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ANTIQUITIES

OF THE SHIRES OF

ABERDEEN AND BANFF.

ILLUSTRATIONS

OF THE

TOPOGRAPHY AND ANTIQUITIES

OF THE SHIRES OF

ABERDEEN AND BANFF.

THE FOURTH VOLUME.

ABERDEEN:
PRINTED FOR THE SPALDING CLUB,
M DCCC LXII.

Excerpt from the Report of the Council of the Spalding Club to the twenty-third annual general meeting of the members, held at Aberdeen, on Friday the twentieth day of December, 1861.

The Fourth Volume of ILLUSTRATIONS OF THE TOPOGRAPHY AND ANTIQUITIES OF THE SHIRES OF ABERDEEN AND BANFF, edited by Mr. JOSEPH ROBERTSON, is now all but completed. The printing of the Text, extending to nearly eight hundred pages, has been accomplished; and it is hoped that the printing of the Table of Contents, containing an analysis of the charters and other documents, which has been prepared by Mr. Robertson, will be completed so as to admit of the delivery of the volume to the Members in the early part of the ensuing year. It will be found to contain much new and interesting information on the more ancient history of the Earldom of Mar of the Abbey of Deer, and of the families of Forbes, Fraser, Cheyne, and Keith.

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* On the eighteenth of April, 1361, the Abbot of Deir had letters of safe conduct for himself, a companion, and six attendants, with their horses, passing in pilgrimage through England.—(rotuli Scotiæ, vol. I., p. 882.)

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* Sir William Cumyng of Inverallochy, knight, was Lyon King of Arms, in the year 1515, when John, first Lord Drummond, being found guilty of an assault upon his person, was attainted of treason, and forfeited his lands and honours, but had his life spared by the intercession of the Queen Mother.

By a charter, under his great seal, dated at Falkland, on the fourth of March, 1536, King James V. granted to John Drummond of Inverpeffray, and to his wife, Margaret Stewart, Lady Gordon, the King's sister, the lands of Auchinvaid and others, in the lordship of Apudull, being in the King's hands, by reason of the escheat and forfeiture of John, Lord Drummond, 'ob accusationem super ipsum factam pro proditoria et violenta

manuum iniectione in quondam Willelmo Cummyng de Inveraloqui militem tunc temporis LIONIS KING OF ARMES nuncupatum et aliis proditorie traditionis punctis dicto Johanni tunc imputatis pro quibus se in voluntate carissimæ consanguinei nostri Johannis Albanie Ducis tutoris nostri ac regni nostri pro tempore protectoris et gubernatoris posuit prout in actis et processibus nostro in Parlamento Edinburgi decimosexto die mensis Julii anno Domini millesimo quingentesimo decimo quinto tento rite desuper deductis latius continetur.—Regi-trum Magni sigilli lib. xxv., no. 354. Cf. Acts of the Parliaments of Scotland, vol. ii., pp. 284—393.

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* This Mormaor or High Steward of Mar is commemorated in 'A Short Account of the Fomorians and of the Lochlanns,' by Duaid Mac Fírhis, the last of the hereditary historians of Lecan, who was slain in 1791:—

‘Domhnall, son of Euhin, son of Cadinnech, Great Stew-rd of Mar (*Domhnall, mac Euhin, alic Caidhlig, mac-sabaoir Mair*) was of the race of Old Ivor, and he was of the Clann-Leoid of Arran, and he came to assist Brian to defend Erin against the mail clad Lochlanns.’—(*The Ulster Journal of Archaeology*, vol. IX., no. 31, pp. 99, 163.)

The late Dr. John O'Donovan, by whom Mac Fírhis' tract was published and translated, adds that the Mormaor of Mar 'was

of Danish descent by the mother's side, who was of the Mac Leods of Arran Island in Scotland. By the father's side he descended from Maine Leamhna, son of Core, son of Lughaidh, son of O'Holl Flannbeg, son of Fiacha Muillethan, King of Munster, son of Eoghán Mor, son of Oilioll Olum.' Dr. O'Donovan refers his readers to the *Ogygia*, part iii., c. 81, p. 381; and to the *Annals of the Four Masters*, A.D. 1013, note c. Some account of Duaid Mac Fírhis, and his writings, will be found in Professor Eugene O'Curry's Lectures on the MS. Materials of Ancient Irish History, pp. 120—127. (Dublin, 1861.)

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* In 1306, William Montfichet petitioned King Edward I. of England for the land of Ficheldyn, forfeited by Sir Alan Durward. Thomas de la Grue, one of the retainers of Sir John de Sandale, was a suitor, at the same

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in the parish church of Kynkell. His seal shows a chaplet on a shield, surrounded by pointed tracery, with the circumscription *S. JOHANNIS DE NARNE*.—(Original in the Athol charter chest).

the lordship of Brux, with consent of his father, Alexander Forbes, frank tenementor of Brux, and of Sir John Mitchelsoun, rector of Forbes, his curator, to his mother, Margery Forbes, wife of the said Alexander Forbes, of the lands of Synnahard with the mill, and of the west half of Fechillie. A.D. 1547.....	444
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ILLUSTRATIONS

OF THE

TOPOGRAPHY AND ANTIQUITIES

OF THE

SHIRES OF ABERDEEN AND BANFF.

