti carta mea confirmare dilecto

filio meo Roberto Scot omnes et singulas terras territorij et dominij de Quhitchestir cum pertinenciis, iacentes in baronia de Branxhelme, infra vicecomitatum de Roxburgh : Tenendas et habendas omnes et singulas predictas terras territorij et dominij de Quhitchestir cum pertinenciis predicto Roberto Scot filio meo et heredibus suis masculis de corpore suo legitime procreatis seu procreandis, quibus forte deficientibus michi et heredibus meis, de me et heredibus meis in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas . . . Reddendo inde annuatim dictus Robertus Scot et heredes sui masculi de corpore suo legitime procreati seu procreandi michi et heredibus meis vnum denarium monete Seocie in festo Pentecostes, super solum dictarum terrarum nomine albe firme si petatur, et exhibendo annuatim presenciam suam ad tria placita capitalia baronie de Branxhelme tantum, pro omni alio onere, exactione, seruicio seculari seu demanda que de predictis terris cum pertinenciis per quoscunque juste exigi poterunt quomodolibet vel requiri : Et ego predictus David Scot de Branxhelme, heredes mei et assignati, omnes et singulas predictas terras territorij et dominij de Quhitchestir cum pertinenciis predicto Roberto Scot filio meo et heredibus suis masculis de corpore suo legitime procreatis seu procreandis, adeo libere in omnibus et per omnia, vt premissum est, contra omnes mortales homines et feminas warrantizabimus, acquitabimus et imperpetuum defendemus : In cuius rei testimonium sigillum meum huic presenti carte est appensum, apud Hawie, vicesimo quinto die mensis Februarii anno Domini millesimo quadringentesimo octuagesimo quarto : hiis testibus, Johanne Gledstanis de Wynditonell, Waltero Scot de Fenwik, Roberto Scot de Togehawch, Roberto Scot in Hanyng, Adam Scot, et domino Willelmo Scot rectore de Sowdone.¹

90. OBLIGATION by ROBERT SCOTT, son of David Scott of Branxhelm, to resign the lands of Quitchester. 4th March 1484.

VNIUERSIS et singulis ad quorum noticias presentes littere peruenerint, Robertus Scot filius David Scot de Branxhelme, salutem in Domino sempiternam : Noueritis quod licet alias prouidus vir David Scot de Branxhelme pater meus carnalis michi dederat et per cartam suam et sasinam alienauerat omnes terras dominicales de Quhytchester cum pertinenciis, iacentes in baronia de Branxhelme, infra vicecomitatum de Roxburgh, pro affectione filiali quam erga me habuit, prout in carta sua

¹ Following upon this Charter there is a Precept by David Scott of Branxhelme for infesting his son Robert Scott in the lands of

the lordship of Quhitchester, also dated 25th of February 1484.

mihī inde confecta plenius continetur, volo tamen et concedo ac me, heredes meos et assignatos firmiter, fideliter, fide media obligo per presentes ad sursum reddendum pure et simpliciter resignandum ac libere deliberandum a me, heredibus meis et assignatis prefato Dautil patri meo omnes predictas terras dominicales de Quhytchester cum pertinenciis, vna cum carta, sasina, litteris, instrumentis, munitentis suis quibuscunque mihī inde confectis et deliberatis, quam cito et quando-cunque predictus Dautil pater meus obtinet terras suas taliatas, super premonicione sex dierum vbicunque racionabiliter facta fuerit, omni fraude et dolo remotis, ita quod post premonicionem et sursum reddicionem, ut premittitur factam, fuerit, nec ego nec heredes mei nec assignati, nec aliquis alius nomine nostro, aliquod jus, clamcum, proprietatem vel possessionem in seu ad predictas terras dominicales de Quhytchestir cum pertinenciis, in aliqua parte vel aliqualiter vindicare potero seu poterint quomodolibet in futurum, sed ab omni juris titulo tam petitorio quam possessorio predictarum terrarum cum pertinenciis sim et sint exclusus et exclusi penitus et omnino inperpetuum; a cuiusquidem resignacione et sursum reddicione me non absentabo, et cum me absentans volo et concedo et constituo predictum Robertum, heredes suos et assignatos in et ad predictas terras dominicales de Quhytchestir cum pertinenciis plenarium habere ingressum sine aliquo obstaculo aut processu judiciali, fraude et dolo seclusis: In cuius rei testimonium procuravi cum instancia sigillum prouidi viri Roberti Scot de Hanyng huic littere fore appensum, coram hiis testibus, Waltero Scot de Eidschaw, Adam Scot, domino Willelmo Scot, Archebaldo Scot, Johanne de Gledstanis, Johanne Broun cum diuersis aliis, quarto die mensis Marcij anno Domini M^oCCCC^o octogesimo quarto.

91. BOND OF MANRENT by WILLIAM COCKBURN of Schralling to PATRYK LORD HALLIS. 12th June 1487.

BE it kende till all men be thir present lettres, me, William off Cokbwrn of Schral-ling, to be bundin ande oblist, ande be the fatht ande trewth of my body stratlie byndis ande oblistis me to ane rycht noble ande mychty lorde, Patryk lorde Hallis, in manrent ande seruis for all the dayis of my lyv, befor all wther at leiff or deye may, eecepane myn allegans to the Kyng allanerly; ande shall help ande suple my saide lorde, ande tak hys affalde part in pee ande in var alls oft has he com-mendis me with my men, kyn ande frendis, ande all at wylle do for me, in all his actiounis, cawsis ande querllis for all the dayis off my lyff, as saide is; ande gyff hym the best counsall I can quhen he ony askis at me, and kepe his counsall secret;

ande neuer to here hes schath nor wyt of it, bot to lat it at my powir, ande warn hym tharof, in all the possible hast I may; my howsis strenthis sall be rady to my saide lorde quhen ande alls offt as it plesis hym, ande I sall be in howssalde or ratenew at the wyll of my saide lorde, ande thir condissionis ande pwnmentis abwne expremyt sall be lelley ande trewlylly kepit, be the fatht in my body, bwt frawde or gylle: In wtnes off the quihilk thung I hawe set to my seill, at Edinbwrgh, with the subscription off my hande the xij day of the moneth of June, the zer of God 1^mcccc achty ande sewyn zeris, befor thir wtnes, Edmonde Spens of Wnthank, Walter off Cokbwrn of Harperden, ande Schir William Borthyk, chapelan, with wtheris diuers.

WILLZI. COKBURN off Schralling.

92. RESIGNATION by DAVID SCOTT of Branxhelme, of the lands of Branxhelme, etc. 8th November 1487.

EXCELLENTISSIMO et serenissimo principi ac domino nostro metuendissimo, domino Jacobo tercio Dei gracia Scotorum regi illustrissimo, suus humilis legius et subditus David Scot de Branxhelme, reuerencias omniunmodas et honores: Ad sursum reddendum, resignandum . . . terras meas baronie de Branxhelme cum pertinenciis; necnon omnes et singulas terras meas baronie de Ekfurd cum pertinenciis; necnon omnes et singulas terras meas de Langtoun cum pertinenciis; ac eciam omnes et singulas terras meas de Bukeleuch cum pertinenciis, jacentes infra vicecomitatum de Roxburgh; et omnes et singulas terras meas de Kirkeurd cum pertinenciis jacentes infra vicecomitatum de Peblis, quas de vestra excelsitudine teneo in capite, ego dictus David . . . honorabilem virum Robertum Scot filium meum predilectum meum verum legitimum et indubitatum procuratorem, actorem, factorem et negociorum meorum gestorem ac nuncium specialem et generalem facio . . . sub ypotheca et obligacione omnium bonorum meorum mobilium et immobilium presencium et futurorum, ita quod, facta dicta resignacione, vestre serenitati liceat de omnibus et singulis dictis terris et baroniis cum pertinenciis disponere . . . In cuius rei testimonium sigillum meum presentibus est appensum, apud Ekfurd, octauo die mensis Nouembris, anno Domini millesimo quadringentesimo octuagesimo septimo.

93. CHARTER by KING JAMES THE THIRD, to DAVID SCOTT of Branxhelm, of the barony of Branxholm. 21st May 1488.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Noueritis quod pro fidei benemeritoque seruicio nobis per

dilectum nostrum armigerum David Scot de Branxhelme temporibus retroactis diversimodi impenso, et pro fidei gratuitoque servitio nobis per Robertum Scot filium dicti David eiusque servitores et familiares sub vexillo nostro in campo bellico apud Blaknes, in defensione nostre persone regie et corone multipliciter impenso et in futurum impendendo, dedimus et concessimus ac tenore presentis carte nostre damus et concedimus hereditarie dicto David Scot omnes et singulas terras baronie de Branxhelme, et terras de Ekfurd cum pertinentiis suis, jacentes infra vicecomitatum nostrum de Roxburgh, et terras de Langtoun, Lempetlaw, Rankilburne et terras baronie de Kirkurd cum pertinentiis suis, jacentes infra vicecomitatum nostrum de Peblis: Quequidem terre erant omnes a nobis prius vnite, annexate et incorporate in vna libera baronia imperpetuum, baronia de Branxhelme nominanda, per cartam nostram hereditarie dicto David desuper confectam; que eciam terre et baronia de Branxhelme, Ekfurd, Langtoun, Lempatlaw, Rankilburne et Kirkurd cum pertinentiis suis erant prius dicti David hereditarie, et quas terras dictus David per procuratores suos in manibus nostris, apud Edinburghe, per fustim et baculum resignavit, ac omne jus et clameum juris que in dictis terris cum pertinentiis habuit seu habere potuit pro se et heredibus suis omnino quittum clamavit imperpetuum: Tenendas et habendas omnes et singulas dictas terras baronie de Branxhelme, Ekfurd, Langtoun, Lempetlaw, Rankilburne et Kirkurde cum pertinentiis prefato David et heredibus suis masculis de corpore suo legitime procreatis seu procreandis; quibus forte deficientibus, Waltero Scot nepoti dicti David et heredibus suis masculis de corpore suo legitime procreandis; quibus forte deficientibus, Roberto Scot filio dicti David et heredibus suis masculis de corpore suo legitime procreatis seu procreandis; quibus forte deficientibus, Waltero Scot filio quondam Alexandri Scot fratris germani dicti David et heredibus suis masculis de corpore suo legitime procreatis seu procreandis; quibus eciam deficientibus, Ade Scot fratri germano dicti Walteri et heredibus suis masculis de corpore suo legitime procreatis seu procreandis; quibus forte deficientibus, Waltero Scot de Qulitehauch et heredibus suis masculis de corpore suo legitime procreatis seu procreandis; quibus forte omnibus deficientibus, veris legitimis et propinquioribus heredibus dicti David quibuscumque de nobis et successoribus nostris in feodo et hereditate imperpetuum; per omnes rectas metas suas antiquas et diuisas . . . Soluendo annuatim dictus David et relique persone supratalliate et heredes sui nobis et successoribus nostris pro viginti quatuor marcatis terrarum prefate baronie de Branxholm vnam rubeam rosam in festo sancti Johannis Baptiste, nomine albe firme, si petatur tantum; et faciendo annuatim dictus David personeque supratalliate et heredes sui nobis et successoribus nostris pro

reliquis terris suprascriptis jura et seruicia nobis de eisdem cum pertinenciis ante dictam resignacionem debita et consueta : In cuius rei testimonium presenti carte nostre tallie magnum sigillum nostrum apponi precepimus ; testibus, reuerendis in Christo patribus Willelmo Episcopo Abirdonensi cancellario nostro, Andrea Episcopo Moraniensi, Johanne [Episcopo] Lisnorensi, dilectis consanguineis nostris Daudid comite Craufurdie domino Lindesay, magno camerario nostro, Johanne comite Atholie domino de Baluany, Daudid domino Lindesay de Biris, Willelmo domino Grahaue, Willelmo domino Borthwie, Johanne domino Carlill, magistro Archibaldo Quhitelaw, archidiacono Laudonie secretario nostro, et domino Alexandro Scot rectore de Wigoune, clerico rotulorum nostrorum et registri, apud Edinburgh, vicesimo primo die mensis Maij anno Domini millesimo quadringentesimo octuagesimo octauo, et regni nostri vicesimo octauo.

94. PRECEPT by THOMAS TURNBULL of Greenwod and Lyne, knight, for infefting ROBERT SCOTT, son of David Scott of Buccleuch, in the lands of Greenwod and Lyne. 16th December 1488.

THOMAS TURNBULL de Grenwod et de Lyne, miles, dilectis meis Waltero Scot de Fenwik, Roberto Scot de Hanyng, Ade Scot, et Philippo Turnbul de Quhithop, balliuis meis in hac parte specialiter constitutis, salutem : Quia dedi, concessi, vendidi et alienaui hereditarie prouido viro Roberto Scot filio Daudid Scot de Bukeluch omnes et singulas terras meas de Grenwod et de Lyne cum pertinenciis, iacentes infra vicecomitatum de Roxburgh, exceptis et reseratis michi et heredibus meis vna acra terre predictarum terrarum de Grenwod iacenti in boreali parte earundem, et vna acra terre predictarum terrarum de Lyne iacenti in boreali parte earundem, prout in carta mea sibi desuper confecta plenius continetur ; Vobis igitur et vestrum cuilibet coniunctim et diuisim stricte precipio et firmiter mando quatenus predicto Roberto Scot, vel suo certo attornato latori presencium, possessionem, sasinam et statum hereditarium predictarum terrarum de Grenwod et de Lyne cum pertinenciis, exceptis predictis duabus acris terrarum, secundum tenorem carte quam de me inde habet iuste habere faciatis, visis presentibus, indilate et hoc nullo modo omittatis : Ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim meam plenariam et irreuocabilem tenore presencium committo potestatem : Scriptum sub meo sigillo, apud ecclesiam Sancte Marie virginis infra Forestam de Etrik, decimo sexto die mensis Decembris anno Domini millesimo

quadringentesimo octuagesimo octauo; hiis testibus, Waltero Scot de Fenwik, Martino Ranwik, Johanne Turnbull, Nicholao Heslihop, et Willelmo Dun.¹

95. The LAST WILL and TESTAMENT and INVENTORY of the GOODS belonging to DAVID SCOTT of Buccleuch. 9th February 1491.

INVENTARIUM omnium bonorum David Scot, factum apud locum sue habitacionis de Bukcleweht, nona die Februarii anno Domini M^{mo}CCCC^{mo} nonagesimo primo, coram hiis testibus, domino Willelmo Scot rectore de Sowdoun, Magistro Johanne Scote rectore de Rankylburne, David Daugles, et David Trumbull, cum diuersis aliis,

Imprimis, fatetur se habere mille et centum oues matrices, precio pecii,	v s.
Item, in le Hoggis, sexcentas et octoginta, precio pecii,	xxx d.
Item, in aliis ouibus videlicet, wedderis gymmir et Dymmount octingenta, precio pecii,	v s.
Item, fatetur se habere xxv boues, precio pecii,	ij markas.
Item, quindecim vaccas, precio pecii,	xxv s.
Item, in frumento seminato,	xij bollas.
Ad estimationem quarti grani, precio bolle,	v s.
Item, in siligine seminato,	xv bollas.
Ad estimationem quarti grani, precio bolle,	iiij s.
Item, in auenis ducentas bollas, precio bolle,	iiij s.
Item, in frumento sex celdras, precio bolle,	ix s.
Item, in siligine sex celdras, precio bolle,	vj s.
Item, in ordeo quinque celdras, precio bolle,	v s.
Item, in vtencilis et domicilliis,	xx markas.
Summa bonorum vij ^{cc} lib. ii ^{xx} lib.	

¹ In terms of this Precept, Robert Scott was infeft in the lands, conform to Instrument of Sasine dated 22d December 1488. The witnesses were Andrew Trumbull of Hawick, Thomas Trumbul of Stowisle, John Elwalde of Thoreshop, and his brother Patrick.

In addition to this feudal title, Sir Thomas

Turnbul granted a lease of the lands of Grenwod and the Lyne to Robert Scott for nineteen years after the redemption of the lands. Dated at the Abbey of Melrose 13th December 1488, before witnesses Robert Scott, son of Robert Scott of the Hanying, etc.

Debita que sibi debentur.

In primis Robertus Gray [. . .]	xxv markas.
Item, pro ouibus,	
Item, David Erwyn,	1 lib.
Item, Johannes Scote eius filius,	xv nobilia.
[. . .]	xxxvj s.
pro servo.	
Item, Comitissa de Rothos xli boues, et vacce cum sequelis.	

Summa xl lib. iij lib. xvj s. viij d.

Debita que debet.

In primis, domino de Muswald ducentas markas pro dote filie sue.	
Item, Elizabeth Wilzamsoun centum viginti et sex libras et xix s. et iij obluos.	
Item, Johanni Jhonsoun,	vij lib. v s.
Item, Johanni Scot,	x markas.
Item, Bartholomeo Torthorwald vnam vaccam.	
Item, tribus viris de Jedworth, pro labore, ij bollas siliginis.	
Item, Jonete Wallace, iij bollas frumenti ex mutuo.	
Item, Johanni Haw,	xx s.
pro equo.	
Item, David Daugles, pro jumento,	1 s.
Item, Andree Makowelle,	ij markas.
pro mercimoniis.	
Item, Patricio Scote, vnam markam.	
Item, filie domini de Muswald,	xl lib.
ex promisso.	
Item, domino de Ornystoun,	xxv markas.
pro dote.	
Item, Johanni Amorris,	j marcem.

Summa xvj^{xx} lib. xvij lib.Summa debitis extracta iij^c iij^{xx} lib. ii lib.

Quia nihil sit certius morte nec hora mortis incertius, hinc est quod ego David Scote de Bukeleweht, licet eger corpore sanus tamen mente, condo testamentum meum in hunc modum: Inprimis do et lego animam meam Deo omnipotenti beateque virgini Marie totique concioni celesti, corpusque meum sepeliendum in ecclesia Sancte Crucis de Peblis: Item, do et lego iij d. fabrice ecclesie Sancti Kentigerni: Item, do et lego xxxvj mercas viij[d.] sacerdoti ydoneo ad celebran-



dum pro salute anime mee, et quod dictus sacerdos eligatur per dominum Willel-
mum Scot, rectorem de Soudoun : Item, do et lego Roberto Scot filio meo xl lib. :
Item, do et lego Waltero Scot heredi meo apparenti xl lib. et xj boues : Item, con-
stituo Walterum S[cot] meum apparentem heredem et Robertum Scot meum filium
tutores Willelmo Trumbull domino de Mynto : Item, do et lego Elizabeth
[] xl oues matricies, et [] oues
steriles ; Item, Johanni Trumbull xx oues matricies et xx ly hoggis : Item, coquo
vnam mercam : Item, Ade Makgowan vj s : Item, Elizabeth Sc[ote] vj oues ; Item,
Johanni Scote, pincerne. x oues ; Item, David Cokburn x oues : Item, ecclesie de
Hawyke xl s. ; Item, ecclesie de Rankilburn xl s. ; Item, ecclesie beate Marie virginis
de Foresta xl s. ; Item, David Trumbull x oues : Item, Willelmo Makmath vj oues ;
Item, Magistro Johanni Scote xl s. ; Item, domino Symoni Ynglis xl s. ; Item, David
Gledstanys, iij oues : Item, Waltero Scote iij oues ; Item, Ade Bowy vi s. viij d. ;
Item, Ade Torthorwald x s. ; Item, Ade Crawford vnum ouem ; Item, Ade Faid, j
mercam ; Item, ad Daft Jhon iij s. ; Item, Waltero Dikson xs. ; Item, Thome x
oues ; Item, Ade Scote xx oues antiquas et x ly hoggis ; Item, David Scote xx
oues ; Item, Alexandro Scote xx oues ; Item, prolibus Gilberti Ranwyk xx s. ; Item,
vxori Thome Jhousoun xx s. ; Item, Ade Mortoun iij oues matricies et iij ly hoggis ;
Item, Roberto Scote xij oues ; Item, Willelmo Roger xxx oues ; Item, Archibaldo
Carutheris xxx oues ; Item, Ade Scote, claudo, vj oues ; Item, Ade Malanoth, ij
oues ; Item, tribus viris de Mynto xxx s. ; Item, vigilatori vj s. iij d. ; Item,
Ade Erskyn ij oues matricies et j ly hog ; Item, filie domini de Drumlangryk ij
vaccas ; Item, vxori Jacobi Moserop xl s. ; Item, magno Waltero Scot xx s. ; Item,
Ade Dauyson j mercam ; Item, Johanni Storis vnam bollam victualium ; Item,
Ade Glendonwyn vnam vaccam : Item, Marco de Glendonwyn vnam vaccam et
duas bollas victualium ; Item, Margarete Glendonwyn vnam vaccam : Item, pro-
libus Symonis Atzinsoun xij agnos ; Item, domino Roberto Petigrew j ouem ; Item,
Mariote Diesoun j ouem ; Item, vxori mee xxiiij^{xx} oues matricies, si fieri potest, et
xj vaccas et xi boues ; Item, domino Willelmo Scot viij bollas auenarum et j bol-
lam frumenti ; Item, relinquo Robertum Scote meum filium tutorem Waltero Scote
heredi meo apparenti ; et residuum omnium bonorum meorum pono in dispositione
executorum meorum quos constituo et ordino, videlicet, Waltherum Scot, nepotem
meum et apparentem heredem, Robertum Scot meum filium, et Waltherum Scot,
dominum de Howpaslait.

96. ASSIGNATION by WALTER SCOTT of Branxholm of the moveable goods of his grandfather to ROBERT SCOTT. 22d May 1492.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno a natiuitate Domini millesimo quatercentesimo nonagesimo secundo, mensis vero Maij die vicesimo secundo, indicione decima, pontificatus sanctissimi in Christo patris et domini, domini Innocentij diuina prouidentia pape octauj, anno octauo, in mej notarij publicj testiumque subscriptorum presentia nobilis vir Valterus Scot de Branxeme vnus executorum quondam Dauid Scot aui sui omnia et singula bona mobilia dicto quondam Dauid pertinentia et spectantia prouido uiro Roberto Scot assignauit, libereque dedit, et ad ipsius Roberti voluntatis libitum de huiusmodi bonis disponendum liberam legitimam plenariam et irreuocabilem suam sibi potestatem commisit; et idcirco prefatus Robertus Scote omnia et singula debita in testamento eiusdem quondam Dauid contenta et redacta, illis quibus premissa debita debentur ad persoluendum fide media manum suam extendens, se firmiter obligabat: De et super quibus omnibus et singulis prefati Robertus et Valterus a me notario publico subscripto sibi fieri atque tradi petierunt instrumentum et instrumenta publicum et publica: Acta erant hec in villa de Peblis, in aula mansionis Gilberti Wilzamsoun, hora octaua ante meridiem vel ea circa, anno, die, mense, indicione et pontificatu prescriptis; presentibus ibidem probis uiris Gilberto Wilzamsoun, Martino Balcasky, Dauid Dalgles, et Eduardo Dikesoun, cum alijs diuersis testibus ad premissa specialiter requisitis.

Et ego Thomas de Crawford presbyter Glasgouensis diocesis, imperiali et regia auctoritatibus notarius publicus [*etc., in forma communi.*]

97. RETOUR of WALTER SCOTT, as heir of his grandfather, DAVID SCOTT of Branxhame, in Branxhame, etc. 6th November 1492.

INQUISICIO capta coram honorabili viro Willelmo Dowglas vicecomite de Roxburgh, apud burgum de Jedworth, sexto die mensis Nouembris anno Domini millesimo quadringentesimo nonagesimo secundo, per hos subscriptos, videlicet, Robertum Ker militem, Georgium Dowglas de Bun-Jedworth, Walterum Scot de Howpaslot, Andream Dowglas, Walterum Scot de Hepe, Johannem Gledstanis, Andream Ker de Vuercaling, Georgium Ruthirfurde de Edilischuch, Adam Turnbull, Nicholaum Ruthirfurde, Jacobum Scot de Hassinden, Johannem Grimyslaw de Neutone, Georgium Daudisone, Johannem Anisle et Walterum Robsone: Qui iurati in

virtute sui juramenti dicunt quod quondam David Scot de Branxhame, auus Walteri Scot latoris presencium, obiit ultimo vestitus et sasitus vt de feodo ad pacem et fidem domini nostri regis de dimedia parte terrarum de Branxhame cum pertinenciis, et de terris de Quhitchestir, de terris de Lempatlaw, de terris de Eylrig, de terris de Rankilburn, de terris de Mylsintoune cum pertinenciis, jacentibus infra baroniam de Branxhame et vicecomitatum de Roxburgh, et de terris de Kirkurde cum pertinenciis jacentibus infra vicecomitatum de Pblis annexis baronie de Branxhame; et quod dictus Walterus est legitimus et propinquior heres eiusdem quondam David aui sui de dictis terris cum pertinenciis; et quod est legitime etatis; et quod dicta dimedia pars terrarum de Branxhame cum pertinenciis nunc est vasta, et tempore pacis valuit per annum viginti quatuor marcas monete Scocie; et dicte terre de Quhitchestir nunc sunt vaste, et tempore pacis valuerunt per annum viginti libras dicte monete; et dicte terre de Lempatlaw nunc sunt vaste, et tempore pacis valuerunt per annum viginti libras dicte monete; et dicte terre de Eylrig nunc sunt vaste, et tempore pacis valuerunt per annum decem libras dicte monete; et dicte terre de Rankilburn nunc sunt vaste, et tempore pacis valuerunt per annum viginti libras dicte monete, et dicte terre de Mylsintoune nunc sunt vaste, et tempore pacis valuerunt per annum decem marcas dicte monete; et dicte terre de Kirkurde nunc valent per annum viginti libras dicte monete et tantum valuerunt tempore pacis; et quod dicte terre cum pertinenciis tenentur in capite de domino nostro rege per albam firmam, resoldendo annuatim pro dicta dimedia parte terrarum de Branxhame vnam rosam rubeam in festo natiuitatis Sancti Johannis Baptiste super solum dicte dimedie partis terrarum nomine albe firme, si petatur tantum; et pro dictis terris de Quhitchestir annuatim vnum denarium monete Scocie in predicto festo natiuitatis Sancti Johannis super solum earundem nomine albe firme, si petatur tantum; et pro dictis terris de Lempatlaw annuatim vnum denarium dicte monete in supradicto festo super solum earundem nomine albe firme, si petatur tantum; et pro dictis terris de Eylrig annuatim vnum denarium dicte monete in supradicto festo super solum earundem nomine albe firme, si petatur tantum; et pro dictis terris de Mylsintoune annuatim vnam rosam rubeam in supradicto festo super solum earundem nomine albe firme, si petatur tantum; et pro dictis terris de Kirkurde annuatim vnum denarium dicte monete in supradicto festo super solum earundem nomine albe firme, si petatur tantum; et quod dicte terre, cum pertinenciis, nunc existunt in manibus predicti domini nostri regis tanquam domini superioris earundem, per mortem dicti quondam David Scot qui obiit in mense Martij ultimo elapsi, et sic exstiterunt a tempore obitus dicti quondam David in defectu veri

heredis jus suum hucusque non prosequentis : In cuius rei testimonium sigilla quorundam qui dicte inquisitioni intererant presentibus sunt appensa ; anno, mense, die et loco supradictis.

98. RETOUR of ALEXANDER ERSKINE, as heir to his father, THOMAS LORD ERSKINE, in the lands of Syntoun and office of Sheriff of Selkirk. 11th April 1494.

Hec inquisicio capta coram prouido viro Georgio Ruthirfurde de Langnewtoun vicecomite de Selkirk in hac parte apud burgum de Selkirk, vndecimo die mensis Aprilis, anno Domini millesimo quadringentesimo nonagesimo quarto, per hos subscriptos viros, videlicet, Willelmum Dowglas vicecomitem de Roxburgh, Walterum Ker de Cesfurde, Walterum Scot de Branxhame, Johannem Crenstoun de eodem, Jacobum Ruthirfurde de eodem, Johannem Ruthirfurde de Hundole, Walterum Scot de Hep, Jacobum Riddale de Quhittoun, Jacobum Newtoun de Dawcofe, Jacobum Scot de Hassinden, Andream Ker de Farnyhirst, Radulphum Ker, Bartholomeum Ruthirfurde, Robertum Scot de Hanyn, et Adam Scot de Hirdmanstoun : Qui iurati in virtute sui iuramenti dicunt quod quondam Thomas dominus Erskin, pater Alexandri domini Erskin, latoris presencium, obiit vltimo vestitus et sasitus ut de feodo ad pacem et fidem domini nostri regis de terris de Syntoun, cum tenandis et tenandriis, cum pertinenciis, iacentibus infra vicecomitatum de Selkirk, et de officio vicecomitis vicecomitatus de Selkirk cum pertinenciis, et quod dictus Alexander dominus Erskin est legitimus et propinquior heres eiusdem quondam Thome patris sui de dictis terris cum tenandis et tenandriis, et officio predicto, cum pertinenciis ; et quod est legitime etatis ; et quod dicte terre cum tenandis et tenandriis, et officium predictum cum pertinenciis, nunc valent per annum quadraginta marcas monete currentis Scoeie et tempore pacis tantum valuerunt per annum viginti libras dicte monete ; et quod dicte terre cum tenandis et tenandriis, et officium predictum cum pertinenciis, tenentur in capite de domino nostro Rege per albam firmam ; reddendo inde annuatim pro predictis terris cum tenandis et tenandriis domino nostro regi vnum par calcarium deauratum in festo Pentecostes super solum dictarum terrarum nomine albe firme si petantur, et pro dicto officio reddendo computum ad seaccarium supremi domini nostri regis ; et quod dicte terre cum tenandis et tenandriis, et officium predictum cum pertinenciis, nunc existunt in manibus domini nostri regis tanquam domini superioris eorundem, per mortem dicti quondam Thome domini Erskin, qui obiit per tres menses vltimo

elapsos, et sic extiterunt a tempore obitus eiusdem quondam Thome in defectu prosecutionis veri heredis ius suum hucusque minime prosequentis: In cuius rei testimonium sigilla quorundam illorum qui dicte inquisitioni intererant, vna cum sigillo predicti Georgii Ruthirfurde vicecomitis in hac parte, presentibus sunt appensa, anno, mense, die et loco suprascriptis.¹

99. CHARTER by JAMES SCOTT of Kirkurd to his son DAVID, of Gallowlaw, and the Nethir Mains of Newhall. 14th June 1494.

OMNIBUS hanc cartam visuris vel audituris Jacobus Scot de Kirkhurde salutem . . . Noueritis me pro singulari fauore, amore et dilectione quos erga dilectum filium meum David Scot habeo et gero dedisse, concessisse et hac presenti carta mea confirmasse . . . dicto David terras meas nuncupatas le Gallowlaw extendentes ad sex marcas annuatim infra dominium meum de Newhall, et tres marcas terrarum de le Nethir Manes de Newhall ad partem occidentalem eiusdem supra communem viam, jacentes in baronia de Clamerlaue Newton infra vicecomitatum de Roxburgh: Tenendas et habendas omnes et singulas predictas terras . . . dicto David Scot et heredibus suis de corpore suo legitime procreandis, quibus forte deficientibus michi et heredibus meis veris legitimis et propinquiorebus quibuscumque libere reuertendas, de me heredibus meis et assignatis in feodo et hereditate imperpetuum per omnes rectas metas . . . Reddendo inde annuatim dictus David Scot et heredes sui prescripti michi, heredibus meis et assignatis tres denarios argenti monete Scocie ad festum Penthecostes super solum dictarum terrarum de Gallowlaw nomine albe firme si petantur tantum. . . . Et ego vero dictus Jacobus Scot heredes mei et assignati omnes et singulas predictas terras . . . predicto David Scot et heredibus suis de corpore suo legitime procreandis, quibus forte deficientibus michi et heredibus meis veris . . . contra omnes mortales warantizabimus. . . . Reservato tamen libero tenemento omnium et singularum predictarum terrarum de le Gallowlaw et le Nethir Manes de Newhal . . . michi pro toto tempore vite mee et racionabili tercia parte earundem Margarete sponse mee post meum decessum pro toto tempore vite sue cum contigerit: In cuius rei testimonium sigillum meum huic presenti carte mee est appensum, apud Edinburghe decimo quarto die mensis Junii anno Domini millesimo quadringentesimo

¹ On a Precept following upon this Retour, Alexander Lord Erskine was infeft in Syn-toun and the Sheriffship of Selkirk on last

April 1494, conform to Instrument of Sasine of that date.

tesimo nonagesimo quarto, coram hiis testibus Roberto Scot de Achinstaneleich, Johanne Scot filio meo et herede apparente, Hectore Lauder, Willelmo Scot, Waltero Scot, Roberto Scot, Henrico Strathanechin et Jacobo Moinnet cum diuersis alijs.¹

100. PRECEPT by JAMES DOUGLAS of Drumlanrik for infefting his son WILLIAM in the lands of West Mains and Crumhauch. 6th March 1494.

JACOBUS DOUGLAS de Drumlanrik, ac baro baronie de Hawyk, dilectis meis Georgio Douglas, Willelmo Douglas, Jacobo Douglas, Gilberto M-Cawill, et Patricio Browne, balliuis meis in hac parte specialiter constitutis, salutem : Quia dedi et concessi hereditarie dilecto filio meo et apparenti heredi, Willelmo Douglas et heredibus suis legitimis quibuscunque procreatis seu procreandis, totas et integras illas quinque libratas terrarum nearum wllgariter nuncupatarum Vest Manis antiqui extentus, cum pertinenciis, et quadraginta solidatas de Crumhawecli antiqui extentus cum pertinenciis, jacentes in baronia de Hawik et infra vicecomitatum de Roxbrugh, prout in carta mea sibi desuper confecta plenius continetur : vobis igitur et vestrum cuilibet precipio ac do in mandatis quatenus visis presentibus indilate statum, saisinam et possessionem hereditariam predictarum terrarum de Vest Manys et Crumhawecli, cum pertinenciis, prefato Willelmo uel suo certo actornato, latori presencium, deliberetis seu haberi faciatis, seu alter vestrum deliberet et haberi faciat, sine dilacione, secundum tenorem carte mee sibi desuper confecte ; et hoc nullo modo omittatis ; Ad quod faciendum vobis et vestrum cuilibet, coniunctim et diuisim, meam in hac parte plenariam committo potestatem : Scriptum sub sigillo meo, apud Drumlanrik, sexto Marcii anno Domini millesimo quadringentesimo nonagesimo quarto.

101. PARDON by KING JAMES THE FOURTH to ROBERT SCOTT of Allanehauch. 8th February 1498.

JACOBUS Dei gratia Rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem : Sciatis quod ex gratia nostra speciali remissimus Roberto Scot de Alanehauch latori presencium rancorem animi nostri, sectam

¹ David Scott, the grantee, was infeft in these lands on 27th October 1494, conform to Instrument of Sasine in his favour of that date.

regiam et omnem actionem quem et quas erga ipsum concepimus, habemus seu habere poterimus pro communicacione cum nostris rebellibus ad cornu nostrum existentibus, et pro receptacione et assistencia eisdem rebellibus nostris exhibitis, ac pro omnibus aliis criminibus, actionibus, causis et offensis quibuscumque per dictum Robertum factis et commissis temporibus retroactis vsque in diem date presentium, proditoria tradicione in nostram personam regiam tantum excepta; dummodo partibus conquerentibus et dampna passis taliter satisfaciat quod nullam super hoc de cetero iustam querimoniam audiamus, et supradictum Robertum sub firma pace et protectione nostra iuste suscipientes firmiter inhibemus ne quis ei occasione transgressionum predictarum malum, molestiam, iniuriam seu grauamen aliquod inferre presumat iniuste supra nostram plenariam forisfacturam, aut mortem ei inferat sub pena amissionis vite et membrorum: In cuius rei testimonium has literas nostras remissionis pro toto tempore vite dicti Roberti duraturas sub magno sigillo nostro sibi fieri fecimus patentes; apud Striueling octauo die mensis Februarij anno Domini millesimo quadringentesimo nonagesimo octauo, et regni nostri vndecimo.

102. APPRISING of the moveable goods and the lands of Quhithope, belonging to PHILIP TURNBULL. 20th May 1500.

THE thwenty day of the moneth of Maij, in the zer of God a thowsande fyf hundredeth, I, Wylzein of Dowglas of Cauers, Scheref of Roxburgh, at the commande of our souerane Lordis lettres direkit to me, sersit and soweht the mowabil gudis of Philp Trumbul of Quhithope, at the said place of Quhithop, and in al other placis quhar he ony gudis hade within the bowndis of my office, and I fand bot fowr oxin, quhilkis I had to the merkat, and becaus I fande na redy byaris of thaim, I causit thaim to be prisit be Gorgis of Dowglas, Georgis of Chesame, Wil Scot and Andro Dikson, thair ath sworne be thaim, thair war prisit to vij lib. of the wsuale mone of Scotlande, and in defalt of byaris of the saidis gudis, I deliuerit thaim to Walter Scot of Branxhelme, assignay to Jhon of Murray and Niniane of Murray, in pairt of paymente of the sowmis of nynten scor of merkis recouerit apon the said Philp Twrnbul be the saidis Jhone of Murray and Niniane of Murray, likas our souerane Lordis lettres direkit thairwpoun proportis, of the quhilkis the tenor folowis: JAMES, be the grace of God Kyng of Scottis, to our Schereff of Teuidale and his deputis, greting: forsamekile as it is be the Lordis of our Cownsaile decretit and deliuerit that Philpe Twrnbull, as plegis and souerte for Stewyn Twrnbull, his brother, sal

content and pay to Jhone of Murray of Fallohil and Niniane Murray the sovyn of thua hundreth merkis wsuale mone of our realme, for the skath, dampnage and bynyng of the place of Kershop, and als for fowr scor oxin and ky, price of the pece thretty schillingis, for the quhilkis gudis the said Stewyn tuk him to our remissioun, and fande the said Philp souerte and plegis for hym to mak satisfaction to al parteis complenzeande eftir the forme and tenor off ane Act extract be the hand of our louit familiar clerk, Maister Richard Lawson, clerk of our Justiciary, wnder his subscripsioun manuale, schewin and producit befor the saidis Lordis, and als as was sufficientle profit befor the saidis Lordis, lyk as at mair lenth is contenit in the decret gewyn thairwpon; our wil is heirfor, and we charg zou stratlie, and commandis that ze incontinent, efter the secht of thir our lettres, pas, compell and distrenze the said Philp abone exprimit his landis, and mak penny of his reliast gudis, to the awaile of the said sovyn of thua hunder merkis and lxxx oxin and ky, and mak the saidis Jhon and Niniane to be fullie content and pait thairof efter the forme of the said decret, as ze wil answer tyl ws apoun the executionn of zour office, and wnder the panis contenit in the Actis and Statutis maid in our last general Counsaile thairwpon, and wnder the charge that efter may folow, deliuering thir our lettres be zou dewlie execute and indorsat agane to the beter; geiffyn wnder our signet at Edinbwrgh, the thrid day of Julijand of our regne the xj zer: And thairefter I beand requirit be the said Walter Scot, assignay forsaid, for to mak hym ful payment of the said sowme contenit in our souerane Lordis lettres, and to mak dew executionn of thaim efter the tenor of the samyn becaus I cwth fynde nor apprehende na mar mowabil gudis of the said Philpis, I passit to the saidis landis of Quhithop, and signit thaim to be sald for the payment of the rest of the said sowme, and thairof gert mak opin proclamatioun at the merkat cors of Jedworth, and warnit a part of the frehaldaris of the said schir to be apoun the saidis landis the last day of Junij nixt folowande the dait forsaid, for to prise the saidis landis as thai salbe fundyn of awaile, at the quhilk day the saidis frehaldaris comperande apoun the saidis landis of Quhithop, in default of payment of the sowme contenit in our saidis soueran Lordis lettres, and becaus I cwde fynde na mar mowabile gudis, as said is, I causit thir personis wnder wrytten, be ther gret athis, the haly wangelis twechide, for to pas and price the saidis landis, that is to say, Robert Scot of Quhitchester, James of Langlandis of Wilton, Robert Scot of Styrkschaw, Georgis of Chesam of that ilk, Jhon of Grymmyslaw of the Newton, Jhon Gowrlay, Wilzem of Crenston, Georgis of Dowglas, Georgis Scot, Jhon Scot, Archibald of Gledstanis, David Dowglas, and John of Langlandis, the

quhilkis personis, efter that thai war sworne, passit and wesit the saidis landis, and beande thairwitht riple awisit come in agan befor me, and deliuerit that the saidis landis of Qulithop witht thair pertinentis ar xx^{li} merkis worth of land, and geiffis na mar now at this tym. quhilkis landis thai haf prisit to fowr hundreth merkis, and at thai ar hablyn of baroun of Hawyk in chef, geifand a penny of the wsuale mone of Scotland at the Fest of Nativete of Sant Jhone the Baptist, callit Mydsomer, apou the grownde of the saidis landis, in name of blanch ferm, and it be askit alanerly, and becaus I ewd fynde na person that wald by the saidis landis for the sowme forsaid, I deliuerit and assignit the saidis landis witht their pertinentis to the said Walter Scot, as assignay forsaid, to ramane heretabily witht hym for the said sown. efter the tenor of the Act of Parliament maid apou prising of landis, in sic lyk cas; and this execution of our said souerane Lordis lettres I maide befor thir witnes, Wilzem Roger, Matho Gledstanius, Dawe Crak, James Atzin, and James Blair, notar publik, witht otheris diuers:—In wytnes quharof my seil, togidder witht the seillis of a part of the personis that passit apou the prising of the saidis landis, ar affixit to thir presentis, day, zer, and place forsaide, etc.