THE SHIRES OF ABERDEEN AND BANFF.

THE PRESBYTERY OF DEER.

THE PARISH OF OLD DEER.¹

Carta quatuor solidorum ad pittantias conuentus de molendino de Crehyne datorum ab heredibus Willelmi Prati anno Domini millesimo ducentesimo quadragesimo sexto. ²—(A.D. 1246.)

Omnibus sancte matris ecclesie filiis hoc scriptum visuris [vel] audituris Willelmus Prati salutem Noueritis vniuersi me diuine pietatis intuitu et pro salute corporis et anime mee et vxoris mee et liberorum nostrorum dedisse . . . et hac presenti carta mea confirmasse Deo et Beate Marie et monachis de Deir ibidem Deo seruientibus et in perpetuum seruituris nomine fraternitatis nostre quatuor solidos argenti pro vna petra cere ad Pentecosten soluendos eisdem et successoribus suis de me et heredibus meis ad terminum predictum de firma molendini de Crehyn In cuius rei testimonium huic scripto sigillum meum apposui testibus Magistro Reginaldo Bustleir Willelmo de Blakteburn Ada de Blair [Ga]melo clerico de Aberden Valtero de Perthoch senescallo meo et multis aliis Actum anno gratie M^o cc^o xlvj^o in die Sancti Lamberti episcopi et martyris apud Deir .

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 397-404, and Illustrations of the Topography and Antiquities of the same shires, vol. II., pp. 496-442.]

² [Abridged from a copy among the Gale MSS. (O. vii., 42.) in the Library of Trinity College, Cambridge.]

Carta pittantiarum Domini Willelmi Lindsay conuentui Deirensi pro summa sexdecim solidorum ad pittantias conuentus in die Circumcisionis pro anniuersario Domine Alisie Lyndesay et Margarete comitisse de Bucquhane.¹ —(circa A.D. 1310.)

Omnibus Christi fidelibus hanc cartam visuris vel audituris Willelmus de Lindsay salutem Nouerit vniversitas vestra me diuine caritatis intuitu et pro salute anime mee et antecessorum meorum et successorum et pro salute Margarete comitisse de Bucquhan quondam sponse mee et Alisie de Lynlesay prioris sponse mee dedisse . . . et hac presenti carta mea confirmasse Deo et Beate Marie de Deir et monachis ibidem Deo seruientibus et in perpetuum seruituris sexdecim solidos argenti annuatim percipiendos de baronia mea in villa de Beruik ad Pentecosten ad pascendum conuentum de Deir duobus diebus per annum scilicet in anniuersario die Comitisse de Bucquhan et in anniuersario diete Alisie prioris sponse mee scilicet in crastino Circumcisionis Domini Tenendos . . . sibi et successoribus suis de me et heredibus meis in liberam et puram elemosinam imperpetuum . . . Et vt hec mea donatio firma sit et stabilis et in nullos alios vsus a dicto conuentu per aliquem subtrahi possit huic scripto sigillum meum apposui Hiis testibus Domino Duncano Lindsay fratre meo Domino Alexandro Straton Domino Roberto Laboren Domino Willelmo de Morauia Sanson persona de Slainis R · David et Hugone clericis meis Roberto de Morauia Roberto Mowin et aliis .

Anniversarius dies Alisie Lindsay vt patet in Collectanei calendario in octaua Sancti Stephani celebraretur .

Carta Andree Pettindreich de terris de Over et Nether Pettindreich.² — (A.D. 1507.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos dedisse concessisse

¹ [Abridged from a copy among the Gale MSS. (O. vii., 42.) in the Library of Trinity College, Cambridge.]

² [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 371, MS. Gen. Reg. House, Edin.]

et ad feodifirmam dimisisse . . . dilecto nostro Andree Pettindreich fratri germano venerabilis in Christo patris Jacobi Pettindreich abbatis monasterii de Deir omnes et singulas terras de Over et Nether Pettindreich et Cragmudartoe cum molendino de Pettindreich et piscaria in aqua de Dovern cum suis pertinentiis jacentes infra vicecomitatum nostrum de Banff Quequidem terre molendinum et piscaria . . . fuerunt dicti venerabilis patris hereditarie et quas ipse . . . in manibus nostris . . . simpliciter resignavit . . . Tenendas . . . de nobis et successoribus nostris in feodifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . quadraginta denarios vsualis monete regni nostri . . . quia nobis et consilii nostri dominis clare constat per autenticas cartas nobis et ipsis ostensas quod huiusmodi terre molendinum et piscaria cum suis pertinentiis prius tente fuerunt per dictum venerabilem patrem et predecessores suos in feodifirma Reseruato tamen libero tenemento . . . dicto venerabili patri pro toto tempore vite sue In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh decimotercio die mensis Septembris anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .

Exemplar charte visitationis date monachis a Deir per Abbatem Charoliloci. ¹—(A.D. 1531.)

Ad laudem et gloriam Sanctissime et Indiuidue Trinitatis et animarum salutem ac sancte religionis incrementum Nos Frater Symon abbas monasterii Karoliloci Cisterciensis ordinis in diocesi Siluancetensi visitator generalis deputatus a Capitulo Generali dicti ordinis Cisterciensis cum plenaria ipsius ordinis et Capituli Generalis potestate ad visitanda et reformanda omnia et singula vtriusque sexus monasteria dicti ordinis Cisterciensis in illustrissimo regno Scocie situata cupientes pro viribus salutari illustrissimi Domini Regis desiderio et nostro satisfacere officio ac prouincie nobis commisse cum concilio reuerendorum patrum abbatum huius regni et nostre prefate religionis Cisterciensis subsequentes ordinaui-

¹[From a copy among the Gale MSS., (O. vii. 42,) in the Library of Trinity College, Cambridge.]

mus constitutiones ex sacra regula Beatissimi Benedicti nostri legislatoris ac ex sacris canonibus statutisque papalibus et sanctorum patrum nostrorum diffinitionibus exceptas quas prefata autoritate plenaria Capituli Generalis qua fungimur precipimus ab omnibus nostre religionis regularibus personis prefati regni prout vnamquamque concernet inuiolabiliter obseruari In primis cum propter seruicium sanctum professi sint monachi et sacre religionis status ad liberius Deo famulandum et deuocius diuinis insistendum laudibus sit adiuuentus ordinamus ut ipsum diuinum officium tam diurnum quam nocturnum horis debitis reuerenter morose cum debitis pausis cerimoniis et inclinacionibus in timore Dei et fernore Spiritus cum debita et integra verborum prolacione tam in horis Beatissime Virginis Marie quam in aliis officiis celebretur Fratres simul incipiant versus psalmodie ac simul pausent tam in medio versuum quam in punctis que flexe dicuntur ita vt in versiculis in quibus sunt duo puncta sicut in isto versu *Beatus vir qui non abiit in concilio impiorum etc.* fiat duplex pausa secundum formam ordinis Canentes autem fratres caueant a caudis seu superfluis protractionibus sillabarum vel notularum sed tantum et non plus immorentur super vnam sillabam vel notulam quam super alteram summopere vitantes omnem irreuerentem precipitationem maxime quando versum aut alium cantum incipiunt Officium ipsum diuinum diligenter frequentetur ab omnibus cui frequencius quantum commode fieri poterit abbates interesse debent maxime vigiliis misse conuentalis vespers et antiphone *Salve Regina* que post completorium solet decantari Fratres autem negligentes in dicti officii diuini persolucione aut frequentacione necnon qui ante finem horarum sine ineuitabili necessitate exire presumpserint per presidentes indissimulanter puniantur Similiter et qui aliquos inordinatos gestus vt risus aut cachinnos vel aliquas dissoluciones in choro fecerint Nec in ipso diuino officio quis presumat aut permittatur psalmum aut antiphonam imponere vel lectionem aut responsorium cantare nisi qui ipsum officium debite valuerit adimplere Nec aliqui ab ipsius diuini officii frequentacione excusentur nisi quos abbas iuxta sue consciencie arbitrium pro monasterii vtilitate vel infirmitatibus duxerit excusandos nullus quorum presumat sine cuculla chorum ad diuina officia celebranda intrare Omnes misse tam ordinis quam fundate infallibiliter celebrentur et si quis missam ad quam intitulatus fuerit neglexerit panis et aque penitentiam sustineat

donec per se vel per alium ipsam missam restitui procurauerit Sacerdotes non intitulati ad missas ter ad minus in septimana celebrent Non sacerdotes diebus Dominicis et festis sermonum in missa conuentali communicent et illis diebus sanctissimum sacramentum eucharistie semper renouetur Nullus vero uenequam celebrare aut communicare presumat nisi premissa sacramentali confessione que non nisi in capitulo et cum euellis fieri debet Pulsentur vigilie diebus priuatis hora tertia post mediam noctem pro tardiori et diebus festiuis multo temperius surgatur Sacrista in omnibus suum officium concernentibus se ita diligentem et sollicitum exhibeat quod nullus sua negligentia contingat defectus Et inter cetera securum habeat horologium quod diligenter regat et conducat ut cuncta horis competentibus fieri possint Omnes calices sacculis lineis honestis et mundis inuoluantur Corporalia et mappe altarum ac vestimenta pro ministris missarum integra sint et munda Disponantur quoque ipsa corporalia sicut in vsibus continetur ita quod tres plicas habeant in latum et quatuor secundum longitudinem Ac de vase lintheo pro sanctissimo sacramento eucharistie disponatur prout in dictis vsibus habetur ut reuerendis patribus monasteriorum de Melros de Cupro et de Valle Luciꝝ abbatibus oculariter ostendimus Sint quoque in quolibet altari duo honesta [ter]soria quorum vnum seruiat pro tergendis manibus sacerdotum ante consecrationem et secundum post communicationem et ad desiccandum calicem Cumque Beatus Benedictus pater et legislator noster magnam curam habeat quomodo dormiant monachi ordinamus suum super hoc mandatum irrefragabiliter obseruari ita quod singuli per singula lecta dormiant in materialibus et lintheaminibus laneis nec vtantur fratres nisi camisiis de panno ut de sargia aut de stamine In abbatibus tamen discrecione pendet circa hoc moderacio pro infirmitatibus vel debilitacionibus aliquorum prouidendo omnibus de necessariis ad regulariter dormiendum et pro vestitu secundum formam ordinis non distribuendo singulis certam pecunie summam sed (prout scriptum est) *Diuidebatur singulis prout cuique opus erat* Accipientes autem noua reddant vetera nisi dominus abbas cum aliquibus ceteris et rationabilibus de causis aliter faciendum esse decreuerit Nec habeant aliquas tunicas ante vel retro fissas Omnes ipsum dormitorium illico post antiphonam *Salue Regina* decantatam conscendant inde nunquam descensuri vsque ad pulsum vigiliarum diei sequentis Et statim sacrista omnia ostia ecclesie claustrum