103. PRECEPT OF SASINE by PATRICK EARL OF BOTHWELL for infesting
WALTER SCOT of Branksehayme in Grymslaw. 5th October 1500.

PATRICIUS comes de Bothwell, dominus de Halys et Crechtoune, dilectis nostris Georgio Ormystoun, Archibaldo Herryot, Hugoni Dowglas, et David Dowglas, balliuis nostris in hac parte specialiter constitutis coniunctim et diuisim, salutem: Quia dedimus et concessimus dilecto nostro Valtero Scot de Branksehayme, omnes et singulas terras de Grymslaw, iacentes infra vicecomitatum de Roxburgh, tentas de nobis racione domini de Crechtoune: Vobis igitur et vestrum cuilibet coniunctim et diuisim precipimus et mandamus quatinus visis presentibus indilate personaliter accedatis, seu aliquis vestrum accedat, ad predictas terras de Grymslaw, et ibidem predictum Valterum Scot de omnibus et singulis predictis terris de Grymslaw cum pertinenciis statum saisinam, et possessionem habere faciatis, secundum tenorem carte sue antique inde desuper confecte, et hoc sine dilacione: Ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim nostram plenariam committimus potestatem. In cuius rei testimonium sigillum nostrum presentibus est appensum, quinto die mensis Octobris, anno Domini millesimo quingentesimo; coram hiis testibus, Andrea Makdowgal de Makkarstoune, domino Vilelmo Borthik, rectore de Quhitsum, magistro Andrea Kadza cum diuersis aliis, apud Halys.

ERLE OFF BOTHVILLE.

104. SASINE in favour of WALTER SCOT of Branxhelm of half the lands of Branxhelm. 31st October 1500.

IN Dei nomine amen . . . anno incarnationis Dominice millesimo quingentesimo, mensis uero Octobris die ultimo, indictione quarta, pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri diuina prouidencia pape sexti anno nono, in mei notarij publici et testium subscriptorum presencia, personaliter constitutus honorabilis vir Walterus Scot de Branxhelme, quoddam sasine preceptum de capella regia, impetratum honorabili viro Georgio Dowglas vicecomiti deputato de Roxburgh, presentauit, cuius quidem precepti tenor sequitur : JACOBUS Dei gracia rex Scotorum, vicecomiti et balliuis suis de Roxburgh, salutem : Quia per inquisitionem de mandato nostro per vos factam . . . compertum est, quod quondam Dauid Scot de Branxhelme, auus Walterj Scot latoris presencium, obiit ultimo vestitus et sasitus vt de feodo ad pacem et fidem nostram, de dimedia parte terrarum de Branxhelme cum pertinenciis, et de terris de Eklurde cum pertinenciis, et de sex libratibus terrarum de Langtoun cum pertinenciis, iacentibus infra baroniam de Branxhelme et vicecomitatum de Roxburgh ; et quod dictus Walterus est legitimus et propinquior heres eiusdem quondam Dauid aui sui de dictis terris cum pertinenciis, et quod est legitime etatis, et quod de nobis tenentur in capite, vobis precipimus et mandamus quatenus dicto Waltero . . . sasinam predictarum terrarum cum pertinenciis iuste haberi faciatis . . . capiendo securitatem de centum sexaginta octo mercis de firmis diete dimedie partis terrarum de Branxhelme, existencium in manibus nostris per spacium septem annorum, racione warde, que firme extendunt annuatim ad viginti quatuor mercas ; et de centum quadraginta libris de firmis terrarum de Eklurde, eciam existencium in manibus nostris per idem tempus, racione warde que firme extendunt annuatim ad viginti libras ; et de quadraginta duabus libris de firmis dietarum sex librarum terrarum de Laungtoun, similiter existencium in manibus nostris racione varde, per dictum tempus, que firme extendunt annuatim ad sex libras nobis debitas . . . Teste me ipso, apud Edinburgh ultimo die mensis Septembris, anno regni nostri decimo tercio. Post cuiusquidem precepti recepcionem et lecturam, prefatus Georgius Dowglas vicecomes deputatus vt supra, sasinam . . . predictarum terrarum . . . prefato Waltero Scot . . . contulit et donauit . . . Acta erant hec super solum diete dimedie partis terrarum de Branxhelme, hora fere duodecima in meredie uel eo circa . . . Presentibus ibidem, prouidis et discretis viris Philippo

Turnbulle de Qulithope, Georgio Chesame de eodem, Johanne Hepburne, Johanne Scot de Northous, David Dawgles, Waltero Turnbulle, et Ada Almos seriando . . .

Et ego Jacobus Blair clericus Glasguensis diocesis, publicus auctoritatibus imperiali regalique notarius [*etc., in forma communi*].

105. RESIGNATION by ROBERT SCOTT of Alanhauch of his landis of Qulithchester, to WALTER SCOTT of Branxhame. 26th November 1500.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno ab incarnatione Domini, millesimo quingentesimo, et mensis Nouembris die vero vicesimo sexto, indictione quarta, pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri diuina prouidencia pape sexti anno nono, in mei notarii publici et testium subscriptorum presencia, personaliter comparuit prouidus vir Robertus Scot de Alanhauch, coram honorabili viro Waltero Scot de Branxhame, domino suo superiore terrarum de Qulithchestir, quiquidem Robertus ex sua certa sciencia et spontanea voluntate, ac non vi aut metu ductus, nec errore lapsus, compulsus, aut coactus, vt asseruit, cum omni reuerencia qua decuit, suas terras husbandias ville de Qulithchestir cum pertinenciis, jacentes in baronia de Branxhame et infra vic-comitatum de Roxburgh, sursum reddidit, ac per fustem et baculum pureque simpliciter resignauit in manibus prefati Walteri Scot, tanquam in manibus domini sui superioris earundem, ad remanendas cum dicto Waltero hereditibus suis et assignatis, in securitate solucionis summe centum marcarum vsualis monete regni, Scocie, per ipsum Robertum, honorabili viro Alexandro Cokburne de Ormistoun Hall debitarum, ex et pro eo quod ipse Walterus pro dicto Roberto plegius et principalis debitor dicto Alexandro Cokburne pro solucione dicte summe deuenit, prout in contractu et appunctuamento inter dictos Walterum et Robertum desuper confecto plenius continetur: Super quibus, etc.: Acta erant hec in cimiterio ecclesie collegiate beati Egidij de Edinburgh, hora secunda post meridiem vel eocirca, sub anno, mense, die, indictione, et pontificatu, quibus supra, presentibus ibidem honorabilibus viris, videlicet, Johanne Cokburne filio et herede apparente dicti Alexandri Cokburne de Ormistoun, Roberto Scot de Le Toure, Adam Scot de Hirdmanstoun, Waltero Scot filio Jacobi Scot de Hassindene, David Dalglee, David Gledstanis, et Jacobo Raa, testibus ad premissa vocatis specialiter et regatis.

Et ego Jacobus Zoung clericus Sancti Andree diocesis, publicus auctoritatibus imperiali et regali notarius, quia [*etc., in forma communi*].



106. AGREEMENT by WILLIAM DOWGLAS, son of James Dowglas of Drumlangrig, with GEORGE SCOTT, as to the lands of Laris. 15th April 1501.

IN nomine Domini amen : Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno ab incarnatione eiusdem, millesimo quingentesimo primo, die vero mensis Aprilis decimo quinto, indicione quarta, pontificatusque sanctissimi in Christo patris et domini nostri, domini Alexandri diuina prouidencia pape sexti anno nono ; in mei notarij publici et testium subscriptorum presentia, personaliter constitutus nobilis vir, Will-Imus Dowglace, filius et heres apparens nobilis viri, Jacobi Dowglace de Drumlangrig, domini superioris terrarum de Laris, iacentium infra baroniam de Hawyk, infra vicecomitatum de Tewidaill, Georgio Scot sic est locutus : Ecce, Georgie, vos acclamat is tenere terras de Laris de meo patre et me nomine albe firme ; nichilominus ego intelligo quod tenere t-nemini dictas terras per vardam et reliuium, non obstante deseruacione breuium capelle supremi domini nostri regis, vobis conferre volo meum saisine preceptum pro vestro ingressu ad prescriptas terras, et hoc propter amorem quem apud vos gero, et hoc mediante ista condicione quod vos, predictae Georgie, ostendetis michi vestram cartam cum sufficientibus documentis quod prescripte terre tenentur de dicto meo patre tanquam albe firme, cum ad hoc fueritis requisiti, inter hinc et proximum festum Sancti Martini ; quibus deficientibus, tenebitis dictas terras de Laris de dicto meo patre per vardam et reliuium, et persoluetis michi reliuium earundem : Ad obseruacionem et perimplecionem omnium et singularum prescriptarum condicionum prefatus Georgius per ostensionem sue dextre manus fideliter se obligauit : super quibus omnibus et singulis actis, factis, dictis, gestis et recitatis, prefatus Will-Imus a me notario publico sibi fieri peccit publicum instrumentum siue publica instrumenta. Acta erant hec in ecclesia fratrum minorum de Drumfreis, hora quasi decima ante meridiem, sub anno, die, mense, indicione et pontificatu quibus supra ; presentibus ibidem honorabilibus viris, Jacobo Dowglas, Adam Kyrkpatrik, Thoma Hesleop, Georgio Pringyll, Gilberto Makeawill, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Rogerus M-Gilhauche, presbyter Candidecase diocesis, publicus auctoritatibus apostolica imperiali et regali notarius, premissis [*etc., in forma communi*].

107. PRECEPT OF SASINE by PATRICK EARL OF BOTHVILE for infestung
WALTER SCOTT of Bukleuch in Roberthill, etc. 14th April 1504.

PATRIK Erle of Bothuile, Lord Halis, and superior of the landis of Roberthill, Mantorig, and Turmur, with thar pertinentis, lyand in the Stewartry of Anandirdale, within the Shirefdome of Drumfrece, till our belouitis Walter Scot of Howpaslat, Stevin Scot, William Scot and Robert Scot his sone, oure balzeis in that part coniunctly and seueralie specialy constitut, greting: Forsamekle as it [is] clerelie knawin and vnderstand to ws that vmquhile Walter Scot of Bukleuch, Knight, fadir to Walter Scot, berare of this precept, deit last vestit and sesit as of fee, at the faith and peax of our souerane Lord the King, of the forsaidis landis of Roberthill, Mantorig and Turmur, with thar pertinentis, and at the said Walter Scot is nerrest and lauchfull air to the said vmquhile Walter his fadir, of the saidis landis with thar pertinentis, and that he is of lauchfull age, and that the saidis landis ar haldin of ws in cheif, and ar now in our handis as superior tharof be the disces of vmquhile the said Walter Scot, fadir to the foirsaid Waltir; to zow heirfor, our ballies forsaid, coniunctly and seueraly we bid and commandis and chargis, that, this our precept and speziale writ be zow or ony ane of zow sene and vnderstand, without delay ze pas and geif heretabill sesing, stait and possessioun to the said Waltir Scot, as nerrest and lauchfull air to vmquhile the said Waltir his fadir, or to his certane attorney, berare of thir presentis, of all and sindry the saidis landis of Roberthill, Mantorig, and Turmur, with thar pertinentis, be the deliuerance of erd and stane, as maner is, eftir the tennour of the auld infestment, saufand ilk mannis richt; ze takand souerte of the said Walter to do for the saidis landis to ws at he acht apone law; and this on na wis ze leif vndone as ze will ansuere to ws herapone: The quhilk to do we commit to zow, our balzeis forsaid, coniunctly and seueraly, oure full power, be thir owr lettres writtin vndir oure sele and subscriuit with our hand, at Edinburgh, the fourtene day of Aprile, the zeir of God ane thousand five hundreth and four zeris.

E. OFF BOTHVILE.

108. CHARTER by PATRICK EARL OF BOTHWELL to ROBERT SCOTT of
Stirkschaw of the lands of Boyndraw. 21st November 1505.

OMNIBUS hanc cartam visuris vel auditoris, Patricius comes de Boithvile, dominus Halis, etc., salutem in Domino sempiternam: Noueritis nos dedisse, concessisse, et hac presenti carta nostra confirmasse . . . dilecto nostro Roberto Scot

de Stirkschaw, totas et integras sex mercatas terrarum de Boyndraw antiqui extentus, cum suis pertinenciis, jacentes in baronia nostra de Chamerlane Newtown, infra vicecomitatum de Roxburgh; quequidem sex mercate terrarum antiqui extentus, cum pertinenciis fuerunt Jacobi Newtown de Dalcoif hereditarie, et quas idem Jacobus . . . spontanea voluntate per suos procuratores, apud Edinburgh, coram subscriptis testibus per fustum et baculum in manus nostras tanquam in manibus domini sui superioris earundem sursum reddidit, ac pure et simpliciter resignavit Tenendas et habendas totas et integras predictas sex mercatas terrarum de Boyndraw antiqui extentus, cum suis pertinenciis, prefato Roberto Scot, heredibus suis et assignatis, de nobis, heredibus et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas . . . adeo libere, quiete, plenarie . . . sicut dictus Jacobus Newtown aut predecessores sui predictas sex mercatas huiusmodi terrarum antiqui extentus cum pertinenciis de nobis et predecessoribus nostris liberius tenuit seu possedit, tenuerunt seu possederunt ante presentem resignationem nobis inde factam . . . Reddendo annuatim et faciendo dictus Robertus Scot heredes sui et assignati nobis, heredibus et successoribus nostris, talia seruicia et soluciones quas solebant dictus Jacobus Newtown et predecessores sui pro dietis terris nobis et predecessoribus nostris ante presentem infeodacionem facere, reddere, seu persoluere tantum, pro omni alio onere, exaccione, questione, demanda, seu seruicio seculari . . . Et nos vero predictus Patricius comes de Bothvile, etc., heredes et successores nostri, totas et integras predictas sex mercatas terrarum . . . prefato Roberto Scot, heredibus suis et assignatis . . . contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus vt de iure tenemur. In cuius rei testimonium sigillum nostrum huic presenti carte nostre appendi precipimus, apud Edinburgh, vicesimo primo die mensis Nouembris, anno Domini millesimo quingentesimo quinto, coram hiis testibus, videlicet, Georgio Hepburne, Andrea Quhitlaw, Willelmo Reid, Symone Dalgles, Jacobo Damhoy, et magistro Johanne Chesholme, notario publico, cum diuersis aliis.

109. INSTRUMENT on allegations by PATRICK EARL OF BOTHWELL against the service of GEORGE SCOTT, as heir of his father, Robert Scott, in the lands of Murehouse. 2d March 1505.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quingentesimo quinto, mensis vero Marci die secunda, indictione nona, pontificatus sanctissimi in Cristo

patris et domini nostri, domini Julij diuina prouidencia pape secundi anno tercio, in plena et plana curia vicecomitatus de Edinburgh tenta in pretorio eiusdem, die prescripto, coram honorabili viro, Jacobo Logane, deputato vicecomitis de Edinburgh, meque notario publico et testibus subscriptis personaliter in iudicio comparuerunt Georgus Scott, filius et heres quondam Roberti Scott de Quhomys, cum suo prelocutore magistro Matheo Ker, ab vna, et nobilis ac potens dominus, Patrius comes de Bothuile, dominus Halis, etc., cum suo prelocutore David Balfoure de Carestone, partibus ab alia, et ibidem, tempore deseruicionis cuiusdam breuis inquisicionis capelle supremi domini nostri regis per dictum Georgeum Scott impetrati, per mortem dicti quondam Roberti patris sui super terris et annuis redditibus infra dictum vicecomitatum de Edinburgh iacentibus, virtute cuius breuis, prefatus magister Matheus, nomine et ex parte dicti Georgei, acclamauit omnes et singulas terras de Mvrhous cum pertinentiis, iacentes in baronia de Crechtoun et infra vicecomitatum de Edinburgh, asserendo quod dictus quondam Robertus obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem supremi domini nostri regis de dictis terris de Murhous cum pertinentiis: Quiquidem magister Matheus produxit judicialiter quoddam instrumentum publicum sasine dictarum terrarum de Murhous sub signo et subscripcione manuali quondam Thome Vnthank notarii publici, in se continens datam anni Domini millesimi quadringentesimi sexagesimi terciij, mense et die minime in eodem incertis, ac eciam vnam cartam regiam magno sigillo sigillatam factam cuidam Stephano Scott, patri quondam Roberti Scott, de dictis terris de Murhous continentem in se datam anni Domini millesimi quadringentesimi quinquagesimi, et regni regis decimi quinti: Quibus instrumento et carta perlectis, prefatus David Balfour, prelocutor dicti domini comitis et eo nomine, opposuit et obiecit contra deseruicionem dicti breuis super prosecutione dictarum terrarum de Murhous cum pertinentiis, videlicet, quod Robertus Scott pater dicti Georgei non obiit vltimo vestitus et sasitus vt de feodo dictarum terrarum de Murhous; et super hoc idem prelocutor dicti domini comitis produxit vnum publicum transsumptum cuiusdam carte regie dicto domino comiti concessa super dictis terris de Murhous, et similiter quod dictum instrumentum sasine per dictum magistrum Matheum productum pro parte dicti Georgei Scott in se continebat quod deputatus vicecomitis de Edinburgh pro tempore existens, direxit eius preceptum pro sasina huiusmodi terrarum danda, et quod dictum preceptum minime contentum erat in eodem instrumento, ac eciam nulla fuit expressa mencio facta in ipso instrumento mensis neque diei, sed ambobus caruit: pro quibus causis, prefatus

David, prelocutor dicti domini comitis, allegavit ipsum instrumentum esse et fuisse nullius roboris aut momenti, et ulterius allegavit, quod carta prius producta per ipsum magistrum Matheum Ker, prelocutorem ut supra, stetit sub reuocacione dicti domini nostri regis eam concedentis prefato quondam Roberto, eo quod dictus dominus noster rex erat minor annis tempore donacionis dicte carte, ac etiam quod dicte terre fuerunt et nunc sunt in manibus dicti domini comitis tanquam pacifice possessoris earundem, per spatium sexdecim annorum vel eo circa, ex donacione supremi domini nostri regis, ibidem per transsumptum publicum in curia productum: pro quibus causis sic ibidem publice allegatis, prefatum breue inquisitionis minime debuit deserui; et si quid in contrarium factum fuerit per personas super inquisitione electas, dictus David prelocutor dicti domini comitis protestatus fuerit de remedio juris tempore et loco oportunis: Super quibus omnibus et singulis, prefatus prelocutor dicti domini comitis a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum. Acta erant hec in pretorio burgi de Edinburgh, hora quasi duodecima in meridie, vel eo circa, sub anno, die, mense, indicione et pontificatu quibus supra, presentibus ibidem nobilibus dominis Willelmo comite de Cathnes, Willelmo domino Borthuik, magistro Ricardo Lausoune de Heriggis, Johanne Hepburne de Rollandstoun, Johanne Sinclar de Hirdmonstoun, Adam Hepburne de Craggis, magistris Thoma Grenlaw, wicario de Erth, Hugone Gifford, Thoma Alan, Johanne Gray, notario publico, Andrea Wardlaw, seriando, Andrea Wemis, sectatore, et Johanne Jaksoune, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

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

110. OBLIGATION by WALTER SCOTT of Howpaslot, tutor to the Laird of Buccleuch, to give in the Tutory Accounts. 18th March 1506.

AT Edinburgh, the xvij day of Marche, the zeir of God ane thousande five hundreth and sax zeris, in presens of the Lordis of Counsale, Walter Scot of Howpaslot, tutoure to the Larde of Bukcleuch, and Elizabeth Ker, his modere, ar bundin and oblist to comperre befor Rauf Ker of Prymsidelouch, Johnne of Murray of F[ala]hill, ande Maistir George Ker; and thair the said Walteir, as tutoure forsaid, to gif his compt of his intromissioun and expens be ressoune of the said office of tutory, betuix this and the nixt Chekkare, ande in the meyntyme continuis the sup-

plications gevin in be ather of the said parteis in this mater in forme as thai now ar, but preiudice of party. Extractum de libro actorum per me magistrum Gavinum Dunbar, archidiaconum Sanctiandree, clericum rotulorum registri ac consilii supremi domini nostri regis, sub meis signo et subscriptione manualibus.

GAVINUS DUNBAR.

111. OBLIGATION by JOHN MURRAY of Fawlayhill, to give to ROBERT SCOTT a Letter of Reversion for redeeming the Tower of Hawick. 4th January 1507.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quingentesimo septimo, mensis uero Januarii die quarto, indictione vndecima, pontificatus sanctissimi in Christo patris et domini nostri, domini Julii diuina prouidentia pape secundi anno quinto, in mei notarii publici et testium subscriptorum presentia personaliter constitutus honorabilis vir, Johannes Murray de Fawlayhill, sponte et voluntarie obligauit se, heredes suos et assignatos strictissima forma obligacionis, fide media et per extensionem manus sue dextre, ad dandum et deliberandum Roberto Scot, filio et heredi quondam Roberti Scot de Quhitchestir, literam reuersionis debito modo factam, summam quadraginta librarum vsualis monete in se continentem, per quam dictus Robertus Scot heredes sui aut assignati libere et licite possunt redimere turrin edificatam in burgo de Hawic inter pontes, de qua dictus Johannes Murray nuper cepit sasinam cum suis pertinenciis, prout et quantumque ipse Johannes Murray, heredes sui et assignati, ad hoc legitime requisiti per prefatum Robertum Scot, heredes suos aut assignatos sint requisiti, sub pena ducentarum librarum dicte monete dicto Roberto Scot heredibus suis et assignatis per prefatum Johannem Murray heredes suos et assignatos soluendarum: Super quibus omnibus et singulis dictus Robertus Scot a me notario publico subscripto sibi fieri petiit publicum instrumentum. Acta erant hec apud Hawic, juxta dictam turrin hora fere prima post meridiem, sub anno, mense, die, indictione et pontificatu quibus supra; presentibus ibidem honorabilibus prouidisque viris, Jacobo Stewart de Traquhair, Marco Ker de Dolphinstoun, Johanne Riddall de eodem, David Scot de Gallolaw, Johanne Waych de Syntoun, Willelmo Scot, fratre germano Walteri Scot de Styrcschaw, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Jacobus Blair, clericus Glasguensis diocesis, publicus auctoritatibus imperiali regalique notarius, quia premissis [*etc., in forma communi*].

112. RETOUR of ADAM HEBBORNE, EARL OF BOTHWELL, as heir to his father, Patrick Earl of Bothwell, in the lordship of Liddesdale, the Hermitage, etc. 7th November 1508.

HEC inquisicio facta fuit in curia vicecomitis de Roxburgh tenta in pretorio burgi de Jedworth per honorabilem virum Jacobum Douglas vicecomitem de Roxburgh septimo die mensis Nouembris anno Domini millesimo quingentesimo octauo per hos subscriptos [ad] inquisitionem electos: videlicet, Wilelmum Crenstone de eodem, Johannem Ruthirfurd de Hundole, Georgium Douglas de BonJedworth, Georgium Ruthirfurd de Hunthill, Rogerum Langlandis de Viltone, Georgium Ruthirfurde filium et heredem Johannis Ruthirfurd de Hundole, Dauid Hoppingill in Tenneis, Johannem Gourlay in Roullwoide, Adam Trumbull in Ballerwell, Wilelmum Trumbull de Mynto, Bertholomeum Trumbull, Dauid Trumbull de Wauchhop, Johannem Reidlall de eodem, Georgium Trumbull in Hawroull, et Robertum Douglas in Langnewtone, qui jurati dicunt, quod quondam Patricius comes de Bothwell, Dominus Halis, magnus admirallus Scocie pater Ade Hebborne latoris presencium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem supreni domini nostri regis de omnibus et singulis terris tocuis et integri domini de Ledellisdail cum caastro, fertilicio et manerie de Hermitaig, cum suis pendiculis, pertinenciis, tenentibus et tenendriis et libere tenencium seruiciis earundem, vna cum aduocacionibus et donacionibus ecclesiarum, capellaniarum et hospitalium earundem, jacentibus infra vicecomitatum de Roxburgh, et de triginta nouem terris husbandiis cum molendinis et pertinenciis, jacentibus in Langnewtone, et de vna pecia terre cum pertinenciis extendente ad centum et viginti [vel] quadraginta acras terre, jacente inter lapides arenosos vlgariter dictos le Sandestanis et Vuiralanerum infra dictum vicecomitatum; et quod dictus Adam est legitimus et propinquior heres eiusdem quondam Patricij comitis patris sui de predictis terris tocuis domini de Ledellisdail, vna cum caastro, fertilicio de Hermitaigh, cum tenentibus et tenendriis et libere tenentium seruiciis, cum aduocacionibus ecclesiarum, capellaniarum et hospitalium earundem, et de dictis triginta nouem terris husbandiis cum molendinis de Langnewtone, et de dicta pecia terre centum viginti vel quadraginta acrarum vlgariter nuncupata le Sandelandis cum pertinenciis; et quod est legitime etatis; et quod dicte terre dicti domini de Ledellisdail cum pertinenciis nunc valent per annum trecentas libras et tempore pacis valuerunt centum libris; et quod dicte terre husbandiales de Langnewtone cum molendino et dicta pecia terre nuncupata Sandestanis nunc valent per annum quadraginta libris, et tempore pacis valuerunt decem libris; et terre dicti domini de Ledellisdail cum caastro de Hermitaigh,

cum pertinenciis, tenentur in capite de supremo domino nostro rege in libera regalitate et foresta; Reddendo inde annuatim presenciam in itinere justiciarie cum tenenda in Jedwod nomine albe firme; et quod dicte terre husbandiales cum molendino de Langnepton et dicta pecia terre de Sandestanis cum pertinenciis similiter de supremo domino nostro rege tenentur durante vita Roberti Dowglas de Lochlevin olim domini superioris earundem per albam firmam, annuatim reddendo domino nostro regi vnum denarium nomine albe firme si petatur tantum in festo Penthecostes durante vita dicti Roberti Dowglas; et quod dicte terre domini de Leddallisdal cum caastro de Hermitagh et ceteris suis pertinenciis, et dicte terre husbandiales de Langnepton cum molendino, et Sandestanis nunc sunt in manibus dicti supremi domini nostri regis tanquam domini superioris earundem legitime per seipsum et decessum dicti quondam Patricii ratione non introitus dicti Ade filii sui et heredis per spacium viginti dierum aut eo circa jus suum hucusque minime prosequentis: In cuius rei testimonium sigilla quorundam eorum qui dicte inquisitioni intererant, vna cum inclusione sigilli dicti vicecomitis, cum breui incluso, presentibus sunt appensa; anno, mense, die et loco suprascriptis.

113. SASINE of ADAM HEPBURN, EARL OF BOTHWELL, as heir to his father, Patrick Hepburn, Earl of Bothwell, in the lordship of Liddesdale, etc.
11th November 1508.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno incarnationis Dominice millesimo quingentesimo octauo, die vero mensis Nouembris vndecimo, indicione duodecima, et pontificatus sanctissimi in Christo patris et domini nostri domini Julii diuina prouidencia pape secundi anno sexto, regnante excellentissimo principe Jacobo quarto Scotorum rege inuictissimo, et anno imperii eiusdem vicesimo primo: In mei notarii publici et testium subscriptorum presentia personaliter constitutus prouidus et discretus vir Georgius Haitley actornatus nobilis et potentis domini, Ade Hepburne comitis de Bothuel, filii et heredis quondam bone memorie Patricii comitis de Bothuel patris eiusdem, cuiusquidem actornati tenor [litere] de verbo ad verbum sequitur et est talis: Jacobus Dei gracia rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem: Sciatis quod suscepimus Johannem Hepburn, Georgeum Haitley, Dauid Haitley, Dauid Hoppringil, Johannem Cranstoune, Andream Quhitlaw, Johannem Singlar, Jacobum Lermontht, Walterum Hog, Robertum Hog, Alexandrum Quhitlaw, Johannem Ogil et Adam Singlar vel eorum aliquos vel aliquem actornatos vel actornatum dilecti nostri Ade Hepburne filii et



heredis dilecti quondam consanguinei nostri Patricii comitis de Bothuel, domini Halis, in omnibus negotiis et loquelis, placitis et querelis motis seu mouendis ipsum Adam tangentibus . . . quare vobis precipimus et mandamus quatenus dictos Georgeum [Johannem], Georgeum, David, David, Johannem, Andream, Johannem, Jacobum, Walterum, Robertum, Alexandrum, Johannem et Adam vel eorum aliquos vel aliquem quos vel quem presentes vel presentem esse contigerit tanquam actornatos vel actor-natum predicti Ade in premissis recipiatis. . . . In cuius rei testimonium has literas nostras sibi fieri fecimus patentes; apud Kyrk-cudbrycht vicesimo die mensis Octobris anno regni nostri vicesimo primo: Virtute cuius potestatis actornatorie preli-batus Georgus Haultley actornatus optulit et exhibuit honorabili viro Wilhelmo Douglas in Penceress, vni vicecomitum de Roxburg, quoddam preceptum pro sasina predicto Ade aut suo actornato nomine eiusdem terrarum domini de Leddallsdail habenda, capelle supremi domini nostri regis, clausum more dicte capelle cera alba; quodquidem predictus Wilhelmus Douglas ea reuerencia qua decuit recipiens michi notario publico subscripto tradidit perlegendum, cuiusquidem precepti tenor huiusmodi sub tenore sequitur et est talis: JACOBUS Dei gratia rex Scotorum, vicecomiti et balliuis suis de Roxburgh, salutem: Quia per inquisitionem de mandato nostro per vos factam et ad capellam nostram retornatam compertum est quod quondam Patricius comes de Bothuel, dominus Halis, magnus admirallus regni nostri, pater Ade Hepburne latoris presencium obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem nostram de omnibus et singulis terris tocuis et integri domini de Liddalsdal cum caastro, fertilicio et manerie de Hermitagis cum suis pendiculis . . . vna cum aduocacionibus et donacionibus ecclesiarum, capellani-arum earundem, iacentium infra vicecomitatum nostrum de Roxburgh; et de triginta nouem terris husbandriis cum molendino et pertinenciis, iacentibus in Langnewtoune; et de vna pecia terre cum pertinenciis extendente ad centum et viginti vel quadraginta acras terre iacente inter lapides arenosos vulgariter dictos le Sandestanis et Vuiranerum infra dictum vicecomitatum; et quod dictus Adam est legitimus et propinquior heres eiusdem quondam Patricii comitis patris sui de dictis terris tocuis domini de Liddallsdal, cum caastro, fertilicio de Hermitagis . . . et de dictis triginta nouem terris husbandriis, cum molendino de Langnewtoune, et de dicta pecia terre . . . nuncupata le Sandestanis cum pertinenciis: Et quod est legitime etatis, et quod dicte terre domini de Liddallsdail cum pertinenciis predictis tenentur in capite, et dicte terre husbandrie cum molendino de Langnewtoune, et dicta pecia terre nuncupata le Sandestanis, cum pertinenciis, eciam de nobis tenentur in capite vt domino superiori durante vita Roberti Douglas de Louchleuyn olim domini

superioris earundem, vobis precipimus et mandamus quatenus dicto Ade vel suo certo actornato lateri presenciam sasinam omnium et singularum terrarum tocuis et integri dicti dominij de Liddalisdail cum caastro, fortalicio et manerie de Hermitagis . . . necnon sasinam dictarum triginta nouem terrarum husbandriarum in Langnevtoune cum molendino et pertinenciis, et diete pecie terre cum pertinenciis nuncupate Sandestanis iuste haberi faciatis et sine dilacione, saluo iure cuiuslibet; capientes securitatem de presenciam dicti Ade reddenda in itinere nostre iusticiarie tenende in Jedburgh per duplicacionem albe firme dicti dominij de Liddalisdail cum caastro et ceteris pertinenciis predictis nobis debite, et de duobus denariis argenti per duplicacionem albe firme dictarum terrarum husbandriarum in Langnevtoune cum molendino, et diete pecie terre nuncupate le Sandestanis cum pertinenciis nobis vt domino superiori eorundem durante vita dicti Roberti Dowglas de Louchlevine debite . . . apud Air nono die mensis Nouembris anno regni nostri vicesimo primo. POST CUIUSQVEM precepti lecturam sepedictus Georgus Haitley actornatus debita cum instancia requisivit predictum Vilelmum vicecomitem ad dandum et deliberandum sibi actornato statum, sasinam et possessionem hereditariam nomine predicti Ade comitis dicti dominij de Liddalisdail . . . prefatus Vilelmus Douglas vicecomes huiusmodi requisicionij acquiescens . . . accessit ad principale mansuagium castrum videlicet de Hermitagis, et ibidem per terre et lapidis in manibus dicti Georgi . . . tradicionem, statum, sasinam . . . dominij de Liddalisdail cum pertinenciis castrum, fortalicioj et manerie vna cum aduocacionibus et donacionibus ecclesiarum, capellaniarum et hospitalium earundem . . . tradidit . . . et in signum eiusdem possessionis corporalis predictum Georgeom actornatum in principali domo prelibati castrum inclusit, et ibidem eundem in pace dimisit, et bouem vnum nigrum sibi pro execucione sui officij namavit et cepit . . . Acta fuere hec apud principale mansuagium dicti dominij de Liddalisdail hora nouena ante meridiem aut eocirca, sub anno, die, mense . . . quibus supra, presentibus ibidem honorabilibus et prouidis viris, Adam Hepburne de Craggis, Roberto Elwand de Redheucht, Wilelmo Elwand, Roberto Elwand in Dunley, Andrea Quytlaw, Johanne Sinclair, Halis signifero, et Dauil Routlech, sergeando, cum diuersis aliis . . .

Et ego Jacobus Blair clericus Glasguensis diocesis, publicus notarius, etc.

Suprascriptus Jacobus Blair subscripsit et signauit prout supra coram me magistro Wilelmo Cuninghaim notario publico, testibus meis signo et subscriptione in similibus consuetis.

M^g. WILELIUS CUNINGHAIM, Notarius,

Ita est et fuit, etc.

114. ACT OF PRIVY COUNCIL, ordaining JOHN MURE of Rowallane to grant warrandice to GEORGE SCOTT of the Quhommys, of the lands of Dridane, Colemanside, etc. 16th January 1508.

At Elinburgh, the xvj day of Januare the zere of God j^m v^e and aucht zenis, the Lordis of Counsall vnderwrittin, that is to say, ane maist reuerend and reuerend faderes in God, James postulat of Glasgow, William Bischop of Abirdene, nobill and mighty lordis, Alexander Erle of Huntlye, William Erle of Errole, Johnne Lord Drummond, Robert Lord Erskin, ane venerable fadere in God, Henry Abbot of Jedburghe, Maistir Gawane Dunbar, archidene of Sanctandros and Clerk of the Registre, William Scot of Baluery, knicht, and Mastir William Wawane, officiall of Loudiane, decretis and deliueris that Johnne Mure of Rowallane, the oo and aire of v^mquhile Robert Mure of Rowallane, sall warrand, acquiet and defend to George Scott of the Quhomys, the oo and air of v^mquhile Stevin Scott of Murehous, and mak fre to him heretabillly all and sindry the laundis of Dridane, Colemanside and Vuer Herwod, with thare pertinentis, liand within the barony of Hawik and schireflome of Roxburghe, at the handis of our souerane Lorde, and all vtheris, or ellis als mekle als gude land of als grete avale, and liand in als competent place, as he, the said v^mquhile Robert Mure, that anallit and sauld the said laundis, with thare pertinentis, to the said v^mquhile Stevin and his airis, for ane certane soyme of monye, efter the forme of the said v^mquhile Robertis charter, vnder his sele of arnez, with claus of warrandice maid to the said v^mquhile Stevin thairuppoun, schewin and producit before the Lordis, of the date at Elinburghe the ferde day of Marche the zere of God j^m iiiij^e threscoire and tua zenis, and the quhilk landis war recognist in our souerane Lordis haundis, and decernit to pertene to his Grace in proprete; and ordanis our souerane Lordis lettrez to be direct to compell, distrenze, command and charge the said Johne Mure for the making of the said warrandice in dew forme, as efferis; the said George Scot comperand be Master Hew Giffert, his procuratour, and the said Johnne Mure comperand be Mastir Walter Laing, his procuratour.

Extractum de libro actorum per me magistrum Johannem Murray, deputatum venerabilis viri magistri Gavini Dunbar, archidiaconi Sanctiandree, clerici registri rotulorum ac consilii supremi domini nostri regis, sub meis signo et subscriptione manualibus.

JOHANNES MURRAY.

115. RETOUR of ADAM EARL OF BOTHWELL, as heir to his father, Patrick Earl of Bothwell, in the lands of Ailmer. 22d May 1509.

HEC inquisicio facta fuit apud Selkirk in pretorio eiusdem coram honorabili viro Johanne Murray vicecomite vicecomitatus de Selkirk, vicesimo secundo die mensis Maii, anno millesimo quingentesimo nono, per istos subscriptos atque fidedignos viros, videlicet, David Pringill in Tynnes, Adam Turnbull de Philophauche, Robertum Ker de Sonderlandhall, Robertum Scott de Turri prope Selkirk, Walterum Scott de Syntoune, Johannem Vaiche, Willelmum Ker in Quhitmar, Ninianum Murray, Thomam Murray, Georgeum Scott, David Brovne, Jacobum Haw, Andream Sandersoune, Johannem Snytlit et Willelmum Ker juniorem de Zare, qui jurati dicunt quod quondam Patricius comes de Boithvile, dominus Halis, pater honorabilis et potentis domini Ade comitis de Boithvile, etc., latoris presencium obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem supremi domini nostri regis, de vniuersis et singulis terris de Ailmer cum pertinenciis suis, jacentibus infra dictum vicecomitatum de Selkirk, et quod dictus Adam lator presencium est legitimus et propinquior heres eiusdem quondam Patricii patris sui de dictis terris de Ailmer, et quod dictus Adam est legitime etatis, et quod dicte terre de Ailmer cum pertinenciis valent nunc per annum tempore pacis decem libras, et non tantum tempore guerre, et quod dicte terre de Ailmer tenentur in capite de supremo domino nostro rege per albam firmam; reddendo inde annuatim vnum latum caput sagitte in festo Penthecostes super solum dictarum terrarum si petatur nomine albe firme; et quod dicte terre nunc existunt in manibus domini nostri regis legitime per seipsum tanquam in manibus domini superioris eiusdem per mortem dicti quondam Patricii comitis de Boithvile ob defectum prosecutionis veri heredis jus suum hucusque minime prosequentis a tempore obitus dicti quondam Patricii, qui obiit ad spacium sex mensium ante confectionem presentis inquisitionis: In cuius rei testimonium sigilla quorundam eorum qui dicte inquisitioni intererant sub inclusione sigilli predicti vicecomitis presentibus sunt appensa, apud dictum burgum, anno, die, mense et loco supradictis.