et ipsius dormitorii secure claudat clavesque manibus presidentis reponat quas vsque ad pulsum vigiliarum dictus presidentis custodiat. Quibus ostiis sic clausis ab ipso presidente per singulas cellas fiat diligens scrutinium et si quis absens comperiat tanquam conuictus de carnis contagio puniatur. Nullus alterius cameram seu cellam dormitorii sub pena discipline ac panis et aque ingredi audeat. Nullus quemcunque secularem in ipsum dormitorium sub pena carceris introducere sine presidentis licentia presumat. Si quis autem (quod absit) quamcunque mulierem eciam consanguineam in dictum dormitorium introduxerit seu ibidem receperit illico ductus ad capitulum disciplinam regularem recipiat et cuculla ab eo remota necnon scapulari decurtato carceri cum pane et aqua mancipetur vsque ad aliam visitatoris generalis dispositionem. Sub qua pena eciam inhihemus [nequis] de die vel nocte per se vel per alium introducat in clausuram monasterii aut introduci faciat vel consenciat quamcunque mulierem suspectam aut diffamatam neque cum eadem conuersetur frequentet aut loquatur. Nullis autem mulieribus quantum commode fieri poterit ingressus in monasterium concedatur prout per ordinis statuta expressius ordinatur. Prohibemus tamen domino abbati sub pena suspensionis a diuinis vsque ad nutum visitatoris generalis et grauioribus penis per patres visitatores infligendis (cum notabilem cognouerint abusum) ne quascunque mulieres introducat aut introduci permittat in chorum ecclesie in claustra in aulas vel cameras tam abbaciales quam alias aut in quoscunque ortos ipsius monasterii nisi mulieres ipse essent de sanguine regio aut ad minus ducisse vel comitisse. Quicumque autem de carnis contagio conuictus fuerit cum penis predictis illico regulari habitu priuetur per spacium trium annorum et per idem tempus vltimus omnium habeatur. Sub similibus penis eciam inhihemus ne quis sine presidentis licentia monasterii clausuram egredi presumat quequidem licentia non nisi pro necessitate aut euidenti monasterii vtilitate concedatur. In quibus casibus egredientibus breuis et competens terminus prefigatur infra quem nisi redierint aut si alibi quam ad locum assignatum diuerterint tanquam fugitiui puniantur. Nullus sub pena carceris per triduum cum pane et aqua incedat per ciuitates vel oppida aut pagos notabiles nisi honeste et regulariter cum cuculla nigra aut saltem cum elamide vel collubio honesto nunquam super se gestans magnos gladios vt sic Dei famulus et religiosus a secularibus discerni possit. Nullus sub eadem

pena presumat ire ad nupcias aut ad prandia festorum aut spectacula vel tabernas frequentare sed seruentur capitula regule *De fratribus in via directis* et *De fratribus qui non satis longe proficiscuntur* Nec eciam quis audeat pueros de fontibus leuare aut quomolibet jurare vel turpia verba proferre sed vbique tam in monasterio quam extra monasterium iuxta sue vocacionis dignitatem seruare studeat religionis honestatem et grauitatem Insuper quia huius mortalis vite momenta sine frequenti diuinitatis offensione vix transiguntur capitulum quotidie consuetis horis celebretur in quo post martyrologii et vnius capituli sancte regule lecturam et ipsius exposicionem spontanee recognicionones de defectibus notoriis et manifestis factis denum fiant correctiones et proclamaciones in omni charitate Qui autem proclamatus aut punitus proterve responderit seu inobedientiam quameunque aut rebellionem fecerit nisi statim humiliatus veniam petierit mox post acceptam regularem disciplinam carceri mancipetur cum pane et aqua ibidem detinendus vsque ad plenam emendacionem et proprii abbatis voluntatem Et vt hoc statutum debite obseruetur precipimus ipsi abbati sub pena suspensionis a diuinis quatinus in suo monasterio ante annum a receptione presentium habeat bonos et fortes carceres ad acriter puniendum ipsos inobedientes aliosque contra Dei precepta et ordinis statuta grauiter delinquentes Cantor singulis septimanis scribat in tabula secundum formam ordinis omnia officia ecclesie statuta et eciam conuentualia per ebdomadam facienda vt omnia sine confusione fiant Quam tabulam singulis diebus Sabbatinis in capitulo legat ebdomadarius inuicatorii ante commemorationem omnium fratrum familiarium Secundum eciam laudabiles ordinis consuetudines omnes et singuli capiant disciplinas in capitulo vel in ecclesia in quodam sacello particulari ad hoc idoneo et competenti ter in ebdomada tempore Quadregesime dicentes suffragia dicto tempore in ordine dici consuecta videlicet sponsorium *Tribularer* cum psalmis *Miserere mei Deus secundum magnam* etc. *Ad te Domine leuavi animam meam* Et *Deus misereatur nostri* etc. tractum Quadregesimalem *Domine non secundum peccata nostra* cum collectis pertinentibus Diebus eciam in ordine consuetis fieri debent sermones in capitulo per abbatem aut presidentem vel per fratres ad hoc idoneos Et quia per inordinata colloquia plurime mouentur rixe turbantur consciencie charitas frequenter offenditur et illa que est religionis anchora disciplina penitus eneruatur ideo silencium (quod est clauis

religionis) et sine cuius obseruancia monachus vix saluari potest precipimus inuiolabiliter obseruari in omni loco ante preces ac etiam in capitulo et post completorium iuxta nostre sancte regule traditionem et temporibus lectionis et omni tempore in locis regularibus Et cum contigerit aliquos venerabiles viros ad monasterium declinare portarius eos ad ecclesiam demum ad hospiciū seu locum commodum ducat nullusque religiosus cum talibus colloquium habere presumat nisi dominus abbas aut prior seu religiosus ad suscipiendos hospites deputatus vel habens a presidente specialem loquendi cum hospite licenciam Quantum autem ad claustrī dispositionem ordinamus vt tempora debite exponantur ita vt secundum regule et diffinicionum dispositionem fratres aliqui officio diuino et orationibus quoque lectionibus ac nonnuncquam operationibus manum accommodent Omnibus quorum Dominicis diebus ac festis et diebus quadragesimalibus omnes fratres regulari lectioni vacent horis et temporibus determinatis Nec omittatur singulis diebus Sabbatinis deuotum mandatum in claustro faciendum ante lecturam collationis cum deuoto cantico *Postquam surrexit* et ceteris antiphonis et canticis sicut in antiphonariis continetur cum pedum locione Quequidem pedum locio si fortassis aliquos grauare videatur temporibus hyemalibus et omnino frigidis hinc poterit omitti et fratres solum manus lauabunt Nunquam tamen omittenda cantica ad hec determinata Nullus promoveatur ad sacerdotium antequam vicesimum quartum sue etatis annum compleuerit nec ad alios sacros ordines nisi officium suum videlicet psalterium hymnos cantica et antiphonas memoriter coram vno de presidentibus reddiderit et in grammaticalibus competenter instructus fuerit Nec vllus ad professionem recipiatur ante annum sue etatis quartum decimum et donec impleuerit annum probationis ac ex integro memoriter psalterium sciuerit et reddiderit Pro nouiciis autem talis deputetur magister et director qui iuxta Beati Benedicti preceptum aptus sit ad lucrandas animas et sibi deputatos in bonis moribus et cerimoniis religionis erudire possit qui eos bene et intelligibiliter pronunciare et integre verba proferre diligenter doceat Et quum indocta iuuentus miseram parit senectutem et ignorancia est multorum malorum causa ideo precipimus [et] mandamus vt in monasterio habeatur aliquis doctus et idoneus lector regularis vel secularis qui diebus priuatis fratres instruat in grammaticalibus et primitiuis scienciis aut in maioribus secundum