Hec est vera copia retornatus super premissis remanentis in cancellaria supremi domini nostri regis, copiata et collacionata per me Johannem Quhite, deputatum directoris dicte cancellarie, sub meis signo et subscriptione manualibus.

JOHANNES QUHITE.

116. CONTRACT of MARRIAGE between ARCHIBALD DOUGLAS, son of George Master of Angus, and MARGARET HEPBURN, sister of Adam Earl of Bothwell. 26th June 1509.

THIR Indenturis maid at Edinburghe the xxvj of Junij, the zere of God ane thousand five hundreth and nyne zereis, quhilk proportis, contenis and beris witnes that it is appoyntit, aggreit and finally concordit betuex noble and miehty lordis, Archibald Erle of Angus, Lord Dowglas, George Maister of Angus, and Archibald Dowglas, sone and apperand aire to the said George on that ane part, Adam Erle Boithuile, Lord Halls, venerabill faderis in God, Johne, priour of Sanctandros, George abbot of Abirbrothok, Adam Hepburne of Craggis, and Maister George Hepburne, dene of Dunkeld, on that vther part, in maner, forme and effect as efter followis : That is to say, that the said Archibald Dowglas, sone and apperand aire to the said George Maister of Angus sall, God willing, mary and haif to spous Margret Hepburne, sister to the said Adam Erle Boithuile, and the said mareage to be completit and solemnizate in face of haly kirk in all gudely haist ; for the completing and fulfilling of the quhilk mareage lauchfully, the said Adam Erle Boithuile and his party forsaid sall content and pay to the said George Maister of Angus his airis, executouris and assignais, the sovme of twa thousand markis vsuale money of Scotland, to be payit at thir termes vnderwrittin, that is to say, at the completing of the said mareage, the sovme of three hundrethe markis, at the feist of Sanct Martyne in wynter next thairefter following, ane hundreth markis, at the feist of Witsonday next tharefter the sovme of ane vther hundrethe markis, and sa furth zeriele at ilk terme of Martymes and Witsonday, the sovme of ane hundrethe markis, ay and quhill the said sovme of twa thousand markis be fully and complete payit to the said George Maister of Angus ; for the securite of the payment of the quhilk sovme of toucher, the saidis Adam Erle Boithuile, Johne priour of Sanctandros, George abbot of Abirbrothok, and Adam Hepburne of Craggis, sall bynd and oblis thame, coniunctlie and seueralie, thare airis, executouris and assignais, to the said George Maister of Angus, his airis, executouris and assignais, and deliuer thare bandis and obligaciounis thairapoun in dew forme with all diligence ; and becaus the said Adam Erle Boithuile is within curatory throw nonage, the forsaidis venerable faderis and Adam Hepburne, his curatouris, consentis that the said Adam Erle Boithuile make his bandis and obligaciouns to the hale effect of thir indenturis : The quilk mareage being completit and solempnizate in face of halikirk, as said is, the forsaidis Archibald Erle of Angus and

George Maister of Angus bindis and oblissis thame, and thare airis, to gif ane hundrethe markis worth of the landis of Temptalloun, with thare pertinence, liand within the scherefdome of Edinburghe and constabulary of Hadingtoun, to be considerit be gude estimatioun, as it gevis now, to the forsaidis Archibald and Margrete his spous, the langar levare of thame twa, in coniunct feftment, and the airis lauchfully to be gottin betuex thame, quhilkis failzeing to the said Archibaldis airis quhat-sumeuer, to be haldin of our said Souerane Lord the King, be resignacioun or confirmacioun as beis thocht maist expedient be the said Margretis frendis: And gif it happynis the said Archibald Erle of Angus to deceis before the said George Maister of Angus, the said George, now as thame, bindis and oblissis hym and his airis to gif fifty markis worth of his landis liand in competent place to the saidis Archibald and Margrete in coniunct feftment, and thare airis forsaidis, be the consideracioun of the said parteis in agumentacioun of the said coniunct feftment extendand in the hale to the avale of ane hundrethe pundis worth of land; and gif ony impediment beis fundin betuex the saidis Archibald and Margrete in ony tyme to cum, quharethrow the said mareage beis nocht lauchfull, the forsaidis Archibald Erle of Angus, George Maister of Angus and Archibald, his sone and apperand aire, bindis and oblissis thaim to caus the said impedimentis als oft as thai be fundin be dispensit with, and the said mareage be maid lauchfull and dispensaciouns be brocht hame thareapoun apoun thare expens, with all possebill haist: And attour baith the forsaidis parteis for thame, thare kyn and frendis, bindis and oblissis thame to stand in afald kyndnes, amite and frendschip, and ilkane of thame take ane afald plane and vpricht part with vtheris, in all thare leiffull and honest materis and actiounis in tyme to cum; And all debatis and contrauersis that is betuex the said parteis and thare frendis of ony tymes bipast before the date hereof, sall be rewlit and decidit be myd persouns, and gif ony pleyis or debatis happynis to fall and be betuex the saidis Archibald Erle of Angus and Adam Erle Boithuile, thare kyn or frendis, in tyme to cum, baith the forsaid parteis bindis and oblissis thame to stand at the correctioun, counsale, and ordinance of thir persouns vnderwrittin, that is to say, of the said George Maister of Angus, Maister Gawane Dowglas, provest of Sanct Gelis Kirk of Edinburghe, and Johne Erskin of Dvn, for the part of the said Archibald Erle of Angus; the forsaidis Johne prioure of Sanct-andros, George abbot of Abirbrothok, and Adam Hepburne of Craggis, for the part of the said Adam Erle Boithuile, or ony twa of thame, quhilkis failzeand be deceis or absence, the forsaidis parteis sall cheis vther persouns in thare stedis, quhilkis sall correct and decerne the materis abonewrittin, or quhilkis sall happin to fall in tyme

noble and mighty Lord, Robert Lord Erskin, Schir Johne Erskin, Knycht, sone and apperand aire to the said Lord on that ane part, Ralf Ker of Prymsydloche and Andro Ker of Farnyhurst on that vther part, in maner, forme and effect as efter folowis :—That is to say, that forsam kele as the saidis Ralf and Andro has contentit and payt to the said Lord and Johne his sone, the soyme of four hundreth markis vsual money of Scotland, for the quhilk soyme the said Lord and Johne his sone and apperand aire, sall wedset, anay and infest heretably be chartir and sesing, the saidis Ralf and Andro incontinent in twenty merkis worth of the said Robertis landis of Syntoun, with thair pertinence, liand in the barony of Syntoun and within the Scherefdome of Selkirk, to be haldin of the said Lord and his airis in fre blanche ferme, vnder ane reuersioun contenand the said sowme, the quhilk xxⁱⁱ merkis worth lyes in the Manys of Syntoun, nixt the five merkis worth that Walter Scot hes ; als the said Robert and Johne sall infest be chartir and sesing of alienatioun the saidis Ralf and Andro in vther xxⁱⁱ merkis worth of the said landis of Syntoun, quhar the saidis Ralf and Andro plesis, at the fest of Lammes nixt to cum, for the quhilk the saidis Ralf and Andro sall content and pay to the saidis Robert and Johnne, the soyme of four hundreth markis of the said money at the said fest of Lammes, or within aucht dais nixt thaireftir, vnder the pane of doubling, but fraud or gile, or ellis get the said Lord ane acquittance fra oure souerane lordis thesaurar of samekle sowme agane the said tyme ; als the said Lord, and Johnne his sone, sall mak the saidis Ralf and Andro, coniunctlie and seueralie, quhen thair require thame, thare sessionaris and assignais, to the redemyng and lousing of the said five mark land fra the said Walter Scot, sone and aire to vntquhile Robert Scot, and incontinent eftir thair be redemit, the saidis Robert and Johne sall infest thame heretably in the samyn, to be haldin of the saidis Robert and Johnne in blanche ferme, kepand the thre zere tak to the said Walter efter the redemptioun as law will, and the saidis Ralf and Andro sall mak reuersiounis thairapon ; and gif it happinnis the saidis Robert and Johnne, or thare airis, to redeme ony part of the saidis landis, ane before ane vther, the saidis Robert and Johne sall mak sufficient lettrez of tak to the saidis Ralf, Andro and thare airis, quharby thair may brouke the said hale landis quhill the last part of the saidis landis be redemit, and thareftir the said haile landis, be the space of sewin zeris next efter the last redemptioun tharof, for sic malis as salbe speiffit in the reuersiounis : Attour the said Robert and Johnne sall make sufficient lettrez of tak to the saidis Ralf, Andro, thare airis and assignais, als sicker as can be diuisit, but inconuenience of the xxxv markis worth of the saidis landis of Syntoun quhilk remanis attour the said xlv markis worth, for the space of vij



zeris, and ay and quhill the latter part of the said xlv markis worth be redemit. and farther, for the space of vij zeris nixt tharefter, of the quhilk xxxv markis worth, the saidis Ralf, Andro and thare aris sall haue ten markis worth in thare fee, and pay xxv markis for the remanent tharof zereleie, at twa termes in the zere, and gif ane termes payment being askit be the saidis Robert, Johnne, or thare factouris rynnis vnpait in ane vther, thai sall forfait and tyne thare said takkis; als the saidis Robert and Johnne bindis and oblissis thame that thai sall nevir sell, wed-set, nor sett in tak the saidis landis of Syntoun, or ony part tharof, to Johnne Murray of Fawlehill, nor name vtheris his kynnismen, allya, frendis, or ony vtheris be his way, and the saidis Robert and Johnne sall mak the saidis Ralf, Andro and thare aris sufficient charteris and infeltmentis of warrandice of his landis of Nesbit or ony pairt tharof; the said Ralf . . . and Andro sall be redy to mak the said Lord seruice quhen thai be requirit, and wait apoun him in tyme of weir, or ellis to caus thare sonnys or bredere to do the samyn: To the observing and keping of the quhilk thingis abone writtin, baith the forsaidis parteis ar bundin and oblist to vtheris, be the faithis and treuthis in thar boveis, the Haly Ewangelis tuichit, and to the part of thir indentouris, to remain with the saidis Robert Lord Erskin and Schir Johnne Erskin, his sonne and apperand aire, the forsaidis Ralf and Andro has affixt thare selis, and to the part of the samyn to remain with the saidis Ralf and Andro, the forsaidis Robert and Johnne has affixt thare selis; before thir witnes, Johnne Erskin of Dvn, Alexander Erskin, Robert Erskin, James Ker, Williane Turnebule of Mynto, Alexander Zoung and Alexander Clerk, public notaris, with vtheris diuers.

118. ACQUITTANCE by GEORGE SCOTT of the Quhammys, in favour of JOHN MURE of Rowallane. 7th January 1510.

I, GEORGE SCOT of the Quhammys, grantis me till haue resauit fra Johnne Myre of Rowallane, the sovme of forty lib. and fourtene merkis, gude and vsuale money of Scotland, for the warandice of the landis of Commosyde, Harwode and Drydane, quhilkis landis war recognist in the Kingis handis, and the saidis sovmez I obtenit apoun the said Johnne Myre before the Lordis of oure Souerane Lordis Counsall for the said recognicioun; of the quhilkis sovmez of forty lib. and xiiij merkis for the said recognicioun, be the handis of the said Johnne Myre, I grant me wele content and pait, and I, myn airis, executouris and assignais, quiteclamsy and dischargis, be this my acquittance, the said Johnne Myre, his airis, executouris and

assignais, of the saidis soymeis abonewritin for now and for euir; and for the mair securite hereof I haue affixit my propir sele to this myn present acquittans, before thir witnes, Thomas Glendynwyn, Alexander Scot, burges of Edinburgh, James Boyde, Johnne Steyll, with vtheris diuers, togider with my subscripcioun manuall, at Edinburge, the vij day of Januare, the zere of God j^m v^c and ten zeris.

GEORGE SCOT off the Quhommys,
wyth my hand.

119. CHARTER by KING JAMES THE FOURTH to WILLIAM DOUGLAS of Drumlanark, knight, of the barony of Hawick. 15th June 1511.

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 Willelmo Douglas de Drumlanark, militi, omnes et singulas terras et baroniam de Hawik, videlicet; in proprietate, villam de Hawik cum molendino eiusdem, terras de Est Manys, West Manys, Crumhauch, et Kirkton Manys, Flekkis et Murinese, Ramsy Clewis et Braidle; et in tenandria, terras de Howpaslot, Chesholme, Quhithop, Dridane, Commonside, Vuir Harewod, Emetschelis, Teneside, Carlynpule, Nether Harewod, Weyndis Landis, Estir et Westir Heslyhope, Langhauch, Laristoftis, Kirkwod, Hardwodhill, Quhitchestir, Fennyk, Edgaristoun, Edgaristounschelis et Quhomys, cum suis annexis, tenentibus, tenandriis, liberetenencium seruiciis, aduocacione et donacione ecclesiarum et capellaniarum earundem, cum suis pertinenciis, jacentes infra vicecomitatum nostrum de Roxburgh; quequidem terre et baronia, tam in proprietate quam in tenandria, cum suis annexis, tenentibus, tenandriis, liberetenencium seruiciis, aduocacione et donacione ecclesiarum et capellaniarum earundem, cum suis pertinenciis, fuerunt dicti Willelmi Douglas et suorum predecessorum prius hereditarie, et in manibus nostris recognite fuerunt ob alienacionem maioris partis earundem absque licencia, consensu, aut confirmacione nostra aut nostrorum predecessorum desuper habitis et optentis, et lapsis anno et die post dictam recognicionem et huiusmodi terris et baronia ad plegium minime dimissis, dictoque Willelmo et omnibus aliis interesse ad dictas terras et baroniam habentibus, seu habere putantibus, ad nostram instanciam legitime citatis ad videndum et audiendum seipos easdem terras et baroniam in proprietate et tenandria amisisse decerni, et easdem nobis pertinere adiudicari, et in manibus nostris racione forisfacture ob causam predictam legitime deuenire, per nostri concilii dominos decretum et



deliberatum extitit quod tote et integre dicte terre et baronia de Hawik, cum suis annexis, tenentibus, tenandriis, libere tenencium seruiciis, aduocacione et donacione ecclesiarum et capellaniarum earundem, cum suis pertinenciis, nobis pertinerent in proprietate et possessione nobiscum permansure, et ad nostram placenciam disponende, ex eo quod dicte terre et baronia, vt prefertur, alienate fuerunt absque licencia, consensu, aut confirmacione nostri aut nostrorum predecessorum, prout coram dictis dominis clare probatum fuit, vt in eorum decreto et deliberacione desuper promulgatis plenius continetur: insuper, pro bono et gratuito seruicio nobis per prefatum Willelmum impenso, creauimus, vniuimus, annexuimus, et incorporauimus, et hac presenti carta nostra creamus, vnius, annexamus, et incorporamus omnes et singulas prefatas terras, tam in proprietate quam in tenandria, in vnam meram et liberam baroniam perpetuis futuris temporibus baroniam de Hawik nuncupandam, et maneriem de Hawik esse principale messuagium eiusdem baronie; ac etiam pro nobis et successoribus nostris volumus et ordinamus quod sasine per dictum Willelmum et heredes suos apud dictum principale messuagium capiende sufficient et stabunt pro omnibus et singulis dictis terris et baronia de nobis in warda tentis, et quod sasine per ipsos apud le Mott de Hawik capiende sufficient et stabunt pro omnibus et singulis terris eiusdem baronie de nobis in alba firma tentis, absque aliqua alia particulari sasina apud aliquem alium locum dicte baronie in futurum capienda: Ac etiam pro nobis et successoribus nostris dedimus et concessimus, et hac presenti carta nostra damus et concedimus, ac confirmamus dicto Willelmo et heredibus suis totum jus, clameum, juris titulum et interesse, petitoria et possessoria, que et quod predecessores nostri nos aut nostri successores habuerunt, habuimus, aut quouismodo habere poterimus vel poterint in vel ad terras et baroniam prescriptas, cum suis annexis, tenentibus, tenandriis, liberetenencium seruiciis, molendino, aduocacione et donacione ecclesiarum et capellaniarum earundem, seu ad firmas, proficua et deuorias eisdem pertinentes vel ad aliquam partem dictarum terrarum racione forisfacture, recognitionis, alienacionis maioris partis, eschaete, resignacionis, nonintroitus heredis earundem, seu racione proprietatis, aut alias quouismodo, cum supplemento omnium defectuum pro quacunque causa preterita, vsque in diem date presencium; ac exonerauimus, quieteclamauimus, et renunciauimus, et hac presenti carta nostra exoneramus, quieteclamamus et renunciamus pro nobis et successoribus nostris eisdem dicto Willelmo et heredibus suis imperpetuum; promittendo ex nostra certa sciencia et proprio motiuo litem desuper in futurum minime mouere: Teuendas et habendas omnes et singulas dictas terras et baroniam de Hawick, vide-

licet, in proprietate, villam de Hawik cum molendino eiusdem, terras de Est Manys, West Manys, Crumhauch, Kirktoun Mauchs, Flekkis, Murynese, Ramsy Clewis, et Braille; et in tenandria, dictas terras de Houpaslot, Chesholme, Quhithop, Dridane, Commonside, Ovir Harewod, Emitschelis, Teneside, Carlynpule, Nethir Harewod, Weyndis Landis, Estir et Westir Heslyhope, Langhauche, Laristoftis, Kirkwod, Hartwodhill, Quhitechstir, Fennyk, Edgaristoun, Edgaristounscheilis, et Qulhomys cum suis annexis, tenentibus, tenandriis, liberetenencium seruiciis, aduocacione et donacione ecclesiarum et capellaniarum earundem, cum suis pertinentiis vnitas, creatas, et incorporatas in vniam meram et integram baroniam, vt prefertur, dicto Willelmo et heredibus suis, de nobis et successoribus nostris, in feodo et hereditate ac libera baronia imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine, in boscis, moris, marresiis, viis, semitis, aquis, stagnis, riuolis, pratis, pascuis et pasturis, molendinis, multuris, et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, petariis, turbariis, carbonariis, lapicidiis, lapide et calce, fabrilibus, brasinis, bruariis et genestis, cum curiis et earum exitibus, herezeldis, bludewitis, et mulierum merchetis, cum furca, fossa, sok, sak, tholl, theme, infangtheif, outfangtheif, pitt et gallous, cum libera foresta vbi silue et arbores crescentes existunt, cum le vert et venesoun ac eschaetis et amerciamentis, legibus foreste concordantibus, ac cum omnibus aliis et singulis libertatibus, commoditatibus, et asiamentis ac justis pertinentiis suis quibuscumque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, procul et prope, ad predictas terras et baroniam cum tenentibus, tenandriis, et pertinentiis earundem predictis spectantibus seu iuste spectare valentibus quomodolibet in futurum, et dictam villam de Hawik, cum libertatibus et priuilegiis burgi in baronia, et cum omnibus clausulis ad creacionem burgi in baronia necessariis, libere, quiete, plenarie, integre, honorifice, bene et in pace, absque obstaculo, questione, contradictione, aut reuocacione quacumque: Reddendo annuatim dictus Willelmus et heredes sui nobis et successoribus nostris pro dictis villa et molendino de Hawik, terris de Est Manys, West Manys, Crumhauch, Kirktoun Mauchs, Flekkis, Murynese, Ramsy-clewis et Braille, cum suis pertinentiis vniam sagittam, in festo assumptionis beate Marie Virginis, apud dictum principale messuagium de Hawik, nomine albe firme si petatur tantum, et pro omnibus et singulis ceteris terris prescriptis vniam sectam ad quamlibet trium curiarum capitalium vicecomitatus nostri de Roxburgh, cum wardis et releuiis prefatarum terrarum et maritagio, cum contigerint; necnon dedimus et concessimus, et hac presenti carta nostra damus et concedimus dicto Willelmo et heredibus suis nostram plenariam licenciam, consensum et assensum

ad infeodandum per cartas et sasinas omnes liberetenentes dicte baronie de Hawik in suis tenandriis adeo libere et simili modo sicut easdem ante dictam forisfacturam tenuerunt ; quas infeodaciones prefatis tenentibus conficiendas, pro nobis et successoribus nostris, nunc prout extunc, et extunc prout exnunc, approbamus, ratificamus, ac volumus et ordinamus quod huiusmodi infeodaciones dampnum, periculum forisfacture seu recognitionis minime erunt prefato Willelmo, heredibus suis aut personis suis tenentibus in gauisione dictarum tenandiarum sed tanti roboris et effectus esse [ac] si sub nostro magno sigillo confirmate extiterant : reseruato dicto Willelmo et heredibus suis similibus iuribus priuilegiis et deuoriis dictarum tenandiarum et tenencium sicut ipse aut ipsius predecessores ante prefatam forisfacturam habuit seu habuerunt. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus reuerendissimo reuerendisque in Christo patribus Alexandro Sancti Andree archiepiscopo, etc. ; cancellario nostro, Willelmo episcopo Abirdonensi, nostri secreti sigilli custode, Andrea episcopo Cathanensi, thesaurario nostro, dilectis consanguineis nostris, Arelibaldo comite de Ergile, domino Campbell et Lorne, magistro hospicii nostri, Matheo comite de Levenax, domino Dernelie, Alexandro domino Hume, magno camerario nostro, Andrea domino Gray, iusticiario nostro, magistris Gawino Dunbar, archidiacono Sancti Andree, clerico rotulorum Registri ac Concilii nostri, Patricio Painteire rectore de Tannadise, secretario nostro, et Roberto Coluile de Vchiltre, nostre cancellarie direttore, apud Edinburgh, decimo quinto die mensis Junii, anno Domini millesimo quingentesimo vndecimo, et regni nostri vicesimo quarto.

120. SASINE of WILLIAM DOWGLAS of Drumlanark, knight, in the town of Hawick, Crumhaweht, etc. 23d January 1511.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quingentesimo vndecimo, mensis uero Januarii die vicesimo tercio, indictione decima quinta, pontificatus sanctissimi in Christo patris et domini nostri, domini Julii diuina prouidencia pape secundi anno nono, in mei notarii publici et testium subscriptorum presencia personaliter constitutus discretus vir, Alanus Denis, vicecomes de Roxburghe in hac parte specialiter constitutus, vt mihi notario publico subscripto per quoddam sasine preceptum de capella regia impetratum, sub testimonio magni sigilli supremi domini nostri regis ibidem ostensum et perlectum luculenter constabat, vna mecum et testibus subscriptis, personaliter accessit ad le Mott in Hawyk, et ibidem sasinas heredi-

tariam omnium et singularum terrarum subscriptarum, videlicet, ville de Hawyk, cum molendino eiusdem, terrarum de Est Manys et West Manys, Crumhaweht, Kyrktoun Manys, Flekkis, Murinese, Ramsyelewis et Braidle, jacencium in baronia de Hawyk et infra vicecomitatum de Roxburgh, prouido viro Jacobo Browne, attornato et eo nomine nobilis viri Willelmi Dowglas de Drumlanark, militis, per tradicionem terre et lapidis et secundum tenorem carte supremi domini nostri regis quam dictus Willelmus Dowglas miles inde habet mox contulit et donauit, saluo jure cuiuslibet, vt moris est, ipsumque Jacobum attornatum vt supra et eo nomine, in realem, actualem et corporalem possessionem omnium et singularum prescriptarum terrarum cum pertinenciis, dictus vicecomes de Roxburgh in hac parte induxit et inuestiuit, de cuius attornati potestate michi notario publico subscripto per patentes literas regias luculenter constabat: Super quibus omnibus et singulis prefatus Jacobus Browne, attornatus vt supra et eo nomine, a me notario publico subscripto sibi fieri peciit presens publicum instrumentum: Acta erant hec apud le Mott de Hawyk, hora vndecima ante meridiem uel eocirca, sub anno, mense, die, indicione et pontificatu quibus supra; presentibus ibidem, prouidis et discretis viris, domino Roberto Lutherdaill, capellano, Matheo Rouchligis, Jacobo Lutherdaill, Willelmo Cesfurde, Andrea Lutherdaill, Andrea Scarlite, Johanne Zownger, et Willelmo Denis, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Jacobus Blair clericus Glasguensis diocesis, publicus auctoritatibus imperiali regalique notarius, quia [*etc., in forma communi*].

121. RETOUR of JAMES DOUGLAS as heir of his father, William Douglas of Drumlangrig, in the lands of the barony of Hawick. 6th April 1514.

HEC Inquisicio capta fuit apud Drumfres in Tolloneo eiusdem, sexto die mensis Aprilis anno Domini millesimo quingentesimo decimo quarto, coram honorabili viro Magistro Michaele Agnew vicecomite de Drumfres et Roxburgh, in illa parte specialiter constituto, virtute certe commissionis sub alba cera supremi domini nostri regis sibi desuper directe, et per istos subscriptos, videlicet, Johannem Gordovn de Lochinver, Johannem Murray de Cokpule militem, Jacobum Maitland de Quenysbery, Alexandrum Gordovne de Achinreath, Jacobum Dowglas, Philippum Cunynghame de Birkschaw, Johannem Asloane de Garreach, Johannem Menzeis de Castelhill, Jacobum MakMatht de Dalpadir, Adam Murray de Powbudyde, Gilbertum MakCawill de Grenane, Johannem Kirkhauch de Scalistoun, Petrum Dennoun de Creathane, Johannem Nelesoun de Corsok, et Fergusium Maknatht de Kilqu-

honidie; qui jurati dicunt quod quondam Willelmus Dowglas de Drumlangrig, miles, pater Jacobi Dowglas, latoris presencium, obiit vltimo vestitus et sasitus ut de feodo ad pacem et fidem supremi domini nostri regis, de omnibus et singulis terris baronie de Hawik cum pertinenciis, cum tenentibus et tenandriis eiusdem baronie, et liberetenentium seruidiis earundem, jacentibus infra vicecomitatum de Roxburgh, videlicet, in proprietate, de villa de Hawik et de molendino eiusdem, et de omnibus et singulis terris de Est Manys et West Manys, Crumhauch, Kirktown Manys, Flex, Murynes, Ramsielewis, Braidlee cum suis pertinenciis, et de reliquis terris diete baronie de Hawik in tenandria, vna cum aduocatione et donatione ecclesiarum et capellaniarum diete baronie de Hawik; dicunt eciam quod dictus Jacobus Dowglas est legitimus et propinquior heres eiusdem quondam Willelmi Dowglas de Drumlangrig, militis, sui patris, de dictis terris et baronia de Hawik cum suis pertinenciis ut premititur, et quod est legitime etatis dispensatiue per dispensationem quondam supremi domini nostri regis, virtute vigore et continencia cuiusdam certi acti per eundem quondam supremum dominum nostrum regem, ex auisamento et consilio dominorum sui consilii, apud Twissilhauch in Northumbirland in Anglia desuper confecti; dicunt etiam quod diete terre baronie de Hawik cum molendino ville de Hawik et ceteris suis pertinenciis, nunc valent per annum tricentas merças et tantum valuerunt tempore pacis, et quod diete terre baronie de Hawik vna cum dicto molendino ville de Hawik tenentur in capite de supremo domino nostro rege in hunc modum qui sequitur, videlicet, villa de Hawik et molendinum eiusdem et terre de Eist Manis et West Manys, Crumhauch, Kirktown Manys, Flex, Murynes, Ramsielewis et Braidlee, cum suis pertinenciis, que pertinerunt et spectarunt dicto quondam Willelmo Dowglas de Drumlangrig, militi, in proprietate, per donationem vnus sagitte in festo assumptionis beate Marie Virginis annuatim, ad capitale messuagium terrarum baronie de Hawik, nomine albe firme, si petatur tantum, et quod relique terre baronie de Hawik tenentur in capite de dicto supremo domino nostro rege per wardam et releuium, et vnam sectam annuatim reddendam ad quamlibet curiam trium curiarum capitalium vicecomitatus de Roxburgh, et quod diete terre et baronia de Hawik cum molendino ville de Hawik nunc sunt in manibus dieti supremi domini nostri regis legitime per se ipsum, ob causam legitimi heredis jus suum hucusque minime prosequentis, a tempore septem mensium vel eo circa, quia tunc obiit dictus Willelmus Dowglas de Drumlangrig, miles. In cuius rei testimonium sigillum dieti vicecomitis vna cum sigillis quorundam qui diete inquisitioni intererant faciende presentibus sunt appensa, anno, die, mense et loco prescriptis, etc.



122. SASINE of JAMES DOUGLAS of Drumlanryk, knight, in the lands and barony of Hawick. 3d June 1514.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quingentesimo decimo quarto, mensis vero Junii die tercia, indicione secunda, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina prouidencia pape decimi anno secundo, in mei notarii publici et testium subscriptorum presencia personaliter constitutus discretus vir, Andreas Makturk, actornatus et eo nomine honorabilis viri Jacobi Dowglas de Drumlanryk, filii et heredis quondam Wilelmi Douglas de Drumlanryk, militis ac baronis baronie de Hawik, quoddam breue sasine de capella supremi domini nostri regis emanatum alba cera more sue capelle inclusum, pergamenno scriptum, honorabili viro Georgio Douglas vicecomitis deputato de Roxbrugh presentauit et exhibuit ; cuius breuis tenor sequitur : JACOBUS Dei gratia Rex Scotorum, vicecomiti et balliuis suis de Roxbrugh, salutem : quia per inquisitionem de mandato nostro per magistrum Michaellem Agnew vicecomitem nostrum de Roxbrugh in hac parte factam et ad capellam nostram retornatam, compertum est, quod quondam Willelmus Douglas de Drumlangrik, miles, pater Jacobi Douglas latoris presencium obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem nostram, de omnibus et singulis terris et baronia de Hawik, cum tenentibus tenandriis et liberetenencium seruiiciis earundem cum pertinenciis, iacentibus infra vicecomitatum nostrum de Roxbrugh, videlicet, villa de Hawik cum molendino eiusdem, et de terris de Est Manys, Vest Manys, Crumhauch, Kyrktoone Manys, Flex, Murynes Ramsielewis et Braillie cum suis pertinenciis in proprietate, et de re[li]quis terris dicte baronie de Hawik in tenandria, vna cum aduocacione et donacione ecclesiarum et capellianarum dicte baronie cum pertinenciis, et quod dictus Jacobus est legitimus et propinquior heres eiusdem quondam patris sui, de dictis terris et baronia cum tenentibus tenandriis et liberetenencium seruiiciis earundem, vna cum aduocacione et donacione ecclesiarum et capellianarum dicte baronie, et quod est legitime etatis ratione dispensacionis quondam karissimi patris nostri desuper concessisse, et quod de nobis tenentur in capite ; vobis precipimus et mandamus quatenus dicto Jacobo vel suo certo actornato, latori presencium, sasinam omnium et singularum terrarum et baronie predictarum cum tenentibus tenandriis et liberetenencium seruiiciis earundem vna cum aduocacione et donacione ecclesiarum et capellianarum dicte baronie cum pertinenciis iuste haberi faciatis, et sine dilacione, saluo jure cuiuslibet, capientes securitatem de viginti libris de fermis dictarum terrarum pro-

prietatis baronie de Hawik, videlicet wille de Hawik cum molendino eiusdem, terrarum de Est Manys, Vest Manys, Crumhauch, Kyrktone Manys, Flex, Murenes, Ramsyelowis et Braillie cum pertinenciis, termini Sancti Martini vltimo preteriti existencium in manibus nostris, sasina non recuperata, que firme extendunt annuatim ad quadraginta libras et de duabus sagittis per duplicacionem albe firme earundem, et de centum viginti mercis de firmis reliquarum terrarum et tenandiarum dicte baronie prefati termini Sancti Martini similiter existencium in manibus nostris, et de ducentis quadraginta mercis de releuio earundem nobis debitis, et hoc nullo modo omittatis; teste meipso, apud Edinburgh, decimo nono die mensis Maii anno regni nostri primo: Quo quidem breue per dictum Georgium Dowglas deputatum recepto, aperto, et per me notarium publicum subscriptum in vulgari exposito, idem Georgius deputatus supradictus possessionem statum et sasina hereditariam [in] predictis terris, videlicet, villa de Hawik cum molendino eiusdem, terris de Est Manys, Vest Manys, Crumhauch, Kyrktone Manys, Flex, Murnes, Ramsyelowis et Braillie, cum suis pertinenciis in proprietate, et reliquis terris dicte baronie de Hawik in tenandria, vna cum aduocacione et donacione ecclesiarum et capellaniarum dicte baronie cum pertinenciis prefato Andree Makturk actornato et eo nomine ut supra personaliter presenti per tradicionem terre, lapidis et ligni, ut moris est, saluo iure cuiuslibet, mox contulit et donauit, de cuius actornati potestate michi notario publico luculenter satis constabat: supra quibus omnibus et singulis prefatus Andreas Makturk, attorney et eo nomine ut supra, a me notario publico subscripto sibi fieri peciit instrumentum: Acta erant hec apud crucem forealem dicte ville et apud capitale messuagium de le Mot, hora quasi decima vel ea circa, sub anno, mense, die, indicione et pontificatu quibus supra, presentibus ibidem nobilibus et discretis viris, domino Alexandro Newton vicario de Hawik, domino Roberto Luderdaill cappellano, Willelmo Scot balliuo dicte ville, Jacobo Brown, Willelmo Schewyll, Andrea Luderdaill, Alano Denys sergiando, testibus ad premissa vocatis pariter et rogatis.

Et ego Jacobus Newbe, presbiter Glasguensis diocesis, publicus sacra auctoritate apostolica notarius, quia [*tr.*, *in forma communi*].

123. SASINE of ROBERT DOWGLAS, as heir of his father, Robert Dowglas of Lochlevin, in the lands of Logtoun. 31st October 1514.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno incarnationis Dominice millesimo quingentesimo decimo quarto,

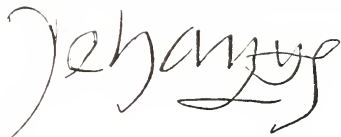
mensis vero Octobris die ultimo, indicione tertia, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina prouidencia pape decimi anno secundo, in mei notarii publici et testium subscriptorum presencia personaliter comparuit probus vir, Robertus Dowglas certus attorney et eo nomine honorabilis viri Roberti Dowglas de Lochleuin coram discreto viro Johanne Chaip balliuo vicecomitis de Edinburgh in hac parte specialiter et literatorie constituto, et ibidem dictus Robertus certus attorney nomine quo supra presentauit et deliberauit dicto balliuo quoddam preceptum siue mandatum sasine capelle regie emanatum, humiliter requirens eundem pro executione eiusdem fienda: Qui vero balliuus dictum preceptum siue mandatum sasine ea qua deuit reuerencia recepit et huiusmodi michi notario infrascripto perlegendum et publicandum tradidit, cuiusquidem tenor sequitur et est talis: JACOBUS Dei gracia rex Scotorum vicecomiti et balliuis suis de Edinburgh salutem: quia per inquisitionem de mandato nostro per vos factam et ad capellam nostram retornatam compertum est quod quondam Robertus Dowglas de Lochleuin, pater Roberti Dowglas, lateris presencium, obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem nostram de terris de Logdoun . . . iacentibus infra vicecomitatum de Edinburgh, et quod dictus Robertus est legitimus et propinquior heres eiusdem quondam Roberti patris sui de dictis terris cum pertinentiis, et quod est legitime etatis, et quod de nobis tenentur in capite, vobis precipimus et mandamus quatenus dicto Roberto vel suo certo attorney, lateri presencium, sasinas dictarum terrarum de Logdoun . . . iuste haberi faciatis . . . capientes securitatem de duobus denariis argenti per duplicacionem albe firmæ earundem nobis debite . . . Teste me ipso; apud Perth, vicesimo die mensis Octobris anno regni nostri secundo; post cuiusquidem precepti siue mandati sasine perlecturam et publicacionem personaliter accessit dictus balliuus ad principale messuagium dictarum terrarum de Logdoun et ibidem . . . sasinas et possessionem hereditariam sepedictarum terrarum de Logloun . . . prefato Roberto Dowglas certo attorney et eo nomine dicti Roberti Dowglas de Lochleuin per tradicionem et deliberacionem terre et lapidis fundi earundem . . . dedit . . . Acta erant hec apud principale messuagium dictarum terrarum de Logdoun, hora octaua ante meridiem vel eo circa . . . Presentibus ibidem prouidis et discretis viris, videlicet, Georgio Heicht, Thoma Rammage, Thoma Heicht, Willelmo Rammage, Thoma Grenlaw, Willelmo Dauidsoun, et Roberto Sandersoun seriando, cum multis aliis . . .

Et ego Johannes Scot, presbyter Sancti Andree diocesis, publicus sacra apostolica auctoritate notarius [*etc., in forma conuuenti*].

124. OBLIGATION by JOHN DUKE OF ALBANY, Regent, to grant new infestment to SIR WALTER SCOTT of Branxholm in all his lands. 23d September 1516.

GUBERNATOR.

We grant and promittis fathfullie in the Kingis name and ouris to our heir Walter Scot of Branxelme. Knycht, for his gude trew and thankfull service done to the Kingis grace and vs for the wele of the realme, that we sall mak him haue new infestment vnder the gret sele in the best forme, als sone as he plesis, of all his landis and heretageis, with thair pertinence, haldin immediatlie of the kingis hienes, with creatioun and annexatioun therof in baronyis, suppleing of all faltis and all vther clausis necessar and resonabill in the best and largest forme that can be deuist without inconuenientis, and the samin to be sped without composition. Subscriuit with our hand at Edinburgh, the xxiii day of September, the zere of God j^m v^e and xvj zeris.



125. RETOUR of WALTER SCOTT, knight, as heir of his father, Sir Walter Scott of Branxhelm, in the lands of Buccleuch, Branxhelm, etc. 27th October 1517.

HEC inquisicio facta fuerat coram honorabili viro Jacobo Douglas de Caueris vicecomite de Roxburgh, in pretorio de Jedburgh, vicesimo septimo die mensis Octobris anno Domini millesimo quingentesimo decimo septimo, per hos subscriptos, videlicet, Thomam Ker de Lintole, Johannem Gledstanis de Coklaw, Georgeum Scot de Quhomys, Robertum Scot de Alanhaucht, Robertum Scot de Holpaslot, Georgeum Douglas de Trowis, Walterum Scot de Sintoune, Wilhelum Douglas de Brorezardis, Philipum Scot de Edschaw, Archibaldum Gledstanis, Leonem Schavil, Robertum Fresal de Buntoune, Walterum Scot, Kintigerum Douglas et Patricium Douald: Qui iurati dicunt quod quondam Walterus Scot de Branxhelm miles pater Valteri Scot, militis latoris presencium, obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem supremi domini nostri regis de terris de Buccleucht, Rankilburn, de dimedia parte terrarum de Branxhelm, de totis et integris terris de Quhitchestir, Lempatlaw, Elryg, de sex terris husbandiis in Grimislaw vocatis Portaris Landis, de totis et

integris terris de Heefurd, sex libratis terrarum de Langtounne, de octo terris husbandiis in Grimislaw, jacentibus infra vicecomitatum de Roxburgh et in baronia de Branxhelm per annexationem: et quod dictus Walterus Scot miles est legitimus et propinquior heres eiusdem quondam Valterij Scot militis patris sui de dictis terris et annuis redditibus cum pertinenciis; et quod est legitime etatis; et dicta dimedia pars terrarum de Branxhelm cum pertinenciis nunc est vasta, et tempore pacis valuit vigintj quatuor marcis per annum monete Scoeie; et dicte terre de Quitchester cum pertinenciis nunc sunt vaste, et tempore pacis valuerunt per annum viginti libris dicte monete; et dicte terre de Lempetlaw cum pertinenciis nunc sunt vaste, et tempore pacis valuerunt per annum viginti libris dicte monete; et dicte terre de Elryg nunc sunt vaste, et tempore pacis valuerunt per annum decem libris dicte monete, et dicte terre de Bucclucht et Rankilburne nunc sunt vaste, et tempore pacis valuerunt per annum vigintj libris dicte monete; et dicte sex terre husbandie in Grymislaw vocate Portaris Landis valent nunc per annum quatuor libris et tempore pacis valuerunt tantum; et dicte terre de Heefurd valent nunc per annum viginti libris et tantum valuerunt tempore pacis; et dicte sex librate terrarum de Langtounne valent nunc per annum sex libris et tantum valuerunt tempore pacis; et dicte octo terre husbandie de Grimislaw valent nunc per annum octo marcis et tantum valuerunt tempore pacis; et dicte terre de Bucclucht et Rankilburne tenentur in capite de supremo domino nostro rege immediate in alba firma pro denario in festo Penthecostes annuatim si petatur tantum; et dicte terre de Quitchestir cum pertinenciis tenentur in capite de supremo domino nostro rege in alba firma pro denario in festo Penthecostes annuatim si petatur tantum; et dicte terre de Lempatlaw cum pertinenciis tenentur immediate in capite de dicto supremo domino nostro rege in alba firma pro denario in festo Penthecostes annuatim si petatur tantum; et dicte terre de Elryg cum pertinenciis tenentur in capite de dicto domino nostro rege in alba firma pro denario in festo Penthecostes annuatim si petatur tantum; et dicte sex terre husbandie de Grimislaw vocate Portaris Landis tenentur in capite de supremo domino nostro rege in alba firma pro denario in festo Penthecostes annuatim si petatur tantum; et dicta dimedia pars terrarum de Branxhelme et terre de Heefurd cum pertinenciis et dicte sex librate terrarum de Langtounne tenentur immediate in capite [de] supremo domino nostro rege per seruicium warde et releuij; et dicte octo terre husbandie de Grimislaw cum pertinenciis tenentur in capite [de Patricio] comite de Bothuel domino Halis et Crechtounne domino superiori earundem per seruicium warde et releuij; et dicte terre de Bucclucht, Rankylburne,

Quhitehestir, Eilrig et Lempatlaw et sex terre husbandie de Grimislaw vocate Portaris Landis nunc sunt in manibus supremi domini nostri regis immediate tanquam domini superioris earundem legitime per seipsum per decessum dicti quondam Walteri Scot de Branxhelm militis, ob defectum dicti Walteri Scot militis heredis dicti quondam Walterj militis jus suum hucusque minime prosequentis per spacium quatuordecim annorum vitime elapsorum; et dicta dimedia pars terrarum de Branxhelm, terre de Hecfurde, sex librate terrarum de Langtounne sunt in manibus domini nostri regis tanquam in manibus domini superioris earundem legitime per seipsum per spacium quatuordecim annorum per decessum dicti quondam Valterj militis de Branxhelm ob defectum dicti Walterj Scot militis latoris presencium; et dicte octo terre husbandie de Grimislaw nunc existunt in manibus dicti Patricij comitis per decessum dicti quondam Walterj Scot militis tanquam in manibus domini superioris earundem legitime per seipsum per spacium quatuordecim annorum ob defectum dictij Walterj Scot militis latoris presencium propter suam minorem etatem: In cuius rei testimonium sigilla quorundam eorum qui dicte inquisicionj intererant, vna cum breui incluso, et sigillo dicti vicecomitis in tergo presentibus sunt appensa: Apud Jedburgh anno, die, mense quibus supra.

126. LETTERS OF BAILIERY by ROBERT, ABBOT OF MELROSE, in favour of
WALTER SCOTT of Bukleuch, knight. 20th December 1519.

BE it kend til al menne be thir present lettres, ws, Robert, be the permissioun of God Abbot of Melros, and Conuent of the samyn, the vtiliteis, commoditeis and singulare profettis of our foirsaid Abbaye consideryt and riplye avisit, and the dyuers diligent labouris and travellis quhilkis ane honorabil man and our special frend, Walter Scot of Bukleuch, knycht, with his kynne and frendis hais lauboryt for ws, and the vtilite of our said Abbaye, efter dyuers communicationis had amangis ws and our Conuent conuentualye gadderyt, tharfor til haue maid, constitut, and ordanyt, and be the tenour of thir our present lettres makis, constitutis, and ordanys the foirsaid Walter, our verraye lauful, vndoutit and irreuocabil bailze of al and syndrye oure landis callit Mellroslandis, excep Kylismur, and our landis in Karrik and Nythisdail, for al the tyme and termys of nyntene zeris, nyxt and immediatlye followand the dayt of thir presentis, and his entre to the said office to be at the daye of the dayt of thir presentis, and fra thyne furthe til continewe and indur aye and quhill the said nyntene zeris be fullelye compleyt and outrune:

Giffand, grantand, and committand to our said bailze our ful and playne power, express bidlyne, and special mandment and charge, court or courtis within our said landis, or onye part of thaim to proclayne, ferme hald, and continew; officiaris sik as clerkis, sutouris, seriantis, and dempstaris to maik, cheis, and gare be sworne; justice to minister, trespassouris to pwnys, ward and dome to gif in; oure men seruantis, or thare gudis, befoyre quhatsumeuer jugis attechit or areistit til our courtis and preuilege tharof to reduce, borrow and hayn bryng; cautioune and coiliraithe neidful to fynd; our malis, gersumans and otharis our deweteis to lift, raise, and to the vtilite of ws and our place to inbryng, and gif neid beis, tharfor to compel and distrenze; witht power to maik deputis to excers the said office, for the quhillis he sal answeere, and al and other syndrye thyngis to do, vs and excers that to the office of bailzerye of law or consuetud is knawyne to perteyne: Ferme and stabil haldland, and for to hald al and quhatsumeuer thyngis our said bailze in the said office richwislye ledis to be done, vnder the payne and obdisyne of the lawe neidful and requirit; and we forsuthe the saidis Abbot and Couent, the foirsaid office of bailzerye to the foirsaid Walter, or his deputis ane or maye vnder hyme, for ws and our successouris induryne the said nyntene zeris aganys all deidlye sal warrand, acquiet and defend. In witnes heirot to this our present letter of bailzerye we haue hungyne our commone seil, at our Abbaye of Melros, the xx daye of December, the zere of God a thowsand v^e and xix zeris.

ROBERT, Abbot off Melros.	ROBERTUS LIDDALL.
JOHANNES HUNTERE.	MYCHAELL WATSONE.
WILILMUS FORRUS.	JOHANNES ANDERSONE.
ROBERTUS HOYC.	RICARDUS CHATTO.
JOHANNES FYSCHARE.	JACOBUS RYCHARTSON.
ANDREAS HOUDSONE.	JOHANNES BROWNEFILD.
ADAM HANGATSYD.	THOMAS MERSOR.
ROBERTUS HUDSON.	PATRICIUS WRYCHT.
JACOBUS LYTHQW, suppostulatus.	

WILLELMUS FILP.	RICARDUS PATERSON.
ROBERTUS DERLYNG.	JOHANNES ELGAR.
NICOLAUS WILZEMSONE.	JOHANNES LIDDALL.
THOMAS ATZENSONE.	WILLELMUS MOS.
	JACOBUS RIDDALL.
	THOMAS PATOSONE.

127. OBLIGATION by WALTER SCOTT of Bukcluch, knight, not to abuse the office of Bailie of the lands of Melrose Abbey. 20th December 1519.

Be it kende tyl al men be thir present lettres, me, Walter Scot of Bukcluche, knycht, to be bundin and oblissit, and be thir present lettres byndis and oblissis me, myn airis, executouris and assignais, tyl an venerabil fader in God, Robert, Abbot of Melros, and the convent of the samyn, and ther successouris, that nochtwithstanding quhatsumeuer terme, claus. or clausis beyuge in an lettre of balzorie maid to me be the saidis abbot and convent of ther landis of Melroslande, Ettryk, Rowdonov, Eskdailmur, Ringwodfeld, and Esttywidail, that I, nor nan in myn naym, nor myne airis nor frendis, sal neuer nowther attempt nor vsurp to rais nor to set ony landis less or mar belangand the said abbay, or out or input ony tennand, inhabitant, or seruande ane or may in the saide landis, or ony other perteneande to thaim, but expres and speciale commande of the forsaidis abbot and convent, or ther successouris, nor sal neuer nowther rais, exers, nor ws na new custum nor dew seruice apou the saide Abbaye, ther tennandis, inhabitantis, or seruandis forsaidis, bot sik lik as ther bailzeis has done in fortynnis: And attour, I sal supplie, mantein and defende quhatsumeuer rewil, ordinance, or constitutioun maide or to be maide be the saidis abbot and convent or ther successouris, within the saide abbay or without, concernyng the spiritualite or temporalite therof, or in ther landis forsaide, nochtwithstanding the indignatioun of quhatsumeuer person or personis contrar therto, fra the Kingis gud grace down, within the realme of Scotland: And attour, quhereuer or quhat tyme the saidis abbot and convent or ther successouris sal commande, charge, or comyt to me, myn airis, executoris, or assignais forsaide, to red or dewoid ony steide or steidingis out of quhatsumeuer handis within the landis forsaide, I sal do myne office lellie and trevlie therto, and nocht desist therof quhil it be put tyl dew execution, nowther for frendschip, kyndnes, maurent, feid, or favor of quhatsumeuer person or personis of ony maner of conditioun: And alsua, I sal neuer, nor nan in myne nam, myne airis or frendis, throw the office of bailzerye forsaid, nor nan other wais that I or thai may lat, nowther hurt, herry, nor charge the saide abbay, ther landis nor tennandis, with the haldin or fedin of hundis, halkis, or hors, or ony other way sik lik, or with ony maner of cariagis, or dew seruice other than the bailzeis has don in fortyimme; na I sal neuer, nor nan in my name, nowther be my self or zit ony mediat person, tak, waist, or destroy ther woddis, quarrellis, or fische ther wateris, bot with ther special licence and faworis, and sal caus myn men and frendis, and al otheris quham that I may lat, to obserff, keip, and do syk

lyk : And attour, I sal nocht rais nor vplift na vnlawis, amerciamentis, or bludewyttis within the saidis landis, bot with the consal and awis and special command and charge of the abbot and convent forsaidis : And quherener ony of thir forsaid landis now is or sall happin to be occupyit, manwryt, or plennissit with quhatsumener person and personis of ony maner of degre, I sal caus and gar the mailis, fermis, tendis and other dewiteis therof to be pait to the saidis abbot and convent, or ther factouris, in sa far as I may of justice, al dissimulatioun secludit and away put : Als, I sal neuer, nowther gif nor grant my kindnes nor benyvolence of the saide office to na person nor personis quhatsumener, nor sal mak na deput nor deputtis onder me in the saide office bot with the expres awis, consal, and consent of the abbot and convent forsaidis : and gif it happinnis me, myn airis or assignais, wolfullie or on set purpos, ony maner of wais, as God forbid to do, to falze or brek in the obseruyng and kepin of thir artielis abone writin, or ony an of thaim, I and thair sal gif our and renunce al tak and assedatioun of the saide balzerie and clame therto, and now be the tenour of this present wryt, giffis our and renuncis the sammyn, and sal thol and suffer the saidis abbot and convent, with favoris and kindness, to broik and jois the saide office, and to set or gif the sammyn quhanto euer it pleis thaim, but ony molestatioun, indignatioun, or feid of me or ony that I may lat : To obseruing and kepin of thir premis leylye and trevlye as said is, I bynde and oblis me, myne airis and assignais, wayne and ther landis, rentis, possessionis and gudis, mowabil and wumowabil, fer and neir, als weil nocht nemmit as nemmyt, quharsumener thair mai be fundin, to the saidis abbot and convent and ther successouris, to be tan and away had at the wil of the saide abbot and convent, ay and quhil thair be assithit and plesit of ther dampnagis and scaithtis that thair happin to tak throv the nocht obseruing and keiping of thir artielis abone writtin in the maist strait, ferme and sickir forme of obligatioun that can be excogitat and thoct, and onder the pane of defame and perjur perpetual, na remeid of law cannon or cywil, etc. In witnes of the quhilk thinge I haif subscriwit and to hungin my seil to thir presentis at the Abbay of Melros forsaid, the xx day of December in the zeir of God an thovsande fif hundreth and nynten zeiris.

Walter Scot of Buccleuch
 Gung to W. Langry Sand

128. CONTRACT between SIR WALTER SCOTT of Branxhelm, knight, and JAMES and JOHN GLEDSTANIS, for the marriage of JOHN GLEDSTANIS to JANET SCOTT, etc. 9th February 1519.

At Branxhelm, the nynt day of the moneth off Februar, the zher of God ane thousand fyff hundreht and nyntin zheris, it is appunctit, aggreit and finally endit betuix honorabil men, that is to say, Waltir Scot of Branxhelm, knight, on the tane part, and James Gledstanis, sone and air apperand to Johanne Gledstanis of Coklaw, and Johanne Gledstanis, sone and air apperand to the said James, on the tuddyr part, in maner and forme as efftyr followis; that is to say, that the said Johanne Gledstanis, zoungar, sal, God willing, mary and haiff to wyff Jonet Scot, douchter to the said Waltir Scot of Branxhelm, knight, and failzeand of hir be decess or ony vthir ways, Cristiane Scot, douchtyr alsua to the said Waltir Scot, knight, and failzeand of thaim tua be ony maner caus, ony vthir gentyl woman quhom it sal ples the said Waltir Scot, knight, to mary the said Johanne Gledstanis, zoungar, apou, without disparising of his blud, in al gudly hast at the command of the said Walter Scot, knight, and as thai may of law: For the quhilk causis and mariagis the said Waltir Scot of Branxhelm, knight, sail content and pay to the said James Gledstanis the soume of thre hundreht markis gud and vsual mony of the realme of Scotland, at thir termes efftyr following, that is to say, ane hundreht pundis at the compleitting of the said mariagis, and ane vthir hundreht pund vithin zher and day tharefftyr following, to be payit bot fraud or gyl; and the said James sal gyff to Johanne Gledstanis, his sone, and the said Jonet or Cristiane, quhom it happynnis hym to mary, the tend pundis wortht of land lyand vithin the schereffloume of Peblis, and in the barony off Hundilhillshop, and twenty pundis wortht of land liand within the schereffloume of Roxburgh, callit Guddiselucht, Vnishop, Binkkis and Langbittis, and in the barony of Caueris, in coniuinct feftment, gyff thai canne be gottine resiguit in the ourlordis handis; and failzeand that thai canne nocht be gottine resiguit be consent of the ourlordis, the saidis landis to be gevine to the said Jonet or Cristiane vith quhom it sal happine the said Johanne to be maryt in thar virginite, in lyffrent, in donacionem propter nuptias; and gyff sa beis that it sal happine the said Johanne Gledstanis, zoungar, to be maryit, at the command and plesour of the said Walter Scot, knight, vpoun ony vthir gentyl woman than ane of his tua douchteris, the said James Gledstanis sall gyff to the said Johanne Gledstanis, his sone and air, and the gentyl woman vpoun the quhilk it sal happine hym be maryit, bot ten pundis wortht of



land in Tueddail allanerly in coniuuet feffment, or befor the solemmysyng of mariagis, in lyff rent, as is abune vrittine; and gyff it happynnis, the landis abune vrittine to be gevine oveir to ony one of the said Walter Scottis douchteris abune vrittine, or ony vthir gentywoman, as said is. in coniuuet feffment, the said coniuuet feffment to be gevine withiu twenty dayis to the said Johanne and the genty woman with quhom it sall happine hym to be maryt, and the said James sal mak the expens vpon the new infementis; and gyff the said Johanne Gledstanis, zongar, beis maryt vpon ony vthir than one of the saidis Walteris tua douchteris, that to be done be the avyss of Wat Scot of Syntoun, and Philp Scot of Eadschaw; and gyff it happynnis the said Johanne Gledstanis, zongar, to decess, and the said lardschip of Coklaw to cum to the airis famail of the said James, the said Walter Scot of Branxhelm, knight, to haiff the mariagis of the air famail to Johanne Scot, his son, and failzeand of hym, the mariagis of the airis famail quhatsumeuyr to be at the gyfft, disposicionne, and to be maryt and dispoit apoun be the said Walter Scot, knight, as sal ples hym, sua thai be maryt vpon gentyumen bot disparising, the said Waltyr Scot, knight, payand the toquhir to the said James in lykwis at the compleitting of the mariagis of the airis famail as he suld do off the airis mail; and the said James sal nowdyr sel, wodset, nor anly to na maner man nor woman of nan part of his said heretagis, and sal do his vttir possebil delegens to get al maner eidentis, charteris, sasinis, reuersionis, obligationis, instrumentis pertening to the said heretagis, and sal nocht put away nor distroy nor renunce name of thaim; and the said Waltyr Scot, knight, sal do his vttir possebyl deligens to keip the saidis landis and heretagis of Coklaw vnsald, analyt, or wedset tyl ony manner of man, and naimly to his kynnismen and frendis, the Scottis, sua that gyff ony of thaim intrommittis tharwith the said Johan Gledstanis, elder, it sal be knawine to the contra that it is done aganis his wyl, and tyl his vttir displeour; and gyff thar happynnis ony impediment quhar throw ony of the personis abune vrittine ma nocht remane in mariagis or be maryt, the party throw the quhilk the impediment happynnis and occurris sal, vpon thar awine expens, rais and bring haim ane dispensatioun fra the Court of Rome, or ony vthir place quhar it ma be had, and efftyr it be cummyn haime, cause the same be vsit, and efftyr to remane in mariagis: And to the obseruing, keiping and fulfilling of al and sindry the punctis and artikillis abune vrittine, baith the saidis [part]eis ar bund and oblist be the faitht and treu[tht] in thar bodyis, and onder the paine off periur, infamie, and nevir to be hard in iugisment: And gyff it happynnis [ane] of the saidis parteis to brek or failze in the premisses, or ony punt



of thame, the party breikand sal content and pay to our Souerane the King fyff hundreth merkis vsual mony of Scotland in naim of paine, fyff hundreth merkis to the Bischop of Glasew for brekking of faitht and violacioune of the samyn, and fyff hundreth merkis to the party keipand, for costis, schaithtis, damnagis, interes, and expensis sustenit be hym : In witnes heroff to the part off thir indenturis remanand vith the saidis James and Johnne zoungar the seel and subscrip-tioune of the said Waltyr Scot of Branxhelm, knicht, ar affixt, and to the part of thir indenturis remanand vith the said Valtyr Scot, knicht, the saidis James and Johanne has procuryt vith instance the seel of ane virschipful clerk, Master Wilzaine Cuninghaine, persoune of Hawyk, subscriuand with thar hand at the pen, to be affixt, zher, day and place abone vrittine, befor thir witness, the said Master Wilzaine Cuninghain, persoune of Hawyk, Selir Johanne Hardy, chaplane.

WALT. SCOT of Branxhelm, Knicht,
v^t. hand at pen.

129. SASINE of ROBERT DOUGLAS, grandson and heir-apparent of Robert Douglas of Lochlevin, in the barony of Logtoun, dated 2d September 1522.

IN Dei nomine amen : . . . Anno incarnationis dominice millesimo quingentesimo vicesimo secundo, mensis vero Septembris die secundo, indictione decima, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina prouidencia pape decimj anno decimo, in mei notarij publicj et testium subscriptorum presencia personaliter accessit honorabilis vir, Johannes Mowbray in Crawford regis, vicecomes in hac parte vicecomitatus de Edinburghe, per literas patentes supremi domini nostri regis sub testimonio sui magnj sigilli specialiter constitutus, ad terras de Logtoun cum suis pertinenciis, jacentes infra vicecomitatum de Edinburghe, et ibidem prouidus vir Johannes Zoung, actornatus, et eo nomine Roberti Douglas nepotis et heredis apparentis Robertj Douglas de Lochlevin . . . habens in manibus suis quoddam preceptum sasine sub testimonio magnj sigillj . . . humiliter requirens dictum Johannem Mowbray vicecomitem in hac parte antedictum pro executione eiusdem fienda : Qui vero dictus vicecomes dictum preceptum sasine a dicto Johanne Zoung actornato antedicto ad manus recepit, et huiusmodi michi notario publico subscripto tradidit perlegendum et publicandum : cuius precepti tenor sequitur in hijs verbis : JACOBUS Dei gracia rex Scottorum, vicecomitibus et balliuis suis de Edinburgh et Roxburgh, neonon dilectis nostris Andree

Ker, Patricio Fortoun, David King, Jacobo Ruthirfurd, Johanni Langlandis, Johanni Mowbray in Crawmond, ac eorum euilibet . . . salutem : Quia nos cum auisamento . . . carissimj consanguinej et tutoris nostri Johannis ducis Albanie, etc., regni nostri protectoris et gubernatoris, dedimus et concessimus hereditarie dilecto nostro Roberto Douglas nepotj et heredj apparentj Robertj Douglas de Lochlevin, totas et integras terras et baroniam de Logtoun . . . jacentes infra vicecomitatum nostrum de Edinburgh ; ac totas et integras terras et baroniam de Langnewtoun cum . . . aduocacione et donacione ecclesie de Langnewtoun, jacentes infra vicecomitatum nostrum de Roxburgh : Quequidem terre et baronie cum suis pertinencijs fuerunt dictj Robertj Douglas senioris hereditarie ; et quas idem . . . in manibus prefati carissimj consanguinej et tutoris nostri ad hoc potestatem habentis nomine nostro, apud Edinburgh sursum reddidit pureque et simpliciter resignauit . . . Vobis precipimus et mandamus quatenus dicto Roberto juniorj . . . latori presencium, sasinam dictarum terrarum et baroniarum, cum . . . aduocacione et donacione ecclesie de Langnewtoun . . . juste haberi faciatis . . . Datum sub testimonio magni sigilli nostri, apud Edinburgh, vicesimo quinto die mensis Augusti anno regni nostri nono. Post cuiusquidem precepti sasine perlecturam et publicacionem prefatus Johannes Mowbray vicecomes . . . sasinam . . . totarum et integrarum predictarum terrarum et baronie de Logtoun . . . prefato Johannj Zoung, actornato et eo nomine predictj Robertj Douglas . . . dedit . . . Acta erant hec apud capitale messuagium dictarum terrarum de Logtoun, hora tertia post meridiem vel eocirca . . . Presentibus ibidem honorabilibus viris Johanne Stewart de Cragyhall, Johanne Hammyltoun in Crageruk, Magistro Thoma Anderson notario publico, Jacobo Roull, David Logy, Johanne Ochiltre in Crawmond, et Thoma Skynnar, cum diuersis alijs . . .

Et ego vero Alexander Zoung, clericus Sancti Andree diocesis, publicus sacra apostolica auctoritate notarius [*etc., in forma communi*].

130. CHARTER by KING JAMES THE FIFTH to WALTER SCOTT of Branxelme, knight, and ELIZABETH CARMICHELL, his spouse, of the lands of the town of Eckfurd. 4th September 1523.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus tocius terre sue clericis et laicis salutem : Sciatis nos cum auisamento auctoritate et consensu dominorum regni nostri regencium in ausencia carissimj consanguinei et tutoris nostri

Johannis Ducis Albanie, etc. regni nostri protectoris et gubernatoris, dedisse, concessisse, et hac presenti carta nostra confirmasse, dilectis nostris Waltero Scott de Branxholme, militi, et Elizabeth Carnichell sponse sue, ac eorum alteri diucius viuenti, in coniuncta infeodatione, totas et integras terras ville de Ekfurde cum pertinenciis, jacentes in baronia de Ekfurd infra vicecomitatum nostrum de Roxburgh: Quodidem terre cum pertinenciis fuerunt dicti Walteri hereditarie, et quas idem non vi aut metu ductus nec errore lapsus, sed sua mera pura libera et spontanea voluntate, in manibus reuerendissimi in Christo patris ac consiliarij nostri dilecti, Jacobi Sanctiandree archiepiscopi, cancellarii nostri, vnius predictorum dominorum regni nostri regencium in absentia prefati carissimi consanguinei et tutoris nostri, nomine nostro, apud Edinburgh, per fustem et baculum . . . resignauit . . . imperpetuum Tenendas et habendas totas et integras predictas terras ville de Ekfurde cum pertinenciis dictis Waltero et Elizabeth sponse sue, et ipsorum alteri diucius viuenti, in coniuncta infeodatione, et hereditas inter ipsos legitime procreatis seu procreandis, quibus deficientibus, legitimis et propinquiioribus hereditas dicti Walteri quibuscunque, de nobis et successoribus nostris, in feodo et hereditate ac libera baronia imperpetuum, per omnes rectas metas . . . adeo libere, quiete . . . sicut dictus Walterus vel predecessores sui prefatas terras cum pertinenciis de nobis vel predecessoribus nostris ante dictam resignationem nobis inde factam liberius in baronia tenuit seu possedit tenuerunt seu possederunt: Faciendo inde annuatim dicti Walterus et Elizabeth sponsa et ipsorum alter diucius viuens et heredes sui predicti, nobis et successoribus nostris pro terris suprascriptis, vnicum residuo dicte baronie, iura et seruicia de prefata baronia cum pertinenciis inde ante dictam resignationem nobis debita et consueta: In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus reuerendissimo reuerendisque in Christo patribus, Jacobo Sancti Andree archiepiscopo, cancellario nostro, Gawino episcopo Abirdonensi, nostrorum rotulorum registri et consilii clerico, Dauid episcopo Candide Case, nostreque capelle regie Strinelingensis, dilectis consanguineis nostris Jacobo comite Aranie domino Hammyltoun, Colino comite de Ergile domino Campbell et Lorne, Hugone comite de Eglington domino Montgomery, venerabilibus in Christo patribus, Johanne priore ecclesie metropolitane Sancti Andree, Georgio abbate monasterij nostri Sancte Crucis prope Edinburgh, nostri secreti sigilli custode, et Roberto abbate de Pasleto, apud Edinburgh quarto die mensis Septembris anno Domini millesimo quingentesimo vicesimo tercio et regni nostri vndecimo.



131. CHARTER to WALTER SCOTT of Branxholm, knight, of the Bailiery of Melrose Abbey. 17th November 1524.

OMNIBUS hanc cartam visuris vel audituris, salutem in Eo qui est omnium vera salus : Noueritis nos Andream Dury postulatam monasterii de Melros et eiusdem loci conuentum, fecisse, constituisse, et ordinasse, ac presencium tenore facere, constituere et ordinare, honorabilem virum Walterum Scot de Branxholm, militem, suosque heredes masculos quoscumque de suo corpore legitime procreatos seu procreandos, nostros veros, legitimos, indubitatos et irreuocabiles balliuos omnium et singularum terrarum nostrarum vocatarum Melrosland, Ettrikheid, Rodonoland, Eskdailmur, Ryngwodfeild, Esttywidail et Uiggynnis, necnon omnium et singularum aliarum terrarum nostrarum, exceptis terris nostris de Killismur, Carrik et Nythisdail, in feodo et hereditate imperpetuum : Dantes, concedentes et committentes prefatis nostris balliuis et eorum cuilibet nostram plenariam potestatem ac mandatum speciale curiam seu curias infra territoria predictarum terrarum nostrarum et in qualibet parte earundem proclamandi, firmandi, tenendi et continuandi, officarios videlicet clericos, sectores, seruiandos et condemnatores creandi, eligendi et jurari faciendi, iusticiam ministrandi, transgressores et rebelles puniendi, wardam et iudicium dandi, nostrosque tenentes wassallos et seruitores vel eorum bona coram quibuscumque iudicibus attachiata seu arrestata ad curias nostras et jurisdictionem regalitatis nostre replegiandi et reducendi, cautionem et coleraiith pro complemento iusticie necessarias prestandi, nostras firmas, gersumas et alia proficua nostri monasterij leuandi et ad utilitatem nostram seu monasterij nostri recipiendi et importandi, et si necesse fuerit pro iisdem distringendi, et generaliter omnia et singula faciendi, dicendi, gerendi et execerendi que ad huiusmodi officium balliuatus de jure vel regni consuetudine dinoscuntur pertinere, firmum atque stabile habentes et habituros totum et quicquidem dicti nostri balliui aut eorum aliquis in premissis seu premissorum aliquo, mediante iusticia, duxerint seu duxerit faciendum, assignando sibi et heredibus suis predictis firmas terrarum nostrarum de Norththous et Thirlstane pro feodo et laboribus suis ; et nos uero Andreas postulatatus predictus et conuentus dicti monasterij, dictum officium balliuatus prefatis Waltero, militi, suisque heredibus predictis, pro nobis et successoribus nostris, in feodo et hereditate imperpetuum, contra omnes mortales warantizabimus, acquietabimus et defendemus. In cuius rei testimonium sigillum commune capituli nostri vnacum nostris manualibus subscriptionibus presentibus est appensum, apud monasterium nostrum ante-



dictum, die septima decima mensis Nouembris anno Domini millesimo quingentesimo xxiiij.

ANDREAS, postulatus Melrosensis.	ROBERTUS LIDDAL.
JACOBUS LYTHQW.	RICARDUS CHATTO.
ADAM HANGATSYD.	ROBERTUS HOYC.
ROBERTUS DERLYNG.	THOMAS BLYCHT.
PATRICIUS WRYGHIT.	JOHANNES MANSON.
THOMAS MERSOR.	JOHANNES FYSCHARE.
JACOBUS RIDDALL.	

RICARDUS PATERSONE.	THOMAS DRYDEX.
THOMAS CONDYNE.	KENTEGERNUS PURWES.
JOHANNES HOGART.	ROBERTUS HUDSON.
NICOLAUS WILZEMSONE.	DAUID CAUWERT.
RADULFUS HUDSON.	WILLELMUS PHILP.
JOHANNES VATSONE.	JOHANNES BROWNFEILD.

132. CONFIRMATION by LAURENCE, BISHOP of PRENESTE, on the part of POPE CLEMENT VII., of the appointment of SIR WALTER SCOTT of Branxhelm to be Bailie of the lands of Melrose Abbey. 17th May [1525.]

LAURENTIUS miseratione diuina Episcopus Prenestinus dilecto in Christo nobili viro Waltero Scot militi de Branxhelm, Glasguensis uel alterius diocesis, salutem in Domino: Cum a nobis petitur quod iustum est et honestum tam uigor equitatis quam ordo exigit rationis ut id per sollicitudinem nostri officij ad debitum perducatur effectum, sane pro parte tua nobis exhibita petitio continebat, quod licet Andreas Abbas seu postulatus in Abbatem et Conuentus Monasterij de Melros Cisterciensis uel alterius ordinis, Glasguensis diocesis, nonnullis rationabilibus causis suadentibus te tuosque heredes et successores masculos ex corpore tuo legitime procreatos et procreandos in veros legitimos indubitatos et irreuocabiles balliuos de Melrosland, Ettrikheid, Rodonowland, Eskdailmur, Ringwodfeild, Esteywidail et Wggennis ac omnium et singularum aliarum terrarum Monasterij predicti, exceptis terris de Kyllismur, Carryk et Nychtisdail, in feodo et hereditate imperpetuum constituerint et creauerint seu fecerint aut officium bailliatus dictarum terrarum, alijs predictis exceptis, cum omnibus et singulis illius honoribus, oneribus salarijs et

emolumentis consuetis tibi et successoribus prefatis imperpetuum; etiam cum omnimoda facultate et auctoritate curiam seu curias infra predictarum terrarum territoria et in qualibet earum parte proclamandi, firmandi, tenendi et continuandi, ac officiales seu officarios etiam clericos ut moris est creandi, eligendi, et iurare faciendi, et iusticiam ministrandi, ac certa alia tunc expressa utilitatem dicti Monasterij concernentia faciendi et exequendi donauerint et concesserint, prout in quodam publico instrumento desuper confecto et sigillo communi dicti Monasterij munito plenius continetur, pro premissorum tamen firmitate maiori et tua potiori cautela cuperes ea omnia per sedem apostolicam confirmari et approbari, quare supplicari fecisti humiliter tibi super his per sedem ipsam de opportuno remedio misericorditer prouideri; nos igitur tuis in hac parte supplicationibus inclinati auctoritate domini pape cuius penitentiarie curam gerimus, et de eius speciali mandato super hoc nunc uocis oraculo nobis facto, constitutionem, donationem, creationem et concessionem predictas ac prout eas concernunt omnia et singula in dicto instrumento contenta, quatenus tamen in predicti Monasterij aut alterius iuris preiudicium non redundent, tibi et successoribus tuis prefatis tenore presentium confirmamus et approbamus, omnes et singulos tam iuris quam facti defectus si qui forsitan interuenerint in premissis supplemus: Quocirca venerabili in Christo patri Dei gratia episcopo Casertano in Romana Curia residenti, et Sancti Andree infra Archidiaconatum Laudonie Sanctiandree diocesis ac Tyvidalie Glasguensis diocesis Officialibus et eorum cuilibet, auctoritate et mandato predictis, committimus et mandamus quatenus tibi et successoribus tuis prefatis in premissis efficacia defensionis presidio assistentes non permittant te nec successores tuos prefatos contra tenorem presentium per quoscunque iudices et personas tam ecclesiasticas quam seculares quauis auctoritate etiam apostolica fungentes indebite molestari perturbari seu alias quomodo in quietari, contradictores quoslibet et rebelles per censuram ecclesiasticam et alia opportuna iuris remedia, inuocato etiam ad hoc si opus fuerit auxilio braclij secularis, compescendo, non obstantibus constitutionibus et ordinationibus apostolicis, necnon Monasterij et ordinis predictorum statutis et consuetudinibus etiam iuramento, confirmatione apostolica, uel quauis firmitate alia roboratis, ceterisque contrarijs quibuscunque. Datum Rome apud Sanctum Petrum, sub sigillo officij penitentiarie, xvj Kalendas Junij, pontificatus domini Clementis pape vij anno secundo.

133. REMISSION by the ARCHBISHOPS OF ST. ANDREWS and GLASGOW, the EARLS OF ANGUS, ARGYLE, and LENNOX, to the MASTER OF GLEN-CARNE, WALTER SCOTT of Branxhame, and others. 20th July 1525.

We, James be the mercy of Gode Archibischop of Sanctandros, Gawin Archibiscop of Glasgw, G[avin] bischop of Aberdein, Archibald erle of Angus, Collin erll of Argill, and Johanne erle of Lauenax, promittis faithfully to our cusingis, Wilzam Maister of Glencarne, Walter Scot of Branxhame, Ninian Crychtoune of Ballibucht, and Johanne Dunbar of Mochram, that, nechtwithstandyng the brek and cryme committit be thame one Monunday last was in this towne of Edinburgh, that for the gud and thankfull seruice done, and to be done be thame to the Kingis graice and to ws, thai cumand to ws, and for stanching of mowrmour and strangeeris and commoun wois of this realme, offerand thame to stand at the pwnissiou and correktioun of the Kyngis grace, and of ws, that we sall grant thame ane remissiou, for all that may be input to thame for the cryme and offence done be thame the said day, and sall put thame to nane forthar pwnyssioune except allanerly thai to be commandit to pas to the plassis of Cragmyler, Nydry, Edmenstoun, Lestalrig, or to Brwnstoun, thar to ramane, nocht as wardouris, nor zit the lardis of the saidis placis to rasaine thame one that maner, bot for stanching of murmour, as said is, to mak it be understand that thai [o]bey the saidis lordis. In wittines heirof we hef subscriiit this our promit with our handis, at Edinburgh, the xx day of Julii, the zeir of Gode j^m v^c xxv zeirris, befor thir wittines, Alexander Jardane of Appilgratht, Johanne Stirueling of the Keir, knyctis, Johanne of Betoune of Creff, with oder diuers.

JA. ST. ANDRE.
G. GLASG.
G. AED.
ERL OF ANGUS.
ERL OF ERGYL.
ERL OF LENAX.

[Dorso]—Ane obligatioun maid be the lordis contenit thairin to the Erle of Glencarne, Valtir Scott, and vtheris, for the slauchtir of the Duchemen, etc.

134. LETTER OF PARDON by KING JAMES THE FIFTH to the SCOTTS, KERS, HOPPRINGLES, TURNBULLS, and others. 9th May 1526.

JAMES, be the grace of God King of Scottis, to all and sindry our Justicis, Schereffis, Chalmerlanes, Justice Clerkis, Crownaris, and thair deputis, and all

vtheris oure officiaris, liegis, and subdittis quham it efferis, quhais knowlege thir our lettres sulcum, greting: Wit ze ws of oure speciale grace, with avis of the Lordis of oure Counsale, to haf respectt, and be thir oure lettres in the law, and by the law, specialie respecttis Walter Scot of Branxhelme, knycht, Andro Ker of Prymside, John Cranstoun of that Ilk, William Stewart of Traequar, James Stewart his bruther, Johne Hoppringill in Reidheid, Robert Hoppringill his bruther, James Hoppringill in Fawldounside, George Hoppringill in Sanct Johnis Chapell, Robert Hoppringill in the Blyndley, James Hoppringill his bruther, George Hoppringill of Terwodley, James Hoppringill and David Hoppringill his brether, William Turnbull of Mynto, Robert Turnbull in Halrowle, William Turnbull in Mynto, David Turnbull thare, David Turnbull and George Turnbull brethir sonniss to the said Robert Turnbull in Halrowle, Walter Turnbull in the Wollee, Adam Turnbull thare, Alexander Tait in the Opyrn, George Tait his sone, James Sandelandis of that Ilk, Johne Sandelandis, William Sandelandis his sonniss, William Murray of Radmaano, Alexander Murray his brother, William Giffane, sone and air apperand to the Lard of Cardrono, Charlis Giffane his brother, Adam Vache, Thomas Rutherford, George Chesholme of that Ilk, John Carneors, William Linlithqw, James Huntar, Stevin Huntar, Robert Scot of Alanehauch, Adam Scot, William Scot his brether, Robert Scot tutour to Howpaslot, Sym Scot his bruther, Adam Scot of Tuschelaw, Robert Scot, Johne Scot and William Scot his sonniss, Maister Mychaell Scot in Aikwod, Thomas Scot thare, William Scot in Fawlishope, Walter Scot in the Hanyng, George Scot in Fawlishope, Adam Scot in Falside, Alexander Scot and William Scot his brether, Walter Scot of Syntoun, William Scot in Hardane, David Scot his brother, Philp Scot in Eidschaw, Walter Scot his sone, James Scot of Askirk, Walter Scot his sone, Andro Schortreid, Johne Schortreid his sone, Johne Myddilmaist in Lilislee, Adam Scot in Clarelaw, William Scot, and George Gledstanis, his brether, Johne Scot in the Valys, Stevin Scot and George Scot his sonniss, William Scot in Halsyndene, Johne Scot in Borthauch, Walter Scot, Philp Scot and George Scot brethir, Symoun Scot of Fynnrik, Alexander Scot, Adam Scot, Stevin Scot, William Scot brether to the said Alexander Scot, Johne Dischingtoun, Walter Scot in the Hauchheid, William Scott, Adam Scot his sonniss, Niniane Scot, William brether, William Scot in Hawik, Johne Scot, Thomas Scot, Johne Scot, Thomas Scot, Johne Scot, Philp Scot, Stevin Scot brether to the said Johnne Scot, Mongo Dalglesche, William Dalglesche, Robert Dalglesche, Alexander Dalglesche and Johne Dalglesche brether to the said Mongo, Henry Lethane, James Brig, William Dalmahoy, Thomas

Roger, James Scot in Holfurd, James Scot callit Beld Jame, James Scot of Ingland, James Dalglesche, Robert Dalglesche, Archibald Scot, William Scot his sone, George Gledstanys, Walter Gledstanis, John Routlage, Archibald Routlage; William Makehaine, David Dalmahoj, William Turnbull in Rowlewod, Alexander Vache, Thomas Bikkertoun, Johnne Maxwell, George Wilson, George Vache, George Rutherford of Hundlee, Nicholl Rutherford, Andro Rutherford his sonnys, James Rutherford, Thomas Rutherford in the Grange, Andro Rutherford, George Rutherford, Dougal Stible sonnys to the said Thomas, Nicholl Rutherford, George Cuke, Johnne Portuis, William Inglis, Robert Dalglesche, Robert Tyndale, Johnne Dalglesche, Johnne Johnnestoun, Alexander Thomsoun, Johnne Balbie, James Badbie, Gilbert Chesholme, James Laidlo, James Chesholme, George Chesholme, Andro Bell, William Leys, Robert Hiltoun and Thomas Hiltoun, James Dalglesche, Robert Blakie, Adam Dalglesche and Johnne Dunning; and ilkane of thame for thair tresonable art and part of the convocatioun of our liegis cumand in feir of weir, in cumpany with George Lord Home, David Home of Weddirburne, and vtheris, oure rebellis being at oure horne to Edinburcht, and fra thyne to Striueling, in contrair oure cusing and counsalour, James Erle of Aranc, than lieutenant to ws, and vsand oure autorite: And for all vtheris crimys of tresone and leismaieste, actionis, transgressionis, crimys and offensis quhatsumeuir committit or done be the saidis personis, or ony of thame, in ony tyme bigane vnto the day of the dait heirof, tresoun in our propir persone alanerlic exceptit, to be vnhurt, vnharmit, vnattedheit, vnarrestit, vnpersewit, vnfollowit, vnvext and vndistrublit in thair personis, landis, or gudis, be zou or ony of zou our officiaris, liegis and subdittis forsaidis, during the tyme of thir our lettres: Quhairfore we charge straitlie, and commandis zou all and sindry our officiaris, liegis and subdittis forsaidis, that nane of zow tak vpoun hand to do, or attempt to do, ony thing in contrair or breking of thir our lettres of speciale respitt, during all the tyme thairof, vndir all the hieast pane, charge and offens that ze, and ilkane of zow may commit and inryn agane oure Maieste in that part; thir oure saidis lettres of speciale respitt, for the space of nyntene zeris nixt to cum, eftir the day of the dait of the samyn, but ony reuocatioun in thair strenth to endure: Gevin vndir our priue sele: At Edinburcht, the nynt day of Maij, the zere of God j^m v^c and xxvj zeris, and of our regne the xij zere.