auditorum capacitatem cuius lectiones frequentare compellantur fratres suum officium ecclesiasticum scientes et in aliis pro agendis monasterii non legitime impediti Item quantum ad fratrum refectionem precipimus vt in refectorio et non alibi comedant diebus quibus nobis vesci carnibus non licet videlicet feriis secundis quartis et sextis cum diebus Sabbatinis ac omni tempore in Adventu in Septuagesima vsque ad feriam tertiam post Pascha ac diebus precipuarum solennitatum et ceteris temporibus quibus ex precepto ecclesie carniū esus prohibetur In quo quidem refectorio ab vna tantum parte sedentes continuam debent habere lecturam summumque silentium iuxta regule tenorem seruare ac cucullis vestiti esse debent cum quibus pro graciis ad ecclesiam procedere debebunt Aliis autem diebus (quibus ex apostolica gratia speciali nobis vesci carnibus permittitur) in aula gratie vel infirmitorii et nunquam in ortis vel cameris particularibus reficiantur In qua quidem aula (sicut in refectorio) secundum regule tenorem lectio deesse non debet vbi (prout in dicto refectorio) ex vtraque parte mense nunquam sedere debent Jeunia autem ecclesie indefectibiliter obseruentur Diebus vero quibus secundum ordinis institutionem est jeuniandum maxime feriis quartis et sextis sine magna necessitate cenam facere non presumant nec eis aliquis cibus post vespas ministretur sed cuneta eis ministranda prandio tribuatur De reliquiis autem aut residuis ex mensa fratrum fiant elemosine secundum abbatis discrecionem nec aliquis sub pena regularis discipline et penitentia panis et aque pro qualibet vice aliquid sine licentia presidentis dare aut distribuere quibuscunque personis attentet Inhibentes sub pena carceris cum pane et aqua ne quis presumat habere aliquem commensalem seu pencionarium vel seruitorem exceptis officariis et senioribus debilibus quorum quilibet vno seruo contentus esse debet nisi dominus abbas plures seruientes videat alicui officario pro agendis monasterii esse concedendos Item cum de iure tam diuino quam naturali et secundum regule tenorem de infirmis fratribus abbas et officarii maximam debeant habere curam et sollicitudinem ordinamus vt ipsis infirmis fratribus secundum infirmorum qualitatem de necessitatibus corporalibus et spiritualibus attenda monasteriorum facultate caritative subueniatur ipsis de competentibus cameris lectisterniis et vtensilibus debite munitis et cibis delicacioribus remediusque conuenientibus charitatiue prouidendo eisque pro eorum seruicio aliquem honestum religiosum diligenter sollicitum

charitativum ac Deum timentem deputando cum solaciis et adiutoribus requisitis Quibus infirmis in extremis laborantibus hora competenti extrema detur vinctio Defuncti autem laentur alieque solemnitates et obsequie circa eosdem fiant prout in vsibus habetur Item sigillum conuentus sub quatuor diuersificatis clauibus seruari mandamus quarum vnā abbas habere poterit si velit prior secundam bursarius vel cellerarius tertiam et vnus seniorum a fratribus eligendus quartam habebit Inhibendo quidecunque ex eo sigillari nisi de consensu et bona voluntate maioris aut sanioris partis conuentus Item cum abdicatio proprietatis sicut et custodia castitatis votis regularibus sit indispensabiliter annexa ideo nullus quicquam proprium habeat nisi quod abbas dederit aut permiserit Nec tamen abbas ipse aliquid permittere potest sine causa rationabili que presupponit euidenter necessitatem aut maximam vtilitatem ac de ipsis sic debite permissis ipsi fratres eidem abbati integram declarationem in ebdomada prima vel vltima Quadragesime ante diem Cene Domini omnes scripto dare tenebuntur Ideo vt hoc damnabile vicium proprietatis secundum regule tenorem radicitus euellatur precipimus vt dominus abbas ipsum vicium eiusque species vniuersas ab omnibus fratribus precipue et ante omnia amputare studeat Nec quouis modo permittantur fratres non habentes officia temporalia apud se vel alium quacunque pecunias reseruare vltra spacium viginti quatuor horarum sub pena excommunicationis De illo autem conuictus tanquam proprietarius puniatur Nec similiter abbas permittat aliquos fratres tenere in particulari aliquas terras ortos grangias aut animalia vel alia similia ad certum tempus vel ad vitam sub pena depositionis a sua dignitate abbaciali Fratres autem in hiis suis abbatibus procaeciter resistentes aut rebelles ipso facto sint excommunicati et in carceribus cum penitentia panis et aque arctissime recludantur vsque ad condignam satisfactionem et generalis visitatoris dispositionem Mandamus autem domino abbati quatinus per se aut per officarios religiosos taliter suis religiosis prouideat de vietu vestitu et aliis necessitatibus quod ipsi nullam notabilem paciantur indigentiam Item quantum ad statum temporalem licet optimum esset et rationale ac [regule] Benedictine et diffinicionibus ordinis conforme vt in quolibet monasterio essent duo bursarii qui omnes redditus et prouentus monasteriorum recipere et disponerent Nihilominus quia fortassis in aliquibus monasteriis non reperiuntur fratres ad hoc idonei aut sufficientes