Per signaturam manibus supremi domini nostri Regis et Dominorum sui
Consilij subscriptam, etc.

135. AGREEMENT between WALTER SCOT of Branxhame, knight, and JAMES MURRAY of Fawlayhill on the cessation of their feud. 14th October 1527.

THE xiiij day of the moneth of October, in the zere of God ane thousand five hundretht twenty and sevin zereis: It is appoyntit, aggreit and finaly concordit betuix honorable men, that is to say, Walter Scot of Branxhame, knyecht, his kyn, freyndis, seruandis and part takaris on that ane pairt, and James of Murray of Fawlayhill, his kyn, freyndis and seruandis on that vthir pairt, in maner, forme and effect as efter followis, that the said Walter Scot, his kyn and freyndis, sall content and pay the sowme of five hundretht merkis gude and vsuale money of Scotland to the said James Murray and his frendis, for slauchteris and spoliatioun of the Hangandschau, quhilkis was committit be the said Walter Scot, knyecht, and his freyndis, seruandis, and pairt takaris, and the forsaid sowme to be payit to the said James and his freyndis at termes as beis thoelit expedient be baytht the saidis parteis; and the said James of Murray sall discharge, renunce, and gif oure all apprising of the landis of Kirkurde in the maist sicker forme that can be diuisit, and sall deliuer the chartar and seising to the said Walter incontinent efter that the sickirnes be fund for payment of the said sowme; and the said Walter Scot, his kyn and freyndis, sall take the said James of Murray and his freyndis pairt in all honest, gude and lefull querelis aganis all men, exceptand the Kingis grace allegens; and siclike the said James of Murray and his freyndis sall take the said Walter Scot and his freyndis pairt in the samyn maner, and als I the said Walter sall do siclike suffrage as vse and custume is of deidly feid; the saidis parteis ar oblist, lelely and trewly, without fraude or gile, to cheis foure freyndis be baytht thair avisis incontinent efter the aggreans and freyndship beis maid, and sall stand to thair deliuerance and decrete for all vther actionis, querelis and debatis of steding betuix the saidis parteis and thair freyndis, and the saidis foure men to be tane sworne to deliuer as thai can best of thair conscience. And for the observing and keeping of all and sindry poyntis abone writtin, baytht the saidis pairteis has subscriit this present writing witht oure handis, befor thir witnes, Robert Scot, tutour of Howpaslot, Walter Scot in Syntoun, Will Ker, and Schir Johne Scot, notare public.

WALTER SCOT of Branxhame, knyecht,
with my hand at the pen.

JAMES OF MURRAY of Fawlayhill,
with my hand at the pen.

Hec est vera copia cuiusdam contractus facti inter partes suprascriptas, scripta et copiata per me Thomam Bernys notarium publicum, nil addito nec remoto quod facti substantiam mutaret aut intellectum variaret. Testibus domino abbate de Newbotle et manu propria.

THOMAS BERNYS,
manu propria.

136. REMISSION by KING JAMES THE FIFTH to WALTER SCOTT of Branxhelme, knight, JOHN CRANSTON of that Ilk, WILLIAM TURNBULL of Mynto, and others, for their mustering their retainers at Melrose and Linlithgow. 3d December 1527.

OUR Souerane Lord of his speciale grace, with auis of the Lordis of his Counsale, ordinis ane remissioun to be maid vnder his grete sele in dew forme to Walter Scot of Branxhelme, kaycht, John Cranstoun of that Ilk, James Hoppringill, Walter Scot in Syntoun, Robert Scot of Alanehauch, Robert Scot in Howpaslot, William Scot of Hassindene, Johne Scot of Borthauch, Philp Scot in Eidschaw, William Turnbull of Mynto, Robert Turnbull in Halrowll, Johne Scot of the Valis, Symond Scot of Fynnyk, Maister Mychaell Scot, and ilkane of thame, for thair tresonabill art and parte of arraying of feildis and batellis at Melros and beside Linlithqw, aganis our Souerane Lordis autorite, he being thair personaly present, and his banar displayit, and for all vtheris crymes of tresoun, leismaieste, actionis, transgressionis and offenss quhatsumeuir committit or done be the saidis personis, or ony of thaim in ony tyme bigane vnto the day of the date heirof, without exceptioun of ony cryme, they makand satisfaciounn to partiis complenand as efferis vpon law, and that preceptis be direct ordourly herupon. Subscriuit be our Souerane Lord at Edinburgh, the thrid day of December, the zeir of God, j^m v^c xxvij zeris.



137. PARDON by KING JAMES THE FIFTH to SIR WALTER SCOTT of Branxholm, who had withdrawn to France, and several of his retainers.
10th February 1527.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus suis ad quos presentes littere peruenerint, salutem; Sciatis quia nos ex nostris gracia et fauore specialibus dedimus tenoreque presencium damus dilecto nostro Waltero Scott de Branxhelme militi et diuersis suis consanguineis, amicis hominibus, tenentibus, seruitoribus, adherentibus et participibus nostram remissionem pro omnibus criminibus ante datam eiusdem, ac eciam exonerauimus et liberauimus et per presentes exoneramus et liberamus dictum Walterum ex recessu suo in regno Francie, necnon exonerauimus tenoreque presencium exoneramus eius plegios et cautionarios de summa decem millium librarum vsualis monete regni nostri in qua Willelmus magister de Glencarne, Archibaldus Dowglas de Kilspindy noster Thesaurarius, Alexander Jardin de Appilgirth et Willelmus Scott de Balwery, milites, obligati extiterant per vnum actum in libro nostri consilij, ac per presentes nostras litteras presencialiter ut premittitur exoneramus dictum Walterum et omnes dictos suos plegios et cautionarios de eius recessu in Francia predicto, et de dictis summis ac omnibus alijs punctis et articulis in dicto acto contentis vel desuper sequi poterint; cassando et annullando idem actum nunc et in omnibus temporibus futuris: Quare vniuersis et singulis ligeis et subditis nostris quorum interest, et specialiter nostris gardianis, locumtenentibus, vicecomitibus, balliuis ac officarijs nostris quibuscunque infra regnum nostrum precipimus et mandamus de omni molestacione, iniuria aut perturbacione dicto Waltero, suis amicis hominibus, tenentibus, seruitoribus et adherentibus in eorum personis, terris, assedacionibus, locis, dominijs, balliatibus vel bonis mobilibus aut immobilibus eisdem desuper fienda aliquo tempore futuro preterquam in ordine juris sub omni pena quam ipsi aut eorum aliquis incurrere poterint contra nostram maiestatem in hac parte: In cuius rei testimonium magnum sigillum nostrum presentibus apponi precepimus: Apud Abirdene decimo die mensis Februarij, anno Domini millesimo quingentesimo vicesimo septimo, et regni nostri decimo quinto.

138. RETOUR of EGIDIA CRANSTOUN as heiress of her father, William Cranstoun of Rathobiris, in the half of the third part of Logtoun. 4th March 1527.

HEC inquisicio facta fuit in pretorio burgi de Edinburghe coram honorabilibus viris Alexandro Hepburn de Qulhsum et Patricio Baroun de Spittalfeild vice-



comitibus deputatis de Edinburge coniunctim et diuim specialiter constitutis quarto die mensis Marcij anno Dominij millesimo quingentesimo vicesimo septimo per istos honorabiles viros subscriptos, videlicet, Johannem Wardlaw de Ricartoun, Andream Wardlaw de Waristoun, Georgium Fawsyde de eodem, Archibaldum Fiddie de Braid, Alexandrum Dalmauoy de eodem, Kentigernum Steuinstoun de Hinnanschelis, Georgium Towris de Birsto, Willelmum Ross de Swanstoun, Jacobum Tennand de Levinax, Jacobum Kincaid in Coittis, Dauid Kincaid, Alexandrum Ramsay, Patricium Pook, Thomam Walker et Robertum Wilke, qui iurati dicunt quod quondam Willelmus Cranstoun de Rathobiris pater Egidie Cranstoun laticris presencium obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem supremj dominij nostrij regis de terris tercię partis terrarum de Logtoun cum pertinenciis iacentibus infra vicecomitatum de Edinburghe, et quod dicta Egidia est vna de legitimis et propinquois heredibus dicti quondam Willelmi patris sui de predictis terris, videlicet, ad dimedietatem earundem, et quod est legitime etatis, et quod terre dicte tercię partis terrarum de Logtoun valent nunc per annum viginti marcas vsualis monete Scocie, et tempore pacis valuerunt quinque libras eiusdem monete, et quod tenentur in capite de supremo domino nostro rege per seruicium debitum et consuetam, et quod dimedietas prefate tercię partis terrarum de Logtoun cum pertinenciis nunc existit in manibus dicti supremi domini nostri regis legitime per seipsum racione warde per mortem dicti quondam Willelmi qui obiit per spacium viginti annorum aut eocirca ante confectionem presentis inquisitionis ob nonetatem veri heredis jus suum hucusque minime prosequentis: In cuius rei testimonium sigilla quorundam eorum qui dicte inquisitioni intererant sub inclusione sigilli vnius vicecomitum deputatorum antedictorum, vnacum breui regio intus clauso, presentibus sunt appensa, anno, mense, die et loco supradictis.

139. EXTRACT DECLARATION by KING JAMES THE FIFTH. as to WALTER SCOTT of Buccleuch mustering his retainers at Melrose. 6th July [1528.]

Sexto Julij [1528], Rege presente. Sederunt Archiepiscopus Glasguensis, Episcopi Dunkeldensis, Aberdonensis, Comites Arane, Ergile, Eglintoune, Abbates Seona, Cambuskyneth, Domini Erskyn, Maxwell. The quihlk day the Kingis Grace in presens of the Lordis forsaid declarit that Walter Scott of Buccleuch was chargit be his Hienes and the Erlis of Angus, Lenax, and the remanent of the Lordis beand with his Grace for the tyme, at Jedburgh and Melros, to gidder his folkis and mak his musteris as utheris did, and that the said Walter come to

Melros bot at his command, and in takyn therof, he come bot in ane ledderin cote and ane blak bonet on his heid, and that the said Walter offerit him redly to obey the massouris that come to him to fulfill the Kingis command in all puntis, and to remove hame and skale his folkis or byd with his Grace at his plesure :
Actum hora decima.

140. DISCHARGE by KING JAMES THE FIFTH to WALTER SCOTT of Branxhelm, Knight, for the dues of ward, relief, etc., of the lands and lordship of Bedrule. 9th July [1528.]

REX :

WE grant ws to haue ressaut fra Walter Scot of Branxhelme. knycht, the soum of xij scoir of merkis gude and vsuale money of our realm of compositionn for the ward, relefe and nonentres of the landis and lardschip of Bedrowll, and mariage of the air thairof, disponit be ws to the said Walter, be our lettres vndir our priue seill, as the samin beris ; off the quhilk soum and compositionn we hold ws weill content and pait, and quiteclamis and dischargeis the said Walter, his aris, executouris and assignais for euir, be thir our lettres, subscriuit with our hand at Edinburgh, the ix day of Julij, and of our regne the xv zere.



Composicio xij^{xx} merkis. Gratis de mandato Regis.

R. CARCORS, perceptor casualitatum, etc.

141. OBLIGATION by JAMES MURRAY of Fawlahill to give over to WALTER SCOT of Branxhelme, knight, all writs of Kirkurd. 2d August 1528.

BE it kend till all men be thir present lettres, me. James Myrra of Fawlahill, to be bundinge and oblist, and be the tenour of thir present lettres, bindis and oblistis me to ane honorabill man, Schir Walter Scot of Branxhelme, knycht, to deliuer to hyme all chartouris, preceptis, instrumentis of sesinge, and all vther euidentis maid to me



of the apprisin of the landis of Kirkurd, and sall resinge and gif oure be resignati-
 one, all and hail the saidis landis, wyth thair pertinence, in the handis of oure
 Souerane Lord the Kingis Grace, in fauoris of the said Walter, and sall deliuer to
 hym all eidentis, as said is, wythin fourty dayis nixt eftir the dait of thir present
 lettres: and this I sall fulfill and do wythout fraud and gill; and failzeand herof,
 I sall content and paye to the said Walter, his airis and assignais, the sowme of
 fif hundreth merkis gud and vsuall mone of Scotland, for costis, danpnage and
 skaithis quhilk the said Walter sustenis or maye sustene tharthrow, and for the
 obseruinge and kepyn of all and sindry pointis abone wrytin, I, the said James, hes
 sub-[cryvit] this presente obligatioun wyth my hand at the pen. at Selkirk, the
 secound daye of August [the] zeir of God ane thousand [fif hundreth] xxvij zeris;
 befor thir witnes, James Prynngill, Adam Scot of Tuschellaw, Robert Scot of Hon-
 paslot, Schir William Briden, vicar of Selkirk. Schir John Scot, vicar of Hawik,
 Schir John Michelhill, notaris, wyth vtheris diuers. JAMES OF M^RRA,
 wyth my hand at the pen.

142. GIFT by KING JAMES THE FIFTH to SIR WALTER SCOTT of Branx-
 elme, of the ward, relief, etc., of the lands of George Turnbull of Bed-
 rowlle. 9th July 1528.

JAMES, be the grace of God King of Scottis, to all and sindry oure liegis and
 subtilis quham it efferis quhais knaulege thir our lettres sal cum, greting: Wit ze
 ws to haue gevin and grantit, and be thir our lettres gevis and grantis to our lout
 Walter Scot of Branxelme, knicht, his airis and assignais, ane or ma, the warde of
 all landis and annuellis wiht the tour, mylnes and fischeingis thairof, and thair
 pertinentis, quhilkis pertenet to vmquhile George Turnbule of Bedrowlle, and now
 throu his deces being or sal happin to be in our handis be ressonne of warde, with
 all males, fermes, proffittis and dewiteis thairof during the tyme of the said warde,
 and ay and quhill the lauchfull entre of the richtuis aire or airis thairto being of
 lauchfull aige, with the relief thairof quhen it sal happin, and als the mariage of
 Thomas Turnbule, son and aire of the said vmquhile George Turnbule, and failzeing
 of him be deces vnmarijt, the mariage of ony vther aire or airis male, or female, of
 the said vmquhile George that sal happin to succede to him in his heretage, with
 all proffittis of the saidis mariage; To be haldin and to be had the warde, releif
 and nonentres of the saidis landis and annuellis, with the tour, mylnes and fische-
 ingis thairof and thair pertinentis, and all males, fermes, proffittis and dewiteis

of the samyn during the said space, and als the said mariage and all proffittis thairof to the said Walter, his airis and assignais forsaidis, with all and sindry commoditeis, fredomes, proffittis, asiamentis and richtuis pertinentis quhatsumeuir pertening, or that may pertene thairto; And with power to thame to dispone vpon the said mariage, and vpon the warde, releif and nonentres of the saidis landis, and to occupy the samyn with thair awne gudis, or to set thame to tenentis as thai sall think maist expedient during the said space, with court, plaint, herezell and merchete, vnlawis, amereliamentis and eschetis of the saidis courtis, and with all and sindry vtheris, commoditeis and fredomes, frelie, quietlie, wele, and in peax, but ony reuocatioun or aganecalling quhatsumeuir: Quhairfor we charge straitlie and commandis zou, all and sindry oure liegis and subditis foresaidis, that nane of zou tak apoun hand to mak ony impediment, let, or distrubance to the said Walter, his airis and assignais foresaidis, in the peceable brouking, joising, intrometting, vptaking, occupying, and disponing vpon the warde, releif and nonentres of the saidis landis and annuellis, with the tour, mylnes, and fischeingis and thair pertinentis, and all males, fermes, proffittis and dewiteis thairof during the tyme abone expromit; and als apoun the said mariage and all proffittis of the samyn, eftir the tennour of thir our lettres, vnder all pane and charge that eftir may folow: Gevin vnder our Priue Sele at Edinburgh, the nynt day of Julij, the zeir of God j^m v^c xxvij zeris, and of our regne the xv zeir.

Per signaturam manu supremi Domini nostri Regis subscriptam.

143. BOND OF MANRENT by NINIAN and DAVID ARMSTRONG to GEORGE LORD HOME. 10th July 1528.

BE it kend till all men be thir presentis lettres, ws, Niniane Armestrange and Daudid Armestrange, to becaming trew and leill men and seruandis to ane noble Lord, George Lord Home, and to his aieris, with all kynnismen, surname and freindis, with allya that will do for ws, for all the tyme and space that we or our aieris sall happin to haue and brouk of his Lordschip or his aieris the lands of the vuyr parroclin of Ewisdale, lyand within the Shereffidome of Drumfres, in heritage or in assedatioun; quhilkis landis with the pertinentis we haif now, at the makin of thir presentis, in fewferme and heretage of the said lord, and sall supplie and defend him in all materis, actionis, querellis and debatis, and take his plane part and his aieris aganis all vtheris levand, the Kingis Grace and the Wardanis of the West Merchis alaneilie exceptit, and sall geve to the said Lord and his aieris our best

and trewest counsall in all materis that he or thai will speir at ws, and sall concele and keip secret his counsall schawin to ws; and forler, gif we sall happin other to here or se his skath or dampnage in his absence, we sall warne him thairof, and stop the samyn efter our power. The quhilk to do we bind and obliiss ws, and ilk one of ws, lellilie and trowlie to, and to obserue and keip the samyn be the fath and treuthis in our bodyis, but dissimulatioun, fraud, or gile. In wites heirof to this our present band of manrent, subscriuit with our handis at the pen, our selis ar affixit, at Home, the ten day of the moneth of Julii, in the zer of God *jm* v^e xxviiij zeris, befor thir wites, Alexander Trotter, William Home, Gilbert Home, and Schir John Castellaw, capellan and notar, with vtheris diners.

NINIANE ARMESTRANG, with my hand at the pen.

DAVID ARMESTRANG, with my hand at the pen.

D^Ss. JONES CASTELLAW, notarius ad premissa.

144. PARDON by KING JAMES THE FIFTH. 12th July 1528.

JAMES, be the grace of God King of Scottis, to all and sindry our officiaris, liegis and subditis quham it efferis, quhais knowlege thir our lettres salcum, greting: Forsamekill as proces of forfaltour is led at our instance aganis William Turnbull, franktenementar of Mynto, Robert Scot, tutour of Howpaslot, Robert Scot of Alanhauch, Williame Scot of Hassindene, for certane crymis of tresoun and lesemaieste committit be thame, of the quhylkis thai ar conuict in iugement; and for the gud, trow and thankfull seruice done to ws be our louit Walter Scot of Branxhelm, knycht, thar cheif and maister, we haue remittit and forgevin, and be thir our lettres remittis and forgevis to thame our eschet of thair gudis mouabill, pertening to ws be resoun of the said forfaltour, and dischargeis thame thairof, and of all thing that may follow thairupoun, and that we may clame thairthrou; and of our special grace and kinglie power, rehabilis thame to stand in preif and wites, and to vse all lefull dedis in iugement and outwith, siclike and als frelie in all thingis as thai might haue done befor the said forfaltour; and restoris, reponis and reintegratis thame to thar gud fame and warldly honoris in all thingis, as thai war befor that thai war conuict of the said forfaltour, without ony reproche, murmur, detractioun, or blasphematioun to be maid or done to thame thairthrou, be quhatsumeur personis, in word or deid, in tym cuming: Quharfor we charge stratlie and commandis zou all and sindry our officiaris, liegis and subditis forsaidis, that nane of zou tak vpoun hand to do or attempt ony thing in contrar this our dis-

charge, rehabilitatioun, restitutioun and reintegratioun in ony wis, in tyme cuming, vndir all hiest pane, charge and offens that ze, and ilkane of zou, may commit and intrin aganis our Maieste in that part : Subseriuit with our hand, and vndir our signet, at Edinburgh, the xij day of Julij, the zer of God j^m v^o xxviiij zeris, and of our regne the xv zer.

JAMES R.

145. PRECEPT by WALTER SCOT of Branxhelme. 20th October 1528.

WALTERUS SCOT de Branxhelme miles, dilectis meis Willelmo Scot, Johanni Alane, Kentigerno Dawglesche, magistro Michaeli Scot de Aikwod, et eorum cuilibet coniunctim et diuisim balliuis meis in hac parte specialiter constitutis, salutem: Quia dedi et concessi predilecto filio meo David Scot pro specialibus fauore et amore quos erga ipsum gero, et heredibus suis, omnes et singulas meas terras et baronias subscriptas, videlicet, terras et baronias de Branxhelme et Ekfurd jacentes infra vicecomitatum de Roxburgh; terras et baroniam de Kirkurd jacentes infra vicecomitatum de Peblis; necnon terras tenementa et dominia de Buccleuch, Rankilburn et Lempetlaw jacentes infra vicecomitatum de Roxburgh antedictum: Tenendas de supremo domino nostro rege et successoribus suis pro iuribus et seruitiis prius debitis et consuetis prout in carta sibi desuper confecta plenius continetur: vobis igitur et vestrum cuilibet mando quatenus visis presentibus indilate statum saisinam hereditariam et possessionem omnium et singularum terrarum et baroniarum suprascriptarum dicto David vel suo certo aetornato latori presencium iuste haberi facietis et deliberetis saluo tamen et reseruatolibero tenemento prefatarum terrarum et baroniarum suprascriptarum michi pro toto tempore vite mee, ac racionabili tercia parte earundem sponse mee cum contigerit: In cuius rei testimonium sigillum meum vna cum mea subscriptione manuali presentibus est appensum: Apud

Edinburght xx^o die mensis Octobris, anno Domini millesimo quingentesimo vicesimo octauo, coram hiis testibus domino Johanne Kene, Willelmo Ker, et Willelmo Scot, cum diuersis aliis.

WALT. SCOT of Branxhelme, kny^t,
w^t my hand at the pen.





146. CHARTER OF CONFIRMATION by KING JAMES THE FIFTH of a Charter by WALTER SCOTT, knight, to his son DAVID SCOTT, of the lands of Branxelme, etc. 28th October 1528.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocuis terre sue clericis et laicis, salutem : Sciatis nos quendam cartam donacionis factam per dilectum nostrum Walterum Scot de Branxelme militem, dilecto nostro David Scot suo filio, de omnibus et singulis terris et baronijs subscriptis, videlicet, terris et baronijs de Branxelme et Ekkurde . . . jacentibus infra vicecomitatum nostrum de Roxburgh ; terris et baronia de Kirkurde . . . jacentibus infra vicecomitatum nostrum de Peblis, necnon terris tenementis et dominijs de Buccleuch, Rankilburne, et Lempetlaw . . . jacentibus infra vicecomitatum nostrum de Roxburgh antedictum ; tenendis de nobis et successoribus nostris sicuti ante presentem nostram confirmacionem tenebantur, de mandato nostro visam, lectam . . . non cancelatam nec in aliqua sui parte suspectam, ad plenum intellexisse sub hac forma : Omnibus hanc cartam visuris vel audituris Walterus Scot de Branxelme, miles, salutem in Domino sempiternam : Noueritis me delisse, concessisse et hac presenti carta mea confirmasse . . . predilecto filio meo David Scot pro specialibus fauore et amore quos erga ipsum gero omnes et singulas meas terras et baronias subscriptas, videlicet, terras et baronias de Branxelme et Ekkurde . . . jacentes infra vicecomitatum de Roxburgh ; terras et baroniam de Kirkurde . . . jacentes infra vicecomitatum de Peblis, necnon terras, tenementa et dominia de Buccleuch, Rankilburne et Lempetlaw . . . jacentes infra vicecomitatum de Roxburgh antedictum : Tenendas . . . prefatas terras et baronias . . . de Branxelme et Ekkurde, terras et baroniam de Kirkurde, necnon terras, tenementa et dominia de Buccleuch, Rankilburne et Lempetlaw, cum partibus, pendiculis . . . et suis pertinentencijs, dicto David Scot et heredibus suis de supremo domino nostro rege et successoribus suis in feodo et hereditate ac liberis baronijs vt prius imperpetuum ; **P**er omnes rectas metas, etc. . . . Reddendo inde annuatim dictus David et heredes sui supremo domino nostro regi et successoribus suis iura et seruitia de dictis terris et baronijs prius debita et consueta tantum pro omni alio onere . . . seu seruitio seculari que de predictis terris et baronijs cum pertinentencijs per quoscunque juste exigi poterint . . . Et ego vero prefatus Walterus et heredes mei omnes et singulas prefatas terras et baronias . . . dicto David et heredibus suis in omnibus et per omnia forma pariter et effectu vt premissum est contra omnes mortales warantizabimus . . . Saluo tamen et reseruato libero tenemento omnium et singularum

prefatarum terrarum et baroniarum . . . michi pro toto tempore vite mee ac rationabili tercia parte earundem sponse mee cum contigerit. In cuius rei testimonium sigillum meum vna cum subscriptione mea manuali presentibus est appensum, apud Edinburgh, vicesimo die mensis Octobris anno Domini millesimo quingentesimo vicesimo octauo, coram hiis testibus domino Johanne Kene, Willelmo Ker et Willelmo Scot cum diuersis aliis : Quamquidem cartam et donacionem . . . pro nobis et successoribus nostris pro perpetuo vt premissum est confirmamus, saluis nobis et successoribus nostris iuribus et seruitiis de dictis terris et baroniis ante nostram confirmacionem predictam nobis debitis et consuetis, reseruato tamen libero tenemento dictarum terrarum et baroniarum cum pertinentiis prefato Waltero pro toto tempore vite sue, ac rationabili tercia earundem sponse sue si quam habet aut habuerit post ipsius decessum cum contigerit : In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus : Testibus reuerendissimo reuerendisque in Christo patribus Gawino Glasguensi archiepiscopo, cancellario nostro, Georgio episcopo Dunkeldensi nostri secreti sigilli custode, Gawino episcopo Abirdonensi nostrorum rotulorum registri et consilii clerico, dilectis consanguineis nostris Jacobo comite Aranie domino Hammiltoun, Colino comite de Ergile, domino Campbell et Lorne, hospicii nostri magistro, Hugone comite de Eglingtoun, domino de Montgomery, Malcolm domino Fleming, magno camerario nostro, venerabilibus in Christo patribus Patricio priore ecclesie metropolitane Sanctiandree, Alexandro abbate monasterij nostri de Cambuskyneth, dilectis familiaribus nostris magistro Thoma Erskin de Haltoun secretario nostro, et Jacobo Coluile de Vchiltre compotorum nostrorum rotulatore et nostre cancellarie direttore, apud North Beruik vicesimo octauo die mensis Octobris, anno Domini millesimo quingentesimo vicesimo octauo et regni nostri decimo sexto.

147. RATIFICATION by KING JAMES THE FIFTH of an Act of Parliament declaring Sir WALTER SCOTT of Branxhelme not guilty of treason. 24th May 1529.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem ; Sciatis nos quoddam actum nostri Parlamenti datum et promulgatum ad plenum intellexisse sub hac forma : In the Parliament holdin at Edinburgh the fift day of September the zeir of God j^m v^e xxviiij zeris, the quhilk day our Souerane Lord in presens of the thre estatis in Parliament exponit



and declarit that the accusatioun and cryme imput to Walter Scott of Branxhame, knyght, throw his convocatioun and gadering maid at Melros, allegeand him to cum incontrar his Grace was not of verite, bot fals and feinzit, and schew how he and his folkis come thair at that tyme of his Hienes speciale command, and at the command of Archibald Erle of Angus, Johne Erle of Levinax, and of the vtheris lordis beand with his Grace at Jedburgh for the tyme, to do him seruice and to mak his mustaris, as vtheris lordis and baronis of the cuntre did, and for nane vthir caus, and thairfor declarit him innocent of all crimes imput to him thairthrow, and of the summondis of tresone rasit aganis him, and all poyntis contenit thairintill: Vpoun the quhilk declaratioun the said Walter desirit ane Act of Parliament and askit instrumentis thairupoun. Extractum de libro Actorum Parliamenti per me Gawinum Episcopum Abirdonensem, clericum rotulorum registri et consilli supremi domini nostri regis, sub meis signo et subscriptione manualibus. Quodquidem actum nostri Parliamenti et omnia et singula in eodem contenta approbanus, ratificamus et per presentes, vt premissum est, confirmamus. Datum sub testimonio magni sigilli nostri apud Edinburgh, vicesimo quarto die mensis Maii anno Domini millesimo quingentesimo vicesimo nono, et regni nostri decimo sexto.

148. SIGNATURE by KING JAMES THE FIFTH for a Charter to WALTER SCOTT of Branxhelme, knight, of lands in the lordship of Jedburgh Forest. September 1529.

OURE Souerane Lord, with avise and consent of his Thesaurare, ordanis ane charter to be maid vnder his grete seill in dew forme to his lout Walter Scot of Branxhelme, knyght, for his gude, trew and thankfull seruice done to oure Souerane Lord, of all and haill the landis of _____ extending to _____ land of auld extent, with the pertinentis, liand in the lordschip of Jedburgh Forest, within the Scheref dome of Roxburgh, quhilkeis pertinent to Archibald sumtyme Erle of Angus of before, and ar lauchfullie apprisit and reassaisite to oure Souerane Lord for castell wardis aucht to his Hienes of the said lordschip of termes bigane, as at mare lenth is contenit in the proces of apprising maid thairupoun: To be haldin and to be had all and haill the saidis landis of _____ with the pertinentis, to the said Walter Scott and his airis of oure Souerane Lord and his successouris, in fee and heretage [for] eur, be all richt merkis and diuisis as thai ly in lenth and breid, in woddis, planis,

etc., mylnis, multuris, etc., halking, hunting, fischeing, etc., with courte playnt, heirzeild and merchete, with commoun pasture, fre ische and entre, and with all and sindry vtheris commoditeis, frelomes, etc., als frelie, etc., als the said Archibald, or his predecessouris, held or broukit the saidis landis with the pertinentis befor the said apprising; the said Walter and his aris doand thairfore zeirlie to oure Souerane Lord and his successouris richtis and seruices aucht and went to his Hienes of the saidis landis with the pertinentis before the said apprising; and that preceptis be direct ordourlie heirupoun, with extensioun of all clausis neidfull. Subscriuit be oure Souerane Lord and his Thesaurar, at Edinburghe, the day of September, the zere of God j^m v^c xxix zeris.

JAMES R.

149. CHARGE by KING JAMES THE FIFTH to WALTER SCOTT of Branxholm, knycht, to apprehend William Cockburn of Henderland. [1529.]

JAMES, be the grace of God King of Scottis, to our louit Walter Scott of Branxhelme, knycht, greting; forsamekle as we ar informyt that Williame Cokburne of Henderland has bene ane mysgidit man, and dailye resettis and assistis to theiffis, traitouris and brekaris of our realme, and thairfor is fugitiue fra our lawis, swa that he cane nocht be apprehendit be our officiaris, quhilk is ane gret and hie contempcioun to ws to suffir to be wnpunyst; Our will is heirfor, and we charge zou that ze incontinent, thir our lettres sene, pas in our name and autorite, serche and seik the said Williame Cokburne of Henderland, quhareuer he may be apprehendit, and tak and bring him to ws and our lawis, that he may be punyst for his demeretis according to the lawis and justice, and als that ze tak all his gudis moveable quhareuer thai ar or cane be comprehendit, and eschaet to our ws the samyne, quhilkis we will that ze intromet with and dispone thairapoune as ze pleis: The quhilk to do we commit to zou our full power be thir our lettres, gevin vnder our signet, and subscriuit with our hand at

the

JAMES R.

150. LETTER by KING JAMES THE FIFTH charging JOHN, ABBOT OF JEDBURGH, SIR WALTER SCOTT of Branxhelme, and JOHN EDMESTOUN of that Ilk, to desist from enforcing their claims to the lands of Ednam. 5th September [1530.]

JAMES, be the grace of God King of Scottis, to our louittis Jhone Ademsone, messinger, our schereffis in that part coniunctlie and seueralie specialie constitute,

grotting: Forsamekill as ane venerabill fader in God, Johne, Abbot of our Abbay [of] Jedburgh, on that ane part, and Walter Scot of Branhelme, knycht, on that vther part, and Johne Edmestoun of that ilk, on the thrid part, all clamand richt and takkis of the teynd schavis of Ednem, tendis to mak conuocatioun of our liegis for gadering thairof, and be virtu of our vther lettres purchest be thame thairupoun, to put the tennentis of Ednem to our horne, without thai entir in our ward, or ansuer the personis abonewrittin of the samyn, quihilk thai may nocht nor suld nocht do of resoun, considering thai suld nocht be compellit to pay thre teyndis for ane actioun, and thairfor we, and the Lordis of oure Counsaile in oure name, in eschewing of the said conuocatioun and gadering and vther inconuenientis that may fall betuix the thre partiis abone writtin, be the tenor heirof dischargeis all our said vther lettres purchest be thame, to mak thame be ansuerit and obeyit of the saidis teyndis, and als dischargeis all our officiaris of all putting of our saidis vther lettres to executioun, and of thair offices in that parte; Oure will is herefore, and we charge zou stratlie, and commandis that, incontinent thir our lettres sene, ze intinat to the saidis partiis and all vtheris quham it efferis, the dischargeing of our said vther lettres, and of all our officiaris of putting of the samyn to executioun, and of thar offices in that parte, as said is, and, in our name and autorite, command and charge the saidis partiis to desist and ces fra all conuocatioun of our liegis, and fra all intrometting with the saidis teyndis, vnto the tyme it be decidit quihilk of thame hes maist richt thairto, as thai and ilk ane of thame will ansuer to ws thairupoun, and vnder all hieast pane and charge that effir may follow; and als charge the saidis tennentis of Ednem to kepe and hold the teynd schavis thairof in thar handis quhill it be decidit quihilk of the saidis partiis hes maist richt thairto, as the saidis tenentis will ansuer to ws thairupoun, and vnder the panis forsaidis: the quhilk to do we commit to zou, coniunctlie and seueralie, our full power, be thir our lettres, deliuering thame be zou dewlie execut and indorsat agane to the berar. Gevin vnder our signet at Linlithqw, the fift day of September, and of our regne the xvij zere.

Ex deliberacione Dominorum Concilii, etc.

J. CHEPMAN.

[*Dorso*—The x day, the xj day, and the xij day of September, the zer of God j^m v^c xx^{tj} and ten zere, I, Johne Adamson, messenger, and ane of the Schereffis in that parte within writtin, past at the command of thir our souerain lordis lettres, and in our souerain lordis name and autorite, I inti-

mat to Johne Edmestoun of that ilk, Walter Scot of Branxhame, Knycht, partiis within writtin personally apprehendit, and als I intimat, commandit and chargit, be oppin proclamatioun at the Merket Croce of Edname, the monkis of the place of Coldingham, and all vthir persons havand ony enteres to the teyndis of Edname within writtin, to decist and ces fra ony conuocatioun or gadering of our souerain lordis liegis anent the teyndis of the landis of Ednem within writtin, efter the tenour of thir our souerain lordis lettres within writtin, vnder the panis contenit in the samyne, and als I commandit and chargit the tennantis of the saidis landis of Ednem, to hald in thair handis the teynd schavis thairrof quhill it be decidit quhill of the saidis partiis has maist richt thairto, efter the tenour of thir lettres within writtin, and vnder the panis contenit in the samyn. And this I did befor thir witnes, Schir Johne Harde, chaplane, Henry Hoggart, Peter Gray, and George Mechelesoun, wiht vtheris diuers; and for the mair witnessing I haf put to my signet.

151. CONTRACT OF MARRIAGE between SIR WALTER SCOTT of Branxholme and JANET KER, daughter of Andrew Ker of Fairnyherst. January 1530.

THIR indenturis maid at Elinburgh the _____ day of Januar, the zeir of God i^m v^c xxx zeris, contenis, proportis and beris lele and suthfast witnessing that it is appoyntit, aggreit and finalie concordit betuix honorabill men, that is to say, Walter Scot of Branxelm, knycht, on that ane parte, and Andro Ker of Farnyherst, and Jonet Ker, his dochter, relict of vmquhile George Turnbull of Bethrowll, on that vthir parte, in maner, forme and effect as eftir followis, that is to say, the said Walter sall, God willing, mary and haue to wiff the said Jonete Ker, and sall solempuizat and complete matrimonie with hir in face of hali kirk alsone as he may guddle, and sall gif to her in lifrent for all the dayis of hir life, and to the airis male lauchfullie to be gottin betuix him and hir heretable, quhillkis failzeing to return agane to the said Walter and his airis quhatsumeir, all his proprir lands of the Lordschip of Jedburgh forrest, with the pertinentis, except the tenandriis aduocatioun and donatioun of the Kirk thairrof, be charter and sesing, in the best and sickerest forme that can be deuisit, to be haldin of the said Walter and his airis in fre blanche: And gif it happinnis the saidis landis to cum in our Souerane Lordis handis, or into ony vtheris handis that hes interes thairto sa that the said

Jonete may nocht brook the saidis landis, the said Walter bindis and oblis his in to infest the said Jonete and his airis male heretablie as said is, in alsnekill als gude land liand in als competent place, and of als grete avale as the propirte of the said Lordschip: And becaus the saidis Walter and Jonete ar secund and thrid of affinite, thridis of consanguinite, and thrid and ferd of affinite, the saidis Walter and Androu sall send to Rome in all gudelic haist for getting and hame bringing of ane dispensatioun betuix the saidis Walter and Jonete of the saidis impedimentis, and sall pay the expensis thair of equally betuix thame: and gif ony vtheris impedimentis beis fundin or knawin eftirwart betuix thame in tyme cuming, the said Walter sall, vpon his expensis, send to the Court of Rome and rais and bring hame ane new dispensatioun, anent ony vtheris impedimentis for matrimonie of new to be contractit and solempnizat betuix him and his, and sall do the samyn als oft as ony vtheris impedimentis happinnis to be fundin: For the quhilk the said Andro Ker sall caus the said Jonete, his dochter, to gif and deliuer to the said Walter in name of tocher at the completing of the said mariage all gudis, cornis, catale, insyct and all vtheris gudis quhatsumeir now pertening to his and being in his possessioun without fraud or gile; except the airschip of the air of Bethrowll; and sall mak the samyn fre to the said Walter with his thrid of the landis and lordschip of Bethrowll and of all vtheris landis pertening to his be resoun of terce throu deces of the said vmquhile George Turnbull, his spous, sa that the said Walter may dispone theron at his plesour: And the said Andro and his airis sall releif and hald skaithles the said Walter of the barnis of the said Jonete of thair portioun of barnis parte of gudis pertening to thame throu the deces of thair fader, eftir the forme and tenour of thair faderis testament: And attour the said Androu Ker and Johne Ker, his sone, sall brook, jois and occupy the place of Bethrowll, with the tuaparte of the lordschip of the samyn, for the tyme of the ward, eftir the tenour of our souerane lordis gift, without ony truble or molestatioun of the said Walter and Jonete or his airis: And gif it happinnis the said Walter, as God forbid he do, to deces befor the completing of the said mariage betuix him and the said Jonete in face of hali kirk as effeiris, the said Andro sall caus his to resigne and gif our the properte of the saidis landis and lordschip of Jedburgh forrest to the airis of the said Walter, and to deliuer to thame all charteris, preceptis, instruments of sesing, and all vtheris euidentis maid and deliuerit to his thairupon; and sall caus his to be actit in the officialis bukis of _____ for keping and fulfilling of the samyne: And to the observing and fulfilling of all the premissis athir of the saidis partyis ar faithfully bundin and oblist to vtheris in the maist strait

forme and sicker stile of obligatioun that can be deuist but fraud or gile : And gif athir of the saidis partijs failzeis in keping and obseruing of the premissis to vtheris the party brekand and failzeand sall content and pay to the Kingis grace in name of pane, the soyme of fyve hundreth markis, to the archbisshop of Glasgw vthir v^e markis to the bigging and vphalding of the kirk thairof. and to the party obseruand and keptand the premissis, the soyme of vthir fyve hundreth markis for costis, skaitlis, dammage and expenssis and interes sustenit, and to be sustenit be him thairthrow : In witnes of the quhilk thing to this parte of thir Indenturis to remane with the said Walter, the saidis Androu and Jonete hes affixt his sele for himself and as procurit be the said Jonete, togiddir with thair subscriptionis manuale, day, zeir and place fairsaidis, Before thir witnes, master George Ker, provest of Dunglas, master Richart Richartsoun, and Schir Johnne Scot, vicar of Hawick, of vthir diuers.

Walter
off farnyngest by my said

152. ORDER by KING JAMES THE FIFTH for a REMISSION in favour of SYMON ARMSTRONG and CLEMENT CROsar. 26th January 1531.

OUR Souerane Lord of his special grace ordanis ane remissioun to be maid vndir his grete seill in dew forme to Sym Armstrong, callit the Lard, and Clement Crosar, for the tresonabill rasing of fire and birning of Litill Newtoun, and tresonabil taking of Walter Scot of Branxhelm, knycht, in cumpany with Inglismen, and tresonabill inbringing of thaim within the realme, and for actioun and cryme that may follow thairupoun, and for all vtheris actionis, transgressionis, crymis and offensis quhatsumeuir committit and done be the saidis Symon and Clement, or ather of thame, in ony tyme bigane vnto the day of the dait herof, tresoun in our Souerane Lordis persoun anerlie exceptit; and that preceptis be direct ordourlie hereupoun, with extensiou of all clausis neidfull : Subscriuit be our Souerane Lord at Edinburgh the xxvi day of Januar, the zer of God j^m v^e xxxj zeris.

JAMES R.

153. DISCHARGE by KING JAMES THE FIFTH. 14th December [1534].

REX.—WE, for certane resonable caussis and consideracionis moving ws be the tenour heirof, remittis and discheargis our louit seruitour, Walter Scot of Branxhelme knycht, of the band maid be him to ws at our last iustice air of Jedburgh, that Adam Trumbull and Gawan Trumbull suld keipe gud rewill in tyme cuming fra thynefurth, he enterand the saidis Adam and Gawan in our ward within our Castell of Blaknes, and als of the comand gevin be ws to him the secound day of September last bipast, in our palace of Falkland, aenent the saidis personis, and mak fre and quyte thairof for euir be thir presentis, nochtwithstanding the act maid thairupone of befor: Subscriuit with our hand, and wnder our signet, at Sterling, the xiiij daye of December, and of our regne the xxij zer.



154. ATTESTATION by ARCHIBALD EARL OF ARGYLL. 19th April 1535.

ARCHIBALDUS comes Ergadie dominus Campbell et Lorne, iusticiarius generalis supremi domini nostri regis tocius regni sui vbilibet constitutus, vniuersis et singulis ad quorum noticias presentes litere peruenerint, salutem: Noueritis quod comparens coram nobis in curia itineris Iusticiarie supremi domini nostri regis tenta et inchoata in pretorio burgi de Jedburgh die lune decimo nono die mensis Aprilis anno Domini millesimo quingentesimo trigesimo quinto, Robertus Scott de Allanehauch indictatus et per rotulos regios calumpniatus pro arte et parte proditorie importationis furium et proditorum de Liddisdale ad villam de Mydlem, et pro rapina et ablatione a pauperibus tenentibus eiusdem j^e vaccarum et boum et xx^{ti} equorum et equarum, item pro violenti rapina vnius equi a Johanne Mark seruo domini de Borthuik, item pro arte et parte rapine duorum equorum a Willelmo Dawsons in Blakschele et Johanne Erkill, item pro arte et parte furti et concealationis v vaccarum a Johanne Waithe extra terras de Corsle in comitiua cuni

Willelmo Elwald vocato "Mend the caill," Roberto Elwald de Flaswod et suis compliceibus communibus furibus et proditoribus, item pro arte et parte mutilationis Cuthberti M'Lauchling ex suis brachiis et tibiis; item pro arte et parte proditorij incendij et combustionis de Fastheuch et pro furtiva rapina xx^{ti} vaccarum et boum, iij equorum et equarum extra dietas terras de Fastheuch pertinentium Lanceloto Ker et suis tenentibus; item pro arte et parte furtive rapine ij^o ouium extra terras de Zar a pauperibus tenentibus earundem; item pro arte et parte furti et conelationis xl^{xx} ouium a domino de Polmoud et suis tenentibus extra terras de Tuedell; item pro arte et parte crudelis interfectionis quondam Thome Turnbull et Andree alias David Turnbull in villa de Rowle ex precogitata feloniam commisse; item pro arte et parte furti et conelationis ij^o catellorum iij^o ouium extra terras de Rowle a pauperibus tenentibus earundem; item pro arte et parte proditorij incendij et combustionis ville de Sonderland et Sonderlandhall, et pro furtiva rapina lxxx vaccarum et boum, ij^o ouium, xij equorum et equarum a pauperibus tenentibus dicte ville; item pro arte et parte proditorij incendij facti super terris de Clarelaw; et pro arte et parte furtive rapine lxxx vaccarum et boum xx^{ti} equorum et equarum iij^o ouium extra easdem terras; ac etiam pro proditoria captione vnius pauperis viri dicte ville tanquam captiui donec persoluit eius redemptionem, videlicet, ad le ransom; item pro arte et parte furtive rapine v^o vaccarum et boum, ij^o ouium, xvi equorum et equarum extra terras de Eskle a pauperibus tenentibus earundem; item pro arte et parte furtive rapine ij^o vaccarum et boum, xlvij^{xx} ouium, lx equorum et equarum et diuersorum bonorum domiciliorum ad valorem ij^o mercarum extra terras de Mydlem a tenentibus earundem; item pro arte et parte furtive rapine xx^{ti} vaccarum et boum extra terras de Caldschelis a tenentibus earundem; item pro proditoria intercommunicatione et assistentia datis Anglis tempore guerre; et pro proditoria importacione eorundem diuersis vicibus in partes Scotie; pro interfectionibus, murthuris, rapinis, furtis et depredationibus; item pro arte et parte proditorij incendij et combustionis loci de Hangynschaw pertinentis Jacobo Murray; et pro arte et parte rapine bonorum vtensiliorum extra dictum locum ad valorem iij^o mercarum, xl vaccarum et boum, xij equorum et equarum; item pro communi furto, communi receptatione furti, communi expositione et importacione inter Scotiam et Angliam furtiuo modo: Quasquidem calumpnias prefatus Robertus in facie iudicij omnino denegauit, et per condignam assisam quittus factus fuit penitus et immunis; et hoc omnibus quorum interest per presentes notificamus: In cuius rei testimonium sigillum officij Justicie supremi domini nostri Regis presentibus est affixum, anno, mense, die et loco supradictis.

155. COMPOSITION for misdemeanours on the part of WILLIAM SCOTT, son of Robert Scott of Alanhauch. 4th May 1535.

COMPOSITUR pro remissione cum Willelmo Scott filio Roberti Scott de Alanhauch infra vicecomitatum de Roxburcht commorante pro intercommunicatione cum Willelmo Scott eius patruo, supremi domini nostri Regis rebelle, et ad cornu suum existente, et pro oppressione per eum facta Georgio Turnbull filio Thome Turnbull eundem vulnerando et ledendo, et pro omnibus actione et crimine que inde quouismodo sequi poterint: Subscriptum per dominos compositores, apud Jedburgh quarto die mensis Maij, anno Domini j^{mo} v^o tricesimo quinto.

Compositio iij^{lib} vj^s viij^d.

Wm Scott
 Wm Turnbull
 Thome Turnbull
 J. J. J.
 Sincere

156. RETOUR of JAMES CREICHTOUN as heir to his father, James Creichtoun of Cranstounriddale, in Cattislak, etc. 22d January 1539.

HEC inquisitio facta fuit in pretorio burgi de Edinburgh, coram honorabili viro Johanne Perdovin clauigero vicecomite de Selkirk in hac parte, per commissionem supremi domini nostri regis sub testimonio sui magni sigilli specialiter constituto, vicesimo secundo die mensis Januarij anno Domini millesimo quingentesimo trigesimo nono, per istos honorabiles subscriptos, videlicet, Henricum Congiltoun de eodem, Johannem Fawside de eodem, Hugonem Douglas de Langnudry, Jacobum Heriot de Trabrovne, Willelmum Borthuik de Crukestoun, Willelmum Giffert de Scherefhall, Andream Wardlaw de Warestoun, Jacobum Ramsay de Quhithill, Robertum Scott de Howpaslot, Magistrum Georgium Hay de Myrzeame, Willel-

mum Frog, Thomam Portuus, Johannem Pollok, Gavinum Brovne, et Willelmum
 Johnestoun : Qui jurati dicunt quod quondam Jacobus Creichtoun de Cranstounrid-
 dale, pater Jacobi Creichtoun, latoris presentium obiit vltimo vestitus et sasitus vt
 de feodo ad pacem et fidem supremi domini nostri regis, de totis et integris terris
 et locis forestis subscriptis, videlicet, de loco et terris de Cattislak cum turre et
 fortalicio earundem, locis et terris de Ester et Wester Montberngear ac de loco et
 terris de Blakgrane cum omnibus suis pertinenciis, jaentibus in dominio Foreste
 de Ettrik infra vicecomitatum de Selkirk, et quod dictus Jacobus Creichtoun est
 legitimus et propinquior heres eiusdem quondam Jacobi Creichtoun patris sui de
 totis et integris prenominate terris et forestis locis suprascriptis cum omnibus suis
 pertinenciis, et quod est legitime etatis, et quod dicte terre de Cattislak cum turre
 et fortalicio earundem valent nunc per annum sexaginta vndecem libras sex decem
 solidos et octo denarios vsualis monete regni Scotie, et tempore pacis valuerunt
 quadragenta mercas eiusdem monete, et quod dicte terre de Ester Montberngear
 valent nunc per annum sexaginta duodecem libras tres solidos et quatuor denarios
 prefate vsualis monete, et tempore pacis valuerunt quadragenta mercas eiusdem
 monete, et quod dicte terre de Wester Montberngear valent nunc per annum sex-
 agenta duodecem libras, tres solidos, et quatuor denarios antedicte vsualis monete,
 et tempore pacis valuerunt quadragenta mercas eiusdem monete, et quod dicte terre
 et locum de Blakgrane valent nunc per annum sexaginta vndecem libras sexdecem
 solidos et octo denarios prefate vsualis monete, et tempore pacis valuerunt quadra-
 genta mercas eiusdem monete, et quod omnes et singule prenominate terre cum
 locis, turre et fortalicio antedictis ac suis pertinenciis, tenentur in capite de supremo
 domino nostro rege in feodifirma, reddendo inde annuatim pro quolibet dictorum
 locorum siue lie steding feodifirmam de eodem debitam extendentem ad quantita-
 tem prout particulariter superius exprimuntur, vnacum duplo dicte feodifirme ad
 introitum cuiuslibet legitimi heredis ad easdem nomine feodifirme tantum, et
 quod omnes et singule prenominate terre cum locis, turre et fortalicio antedictis, ac
 singulis suis pertinenciis, nunc existunt in manibus prefati supremi domini nostri
 regis legitime per seipsum ob causam mortis dicti quondam Jacobi Creichtoun
 patris dicti Jacobi latoris presencium qui obiit per spacium tresdecem ebdomada-
 rum aut eocirca ante confectionem presentis inquisitionis, in defectu veri heredis
 jus suum hucusque minime prosequentis : In cuius rei testimonium sigilla quorun-
 dam eorum qui dicte inquisitioni intererant, sub inclusione sigilli dicti vicecomitis de
 Selkirk in hac parte, vnacum breui regio intus clauso, presentibus sunt appensa,
 anno, mense, die et loco supradictis.

157. LETTER from KING JAMES THE FIFTH permitting WALTER SCOTT of Branksholme, knight, then in the King's ward, to carry on law proceedings. 12th June [1540.]

REX.

CHANCELLAR, President, and Lordis of oure Counsaile and Sessioun, and all vtheris oure jugeis and ministeris of our lawis, spirituale and temporale, within oure realme, we grete zow wele: Forsamekill as Walter Scott of Brankisholme, knyecht, now being in our ward in our will for certane crimes, and in oure ward thairfore, hes certane actionis of sowmes of money, obligationis, airschip gudis, and wranguis occupatioun of landis and vtheris for himself, and as air to his gudeschir and fader, and vthir wayis of his foirbearis to persew before zou aganis diuers and sindry personis, and specialle aganis Jonet Scott, air of vmquhile Walter Scott of Howpaslott, and Thomas M'Dowell of M'Caristoun, hir spous, for his interes; and becaus we haue nocht declarit our mynd nor zit our will aganis the said Walter, and sufferis him remane in our ward; Thairfor ze stop to do him iustice in the saidis materis, allegeand the entres therof pertenis to ws for the caus foresaid, and we be thir presentis for certane resonable caussis moving ws, gevis the said Walter our full power and licence to persew the saidis actionis, win and recouer the samin, aganis quhatsumeur personis, or to aggre to and compoun with thame therupoun, as he sall think expedient; and als be the tennour herof transferris in him all our richt and entres thairof, and specialie of the actioun foresaid, heirfoir chargeing zow, and ilkane of zow, that ze do him iustice tharein with expeditioun, nochtwithstanding ony oure rycht or interes transferrit be ws in him as said is; discharginge oure aduocat of all persewing, allegeing, or proponyng of our interes or rycht in the said mater transferrit be ws, as said is, in the said Walter, and of his office in that behalf: for our will and mynd is that the said Walter haue iustice in the saidis materis, nochtwithstanding his being in our will and ward, or ony our writtingis in the contrar, as ze will ansuer to ws thairupoun. Subscriuit with our hand and vnder our signet at Edinburgh, the tuelf day of Junii, and of our regne the xxvij zeir.

JAMES R.

158. OFFER by WALTER SCOTT of Branxhelme, Knight, to the Privy Council, to keep good rule on the Border, and Warrant for his discharge from the King's ward. [C. 1540.]

COMPERIT Walter Scot of Branxhelme, knyecht, and gaif in thir offeris vndirwrittin. subscriuit with his hand, quhilkis the Kingis Grace hes sene and considerit of be-

foir, and thair, in presens of the saidis Lordis, band and oblyst him to keip, obserue and fulfill the saidis offeris in all poyntis and articulis contenit in the samin, and desyrit the saidis offeris to be actit in the bukis of counsale, and is content that thir offeris be na preiudice to the band maid of befoir at Jedburgh, bot that the samin haue als grete effect now as of befoir, nochtwithstanding thir offeris following, off the quhilk the tennour followis :—

Inprimis, I offer to his Grace that I sall caus gude reule be kept in tyme cuming within my boundis pertening to me in Teviotdale, for all maner of failzeis, as ony bordorar sall do for gude reule within the realme of Scotland, and sall caus the samin be als peciabill and obedient to the Kingis Grace and his lawis as ony part of Lowthiane; and gif ony of myne happinnis to failze to our souerane lordis liegis, I sall incontinent thaireftir bring thame to be pvnist, or ellis to do redres the failze, and hald the faltouris of the cuntre, thare wiffis and barnis, ay and quhill it pleis the Kingis gude Grace; and sall mak redres to all Scotismen sen the air of Jedburgh eftir the forme of my band, and to Ingland sen the last peax eftir the lawis of the bordouris.

Secundlie, I offer to the Kingis Grace, gif my Lord Maxwel will nocht tak the reule of Eskdale, Ewisdale and Waukhopdale on him, at the plesoure of the Kingis gude Grace, I am content to tak on me the reule of the saidis Eskdale, Ewisdale and Wauchopdale, and sall caus gude reule be kept be the inhabitantis of the samin in tyme cuming, and sall ansuer for the samin baith anent Scotland and Ingland, in the samin maner as I haue offerit for my boundis pertening to me in Tavidale, or to caus gude plegis to be enterit to the Kingis gude Grace for all surnamis and clannis necessar duelland within the saidis boundis, or to ryde with the Lord Maxwell or ony vthir havand the Kingis autorite, als oft as I be chargit tharto.

Thridlie, I offer to the Kingis Grace, gif it pleis his Grace to caus my Lord Bothuile to pas to the Arnytage and remane thair be the space of xv dayis, and gif the clannis and surnamis of Liddisdale will enter plegis to the said Lord at the plesoure of the Kingis Grace, that beand done, I traist his Grace is satis[f]iit, and gif the saidis surnammis and clannis be obstinate and wil nocht entir thair plegis to the plesour of the Kingis Grace at command of thair Lord, my Lord Bothuile, or ony vthir as plesis the Kingis Grace, I am content to ryde with my Lord Bothuile at command of the Kingis Grace, or ony vtheris his Grace plesis, to put gude reule in that cuntre, or to command me to ryde with my hale power of freyndis, I am content als oft as the said Lord or ony vtheris foirsaidis will command, in

the Kingis name, and the sayd Lord may nocht remane in the said cuntre quhill it be pecifiit, I obliiss me at the Kingis command, in the absence of the Lord Bothuile or ony vthir foirsaid, to help him fra trublis, to oist, birn, sla and destroy ilk xv dayis anys, ay and quhill the Kingis grace be content of sufficient plegis of thame.

REX.

Forsamekle as our cousing Malcome Lord Fleming, Robert Charteris of Amysfeild, and Niniane Creichtoun of Belliboche ar becumin in our presens souerte for Walter Scott of Branchelme, knyght, in the soyve of x^m merkis for fulfilling of his offeris eftir the tennour of the samin, and eftir the forme and tennour of this writing within writtin, and the saidis Lardis of Amysfeild and Belliboche ar bundin for the relief of our said cousing, and als our said cousing is bundin and oblyst to entir Robert Scot of Wanfra in ward within ony our castellis within ten dayis eftir he be chargit be ws thairto, vndir the pane of x^m lib. : heirfor we consent that the saidis Lard of Buccleuch and Robert Scot be put to fredome and furth of our wardis quhair thai ar now in keping, that is to say the said Robert simpliciter, and the said Lard of Buccleuch enterand tua of his freyndis as salbe specifit be ws in our preceptis and chargis, to remane as plegis in ward, eftir the tennour of this vthir writting.

159. ASSEDATION of the Lands of the Lordship of Liddisdale.

7th May 1541.

ASSEDATIO Domini de Liddisdail facta apud castrum de Armtage per Daudid Wod de Craig, Computorum Rotulatore, septimo die mensis Maii anno Domini millesimo quingentesimo quadragesimo primo.

Blakterres.

Twylishope, viij mercate terrarum.

Bilhope xij mercate terrarum : assedantur Thome Armestrang de Meriantoun, soluendo annuatim vij merkis.

Gorrumbarry, decem mercate terrarum : assedantur Archibaldo Elwald soluendo x merkis.

Makpatrikhope, decem mercate terrarum : assedantur Willielmo Elwald.

Braidlie, octo mercate terrarum : assedantur Andree Elwald et aliis soluendo viij merkis.

Catlie, octo mercate terrarum : assedantur Joanni Elwald et suo fratri soluendo annuatim pro eisdem viij merkis.

Dunlie, quinque mercate terrarum : assedantur Archibaldo Elwald, soluendo annuatim	v merkis.
Soundhop, viij mercate terrarum : assedantur Leoni Elwald et suo fratri soluendo annuatim quatuor mercas.	
Whytterhope, viij mercate terrarum : assedantur, quinque mercate eiusdem Willielmo Elwald in Rammisgill, Leoni Elwald, Joanni Elwald, Roberto Elwald et Leoni Elwald, soluendo annuatim pro eisdem,	vij merkis.
Et tres mercate eiusdem vaste, ut asseritur.	
Streichelhope, viij mercate terrarum : assedantur Roberto Elwald in Rammisgill, Joanni de lie Hill, Ade Elwald de Leyis, Joanni Elwald ibidem antiquo, Roberto Elwald de Rammisgill, Joanni Elwald, Jacobo Elwald eius filio, alias Neillis Jok, soluendo annuatim	vij merkis.
Ladilhope, quatuor mercate terrarum vacantes.	
Rampisgill, sex solidate et octo denariate terrarum : assedantur Joanni Elwald ibidem et Joanni Elwald soluendo annuatim	vj s. vij d.
Roddis, vna mercata terre assedatur Joanni Elwald et Jacobo Elwald, soluendo annuatim vnam mercam.	
Routhlie, due mercate terrarum : assedantur Niniano Elwald et Joanni Elwald, soluendo annuatim	xxvj s. vij d.
Schawis, quinque mercate terrarum : assedantur Roberto Elwald seriando, soluendo annuatim	ij li. vj s. vij d.
Lewinlowis, decem solidate terrarum : assedantur dicto Roberto Elwald, soluendo annuatim	x s.
Pantodene, octo solidate terrarum : assedantur Willielmo Elwald, soluendo annuatim	vij s.
Heliesyde, quinque mercate terrarum vacantes, ut asseritur.	
Ouirraw, xxxj solidate terrarum : assedantur Willielmo Simsoun et Andree Symson, soluendo annuatim	xxxj s.
Brokellie, octo solidate terrarum : assedantur Roberto Elwald, soluendo annuatim	vij s.
Baggart, octodecim solidate terrarum : assedantur Jacobo Elwald, soluendo annuatim	xvij s.
Broneiston, xiiij solidate terrarum : assedantur Roberto Elwald, soluendo annuatim	xiiij s.

Park, xiiij s. et quatuor denariate terrarum : assedantur Symoni Elwald, soluendo annuatim	xiiij s. iiij d.
Faulschelmoore, sex solidate et octo denariate terrarum vacantes.	
Singlane, duodecim mercate terrarum : assedantur Willielmo Elwald, soluendo annuatim	xij merkis.
Cleifhope, quinque mercate terrarum, vacantes, vt asseritur.	
Cleirlandis, Robsteid, Thomscotsteid, Cranswat, Gusbank, Hurklebuss : quinque mercate terrarum : assedantur Willielmo Elwald, Dauid Elwald, Bartholomeo Nixsoun, Niniano Elwald, soluendo annuatim	v merkis.
Brighous, sexdecim solidate terrarum : assedantur Alexandro Nixsoun, Willielmo Nixsoun et Willielmo Nixsoun ibidem, soluendo annuatim	xvj s.
The Mure, quinque solidate et quatuor denariate terrarum vacantes.	
Heuchous, xv s. terrarum : assedantur Willielmo Elwald, soluendo annuatim	xv s.
Mylhous, xv s. terrarum : assedantur Thome Armeistrang, soluendo annuatim	xv s.
Kellilee, quinque mercate terrarum : assedantur Georgio Nixsoun, Joanni Nixsoun, Clementi Nixsoun, Andree Nixsoun, soluendo annuatim	v merkis.
The Dyk, decim solidate terrarum : assedantur Georgio Nixsoun et Eduardo Nixsoun, soluendo annuatim	x s.
The Hie Treis, xvij s. terrarum : assedantur Roberto Elwald et Dauid Elwald, soluendo annuatim	xvij s.
Thornyshope, quatuor mercate terrarum : assedantur Roberto Elwald officario, soluendo annuatim	iiij merkis.
Kylfurd, xxiiij s. terrarum : assedantur Henrico Nixsoun et Willielmo Nixsoun, soluendo annuatim	xxiiij s.
Burnmount, xx s. terrarum : assedantur Jacobo Henrisone, Henrico Henriesoun, soluendo annuatim	xx s.
Schiperschedden, viginti solidate terrarum : assedantur Henrico Nixsoun et Dauid Nixsoun, soluendo	xx s.
Holden, xv s. terrarum : assedantur Willielmo Nixsoun, soluendo annuatim	xv s.
Fopillis, due solidate terrarum vacantes.	

Dawistoun, xx s. terrarum : assedantur Jacobo Crosar, soluendo annuatim	xx s.
Hudishous, xx s. terrarum : assedantur Philippo Crosar, soluendo annuatim	xx s.
Cowarthous, xx s. terrarum : assedantur Thome Crosar, soluendo annuatim	xx s.
Byresteid, xxxij s. terrarum : assedantur Roberto Crosar, Clementi Crosar et Leoni Crosar, Gilberto Crosar, soluendo annuatim	xxxij s.
Saughtree, xiiij s. terrarum : assedantur Roberto Henrisoun et Joanni Henriesoun, soluendo annuatim	xiiij s.
Howleteruik, xxx d. terrarum : assedantur Thome Henrisoun, soluendo	xxx d.
Falset, quadraginta octo solidate terrarum : assedantur Roberto Henrisoun, Willielmo Henrisoun, Niniano Henrisoun, et Willielmo Henrisoun, soluendo annuatim	xlviij s.
Ricardtoun Cleuche, xl solidate terrarum : assedantur Martino Crosar et Patricio Crosar, soluendo annuatim	xl s.
Ricardtoun, xl s. terrarum : assedantur Rollando Elwald, Willielmo Elwald, Martino Crosar, et Patricio Crosar, soluendo annuatim	xl s.
Hietreleuchis, xvs. terrarum : assedantur Matheo Nixsoun, soluendo annuatim	xv s.
Hesseldale, xij s. terrarum : assedantur Joanni Nixsoun, soluendo annuatim	xij s.
Swanisdale, xij s. terrarum : assedantur Jaffray Crosar, soluendo annuatim	xij s.
Culigrath, xij s. terrarum : assedantur Clementi Crosar, soluendo annuatim	xij s.
Gigsonis Flatt, vacans.	
Stellis within the Dyk, xxxj s. terrarum : assedantur Barthilmeo Nixsoun, Thome Nixsoun et Jaffra Nixsoun, soluendo annuatim	xxxj s.
Whythauch, decem solidate et octo denariate terrarum : assedantur Jacobo Armstrang, soluendo annuatim	x s. viij d.
Cruikit Bank, x s. viij denariate terrarum : assedantur Willielmo Armstrang, soluendo annuatim	x s. viij d.

Manys, x s. viij denariate terrarum : assedantur Thome Armstrang, soluendo annuatim	x s. viij d.
Riddale Steid : asseritur pertinere Domino de Glendynwyn hereditarie, tenere de Domino de Liddisdaill.	
Kyrndene, vna mercata terrarum : assedatur Georgeo Armstrang, soluendo	xiiij s. iiij d.
Dykraw, vna mercata terre : assedatur Willielmo Armstrang Hectori Armstrang, soluendo annuatim	xiiij s. iiij d.
Hieflycht, tres librate terrarum : assedantur Martino Nixsoun, soluendo annuatim iij lib.
Hardenbank, j mercata terre : assedatur Joanni Armstrang, soluendo annuatim	xiiij s. iiij d.
Arnothill, tres solidate quatuor denariate terrarum : assedantur Niniano Armstrang, soluendo annuatim	iiij s. iiij d.
Welstremis, due solidate terrarum : assedantur Niniano Armstrang, soluendo annuatim ij s.
Storeissteid alias Gudelland, quinque solidate terrarum : assedantur Cristello Armstrang, soluendo annuatim v s.
Byrholme, xxvj s. viij d. terrarum : assedantur Hectori Armstrang, soluendo annuatim	xxvj s. viij d.
Coklaik, x s. terrarum : assedantur Symoni Elwald, soluendo annuatim x s.
Vnsthauk, vacans.	
Powis, xiijs. iiij d. terrarum : assedantur Cristello Armstrang, soluendo annuatim	xiiij s. iiij d.
Raltoun, tres librate septem solidate terrarum : assedantur Roberto Armstrang, Niniano Armstrang et Thome Armstrang, soluendo annuatim	iiij lib. vij s.
Wowlyk, xx s. terrarum : assedantur Symoni Armstrang serjando, soluendo annuatim xx s.
Newland, xvij denariate terrarum vacantes.	
Ouergubbislie, xvj s. terrarum : assedantur Thome Armstrang de Merjantoun, Cuthberto Armstrang, soluendo annuatim xvj s.
Nethergubbislie, viij s. terrarum : assedantur Willielmo Armstrang et Roberto Armstrang, soluendo annuatim viij s.
Copschaw, quinque mercate terrarum : assedantur Roberto Elwald, soluendo annuatim	v merkis.

Grenys, decim solidate terrarum : assedantur Thome Armstrang, callit the Bull, soluendo annuatim	x s.
Pollok, quinque solidate terrarum : assedantur Cristallo Armstrang, soluendo	v s.
Toddellis, quinque solidate : assedantur dicto Cristallo, soluendo annuatim	v s.
Cristishill, quinque solidate terrarum : assedantur Domino de Maniertoun, soluendo	v s.
Carglais, xxiiij s. terrarum : assedantur Alexandro Armstrang, soluendo annuatim	xxiiij s.
Sisselscheillis, xij s. iiij d. terrarum : assedantur Alexandro Arm- strang, soluendo annuatim,	xij s. iiij d.
Ouerfoulwod, x s. terrarum : assedantur Alexandro Armstrang, soluendo	x s.
Netherfoulwood, x s. terrarum : assedantur Symoni Armstrang, sol- uendo annuatim	x s.
Wedoscheillis, xiiij s. terrarum : assedantur Symoni Armstrang, soluendo annuatim	xiiij s.
Stanygill, quinque solidate terrarum : assedantur dicto Symoni, soluendo annuatim	v s.
Reidmoss, xxx denariate terrarum : assedantur dicto Symoni soluendo	xxx d.
Over Guhisgillis, Nether Guhisgillis, Purveuen et Vtnomound : novem mercate terrarum : assedantur Bartholomeo et Niniano Armstrang, soluendo annuatim	vj lib.
Flatt, quinque mercate terrarum : assedantur Symoni Armstrang, soluendo annuatim	v merkis.
Half of the Regarthe, quinque mercate terrarum : asseritur perti- nere domino de Meniertoun in hereditate.	
Burnfute, due mercate terrarum : assedantur Symoni Forester, soluendo annuatim	xxvj s. viij d.
Ryleknowe, due mercate terrarum : assedantur Andree Forester, soluendo annuatim	xxvj s. viij d.
Avirholme, quadraginta solidate terrarum : assedantur Andree Forester et Lenceloto Forester soluendo annuatim	xvii s.
Meriantoun, Mylnholme : in manibus domini de Meriantoun hereditarie ut asseritur.	

- Syksett, due mercate terrarum : assedantur Allano Forester, soluendo annuatim xxvj s. viij d.
- Bennetholme, xlij s. terrarum : assedantur Willielmo Forester, soluendo annuatim xlij s.
- Grenehauerschaw, xxx s. terrarum : assedantur Joanni Forester, soluendo annuatim xxx s.
- Cassaltoun Moore, quinque mercate terrarum vacantes.
- Hangmanis Aiker, xxx d. terrarum : assedantur Thome Armstrang, soluendo annuatim xxx d.
- Ricardtounlie, quinque solidate terrarum vacantes.
- Cassiltoun croftis, vacantes.
- Heuchoushill, xv s. terrarum : assedantur Joanne Kellelee et Joanni Nixsoun, soluendo annuatim xv s.
- Tynneswoodgrene : quinque mercate terrarum : assedantur Symoni Armstrang, soluendo annuatim v merkis.
- Burnehous, vacans.
- Cumisbodinn, vij s. terrarum vacantes.
- Baitschiell, vacans.
- Annotschell, vacans.
- Hogisdale, vj s. viij d. terrarum vacantes.
- Holme, xij d. terrarum vacantes.
- Flaskwood, vacans.
- Blaikburne, vj s. viij d. terrarum : assedantur Martino Armstrang, soluendo annuatim vj s. viij d.
- Litlesteill, vj s. terrarum : assedantur Barthilomeo Nixsoun, soluendo annuatim vj s.
- Hogischeill, vj s. viij d. terrarum vacantes.
- Spittelflatt, vj mercate terrarum vacantes quia Flatt prius assedatur.
- Mylneholme et Langlandis, asseritur pertinere domino de Meriantoun.
- Belsis, asseritur pertinere abbati de Jedburgh.
- Kershope, decim mercate terrarum : asseritur vastari, excepto propter summering.
- Ragarth, Sorbe et Sorbetrees, decem mercate terrarum : asseritur pertinere domino de Meriantoun in hereditate.
- Schortbuttis, xx s. terrarum : asseritur pertinere domino de Schortbuttis hereditarie.

Reidmoos, vacans.

Blutwood, asseritur pertinere Roberto Elwald hereditarie.

Sant-Marie Scheillis, vacans.

Blakburne Steid, xlv s. terrarum asseritur vocari Purveuen.

Tynneshill, vacans, vj librate terrarum.

Piknesteid, xiiij s. terrarum vacantes.

Howdykis, xvij d. terrarum vacantes.

Castelsteid, vacans.

Dalferno, xx s. terrarum : asseritur pertinere Symoni Armstrang et
Cristallo Armstrang pertinere.

Kirkland : asseritur pertinere vicario.

Howthornsye, vj s. viij d. terrarum : asseritur pertinere domino de
Meriantoun in hereditate.

Holmedowis, vacans.

Newland, vacans.

Kirkstead, vacans.

Gib of Holme Steid.

Fowlwoodis.

Nevysinstounsteid.

Stewaschellis.

Gilshaw et Burnhous.

Crawfeildsteid.

Curhauche.

Ita est in libro rentalium supremi domini nostri regis.

JOANNES SKENE, Cls. Regri. etc.

[*Dorso*]—The rental conteinit in our Soverane Lordis rollis off the particular landis enumeratit to ly within the lordschipt of Liddisdail gevin vpe be Daid Wood of Craige, controllar for the tyme, vpoun the sevint day of Maj 1541.

160. NOTARIAL INSTRUMENT recording the arrival of WALTER SCOTT of Brankisham, Knight, at Elgin, in obedience to the command of KING JAMES THE FIFTH. 17th August 1541.

IN Dei nomine amen : per hoc presens publicum instrumentum eunctis pateat euidenter quod anno ab Incarnatione Domini millesimo quingentesimo quadrage-

simo primo, mensis vero Augusti die decimo septimo, indicione decima quarta, pontificatus sanctissimi in Christo patris et domini nostri domini Pauli divina providencia pape tercii anno septimo, in mei notarii publici et testium subscriptorum presenciis personaliter constitutus honorabilis vir Walterus Scott de Brankis-Lane, miles, desiderans et requirens me notarium publicum subscriptum testificari de secura et certa veritate et sciencia sui personalis aduentus ad burgum de Elgyn Moraviensis diocesis, secundum mandatum sibi traditum per supremum dominum nostrum Regem Jacobum quintum Scotorum regem illustrissimum: et cum meritum, necesse atque vtile sit fidele perhibere testimonium veritati, hinc est quod ego notarius publicus subscriptus zelo veritatis testimonii requisitus notum facio, in-sinuo et testificor per presentes omnibus et singulis quorum interest, intererit, aut interesse poterit, quod vidi et presens fui quando prefatus Walterus ad predictum burgum de Elgyn personaliter aduenisset, videlicet, decimo sexto die mensis predicti Augusti in anno prelibato: hoc eciam multis fidedignis viris michi notario publico affirmantibus et testificantibus. Super quibus omnibus et singulis dictus Walterus personaliter presens a me notario publico subscripto vnum vel plura publicum seu publica instrumentum seu instrumenta sibi fieri peccit: Acta erant hec infra dictum burgum in communi via regia eiusdem, hora sexta post meridiem vel eocirca, sub anno, die, mense, indicione et pontificatu quibus supra; presentibus ibidem, Alexandro Hwme, Willelmo Gaderar de Baithill, preposito dicti burgi, Willelmo Gaderar juniore, Andrea Gaderar eiusdem burgi burgensibus, Johanne Skryngeour, Magistris Lawrencio Malisoun, et David Skryngeour, dominisque Willelmo Clerk et Archibaldo Covyntre, capellanis ecclesie cathedralis Moraviensis, Gauino Douglas et Roberto Zoung, cum diuersis aliis testibus ad premissa.

Ita est magister David Douglas, presbyter Moraviensis diocesis, publicusque sacra apostolica auctoritate notarius, presens [*etc., in forma communi.*]

161. DISCHARGE by DAVID, Cardinal Archbishop of St. Andrews, and ARCHIBALD BETOUN of Capildra, tutors of JAMES CREICHTOUN of Cranstoneriddall, to JANET BETOUN. 14th November 1542.

WE. Dauid, Cardinall Archbischope of Sanct Androis, etc., and Archibald Betoun of Capildra, tutouris testamentouris to James Creichtoun of Cranstoneriddall, some and aire to vmquhill James Creichtoun of Cranstoneriddall, his fader, grantis ws, as tutouris forsaid, to haue dischargit, and be the tenour herof dischargeis,oure cousignes

Jonet Bettoun, the relic of the said vmquhill James, of all malis, fermes, gersumis, proffittis and dewiteis of the landis of Cranstounridall, Murhous, liand within the scherefdome of Edinburcht, Blakgrane, Catslak, Montberngear, Estir and Westir, liand within the scherefdome of Selkirk, pertening to the said James in fe and heritage, of all zeris and termes preceadand the day of the dait herof sene the deceis of the said vmquhile James, intromettit with be the said Jonet, because we vnderstand and knawis that the said Jonete hes debursit als gret sovmes of money in entering the said James to the saidis landis and in dowbilling the fewis thairof hes the saidis malis, fermes, gersumis, proffittis and dewiteis of the samyne extendis to in all zeris and termes preceadand the dait of thir presentis sene the deceis of the said vmquhil James as said is, herfor we the forsaidis tutouris quitelamis, exoneris and dischargeis the said Jonete and all vtheris quhome it efferis of all malis, fermes, gersumis, proffittis and dewiteis of all and sindry the fornemmit landis vnto the day of the dait herof as said is, for now and euer, be this our discharge subscriuit with our handis, oure signettis is affixt, att Edinburghe, the fourtene day of Nouember, the zere of God ane thowsand five hundre and fourty tua zeris befoir thir witnes, Thomas Mawll, James Lyill, David Grahame and Maister Andro Oliphant notar publict, with vtheris diueris.



David Cars ^{all}
off sustanoy

AREALD. BATON.

162. LETTER by MARY QUEEN OF SCOTS appointing SIR WALTER SCOTT of Branxhelme and his heirs-male Captains and Keepers of the Royal Castle of Newark. 9th November 1543.

MARIE, be the grace of God, Quene of Scottis, to all and sindry our liegis and subditis quham it efferis, quhais knowlege thir oure lettres saleum, greting: Witt ze ws, with auis and consent of our derrest cousing and tutour, James Erle of

¹ The Seal of the Cardinal is still affixed to this Discharge. It is a small round seal, with a shield containing the arms of the

families of Beton and Balfour quarterly, surmounted by a cardinal's hat.