ideo illud dispositioni et discrecioni visitatorum generalium pronuncie relinquimus vt ad recipiendos dictos redditus et bona monasteriorum constituent vel abbates vel certos fratres prout viderint monasteriis expedire super quo ipsorum generalium visitatorum consciencias coram Domino Deo oneramus Mandantes nihilominus vt quicumque recipient aut distribuent vel exponent huiusmodi monasteriorum bona siue sint abbates vel religiosi teneantur fideles et integras reddere computaciones de omnibus receptis et expensis coram abbate et saniori parte conuentus quociens ipsi abbati visum fuerit expediens aut saltem de trimestri in trimestre sicut in [regula] Benedictina precipitur vel ad minus bis in anno Ex quibus particularibus comptotis fiant singulis annis [computaciones] generales de omnibus redditibus et expensis ipsius monasterii Que quidem computaciones per abbatem et omnes religiosos videbuntur examinabuntur et calculabuntur et signabuntur et postea patri abbati aut commissario ordinis in visitacione presentabuntur ad approbandum vel reprobandum Caueat quoque abbas ne sine consensu sanioris partis conuentus contra formam [regule] Benedictine aliquos contractus aut alienaciones bonorum monasterii facere presumat sub pena dilapidacionis Et si que fortassis taliter facta sint in ecclesie preiudicium per modernos aut predecessores abbates quilibet abbas in suo monasterio per omnes iuris et justicie vias sub eadem pena diligenter reuocare studeat Prouideat insuper abbas predictus in suo monasterio sub grauissima Dei offensa et maxima pena per visitatores infligenda vt edificia ruinosa diligenter reparentur et restaurentur incipiendo a magis necessariis secundum consilium visitatoris et seniorum monasterii Item vt melius in monasterio obseruetur obedientia et regularis disciplina ordinamus prefato domino abbati sub pena suspensionis a diuinis vt cum concilio seniorum et fratrum Deum timencium conformiter ad sacros canones et sanctas ordinis consuetudines infra trimestre a receptione presencium instituat vnum priorem in suo monasterio Finaliter ne quis de ignorancia aliqua pretendere possit excusacionem precipimus presentes ordinaciones quater legi quolibet anno in loco capitulari in presencia abbatis et conuentus in tribus diebus Quatuor Temporum Inhibentes quibuscunque personis regularibus nostre religionis ac omnibus visitatoribus non fungentibus plenaria auctoritate Capituli Generalis ne presentem cartam quouis modo auferant vel occultent aut transferant lacerent aut aliquid premissorum directe vel indirecte per quoscunque fieri consentiant

sub pena excommunicationis late sententie cuius absolucionem preterquam in mortis articulo visitatori Capituli Generalis reservamus Datum in monasterio de Cupro nostri Cisterciensis ordinis pro directione et consolatione confratrum nostrorum abbatis et conventus monasterii de Deir ad quod quidem monasterium propter multas causas rationabiles transire non potuimus Ideo vt nostro officio vteunque satisfecisse videamur has presentes nostras ordinationes ipsis transmittere curauimus rogantes in visceribus Jhesu Christi dominum abbatem et eius confratres vt dictas ordinationes diligenter et humiliter obseruent sub penis in premissis expressis In quorum omnium fidele testimonium presentibus sigillum nostrum apposuimus die mensis Septembris decima sexta anno Domini millesimo quingentesimo trigesimo primo .

Explicit carta reformationis ordinis Cisterciensis .

Incipit mitigacio eiusdem ad monachos Deyrenses. ¹ —(A.D. 1537.)

Nos Fratres Robertus abbas de Kinlos Cisterciensis ordinis in diocesi Morauisiensi pater et superior immediatus Monasterii de Deyr dicti ordinis diocesis Aberdonensis et Gualterus Vallis Lucis abbas eiusdem ordinis in diocesi Candide Case a nostro Generali Capitulo commissarius ad visitanda et reformanda omnia et singula monasteria nostri ordinis per totum regnum Scocie specialiter deputatus visitans personaliter tam ordinaria quam dicti nostri ordinis auctoritate prefatum monasterium de Deir ordinationes et cartam visitationis reuerendi Patris Karoliloci in plenaria dicti Capituli auctoritate illuc transmissas non acceptatas sed ob defilem loci situm et temporis malignitatem adimpleri vix posse saltem sine mitigacione comperimus vnde reformationis aliquod principium inducere cupientes et eiusdem per Dei gratiam per tractum temporis incrementa sperantes de concilio patrum ac vsque ad aliam Generalis Capituli dispositionem memorate charte mitigationes fecimus subsequentes In primis instituantur duo aut plures bursarii et officarii religiosi per priorem

¹ [From a copy among the Gale MSS. (O. vii., 42,) in the Library of Trinity College, Cambridge.]

et sanio rem partem conuentus eligendi cum consensu abbatis Qui quidem bursarii per specialem firmam et stabilem assignacionem de melioribus et liberioribus fructibus et prouentibus tocius monasterii recipient certas pecuniarum summas et victualium sufficientes pro sustentatione honesta victus vestitus ac omnium aliorum necessariorum fratrum seruarumque eorundem communium quorum sine mora vnicuique ministrabunt omnia necessaria tam sanis quam infirmis et in via directis ac hospitalitati fratrum consanguineis casualiter visitantibus sic vt nulla remaneat justa murmuris causa Item omnia disponent iuxta regulam et statuta quemadmodum fit in locis reformatis ordinis nostri Reddentur computationes secundum statuta ordinis et reseruentur in vsus communitatis Secundo instituantur serui aliquot communes per abbatem qui senioribus fratribus seruiantur precipue et secundario communibus insistant operibus monasterii Nullus habeat commensalem Seruos vero particulares solis officariis habere liceat De portionum reliquiis seruis illis communibus per religiosum ad hoc deputandum victus necessaria distribuantur et cetera que super fuerint earundem portionum pauperibus erogentur Tertio ortos habere permittantur sub ipsorum abbatis beneplacito intra tamen monasteriorum clausuras et de quibus nulla sinistre conuersacionis oriatur suspicio Quorum eciam fructus et prouentus per bursarium communitatis vniuersi colligantur et in vsus necessarios fratrum cum concilio et assensu abbatis vel eo absente presidentis caritatiue expendantur Supradictam igitur reformationis chartam cui hec cartula nostra connectitur cum prefatis mitigationibus ab vniuersis et singulis huius monasterii religiosiis prout illorum quemlibet tangit et concernit stricte precipimus obseruari et quo ad omnia et singula in eadem contenta integre et fideliter adimpleri Ordinamus preterea vt ad deuociorem officii diuini celebrationem cerimoniarum ordinis nostri cognitionem ac statutorum obseruanciam plenior legantur per ordinem et ex integro ac vbi opus fuerit eciam coram toto conuentu exponantur et practiceantur Liber Vsum Libellis et Nouelle Diffinicionum Ordinariarum atque illa cerimoniarum scriptura quam ex monasterio de Cupro nouissime receperunt ita ut perlegantur et intelligantur inter diem date presencium et diem Natiuitatis Beati Joannis Baptiste proxime futurum et deinceps singulis annis legantur sicut in Libello Diffinicionum distinctione septima capitulo quinto et in Nouellis eisdem distinctione atque capitulo statuitur et ordinatur In-