Arrane, Lord Hammiltoun, Protectour and Gouvernour of oure realme, to haue maid, constitute, and ordanit, and be thir oure lettres makis, constitutis and ordanis oure louit Walter Scott of Branxhelme, Knycht, and his airis maile lauchfullie to be gottin betuix him and Jonet Betoun, his spous, capitanis and keiparis of oure place and castell of Newwerk, liand in oure lordschip of Ettrik Forest, within our scherefdome of Selkirk, for the space of nyntene zeris nixt to cum eftir the day of the date heiroy, with power to thame to mak deputis and constablis vnder thame for keiping of oure said castell, for quhillkis thai salbe haldin to ansuer, sielike and als frelie as ony vtheris capitanis of oure said castell, vsit and exercit the said office of befoir; for vsing and exerceing of the quhilk office of capitanrie, with auis and consent of our said tutour and governour, we haue gevin, grantit and assignit, and be thir our lettres gevis, granttis and assignis to the said Walter and his airis male foirsaidis, thair assignais or factouris, oure landis and stedingis of Cartarhauch, Quhithilwra, Auldwerk, and Huntlie, liand within our lordschip and schirefdome foirsaidis, with all malis, fermes, proffittis and dewiteis thairof in thair fee during the said space, to be broukit, occupyit, sett, vsit and dispoit be thame at thair plesour, during the space foirsaid, and als with auis and consent of our said tutour and governour, we haue maid, constitute and ordanit, and be thir oure lettres makis, constitutis and ordanis the said Walter and his airis male abonewrittin, oure verray lauchfull, irreuocabill and vndouttit baillies and chalmerlanis of oure hale landis and lordschip of Ettrik Forest foirsaidis, during the space and termes abonewrittin, gevand, granttand and committand to thame full power, speciale bidding and charge, baillie and chalmerlane courttis, vpoun oure saidis landis and lordschip respectiue, quhair thai sall think expedient, to the tennentis and inhabitantis thairof, and vtheris quham it efferis, to sett, begin, afferme, hald and continew als oft as neid beis; soittis to mak be callit; absentis to amerciati; trespassouris to pynis; vnlawis, amerchiamentis and escheitis of the saidis courttis, to ask, lift, rais, and to thair vse apply, and for the samin, gif neid be, to poynd and distreynze; the tennentis and inhabitantis of oure foirsaidis landis and lordschip, befoir quhatsumeuir juge or jugeis, spirituale or temporale, thai be attacheit or arrestit, to the priuilege and fredome of the said baillie and chalmerlane courttis, to reduce, replege, borrow, and aganebring; cautioun of cole-raith for iustice to be ministerit to partiis complenand within terme of law, to gif and find; courttis to the partyis, to assigne and limite; the malis, grassumes, fermes, proffittis and dewiteis of our saidis landis and lordschip fra the tenentis inhabitantis thairof, to ask, rais and resau, and for the samin, gif neid be, to poynd and

distreynze, and thame to inbring and deliuer to ws and oure comptrollar at Witsunday and Martymes, in winter, and to mak compt thair of zeir lie in oure Chekker; Deputis vnder thame in the saidis offices, ane or maa, clerkis, seriandis, dempstaris and all vtheris officiaris and membris of courte neidfull to mak, creat, substitute and ordaine, for quhilkis thai salbe haldin to ansuer, and generalie all and sindrie vtheris thingis to do, exerce and vse, that to the office of bailliery and chalmerslanrie of law and consuetude ar kuawin to pertene; ferme and stable, haldand and for to hald, all and quhatsumeir thingis the said Walter, his airis and deputis and officiaris in the premissis rychtuislie ledis to be done: Subscriuit be oure said tutour and gouernour, and gevin vnder our priue seill at Edinburgh, the nynt day of Nouember, the zeir of God j^m v^e fourty thre zeiris, and of our regnne the first zeir.

163. LETTER by QUEEN MARY discharging WALTER KER of Cesfurd from assuming the office of Warden of the Middle Marches. 22d October 1544.

MARIE, be the grace of God, Quene of Scottis: To oure louittis William Harly oure Schireffis in that parte, coniunctlie and seueralie, specialie constitut, greting: Forsamekle as we and oure derrest cousing and tutour, James Erle of Arrane, Lord Hammiltoun, etc., Protectour and Gouernour of oure realme, ar surelie informit that Walter Ker of Cesfurd, allegeand him Wardane of oure Myyddill Marches, hes concurrit, fortifiit and assistit to Archibald Erle of Angus, quha hes vsurpit the office of Lieutenandry of the south partis of oure realme on him, George Dowglas his bruthir, thair assistaris and partetakar is being vndir summondis at oure and oure said Tutouris instance for certane crymes of treasoun and liesmaiestie committit be thame incontrar ws and oure auctorite; and als hes intercomunit treasonable diuers and sindry tymes with oure auld inymis of Ingland, and he, his kin and frendis be the maist parte lvis vndir assouerance with thame, and vsis the said office of war-

danerie nocht commonlie as it aucht to be, bot for his avne particulare wele ; vsurpand thairthrow oure auctorite on him wranguislie, in hie contemptioun of ws and oure said Tutour, contempuand and lychtliand ws thairthrow : Our will is heirfore and we charge zow straitlie and commandis that, incontinent thir oure lettres sene, ze pas to the mercate croces of oure burrowis of Edinburgh, Jedburgh, Selkirk and vthir places nedfull, and thair be opin proclamatioun in oure and oure said Tutouris name and auctorite discharge the said Walter Ker and all vtheris in his name vsurparis and vsaris of the said office of wardanery of the samyn office of wardanery and all thingis belanging thairto and of thair office in that parte for euir for the causis abone written be thir oure lettres ; and this on na wise ze leif vndone as ze will anser to ws thairupoun : The quhilk to do we commit to zow, coniunctlie and seneralie, oure full power be thir our lettres, deliuering thaim be zou deulie execute and indorsate agane to the berar : Gevin vndir oure signete and subscriuit be our said Tutour and Gouvernour at Edinburcht the xxij day of October, the zeir of God i^m v^c xliij zeris, and of our regne the second zer.

JAMES G.

164. RATIFICATION by QUEEN MARY of Acts of Parliament for restoring SIR WALTER SCOTT of Braxhelme to his property, offices, and honours.
30th April 1545.

MARIA Dei gratia regina Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem : Sciatis nos cum auisamento charissimi consanguinei et tutoris nostri, Jacobi comitis Aranie domini Hammyltoun, regni nostri protectoris et gubernatoris, ac trium statuum nostri Parlamenti, quoddam actum eiusdem per prefatum nostrum charissimum consanguineum et tutorem ac dicti Parlamenti tres status antedictos quoddam aliud actum ratificando, approbando et confirmando datum et promulgatum vtique et intellexisse, sub hac forma : In the Parliament haldin at Edinburgh, the tuelf day of December, the zeir of God j^m v^c fourty thre zeiris, the quhilk day my Lord Gouvernoure, with the avis of the thre Estatis of Parliament, ratifyis and appreis, and be fensement of the samyn confermes the Act and declaratioun maid in the last Parliament to Walter Scott of Braxhelme, knyecht, in all poyntis and articulis contenit in the samyn, quhilk wes producit be the said Walter vnder the testimoniaie of the grete seill, of the quhilk the tennour followis :—MARIA Dei gratia regina Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem : Sciatis nos quoddam actum nostri Parlamenti per nos cum

auisamento, auctoritate et consensu charissimi consanguinei et tutoris nostri, Jacobi comitis Aranie domini Hammyltoun, regni nostri protectoris et gubernatoris, et tres regni nostri status in eodem congregatos datum et promulgatum, vtique et intellexisse sub hac forma : In the Parliament haldin at Edinburgh the xv day of Marche, the zeir of God j^m v^e xlij zeiris, the quhilk day oure souerane lady the Quenis Grace, with auis, auctorite and consent of hir darrest cousing and tutoure, James Erle of Arrane, Lord Hammyltoun, protectour and gouernoure of hir realme, and thre Estatis of the samyn in plane Parliament, havand consideration that Waltir Scott of Branxhelme, knycht, in the iustice air haldin at Jedburgh, the xix day of Aprile, the zeir of God j^m v^e thretty five zeiris, become in vmquhile oure soueraue Lordis will, for feir of his life, for the allegit assistance geuin to the Lord Dakir and Schir Cristell Dakir, Inglismen, and thair complices, in tyme of the birnyng of Caveris and Dennyne, quhairfoir his Grace thocht that the said Walter [de]seruit na forthir pvnitioun thairfoir than to be put in ward for ane certane tyme, at his Grace will and plesour, and oure said vmquhile souerane lord, ane litill afoir his deces, remenbrand vpoun the said Schir Walteris tref, gude and thankfull seruce done to his Hienes aganis his auld enemyis of England, and siclike, of his innocence in that behaf, relaxt the said Schir Waltir furth of ward, and ordanis to repon and restore him to the samyn estait that he wes in befoir the said accusatioun, and his becum in will for the said allegit cryme ; thairfoir hir Hienes, with auis, auctorite and consent of hir said Tutoure and thre Estatis of the realme foirsaid, in face of plane Parliament, restoris, reponis and reintegratis the said Schir Waltir to all his landis, annuellis, offices, heretageis, stedingis, takkis, rowmes and gudis quhatsumeuir, and to his fame, wardlie honouris and digniteis, in the samin estait and als frelie as he wes befoir the said cuming in hir said derrest faderis will ; and ordanis the Clerk of Register and Justice Clerk to delete and put out of the Bukis of Counsale and Actis of Adiornale the act of the said Waltiris cuming in will foirsaid, and to haue na faith nor effect in judgement nor outwith in tyme cuming, and letres to be direct heirpoun for probatioun of the samin and declaratioun foirsaid at the mercate croce of Edinburgh, Peblis, Jedburgh, Selkirk, Lauder, Kelso, Melros, Hawik, and all vtheris places necessar, geif neid be. *Extractum de libro actorum Parliamenti, per me magistrum Jacobum Foulis de Colintoun, clericum rotulorum registri ac consilli supreme domine nostre regine, sub meis signo et subscriptione manualibus : Quodquidem actum et omnia et singula in eodem contenta cum auisamento et consensu prefati charissimi consanguinei et tutoris nostri approbanus, ratificamus, ac*

164 presentes, ut premissum est, confirmamus. Datum sub testimonio nostri magni sigilli, apud Edinburgh, penultimo die mensis Marcii anno Domini millesimo quingentesimo quadragésimo tercio, et regni nostri primo. Extractum de libro actorum Parliamenti per me magistrum Jacobum Foulis de Colintoun, clericum rotulorum registri ac consilii dicte supreme domine nostre regine, sub meis signo et subscriptione manualibus: Quodquidem actum ac omnia et singula in eodem contenta cum auisamento et consensu prefati charissimi consanguinei et tutoris nostri approbamus, ratificamus, ac per presentes, ut premissum est, pro nobis et successoribus nostris pro perpetuo confirmamus. Datum sub testimonio nostri magni sigilli, apud Edinburgh, vltimo die mensis Aprilis anno Domini millesimo quingentesimo quadragésimo quinto, et regni nostri tercio.

165. OBLIGATION by ELIZABETH Prioress of Haddington to keep the place and fortalice of Nunraw against the English. 28th February 1547.

AT Haddingtoun, the last day of Februar, the zeir of God i^m v^c and xlvij zeris: The samyn day Elizabeth, Prioress of Haddingtoun, hes takin vpon hir the cure and keping of the place and fortalice of Nunraw; and hes bundin and oblist hir, and be the tennour heirof bindis and oblistis hir to keip the samin surelie fra our auld ynemeis of Ingland, and all vtheris, and sall nocht deliuer the said place to na maner of persone nor personis but my Lord Gouvernouris awys and command; and in cais that our auld ynemyis of Ingland cummis to persew the samin, and that scho may nocht defend the said place, than and in that cais bindis and oblistis hir to cast down the samin, and to byrn and distroy it, swa that na habitatioun salbe had thairintill fra thynefurth. Extractum de libro actorum secreti consilij per me magistrum Jacobum McGill de Rankelour Nether, clericum rotulorum registri ac consilij supreme domine nostre regine, sub meis signo et subscriptione manualibus.

JACOBUS MCGILL.

166. MEMORANDA as to agreement between the Scotts, Kers, and others after the battle of Pinkie to remain loyal to the Queen; as to the Kers, with Lord Grey the English Warden, plundering the lands of Sir Walter Scott of Branxholm, etc., and burning his mother in the tower of Catslak. 1547-1548.

MEMORANDUM: Inprimis, quhow vpon the x day of September, the zeir of God j^m v^c xlvij zeris, quhilk day Pynkyne Feild striking, incontinent eftir the dis-

confitour of the said feild, Schir Walter Scott of Branxhelme, knyght, Walter Ker of Cesfuird, Johne Ker of Fernyherst, Gilbert Ker of Greinheid, Mark Ker of Litildane, wyth thair seruandis and freindis on that ane part; the said Schir Walter Scott, Williame Scott, his sone and air apperand, Robert Scott of Howpaspott, Robert Steward of Traequair, Robert Scott of Wanfray. Walter Scott of Syntoun, Patrik Murray of Fawlawhill, wyth thair freindis and seruandis on that vther part, conuenit awestill Cowsland: Quhair athir of the saidis parteis band, oblisit, and swoir to be leill and trew to our souerane Lady the Quenis Grace and her auctoritie beraris, and to vse thameselfis in all behalfis for the fordwart setting of the Commonwele contrair thair auld inimyce of England, and nothir of thame till gang by vther, bot to abyid continnallie at the fayth and opinione of Scotland vnto thair lyvis end, and for the ferder performance thair of, appointit ane tryist to be halting at Ancrumwodheid alias the Palisfuird, vpon the xij day of the said moneth. At the quhilk tryist the saidis parteis wyth the hail gentill men of Theviotdail war all sworne to the effect foirsaid, and thaireftir vpon the xx day of the said moneth, (the Inglis men passand to home) mett at Blakersiltoun, and war thair all concludit in maner abone writing, and nevir to assist till Inglis men bot always to permene in thair contrair: Nochttheles, vpon the morne, being the xxj day of the sam moneth, the saidis lardis of Cesfuird, Ferniherst, and Mark Ker, wyth thair freindis, attristit and met wyth Schir Ralf Bolmeir, Schir Oswald Wilstrop, wyth vtheris knyghtis and gentill men direckit fra the protectour of England, and appointit wyth thame; the saidis Schir Walter Scott, Williame Scott his sone, and thair freindis, nocht beand aduertisit thair of, and remanit still daylie in the Inglis camp than builland Auld Roxburgh, vnto thair departing of Scotland, havand na regard to the promyss foirsaidis, and daylie thaireftir hantit to pas till Lord Gray than left lieutenant vpon the bordouris of England, and raid wyth him wyth fyir and sword, contrair our souerane Ladeis lieges of this realme; and in the first to the birnyng of the Newwerk, at the quhilk the Lardis of Cesfuird, Coldenknowis, and Mark Ker war personalie present, wyth Schir Robert Bowis, Inglisman.

Item, eftir that my Lord Gouvernour and Monsieur Darsye had bene in Jedburgh, and thair had taking the Lardis of Cesfuird, Ferniherst, [and] Mark Ker, and commandit thame to waird in Edinburgh Castell. vpon the thrid day of October in the xlvij zeiris, Andro Ker, broder to the said Lard of Cesfuird, of thair desire and causing raid to the Lord Gray to Roxburgh, and perswadit him to cum wyth the power of England vpon the landis and rowmes perteing to the

foirsaid Walter, at quhais desire the said Lord Gray accompaneit wyth the said Andro Ker and his broderis houshald men, tenmentis, and seruandis duelland vpon his landis and within his balzereis, the Lard of Lyntoun, George Ker of Gaitschaw, Robin Ker of Graden, Adam Kirkton, wyth the Lard of Fernherstis houshaldmen, and the hail clannes and sornames of Eist Theviotdail come to the Watter of Aill vpon Friday the fyft day of the said moneth of October, and thair brynt, hereyt and destroyit the cornes, guidis and houssis of the inhabitantis thair of pertening to the said Walter and his freindis.

Item, vpon Monunday nixt thaireftir, being the viij of October, the said Lord Gray, accompaneit wyth foirsaidis Scottismen, brynt, hereit and distroyit the towne off Hawik, and all the townys, manyss, and stedingis vpon the watteris of Theviot, Borthlik, and Slitrik, pertening to the said Walter and his freindis.

Item, vpon the xix day of the said moneth the said Lord Gray, accompaneit as is abone writting, brynt, hereit, and distroyit the hail rowmes and stedingis pertening to the said Walter, his kin, freindis and seruandis vpon the watteris of Zarrow and Ettrik, lyand within the Forrest, and brynt the said Walteris moder within the towr of Catslak, and the hail plenisig of the sammyne. And in lykwyis brynt the Castell of Newwerk, wyth the hail insycht and plenisig thair of, and slew four of his seruandis and ane woman within the sammyne. Alsua brynt and hereit the towne of Selkrik, quhair of the said Walter was Provest.

Memorandum, quhow of before in the days of Schir Ralf Everye, the foirsaidis Lardis, thair kin, freindis, and seruandis war in cumpanye wyth Ingland contrarie this realme at the seg-ing of Collingame, and war wyth the said Schir Ralf at the first birning of Selkrik.

Memorandum, quhow Robene Ker, broder to the Lard of Fernherst, wyth his faderis houshald, lyelitit on fute wyth Schir Ralf Everye at Lylzeartis Croce, and fawcht contrair my Lord Governor and auctorite of Scotland.

Item, quhow all the Keris war wyth the Erl of Lenox at Leith contrair the auctorite, except Mark Ker and his sone.

167. LETTER by MARY, QUEEN DOWAGER, to SIR WALTER SCOT of Branxholme, undertaking to support him in all lawful actions, etc. 13th August 1548.

REGINA.—Be it kend till all men be thir present lettres, ws, Marie, be the grace of Gode Queene off Scotland, mowder to oure Souerane Lady the Quenis grace, heretrice

off the sayd realme; forsamekill as oure lowit familiar serwitor, Walter Scott off Branxholme, knyght, is bwnd and oblessit to ws be his band of manrent in serwes induring all and haill the dayes off his lewe, lyk as at mair lencht in his band of manrent, selit with his seill and subseryvit with his hand is proportit and contenit: Heirfor we be the tenor heirof, byndis and oblesses ws, be the faytth of ane princes, to fortyfye, menteine, assist, suple, and defende the sayd Walter in all his honest and lesum actiones, querelis, contrauerses and debaittis quhatsumeuer, mowit or to be mowit contrair quhatsumeuer persone or persones, oure darrest dowchter foirsayd allanerlye exceptit, and sall gewe hyme the best consall we can quhene he sall happin chargis ws thairwith, and alls sall noder heir nor see his skaytth, bot sall stope the same at oure powair, and in cays we may nocht dowe the same, sall gewe hym aduertesment thairoff, sa far as efferis ane princes dowe to hir serwand: In wytnes heirof to this oure band of menteinance, subseryvit with oure hand, oure segnat is affixt: At Edinburgh the xiiij day of August, the zeir off Gode ane thowsand fyve hndreth fowrty and aucht zeres, ane rewerend fader in Gode, George, commendator of the Abbey of Dunfirmling, and Schir Jhone Greynlaw, notair publict, with wder diuerss wytnesses heirto.



168. GRANT by QUEEN MARY to WALTER SCOTT of Branxhelme, knight, of the ward of all lands, etc., of the late TURNBULL of Mynto.
28th August 1548.

MARIE, be the grace of God Quene of Scottis, to all and sindrie our liegis and subditis quhame it efferis, quhais knowlege thir our lettres saleum, greting: Wit ze ws with auise and consent of our derrest cousing and tutour, James Erle of Arrane, Lord Hammiltoun, Protectour and Gouvernour of our realme, to hane gevin and grantit, and be thir our lettres gevis and grantis to our lowit Walter Scott of Branxholme, knyght, his airis and assignais, the warde of all landis and annuell rentis, propirte and tennandrie, with thair pertinentis, quhilkis pertenit to vmquhile Turnbull of Mynto, and now throw his deceis being in our handis be resoune of warde, with all males, fermes, proffittis and dewiteis thairof during the tyme of the said warde, and ay and quhill the lauchtfull entre of the rychtuus air

his thairto being of lauchtfull age, with the releif thairof quhen it sal happin : To be hablin and to be had the warde, nonentres and releif of the saidis landis and annuell rentis, propirte and tennandrie, with thair pertinentis, and all males, fermes, proffittis and dewiteis thairof during the said space, to the said Walter, his airis and assignais, with all and sindrie commoditeis, fredomes, proffittis and rychtus pertinentis quhatsumeuir pertening or rychtuslie may pertene thairto : with power to the said Walter, his airis and assignais, to intromett and tak vp the males, fermes, proffittis and dewiteis of the saidis warde landis, propirte and tennandrie, with thair pertinentis, bayth of termes bygane and to cum during the said space, with the releif thairof quhen it sal happin. and thairupoun to dispone at thair plesure, and to occupy the saidis warde landis, with thair avne gudis, or sett the samyn to tennentis as thair sall think expedient, with court playnt, herezell and m-archete, with commoun pasture, fre ische and entre, and with all and sindrie vtheris commoditeis and fredomes, ffrelie, quietlie, wele and in peace, but ony reuocatioun or aganecalling quhatsumeuir : Quhairfore we charge straitlie, and comandis zow all and sindrie our liegis and subditis foirsaidis, that nane of zow tak vpoun hand to mak ony impediment, lett or distrubance to the said Walter, his airis and assignais, in the peceable brouking, joising, vptaking, intrometting, and disponing vpoun the warde, nonentres and releif of the saidis landis, and annuell rentis, propirte and tennandrie, with thair pertinentis, and all males, fermes, proffittis and dewiteis thairof, during the said space, eftir the tennour of thir our lettres, vndir all pane and charge that eftir may follow. Gevin vndir our priue sele, at Mussilbureht, the xxvij day of August, the zeir of God i^m v^c forty-aucht zeris, and of our regune the sext zeir.

Per signaturam manu domini Gubernatoris subscriptam.

169. LETTERS of DILIGENCE by the LORDS OF COUNCIL against Witnesses and Havers at the instance of SIR WALTER SCOTT of Branxholm, knight, against WALTER KER of Cesfurd and others. 4th April 1549.

AT Edinburgh, the feird day of Aprile, the zeir of God i^m v^c xlix zeris anent the summondis rasis at the instance of Walter Scott of Branxholme, knyght, aganis Walter Ker of Cesfurd, Mark Ker of Litildane, and George Ker of Lintoun, for the wranguis, violent and maisterfull spoliatioun be thameselffis, thair seruandis and complices in thair names, and being with thame in company : Of thair causing command, assistence and ratihabitoun, awaytaking, resetting and withallding fra

the said Walter recentlie, vpon the xv day of Januar, the zeir of God i^m v^c xlvij zeris, furth of his landis, places and howsis within his steding of the Newwerk and boundis thairof, with thair pertinentis liand in the lordschip of Ettrik forest, within the schirefdome of Selkirk, of diuers guidis and geir pertenyng to him as his awin propir guidis, and than being in his possessioun within the saidis landis, places, howssis of his steding and place of Newwerk forsaid and boundis thairof, as at mair lenth is contenit in the said summondis: The said Walter Scot comperand be Maister David Berthuik, his procuratour; and the said Walter Ker and his collegis forsaidis being lauchfullie summond to this actioun, oft tymes callit and nocht comperit: The Lordis of Consale continewis the said summondis in the samin forme, force and effect as it is now, but preiudice of party, vnto the xij day of Maij nixt to cum, with continuatioun of dayis; and ordanis the said Walter Scot to haue lettres to summond sic witnes and probatioun, and to produce sic writtis, rychtis, ressonis and documentis as he hes or will vse for preving of the punctis of the said summondis agane the said day, and that the party be warnit of this continuatioun, and to heir the witnes sworne. Extractum de libro actorum per me magistrum Thomam Marioribankis de Ratho clericum rotulorum registri ac concilii supreme domine nostre Regine, sub meis signo et subscriptione manualibus.

THOMAS MARIORIBANKS.

170. OBLIGATION by MARY, QUEEN DOWAGER OF SCOTLAND, to support SIR WILLIAM SCOTT of Kirkurd, in return for service to be performed by him. 24th June 1549.

MARIE, be the grace of Gode, drowriair off Scotland, to all and sindry quhom efferit, greting: Forsamekill as oure louit familiar and seruitour William Scott of Kyrkhwrd, knycht, sowne and air apperand to Walter Scott of Branxholme, knycht, hes of his motyve and fre wille gewin and deliuerit to ws his band off manrent for serues to be mayd be hym to ws as we sall hapin haue besynes adowe, and chargis hyme dwring all the dayes of his lewe, subscriyvit with his hand, and wnder his segnat, as at mair lencht in the sayd band is contenit; Thairfor and for certane wder rationabill causes mowin ws, we be the tenor heirof promesses to menteyne, fortifye and defende the sayd [William] Scott in all his honest and lesum actiones, querelis, contrauerses and debaychtis quahatsunevir, mouit or to be mouit, contrair hym be ony maner of persone or persones, and that as efferit and apertenit ws to dowe; and sall noder heir nor see his schayth nor displesor, bot

sall stope the same (as resone requirit) at oure powair; and in cays we may nocht dowe the same, sall aduertes hym thairoff as efferit: And alls for gewin of the sayd band and serues to be mayd to ws be the sayd William conforme thairto, and at he may be the mair abill and rady to await thairone, and for wder rationn-
 abill causes mowin ws, be the tenor heirop we promes to deliuer and gewe to the sayd William Scott, his assignais and factores, zeirlye and termlye, induring all his lewe tyme siclyk and allsemekill feis and profetes as wnuquhile Jhone Melwin sum tyme of Raythit had off ws zeirlye and termlye for his serues down to ws; and the sayd William to hawe the same off sic oure landis as the sayd Jhone Melwin resaut his feis dwrin his lewe tyme; and allse the sayd William to hawe off ws lettres off assignatione direct to oure Controllair, and wder oure officiaris neydfull exprimand in speciall the sayd feis and landis of quhilk the same salbe taykin gyf neyd beis: In wytnes heirop to this oure band off menteinance, subscrivit with oure hand, our segnat is affixt. At Edinburgh, the xxiiij day of Junij, the zeir off God ane thowsand fyve hundreth fourty and nyne zeres.

MARIE R.

171. CHARTER by ROBERT SCOTT of Howpaslot, to HECTOR TURNBULL, of lands at Appletrechall. 29th July 1549.

OMNIBUS hanc cartam visuris uel auditoris, Robertus Scot de Howpaslot, salutem: . . . Noueritis me, cum consensu et assensu Isabelle Murray mee sponse, pro suo interesse . . . vendidisse, alienasse, et hac presenti carta mea confirmasse . . . prouido viro Hectori Turnbull, fratri germano Dauid Turnbull domini de Wauchhop, heredibus suis et assignatis, omnes et singulas meas duas terras husbandias, cum pertinentiis, jacentes in villa et territorio de Appiltrehall, in baronia de Hassindene, et infra vicecomitatum de Roxburgh, pro certa pecunie summa michi in mea vrgente necessitate persoluta . . . Tenendas et habendas totas et integras predictas duas terras . . . quas occupabant et occupant Dauid Turnbull et Patricius Gordon, predicto Hectori Turnbull heredibus suis et assignatis, de me et heredibus meis imperpetuum, per omnes rectas metas . . . Reddendo inde annuatim dictus Hector heredes sui et assignati, michi et heredibus meis, vnum denarium monete Scocie, super solum dictarum terrarum, in festo Penthecostes, nomine albe firme, si petatur tantum pro omni alio onere, exaccione, questione, demanda seu seruitio seculari que de predictis terris . . . exigi poterunt . . . Et ego vero prefatus Robertus Scot heredes mei et assignati, totas et integras predictas

duas terras . . . predicto Hectori Turnbull heredibus suis et assignatis, adeo libere . . . contra omnes mortales homines et feminas warrantizabimus . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum, vna cum mea subscriptione manuali, apud Appiltrethall vicesimo nono die mensis Julij, anno Domini millesimo quingentesimo quadragesimo nono, coram hiis testibus Waltero Scot meo filio et apparenti herede, et Roberto Scot alio meo filio, Adam Turnbull in Belsis, Henrico Scot, Johanne Blaike, Georgio Turnbull, et domino Patricio Crawford capellano ac notario publico, cum diuersis aliis.

172. LETTER by MARY, QUEEN-DOWAGER OF SCOTLAND, to SIR WILLIAM SCOTT of Kyrkurde, as to her obligation to support him, and granting him a pension of £100 a year. 30th August 1549.

BE it kend till all men be thir present lettres, ws, Marye, be the grace off Gode, Drowryair of Scotland, forsamkill as we haweand regarde to the afald trewe and thankfull serwes downe to ws be our lowit familiair seruitor, William Scott of Kyrkwrde, knyecht, sowne and air apperand to Walter Scott of Branxholme, knyecht, and allse to the faychtfull part kypit be hym toart the commonwelth for defence of liberte of this realm contrair oure auld inimeis off Ingland, quhairtrowcht he hes sustenit greit dampnagis, hyschopis, and displesowres, and allse for wder rationabill causes mowing ws toart the sayd William, quha of his fre wille and motyve hes deliuerit to ws his band of maurent for fordwart serwing of ws induring his lewetyne, and we thairfor of oure liberalite deliuerit to hym oure lettres of menteinance, togydder with our promes of sielyk, and allsemekill zeirlye fee and pentione to be payit to hym, his assignais, or factores, be ws and our chalmerlanes, dwing oure wille, as wmqulhill James Melwin, sumtyme of Raytht, had of ws in zeirlye fee and pentione, and to be resaut of the profectis of the same landis (fra the handis of our chalmerlenes,) of quhilk the sayd wmqulhill James resaut the sam as at mair lentht is contenit in oure sayd lettres deliuerit to the sayd William therypone : Heirfor, for farder performing thairof, we, be the tenor heiroff, gewes, grantis and assignais to the sayd William, his assignais and factores, all and hail the sowme of ane hundrecht pundis gud and vsuall mowny of this realme, quhilk sowme the sayd James had in zeirlye fee and pentione, and to be resaut fra the handis of our chalmerlene of our landis and lordschyppe of Fyf off the radyast profectes and dewteis resaut be hym of our landis off Ster and Morthowcarny, lyand within the scherefdowne of Fyf, and to be zeirlye payit be our sayd

chudmeilane to the sayd William, his assignais and factores, at the fest of sanct Martyne in wynter, all togydder in ane hail sowme, dwring oure wille, comandand and chargand Androwe Farny off that ilk, chalmerlane for his tyme of our sayd landis, and all wder for to cum, to thankfull ansur and obay to the sayd William, his assignais and factores. zeirly, at the terme foirsayd, dwring oure will, off the sayd sowme of ane hundrecht pundis, and the sam salbe thankfully allowit at his or thair cownptis maykin, he or thair schawand the sayd Williamis acquittance thairvpon. In wytnes heirop to thair our lettres, subseryuit with our hand, oure segnat is affixt, at Edingburgh, the penult day of August, the zeir off God ane thowsand fyve hundretht fowrty and nyne zeres. MARIE R.

173. LETTERS of DILIGENCE by the LORDS OF COUNCIL against Witnesses and Havers, at the instance of WALTER SCOTT of Branxholm, knycht, against WALTER KER of Cesfurd, JOHN KER of Phairnehirst, and others. 3d December 1549.

At Edinburgh, the thrid day of December, the zeir of God i^m v^c xlix zeris: Anent the summondis rasit at the instance of Walter Scott of Branxholm, knycht, for himself, and as cessionar and assignay lauchfullie constitute be Philp Scot in Todschawhill, Adam Scot in Quhithoip, William Elliot thair, Thomas Talliefair thair, James Scott, Helene Scot thair, Philp Scott in Wiltounburn, Matho Hunter thair, George Scot thair, William Duncan thair, Robert Scot in Borthauch, Johne Duncane thair, William Hutoun thair, Walter Scot in Todschawhauch, Patrik Huntare in Wiltoun Greyne, James Duncane, William Scot in the Qubannys, William Scot thair, alias callit Wille of Todschawhauch, Johne Scot thair, Williame Haw thair, in and to thair cornis, catell, and vderis guidis vnderwrittin, birnyng of thair howss, malingis, insyecht guidis, dampnages and skaythis sustenit be thame and ilkane of thame thairthrow efterfollowing; as at mair lenth is contenit in thair lettres of assignatioun maid to the said Schir Walter thairupoun aganis Waltir Ker of Cesfurd, Johne Ker of Phairnehirst, Mark Ker of Litildane, George Ker of Lyntoun, James Ker of Mersingtoun, Nycholl Rutherford of Hundelie, Johne Rutherford of Hunthill, William Dowglas of Bonjedburgh, Williame Rutherford of Kidhuch, Thomas McDowall of Makeairstoun, Alexander Makdowall of Stedrik, Daid Ainislie, sone and air to William Ainislie of Falaw; James Ormistoun of that ilk, Johne Grimslaw of Litill Newtown, George Frenche of Thornydikis, Robert Lauder of that ilk, Johne Fresell of Ovirtoun, Spottiswod of that ilk, Andro Mader of Langtoun, Adam Kirkton of Stewart-

feild, David Haliburton of Myrtoun, Johne Hoppringle of Tarsons, Johne Hoppringle of Galloschelis. Robert Hoppringle of Ovirelewch : That is to saidis personis for the wranguis violent and maisterfull spoliatioun be thame selfis in company with Patrik Lord Gray, lieutenant of the north part of England, and ane army of oure auld innemyis thairof, and vtheris thair complices of thair conveying, gyding, forti-fing, causing, command, assistence and ratihabitoun, away taking, birnyng, distroy-ing, intronetting, resetting, and withhalding fra the said Schir Walter and personis forsaidis, his freyndis, tennentis and seruandis to quhom he is constitute assignay as said is, furth of thair and his landis, howss, places, peillis, biggingis, males and duelling places respectiue efterfollowing recentlie vpoun the viij day of October the zeir of God i^{na} v^e xlvij zeris, in tyme of vacance, within feriat and clois tyme of har-rist, of the cornis, cattell, guidis, geir, insicht, barnis, byris, biggingis, peilles, places, stables, howss, and duelling places particularie abone exprimit, quhilk pertenet to the said Walter and personis forsaidis respectiue, his freyndis, tennentis and ser-uandis, and ilk ane of thame for thair awin partis, as thair awin propir guidis, and than war in thair possessioun within thair saidis landis, howss, biggingis, malingis and duelling places, and now halelie pertenis and aucht and suld pertene to the said Schir Walter, for himself and as cessionar and assignay forsaid be vertew of the said assignatioun maid to him thairof : That is to say, the said Schir Waltir furth of his manis of the landis of Goldland, liand within the Schirefdome of Roxburgh, barnis and barnzardis thairof, twa hundreth thraves beir, estimat to ane hundreth bollis beir, price of the boll with the fodder xlv s., and diuers vtheris cornis, cattell and guidis of syndrie prices, like as at mair lenth is contenit in the said summondis : The said Schir Walter comperand be Maister David Borthuik, his procuratour, and the saidis Johne Ker, Walter Ker, and the remanent of his collegis abone writtin, being lauchfullie summond to this actioun, oft tymes callit and nocht comperit : The Lordis of Counsale continewis the said summondis in the samin forme, force, and effect as it is now, but preiudice of party, vnto the xxiiij day of Februar nixt to cum, with continuatioun of dayis ; and ordanis the said Schir Waltir to haue lettres to summond sic witnes and probatioun, and to produce sik writtis, richtis, ressonis, and documentis as he hes or will vse for preving of the punctis of the said summondis agane the said day ; and that the party be warnit of this continuatioun, and to heir the witnes sworne. *Extractum de libro actorum per me magistrum Thomam Marioribankis de Ratho clericum rotulorum registri, ac consilii supreme Domine nostre Regine sub meis signo et subscriptione manualibus.*

THOMAS MARIORIBANKIS.

174. BOND OF MANRENT by WILLIAM SCOTT of Kirkurd, knight, to MARY,
QUEEN DOWAGER OF SCOTLAND. 1549.

BE it kend till all men be thir present lettres, me, William Scott off Kyrkhwrd, knycht, sowne and air apperand of Walter Scott of Branxholme, knycht, to be bwnd and oblessit and be the faytht and trewtht in my body, be the tenor heirof, lillye and trowlye byndis and oblesses me, dwing all the dayes of my lewe, in serwes and manrent to the hie and excellent Mary, be the grace off God, Drowriair off Scotland, and moder to our souerane lady, be the same grace Quene of the sayd realme off Scotland, to be rady at all sic tymes as hir grace sall happin chargis or requir me, to dowe sic serwes as scho sall requir me leilly and trowlye at the wtermost of my powair, for fordwart settin off the auctorite, liberte off this realme and common weltht thairoff, and allse in all hir graces besynesses and effaris contrair hir inimeis and nonfrendis quhatsumewir, and in speciall aganis oure auld inimeis off Ingland, and all wderis thair parttaykeris, suplearis, and defendaris, perturbaris off this realme and commonweltht heiroff, of quhatsoewir natione or cwnta thai be, pretending to molest and trowbill our souerane lady and hir subiectis, and distrowe the liberte off this oure natyve realme; and sall conceill ony hir graces consall quhilk scho sall happin schawe to me, desirand the same be concelit, and gyf scho sall happin desir my consall, at all tymes salbe rady to geve hir the best that God sall put in my mynd and wnderstanding for that tyme, and sall noder heir nor see hir schayth, hurt, nor displesor, bot sall stope the same with all my powair, and gyff I may nocht dowe the same, with all deligence possibill sall aduertes hir grace thairoff to that effect scho may provide remedy thairfor: And heirto I bynd and obles me leyilly and trowlye, as sayd is, be this my band of manrent and obligatione. In wytnes heiroff, to thir present lettres, subscrivyt with my hand, my segnat is affixt. At the day off
the zeir off God j^m v^c fowrty and nyne zeres.

WYZEM SCOTT of Kyrkwrd, Knycht.

175. LETTER OF PROTECTION by JAMES EARL OF ARRAN, Regent, to the
persons accompanying WALTER SCOTT of Branxholm, knycht, to
Liddisdale. 29th April 1550.

GUBERNATOR,—Forsamekle as we haue directit Walter Scott of Branxholme, knycht, to Liddisdale, for performyng of certane affaires quhilkis we haue committit vnto him herfor, be the tennour heirof we bind and obless ws to assure quhat-

sumeir persoun or personis it sallhappin the said Walter to intercomoun with and haif with him in company, to be vnhurt, vnharmit, vnwardlit, vntrublitt, or vnpersewit be ws, or ony that we may let, for the space of aucht dayis nixt eftir the dait heirof, to the effect thai may resort and repare toward ws for sic besines as thai haif do with ws, and frathyne to depart agane at their plesouris. And hereto we obliiss ws faythfulle, as said is, in verbo principis, be thir presentis, subseriuit with our hand at Elinburgh, the penult day of Aprile, the zeir of God i^m v^o and fifty zeris.

JAMES G.

176. COMMISSION by MARY QUEEN OF SCOTS to SIR WILLIAM SCOTT of Branxholme, knight, to be Warden of the Middle Borders between Minto Craig and Craykeorss. 29th April 1550.

MARIE, be the grace of God, quene of Scottis, to all and sindrie our liegis and subditis quhame it efferis quhais knowlege thir our lettres salcum greting: forsamikle as our lout, Walter Scott of Branxholme, knyecht, hes takin vpoun him the rewle of the Myddill Bordowris betuix Mynto Craige and Craykeorse, in quihill boundis his freindis, seruandis, and tennentis duellis, and to answeire thairfore baytht to Scottis and Inglis, and to mak redres for thame at dayis of meting on the bordouris within the saidis boundis: Thairfore we, with aulse, consent, and auctorite of our derrest cousing and tutour, James Erle of Arrane, Lord Hammiltoun, Protectour and Gouvernour of our realme, haue maid, constitute, and ordanit, and be thir our lettres makis, constitutis, and ordanis the said Walter lieutenant vndir ws within the saidis boundis, gevand and committand to him full power and special command all trespassouris and transgressouris within the saidis boundis to call, punis, and correct for thair transgressionis, according to the lawis of our bordowris, and to vse and exerce the said office of lieutenantndrie in all thingis as efferis within the saidis boundis, and to convene with the wardanis or lieutenantis of England, at dayis that beis appoyntit, on the bordouris, for reformatioun of attemptatis, making and taking of redres as efferis, and generalie all and sindrie vther thingis to do, exerce, and vse, that to the office of lieutenantndrie of law or consuetude of our realme ar knawin to pertene, ferme and stabill, haldand, and for to hald, all and quhatsumeir thing our said lieutenant in the premissis lauchfullie ledis to be done: Quhairfore we charge straitlie, and commandis zou, all and sindrie our liegis and subditis foirsaidis, that ze, and ilk ane of zow, reddelie intend, ansuer, and obey to the said Walter in the peciabile exercing and administratioun of the said office of lieutenantndrie committit to him,

as said is, eftir the tennour of thir our lettres, vndir all pane and charge that eftir may follow : Quhilkis lettres we will, for the space of nynetene zeris nixttoocum eftir the day of the daif of the samyn, and forthir, for our will, ay and quhill we gif command in the contrare be our writingis, to indure. Gevin vndir our Priue Sele, at Edinburgh, the pennult day of Aprile, the zeir of God j^m v^o fyfty zeris, and of our regne the aucht zeir.

Per signaturam manu Domini Gubernatoris subscriptam.

177. OBLIGATION to the QUEEN and the LORD GOVERNOR, by WALTER SCOTT of Branxhelm, knight, and others, to aid in bringing criminals to trial and condign punishment. 21st May 1550.

BE it kend till all men be thir present lettres, ws, quhais namis ar wndirsubscriuit, to be bund and oblist, and be the faith and treuth in our bodyis, byndis and oblistis ws and our airis to our souerane Lady, my lord Gouvernor, and hir succesouris, that forsamekle as the rycht nobill and potent prince James erle of Arrane, Lord Hammiltoun, etc., protectour and gouvernour of this realme, is cumin to the partis adiacent to the realme of England, willand to put gud ordour in the cuntre, and caus gud reule be obseruit and kept amangis all our souerane Ladyis liegis for thair rest, eis, and tranquillite, and for to caus the inhabitantis of the realme quha hes bene in this trubulus tyme of weir last bipast brynt, hereit, and put to extreme pouerte be our auld innymeis of England, and wtheris tratouris and thewis of this realme, now in tyme of pece vse and posses thair landis and rowmis, fredomes, and priuilegis quahsumeuier, frielic and quietlie, conforme to resone, equite, and justice ; and we willing to schaw ourselis obedient leigis and faithfull subiectis to our said souerane Lady, hir gracis auctorite, and my lord Gouvernour, and to concur, fortify, and assist to his gracis honorable and ressonable purposis, at the vtermest of our power, leik as we haue bene in tyme bypast to our Souerane Ladyis predicessouris : Thairfore in all tyme cuming we sall keip, and caus to be kept, gud reule within our saidis bondis, obeysance of our souerane Ladyis auctorite, eis, and weill of the cuntre, in maner as after followis : That is to say, and in the fyrst, gif ony persone, duelland in ony of our hous upoun our landis, or within our takis, stedingis, rowmes, and bailleryis, committis ony cryme, sic as tresone, fire rasing, ravesing of women, murther, slaughter, mutilatioun, reif, thift, resset of thift, forthocht felony, commoun oppressioun, hamesuckin, resset of horne, assistance to theues or tratouris, eftir the committing of ony sic crynes or falt, we, or ony of ws, vnder quhom the said persone dwellis, being requirit thairto

be the quenis auctorite, or be hir justice or justice clark, sall enter the persoun delatit of the faltis ane or ma other in generale justice airis, or at priuate diettis, as we sall be requirit, upoun xv dayis warnyng, to wnderly the law for the sammin crymes thai ar delatit of before the justice or his deputis, ilk persoun as efter followis: That is to say, for fyre rasing, ravesing of women, slauchter, murthur, mutilatioun, ilk gentilman landit j^e lib., ilk gentilman walandit j^e merkis, ilk zeman xl lib., and for vther crymes vnder the pane of law, and cumis souerte thairfore to the first air or curt preceptour, and sall ansur to our souerane lady for thair escheit gudis, in eace the personis, or ony of thaim, beis fugitiue, and attour, in the said eace the saidis personis, or ony of thame, beis fugitiue, and will nocht compeir to wnderly the law for sic crymes as thai sall be delatit of, we sall expell thaim, and put thaim furth of oure boundis, heretage, takis, stedingis, rewmes, and ballieryis, thair vyffes and bairnis, and sall tak thair stedingis and takis fra thame, and put in vtheris personis to vse and occupy the sammin, and sall hald the malefactouris, thair vyffes and barnis, perpetually furth of thair takis and stedingis forsaid, and geif it sall halppin ony of the malefactouris to resort and cumme agane within our boundis, and beis sufferit to remane thair xij houris our witting, in that eace we grante and confes ws culpable and accusable of ony crymes or skaithis that it sall happin the saidis malefactouris, or ony of thaim, to committ in tyme of thair returing or receptatioun. And alsua, geif ony of our souerane ladyis leisgis put to hir horne cum within the boundis forsaidis, or within ony part of the scheir we dwell in, or geif ony conspiratour aganis the quenis auctorite happinnis to be or cum within the cuntre or scheir we dwell in, we sall rise togidder aganis thaim, with our kin, frendis, men, tennentis and adherentis, and perseu thaim, and tak and bring thaim to the law, geif it be in our power, and sall slay thaim, or put thaim furth of the cuntre, and to this effect we sall rise and concur togidder, and put this to execution aganis all rebellis, conspiratouris, and withstandaris of the quenis auctorite, and heirto we sall do all our possible diligence, quhairupoun, geif we faille we ar contentit to bide the knowlege of ane assise quhenauer and in quhat place it sall please the quenis grace, my lord gouernour, and hir successouris, and call ws to be accusit; and geif it beis funding that we be culpable or falti of ony of the premissis, it sall be lefull to the quenis grace, my lord gouernour, to pvnish ws be deid, prisoning, or confiscatioun of our gudis, at thair will, and to hald ws culpable of all the faltis to be committit be the malefactouris that we geif ony faouris or assistance to, and als nane of ws sall resauue or reset within our boundis ony personis that is fugitiue fra the law, or is expellit or put out of ony vther

annuis bondis, and gif we, or ony of ws, dois in the contrare, to incure the panis above wrytin, and to be processit and pvnist thairfore as we or ony of ws reset thewis within our awin bondis. At Ancrum, the xxj day of Maij, the zeir of God j^m v^c and fyfty zeiris.

WALTER SCOTT of Branxhelme, knycht,
with my hand.

WILLIAM SCOTT of Kirkvrd, knycht.

ROBERT SCOTT of Howpaslay.

ROBERT SCOTT of Wamfray.

WALTER SCOTT of Syntoun.

ROT. ELUAND of Reidheuch.

W^{AM}. SCOTT of Hardenn.

ADAM SCOTT of Burnfute.

WALTER SCOTT of Edschaw.

GEORGE SCOTT of Blyndhauch.

ROT. SCOTT of Thirstlane.

With our handis
at the pen, led
be Jhon Raltoun,
clark.

178. LEASE by JAMES CREICHTOUN of Cranstoun Riddall and his Curaters to his mother, Dame JONET BETOUN, spouse to Walter Scott of Branxhelme, knight, of the lands of Cranstoun Riddall, etc. 20th August 1550.

BE it kend till all men be thir present lettres, me, James Creichtoun off Cranstoun Riddall, with consent and assent of honorabill men, and my wele belovitis William Scott of Kirkvyrd, knicht, and Walter Scott of Syntoun, my curatouris, lauchfullie constitute, to haif sett and for maill latting, and be the tenour heirof settis and for maill lattis to my best belovit moder, Dame Jonet Betoun, (spouse to Walter Scott of Branxhelme, knicht,) hir airis, assignatis, and subtenentis, ane or ma, all and hail my landis foirsaidis of Cranstounriddall, commonlie callit the Manys of Cranstoun, toun of the samyne, tounstalis and maner place and fortalice of the samyne, orchardis, gardinis, parkis, and dowkatis thairof, and thair pertinentis, lyand within the sherefidome of Edinburgh and constabillarie of Hathingtoun, togidder with my hail landis of Catslak, Ester and Wester Montbenger and Blakgrane, with their pertinentis, lyand within the Lordschip of Ettrik Forrest and schereflome of Selkrik, for all the days and termes of nynetene zeris fullilie to be togidder completit and owtrunnyng eftir the said dame Jonetis hir airis, assignatis, and subtenentis entre thairto, quhilck salbe the day and dait of the making heirof, and thaireftir to be peciabillie broukit and joisit be the said dame Jonet, hir airis,

assignatis, and subtenentis foirsaidis, wntill the ische and ending of the saidis nyntene zeris, as the samyne lysis in lenth and breid, with all richt marchis auld and deuisit, in houss, biggingis, boundis, orchardis, gardinis, parkis, woddis, walteris, stankis, medois, bromys, mairys, marressis, halkingis, and huntingis, fisching and fouling, mylnis, muleturis, and sucking thairof, with commone pasture, fre ische and entre thairto, with all and sindry vtheris commoditeis, fredomis, proffectis, and esiamentis quhatsumeuir pertening thairto, or that sall happin be knawing heireftir richtauslie pertene to the samyne in tymes cumyng. The saidis dame Jonet Betoun, hir airis, assignatis, and subtenentis foirsaidis payand thairfore zeirliche to me, my airis and assignatis, procuratouris, or factouris, the sowme of fourty sex libs. threttene schillingis and four penneys money of this realme, at tua vsuale termes in the zeir, viz., Witsunday and Martymes, be equale portionis; off quhilk sowme twenty sex libs. threttene schillingis and four penceis salbe for my foirsaid landis of Cranstoune Riddall and thair pertinentis abone expemit, and twenty libs. money for the landis of Catslak, Blakgrane, Ester and Wester Montbenger, with thair pertinentis; togidder with the payment of the few malis of the samyne, to be payit be the saidis dame Jonet Betoun, hir airis, assignatis, and subtenentis, to our souerane Ladeis comptrollares and chalmerlanes of Etrik Forrest, quhilkis sall happin be for the tyme, at the termes wsit and went allanerlie: And I forsuith the said James Creichtoun, with consent and assent of my foirsaidis curatouris, bindis and oblis me, my airis, executouris and assignatis, to warrand, acquiet, and defend the tak and sett foirsaid of all and hail the landis abone expemit, and thair pertinentis, to the said Dame Jonet Betoun, hir airis, assignatis, and subtenentis foirsaidis, duryng the days and termes contenit heirin, contrair all thame that levis and de may, as law will, but fraude or gile: In witnes heirof to thir presentis subseriuit with my hand and handes of my curatouris foirsaidis, my sele is to hunging, togidder with thair selis in signe and takynyng of thair consent and assent had heirto, at Branxhelme, the twenty day of August, the zeir of God ane thousand fyve hundreth and fifty zeris, before thir witnessis, Adame Scott in Quhithoup, Johnne Cranstoun, Alexander Elliot, Dande Hoig, Johnne the Grahame, with vtheris diuers.

JAMES CRYCHTON of Crenston Ryddall, with my hand.

WYZEM SCOT of Kyrkwrđ, knycht.

WALTER SCOTT of Syntoun,

wyht my hand at the pen tuicht.

179. OBLIGATION by JOHN, ARCHBISHOP OF ST. ANDREWS, to SIR WALTER SCOTT of Branxhame, knight, to maintain him in all his lawful actions and quarrels. 31st December 1550.

Be it kend till all men be thir present lettrez, ws, Jhone, be the mercy of God Archbischof of Sanctandros, Primate and Legate nate of all Scotland, and Abbot of Paslay, that forsamekle as ane rycht honorable man, Walter Scott of Branxhame, knycht, hes maid and gevin till vs his band of manrent the day of the dayte of thir presentis, vndir his subscripitioun manuall and sele of armes, as at mair lenth is contenit in the sammin, quharfor we to be bund and oblist and be the tenour of thir presentis, lelely and treuly, be the treuth and faitht in our body, byndis and oblis ws, be the vourd and faitht of ane prelate, that induring our naturall lyiff we sall maneteine and defend at the vtermast of our power the said Schir Walter Scott, knycht, in all and syndry his causis, actionis, questionis, and querelles leissum and honest, movit and to be movit, and with our kyn, freyndis, seruandis, vassalles, parttakaris and adherantis, sall tak his plane and afald part thairntil, aganis all men levand or dee ma, our allegance to the Queyns grace our Souerane Lady, my Lord Governour, and the auctorite of the realme being for the tyme allanerly reseruit and exceppit, and sall nothir wit, heir, see, nor vnderstand his skaitht or dammage in his persoun, honour, heretagis, possessionis, nor stedis, bot sal reuele or cause the sammin be reuelit to him sa sone as we ma haue knowlege therof, and the counsell that the said Schir Valter plesis to schaw vntill vs we sal kepe the sammin secrete, and sal nocht disclose the sammin to his dammage, displesour, or dishonour, and the counsell [th]at he desiris of vs in his just and leissum actionis and causis we sall gif him the best we can for the tyme: And in vittessing herof we haue subseriuit with our hand this lettre of maneteinance, and hes affixit our roynd sele therto, at Edinburgh, the last day of December, the zer of God j^m v^c and fyfty zeris.

JHONE, ARCHIBISCHOP OF SANCTANDR.

180. COMMISSION by MARY QUEEN OF SCOTS to SIR WALTER SCOTT of Branxholme, knight, to be Governor and Justiciar of Liddisdale. 3d April 1551.

MARIA, Dei gracia regina Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem: Sciatis quod nos pro furtorum, rapinarum, depredationum, homicidiorum, incendiorum et similium crudelium, terribilium et iniquorum criminum repressione et cessatione qualia per inhabitantes terrarum et

dominii de Liddisdail super fidelibus nostris ligeis retroactis temporibus commissa fuerunt, et quod subditi nostri in tranquillitate et absque dampno dictorum inhabitantium affuturo tempore vivere possint ob regimen et gubernationem ipsorum inhabitantium sub nostrarum legum et iusticie metu et ordine ad incrementum policie bone exercitationis ac laborum infra dictas bondas, habentes cum auisamento, consensu et auctoritate nostri charissimi consanguinei et tutoris Jacobi ducis de Chattellarault, Aranie comitis, domini Hammiltoun et regni nostri protectoris et gubernatoris, fecimus, constituimus et ordinauimus ac facimus, constituimus et ordinamus per presentes dilectum nostrum Walterum Scot de Branxhelme equitem auratum nostrum generale rectorem seu gubernatorem et iusticiarium in hac parte infra bondas predictarum terrarum et domini de Liddisdale atque omnes alias bondas in Teviotdaleheid vbi vlli veterum inhabitantium et tribuum vulgo clannis de Liddisdale impresentiarum remanent seu remanere contigerint; dantes et committentes eidem Waltero equiti ac deputatis suis nostre iusticie curiam seu curias omnesque alias curias necessarias intra prescriptas bondas seu apud Branxhelme vel Hawik statuendi, inchoandi, affirmandi, tenendi et quotiens necessum fuerit atque illis expedire videbitur continuandi; absentes amarchiandi; transgressores pro suis criminibus seu defectibus et offensionibus, legibus et consuetudini regni nostri conforme, puniendi; exitus, amarchiamenta et eschaetas dietarum curiarum petendi, exigendi, leuandi suoque proprio vsui applicandi et pro eisdem si opus fuerit namandi et distringendi; omnes et singulos fugitiuos a dictis curiis nostros rebelles denunciandi atque ipsos ad cornu nostrum ponendi; omnia et singula eorum bona eschaetandi seu tanquam nostra eschaeta importandi, suas quoque personas rimandi, perscrutandi, capiendi et apprehendendi atque illos suis pro demeritis legibus et consuetudini prescriptis conforme puniendi, et si ipsi apprehendi minime poterint cum potestate dicto rectori nostro et iusticiario in hac parte ac suis deputatis illos, illorum habitationes et familias igne et ferro vel gladio ad huiusmodi extremam destructionem persequendi, necnon ad hunc effectum ligeorum nostrorum conuocationem et congregationem quando et quoties ipsi siue vllis ipsorum expedere viderint faciendi; ac etiam casu persone sic persecute vel earum aliqua, sui assistentes, participes, suplementum prebentes, vel defensores in earum resistentia aut inobedientia occidi, mutilari, ledi, vulnerari seu quouismodo dampnum pati siue molestari contigerint, nos cum auisamento, consensu et auctoritate Gubernatoris nostri predicti volumus et concedimus ac pro nobis et successoribus nostris decernimus et ordinamus quod prefatus Rector et Iusticiarius noster in hac parte, nec sui deputati neque persone cum illis in comitiua existentes, aut earum

Nulla nullam crimen dampnum vel preiudicium in suis personis, terris nec bonis ob id incurrant, nec vocabuntur neque propterea criminaliter nec civiliter quouismodo tempore affuturo accusabuntur, cum potestate etiam prelibato rectori ac iusticiario nostro in hac parte deputatos sub eo in dicto officio vnum seu plures clericos, serianos, iudicatos, omnesque alios officarios et dictarum curiarum membra necessarios faciendi, creandi, substituendi, ordinandi et iurari causandi, pro quibus respondere tenebuntur, cum quibus penes dictarum curiarum tentionem dispensamus per presentes: Non obstantibus vllis parlamenti seu nostre iusticiarie itinerum sedibus vel sessionibus, et generaliter omnia alia et singula faciendi, gerendi, exercendi et vtendi que in premissis et circa ea necessaria fuerint seu quoquo modo oportuna: Ratum et gratum habentes et habituri totum et quicquid pre-nominatus rector nosterque iusticiarius in hac parte superscripti sui deputati officarii et ministri in premissis rite duxerit seu duxerint faciendum: Quare vniuersis et singulis nostris ligeis precipimus et mandamus quatenus ipsi et ipsorum quilibet prefato rectori et iusticiario nostro in hac parte suisque deputatis in vsu et exercitacione predicti officii atque in omnibus et singulis huiusmodi concernentibus; in speciale quoque in persecutacione hominum infractorum siue malefactorum fugitiuorum et inobedientium intra bondas supradictas suis obligationibus aut promissis nobis pro depressione tribulationis seu perturbationis patrie nuper confectis conforme prompte respondeant, pareant et intendant, ne non cum dies vili treugarum vel conuentionis inter prefatum rectorem aut deputatos suos et gardianum Occidentalium et Mediarum Marchiarum Anglie ad conueniendum super marchii infra bondas de Liddisdale, videlicet Kershope, Dayholme, Bellis, seu vllas alias pro restitutione seu reformatione attemptatorum inter inhabitantes de Liddisdale bondarumque Occidentalium et Mediarum Marchiarum Anglie facienda fore contigerint: Quare tot generosi hereditate pre-diti et hereditate minime ditati vice-comitatum nostrorum de Roxburgh, Selkirk et Peblis quot per dictum rectorem vel suos deputatos requisiti fuerunt pro magis decenti aut honesto more et exercitu seu comitiis, pro decoracione et exaltacione nostri honoris, atque pro suis auisamento et consilio in similibus negociis habendo et tradendo responsionibusque faciendis ac si pro communi bono nostrorum regni et legiorum tractari contigerint, cum illis accedant prout nobis desuper respondere voluerint: omnibus quoque sub pena et onere quas erga nostram reginalem incurrere poterint maiestatem, presentibus apud cruces fororum burgorum nostrorum de Jedburgh, Peblis et Selkirk ac Kelso et Hawik omniaque alia loca necessaria proclamatis ad beneplacitum seu voluntatem dicti nostri charissimi consanguinei et tutoris in suo robore duraturis: In cuius

rei testimonium magnum sigillum nostrum presentibus apponi fecimus, apud burgum nostrum de Edinburgh tercio die mensis Aprilis anno Domini millesimo quingentesimo quinquagesimo primo, et regni nostri nono.

181. COMMISSION by MARY QUEEN OF SCOTS to SIR WALTER SCOTT of Branhelme, knight, to be Warden and Justiciar of the Middle Marches. 29th June 1551.

MARIA Dei gracia Regina Scotorum, vniuersis et singulis ad quorum noticiis presentes litere peruenerint, salutem : Noueritis quod nos intelligentes bonum, fidele et gratuitum seruicium nobis ac charissimo nostro consanguineo et tutori Jacobo duci de Chattellarault, Aranie comiti, domino Hammiltoun regni nostri protectori et gubernatori per dilectum nostrum Walterum Scot de Branhelme equitem auratum omnibus temporibus retroactis impensum, et specialiter in defensione libertatis regni nostri contra nostros veteres inimicos Anglie vnde dictus Walterus ingentia seu larga incendia depredationes et grauamina sustulit, et quod nostri pauperes ligei Mediarum Marchiarum regni nostri grauiter perturbati et per fures, raptores et alios malefactores spoliati sunt, et nisi punitio et remedium ad hoc celerius prouideatur magna inconuenientia forte desuper sequi poterunt ; pro quorum depressione et dictorum malefactorum punitione, nos cum auisamento et consensu dicti nostri charissimi consanguinei et tutoris fecimus constituimus et ordinauimus ac facimus constituimus et ordinamus per presentes prefatum Walterum Scot nostrum Gardianum infra totas et integras bondas Mediarum Marchiarum regni nostri versus Angliam et gardianatus eiusdem, ac etiam nostrum Justiciarium infra bondas predictas cum omnibus feodis et deuoritiis quibuscunque dicto gardianatui villo modo spectantibus : Dantes concedentes et committentes prenominato Waltero Scot nostram plenam potestatem ac mandatum speciale gardianatus et iusticie curias intra bondas suprascriptas statuendi, inchoandi, affirmandi, tenendi atque quotiens opus fuerit continuandi, ac omnes et singulos inhabitantes infra easdem cum ipsos idem Walterus requisierit et expedire videbitur pro defensione huius regni nostri contra veteres nostros Anglie inimicos prescriptos, et pro persecutione, captione, apprehensione et punitione dictorum furum, proditorum et malefactorum conuenire, equitare et progredi causandi ; statuta, acta et ordinancias desuper faciendi ; transgressores, fures et alios delinquentes infra bondas predictas secundum quantitatem suorum criminum legibus conforme puniendi, necnon ad hunc effectum assisas vnam seu plures ad ipsius benepla-

citum prout necessarium fit, ad sufficientem numerum personarum minime suspectarum, sub pena viginti librarum de qualibet persona non comparente summonendi, prenuendi et iurari causandi; clericos, serianos, indicadores atque omnes alios officarios et membra necessarios curiarum Gardiani et Justiciarij faciendi, creandi, ordinandi, admittendi et iurari etiam causandi, deputatos quoque vnum siue plures sub eo in dictis officiis faciendi, creandi, admittendi et substituendi, pro quibus dictus Walterus respondere tenebitur, exitus, amarchiamenta et eschaetas dictarum curiarum ac bonorum hominum intra dietas bondas ad mortem pro dictis criminibus iustificatorum leuandi, percipiendi, applicandi et suo proprio vsui importandi, et si necessum fuerit pro huiusmodi namandi et distringendi, et generaliter omnia alia et singula quecumque alii Gardiani Marchiarum nostri regni facere seu exercere poterint faciendi, gerendi, exercendi et vtendi que in premissis et circa ea necessaria fuerint seu quomodolibet oportuna: Ratum et gratum, firmum atque stabile habentes et habituri totum et quicquid prefatus noster Gardianus et Justiciarius siue deputati officarii et ministri in premissis rite duxerit seu duxerint faciendum: Quare vniuersis et singulis quorum interest vel interesse poterit stricte precipimus et mandamus quatenus prelibato nostro Gardiano et Justiciario suisque deputatis et officiariis in omnibus et singulis premissa concernentibus prompte respondeant, pareant et intendant sub omni pena que competere poterit in hac parte; Presentibus pro spatio vnus anni proximo post datum earundem et vterius ad nostram et predicti nostri tutoris voluntatem duraturis: In cuius rei testimonium presentibus magnum sigillum nostrum apponi fecimus, apud oppidum nostrum Edinburgi penultimo die mensis Junij anno Domini millesimo quingentesimo quinquagesimo primo, et regni nostri nono.

182. CHARGE by QUEEN MARY to the Inhabitants of the Middle Marches to obey SIR WALTER SCOTT of Branxholme, knight, as Warden. 30th June [1551].

MARIE, be the grace of God Quene of Scottis, to oure louittis Mungo Williamsoun messengeris, oure Sheriffis in that parte, coniuunctlie and seueralie, specialie constitute greting: Forsamekle as it is humillie merit and schawen to ws be oure lout Walter Scott of Branxholme, knyght, that qulhair he hes acceptit the office of Wardanrie within all the boundis of the Myddill Marchis of oure realme foranent England, and als he is maid and constitute our iustice within the saidis boundis as our commissioun vnder our grete

seill, maid and gevin to him thairupoun at lenth in the self proportis, howbeit certane inhabitantis within the saidis boundis will nocht ansuer and obey to him as Wardane and Justice foirsaid, conforme to the said commissioun, without thai be compellit as is allegit: Oure will is heirfore, and we charge zow straitlie and commandis, that incontinent thir our lettres sene ze pas, and in our naim and auctorite command and charge all and sindry oure lieges duelland within the boundis abonewrittin, be oppin proclamatioun at the mercate croce of our burcht of Jedburgh, and all vtheris places neidfull, that thai and ilkane of thaim reddelie ansuer, obey and intend to the said Walter Scott, his deputis and officeris, in vsing and exerceyng of the saidis offices of Wardanrie and iusticiarie within the boundis abone specifit, in all and sindry things concernyng the samyn, eftir the forme of his preceptis to be directit thairupoun, vnder all hiest pane and charge that eftir may follow, as ze will ansuer to ws thairupoun, the quhilk to do we commit to zow, coniunctlie and seneralie, our full power be thir our lettres, deliuering thame be zow deulie execute and indorsate agane to the berare: Gevin vnder our signet at Edinburgh, the last day of Junij, and of our regne the nynt zere. Ex deliberatione dominorum consilii, etc.

J. BANNATYNE.

183. ACT OF PRIVY COUNCIL, at the instance of SIR WALTER SCOTT of Branxholme, knight, Warden of the Middle Marches, for the prevention of perjury, robbery, slaughter and other crimes on the Border. 23d March 1551.

AT Striueling, the xxiiij day of Marche, the zeir of God jm^o v^o fifti ane zeris; the quhilk day, in presens of the Quenis grace, my Lord Gouernour and Lordis of Secreit Counsale beand conuenit vpoun greit effaris and materis of the realne concerning the commoun weill of the samyn, comperit Walter Scott of Brankisholme, knycht, Wardane of the Middill Marchis of Scotland, anentis England, and product four artikillis dependand in questioun and contrauersy betuix the liegis of baith the realmes of Scotland and England, [and] the wardanis of ather of the realmes of the said Middille Marche vndecydit or vndeterminat, and desyrit ane full determinatioun [of] the samyn, quhilkis wes thoct veray expedient and necessar to be done as followis: Item, as to the first artikle, desyryng [punitioun] and rameid of periure, as quhair ony misdoar of Scotland stelis or revis within England, and beis challangit on dais of trew [anent the] samyn, and wilfullie, in his greit aith sworne, denyis the samyn, and sweris that he is clene thairof, and thairefter

lauchtfullie and suff[icientlie], efter the lawis of the bordour, it beis provin that he is foull of the said attemptat and clame sa that he wilfullie periuris [and mansue]ris him self, it is statut, ordanit and concludit, for eschewing of the greit hurt, harme, skaith and dampnage that [thois] fra quhome gudis ar stollin or reft may incurre and daylie incurris throw the periure quhilk is the veray occasioun of [the] delay of justice, and inuoluis the partiis in greit lawbouris and expenssis; for ramedy heirof in all tymes cuming, that all [personis] that wilfullie mansueris thame selfis that duellis on the sauerale ground within Scotland in ony of the thre wardanrys, and be just . . . tryall, conforme to the anciant vse and consueted obseruit vpoun the bordouris, verifiit afoir the wardane quhair the man that periures [himself] duellis; that incontinent, without delay, that ilk wardane sall tak and apprehend him that is provin periure and mansworne as sa[id is, and] sall deliuer him to the Wardane of Ingland foranentis him to be in presone, and remane in ward zeir and day vpoun his awin expenssis within Ingland, and at the zeris end to be brocht afoir the wardanis at the first day of trew, to be haldin be the wardanis at the end of the zeir, and thair in face and presens of the pepill to be brint vpoun the cheik with ane key, or put to deid at the will and discretioun of the wardanis efferand to the qualite and quantite of the falt, providing alway that the wardanis of Ingland of the thre merchis foranentis Scotland do semlable for thair part to ony Inglisman that beis mansworne in sic lik maner: As to the secund artikle, desyrand rameid of thame that stelis or revis the gudis out of Ingland that duellis vpoun the seuerale ground of Scotland, and beis ourtaine and convictit quhair of the auld law, vse, and consueted of the bordouris thai wer haldin to pay for ane ox stollin , and for ane kow stollin , and for ane scheip stollin , becaus the prices are now risin, gif the malefactouris now suld pay bot thai prices, it suld be occasioun to thame to steill and reif, and swa thai suld wyn be the samyn, and for eschewing heirof, it is concludit, statut and ordanit that all sik gudis stollin or reft, lauchtfullie convictit, salbe restorit and redressit with the thre dowbillis and salffer: Providing that the wardanis of Ingland foranentis Scotland in semlabill maner for thair part [to caus] restitutionoun and redres to be maid be ony Inglisman that stelis or revis fra ony Scottisman the thre dowbillis and salffer: Item, to the thrid artikile, concerning the slauchtteris or mutilatioun that is committit vpoun the bordouris be the liegis of ather of the realmes, it is thoct expedient and concludit as said is, for stanching of all slauchtteris in tymes cuming, quhilk is abominabill baith to God and man, that all sik offenderis in tymes cuming, thai being lauchtfullie convictit be the

lawis and custumes of the bordouris, that thai be pvnist without ony mercy or forgiſnes, conforme to the artikle contenit in the treaty of peax laillie tane and concludit betuix the saidis realmes: Providing alway the Wardanis of Ingland do in semlabill maner for executioun vpoun the Inglismen that committis slauchter or mutilatioun vpoun Scottismen, and to all slauchterris bigane sen the treaty of the last peax: It is thocht expedient, gif the Wardanis of Ingland will condiscend heirto, that thai be put in writt and billit, and send to the counsalis of ather of the realmes at equale ordour may be tane thairupoun. And as to the ferd artikle, anentis the Scottismen that clanis the reentre of prisoneris takin sen the begynning of the last weris, and thair ransoune for thair forfaltit bandis, becaus thair is sum difficulte heirinto, and nocht resoluut as zit betuix the realmes, gif the Wardanis of Ingland will caus the Inglismen to supereeid all craving of Scottismen of sik bandis or ransouis vnto the feist of Witsounday nixtoeum, the Wardanis of Scotland sall consent heirto, and that na Scottisman sall craif nor bachill to that tyme in thai behallis: Item, that the Wardane of the Middill Marche of Scotland, and als the vther twa Wardanis of the West and Eist Marchis of the samyn, at thair first dais of meting, gif the Wardanis of Ingland foranentis thame accordis to the declaratioun of thir four artikillis, and ar contentit that the samyn be appoyntit, convenit and contractit amangis thame to be halden as law in tymes cuming, that thai consent heirto, and mak statutes and ordinances thairupoun, and publis the samyn to the pepill and liegis of baith the realmes as accordis.

Extractum de libro actorum Secreti Consilii, per me magistrum Thomam Marioribankis de Ratho, clericum rotulorum registri ac consilii supreme domine nostre regine, sub meis signo et subscriptione manualibus.

THOMAS MARIORIBANKIS.

184. LETTER by MARY QUEEN OF SCOTTS, exempting SIR WALTER SCOTT of Branxholme, knight, from attendance at Inquests, Assises, etc. 20th May 1552.

REGINA.

Ws and our derrest cousing and tutour, James Duke of Chastellerault, Erll of Arrane, Lord Hammyltoun, etc., Protectour and Gouvernour of our realme, vnderstanding that oure louit Walter Scott of Branxholme, knycht, is hevele vexit with importable chargis of the office of Wardanrie of the Myddill Merchis of our realme, and als is of gret aige, now past the dait of lx zeris, sua that he is nocht

na hable to pas vpoun inquestis and assisis as he wes of befoir : Tharfor, and for vther resonable caussis and considerationis moving ws, with aulse and consent of our said Gouvernour, be the tennour heirof exemis him fra all comperance in ony our justice aris, justice courtis, scheref courtis, stewart courtis, or ony vtheris, and passing vpoun inqueistis and assisis in actionis crimmale or ciuile, fr[a] taking of cognitionis, apprising of landis, seruing of breuis, or ony vther actionis, for all the dais of his life ; and will and grantis that he sall nocht be summond, callit, nor accusit therefor, crimmalie nor ciuillie, nor incur ony crime, danger, nor skaith therthrou in his persoun, landis, nor gudis, be ony maner of way, in tym cuming, nochtwithstanding ony our actis, lettres, statutis, or chargis, generall or speciall, maid or to be maid, in the contrar, or ony panis contenit therin, anent the quhilkis we dispens with him be thir presentis, dischargeing herfor our justice, justice clerk, all and sindry our schereffis, stewartis, and all vtheris our officeris, present and to cum, and thair deputis, of all diting, attacheing, arreisting, calling, summoning, following, or persewing of the said Walter his landis or gudis for the premissis, and of thair offices in that part foreuer, be thir presentis, gevin vnder our signet, and subseriuit be our said Gouvernour at Striueling, the xx day of May, and of our regne the tent zer.

JAMES G.

JOANNES. the^{us}.

[*Dorso*].—Apud Edinburgh xx^o die mensis Maij anno Domini, etc., quinquagesimo secundo.

In curia Justiciarie Supreme Domine nostre Regine tenta in Pretorio de Edinburgh dicto die coram Johanne Campbell de Lundy, milite, Justiciario Deputato, &c.

Visa et admissa de mandato dieti Justiciarij

JOANNES BELLENDEN,
Clericus Justiciariae.
J. SCOTT.

185. INDICTMENT against JOHN HUME of Coldenknows, WALTER KER of Cesfurd, and others, for the murder of Sir Walter Scott of Branxholm, knight. [1552.]

JOHANNE HWUME of Coldenknowis.

ZE ar indyct for the cruell murthur and slauchtur of Walter Scott of Branxhelm, knycht, Warden of the Middill Merches of Scotland, keipar, gydar, and justice generall of Liddisdaill, vnder sylence of nycht, and vnder the Quenis grace, my

Lord Governour and counsellis greit assurance in the town of Edinburgh : And in taikin that ze war ane strykar of the said Valter with zour awin handis quhen he was haldin to zow, ze strak him throw the body with zour sword, and said to the lard of Cesford.—Streik, tretour, ane straik for thi faderis saik ; and quhen ze had cruely murthurit him, and cassin him in ane buithe dwre, ze said,—Ly thair, with my malison, for I had lewor gang by thi graif, nor thi dure ;—quhilk [is] so notourly knawin that ze can nocht deny.

JAMES DOWGLASS of Caueris ; JAMES NWBY, Messinger.

Ze ar indyct for the cruell murthur and slauchter of the said Walter Scott, knyecht, Varden and Justice foirsaid, vnder greit assurance, as said is, vnder silence of nyecht, accompenyit with Johanne Ker of Farnherst, zour gud broder, Walter of Cesfurde, Andro Ker of Hirsell, knyechtis, and thair complices, to the taikin ze and the said James Nwby, messinger, passit away on zour fute hame, with the saidis murthuraris : And at the ovr cuming of the watter of Roull, the said James Nwby said to the pepill,—Hard ze ony tythennis of the Lard of Bukelucht ; he is put in vard, and will never cumme furth ;—quhilk ze can nocht deny.

ROBERT KYRKTOUN, JOHANNE PAKOK, seruand to the Lard of Coldenknowis,

LANCE ANISLE.

Ze, and ilk ane of zow, ar indyct for the cruell murthur of Valter Scott of Branxhelm, knyecht, Varden and Justice as said is, vnder sylence of nyecht, and vndir greit assurance of the Quenis grace and my Lord Gouvernouris : And to the taikin that ze war strykaris of the said Walter with zour awin handis, ze, the saidis Robert and Jhonn, returnit fra the trone with Robart Ker, broder to the Lard of Farnehirst, and comme to the buithe dure quhair the said Valter lay, and lyfe in him, and straik him, euery ane of zow, threif or four tymes throw the body : and thair efter ze, Johanne Pekok, spulzeit the said Valter of his clok and his twa bonettis, and deliuerit ane arme full thairof to zour boy, and in zour way gangin ze met Adam Makeullo, alias callit Butte Heroald, quha demandit zow, Maister Pakok,—Quhat is the mater,—and ze said—Thair is ane lad fallin ;—quhilk ye can nocht deny.

GEORGE KYRKTOUN, VILLE HÖPPRINGILL, VILLE MOSCROPE in Jedburgh,

THOMAS LERMONT, callit Lard of that Ilk, THOMAS KYLL, RAFE KER,

JAMES HWME, WILLE HWME in Fawnis

Ze, and ilk ane of zow, ar indyct for the said cruell murthur and slauchter of the said Walter Scott, Varden of the Myddill Merches of Scotland, and Justice of

Liddisdaill, vnder sylence of nycht, in the town of Edinburgh, and vnder greit assurance to the taikin ze zaid away with the bludy hand, with Walter Ker of Cesfurd, Dande Ker of Hirsell, and Jhonn Ker of Farnehirst, knychtis, and the laif of thair complices, committaris of the samin murthur, and thairfore being our Souerane Ladyis rebellis, and ze, and ilk ane of zow, continually resortand with the saidis committaris sen syne; quhilk ye can nocht deny.

ANDRO KER of Primsidlouch, ANDRO KER, sonne to Valter Ker of Cesfurd; WALTER KER, sonne to Andro Ker of Hirsell, knycht; MARK KER of Kyppelaw, GEORGE HOPPRINGILL of Torvølle, GEORGE KER of Lyn-toun, ROBERT KER, broder to the Lard of Grenheid.

Ze, and ilk ane of zow, are indyct for art and part counseling, causing, assisting, and appreving of the said cruell murthur and slauchter of Walter Scott of Branhelm, knycht, Varden of the Myddill Merches of Scotland, and Justice Generall of Liddisdaill, vnder greit traist and assurance; and alswa ze ar indyct for the forty-fing, menteining, part taikin, and dayly resorting with Valter Ker of Cesfurd, Johanne Ker of Farnehirst, knychtis, and thair complices, committaris of the said cruell murthur, vnder sylence of nycht, thay being our Souerane Ladyis rebellis, and to the taikin ze, George Hoppringill of Torvodlie, ze being vpoun the gait of Edinburgh at the committing of the said murthur, send zour twa horse to the Lard of Cesfurd to ryd away vpoun; quhilk ze can nocht deny.

186. INVENTORY of GOODS belonging to the deceased WILLIAM SCOTT, younger of Buccleuch, knight, of Kirkurd, made at the instance of WALTER SCOTT of Branhelm, knight, his father, etc. 19th May and 4th July 1552.

INVENTARIUM omnium bonorum quondam Villelmi Scott, domini junioris de Bukeluch, militis, de Kyrkwrde, ab intestato decedentis factum per Walterum Scott de Branhelm militem (patrem dicti Villelmi) et Walterum Scott filium et heredem dicti Villelmi, apud Branhelm, decimo nono mensis Maii anno Domini etc. quinquagesimo secundo, coram his testibus, domino Roberto Wilsoun, Johanne Crenstoun, Johanne Trummill, cum diuersis aliis.

Item, imprimis fatentur eum habere in jumentis	.	.	xx lib.
Item fatentur eum habere duos equos, precium pece	.	.	x lib.
Item fatentur eum habere vnum torquem aureum, precium	.	.	xxx lib.

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