firmorum camera paretur et vtensilibus muniatur Calefactorium cum sufficiencia focalium prouideatur Lectio grammaticalis aut arcium fiat quotidie priuatis diebus fratribus junioribus et aliis eciam senioribus huiusmodi lectionum capacibus aut eisdem indigentibus Commensales fratrum et eorundem famuli seculares omnes preter illos quos abbas et conuentus tanquam seruos communes retinuerunt ante diem vltimum mensis Maii proxime futuri a claustris emittantur Nec tales deinceps in monasterio recipi vel teneri permittantur Abstineant ab esu carniu tam feriis secundis quam tota Quadragesima Dominus abbas diligenter intendat reparacionibus edificiorum monasterii incipiendo a choro ecclesie et deinde procedendo ad alia magis necessaria prout in charta principali iubetur et ordinatur Datum apud prefatum monasterium de Deir sub sigillis et subscripcionibus nostris die vltima Februarii anno Domini millesimo quingentesimo trigesimo sexto .

Explicit .

Incipit charta assignationis monachorum a Deir. ¹ —(A.D. 1537.)

Nouerint vniuersi quia conclusum et diffinitum est inter nos Joannem abbatem monasterii Beate Marie de Deir Cisterciensis ordinis in diocesi Aberdonensi et eiusdem loci conuentum eciam cum expresso consensu auctoritate et approbacione venerabilium patrum Roberti de Kinlos patris abbatis et superioris nostri immediati ac Gualteri abbatis Vallis Lucis capituli generalis dicti ordinis commissarii prefatum monasterium nostrum actualiter visitancium quod nos omnes vitam regularem et reformatam amodo ducere diuina fauente gracia decreuimus ac omnes fructus redditus et prouentus dicti monasterii per nos Joannem et conuentum nostrum in communi solum habituros sic scilicet quod nos Johannes de omnibus huiusmodi fructibus semel singulis annis coram quinque vel sex de fratribus nostris per nos et conuentum nostrum ad id eligendis rationem fideliter redderimus Conuentus autem ad sui sustentacionem habebit

¹ [From a copy among the Gale MSS. (O. vii. 42.) in the Library of Trinity College, Cambridge.]

cellerarium seu pronisorem et bursarium per nos cum consilio seniorum singulis annis eligendos. Quiquidem bursarius annuatim recipiet de fructibus redditibusque baronie et rectorie de Deir seu rectorie de Petirugy quantum sufficere poterit ad onera inferius specialiter declarata videlicet juxta numerum conuentus pro victu vniuseiusque per diem in pane boni frumenti vncias coctas sedecim vna cum duabus laganis seu panibus auenaceis percipiendo ex bolla farine laganas ducentas. Item pro potu duas quartas ceruisie pro qualibet die capiendo ex bolla decem lagenas ceruisie ad summum. Item quotidie pro carnibus sex denarios quando vesci carnibus in ordine permittitur ac singulis aliis diebus pro piscibus duos denarios. Item piperis per annum libram vnam. Pro butyro per annum conuentui solidos quadraginta. Item singulis annis pro toto conuentu pulcrearum duodenas octo salmones in Quadragesima quadraginta cum sale in copia sufficienti pro mensa coquina et carniui ac piscium condimento pro conuentu. Item pro quolibet fratre per annum petras casei quatuor. Item habebunt lentes et ordeum pro leguminibus sufficienter. Item annuatim circa Pascha saginabuntur duo boues emendi per bursarium communitatis et pascendi cum ceteris pro mensa nostra et hospitium saginandis. Item annuatim habebunt fratres trigenta agnos. Item conuentus habebit pisces duarum cimbarum in portu de Rahill simili precio sicut eosdem habebant annis preteritis. Preterea coco conuentus et illi qui eidem conuentui focalia sufficienter ministrabit dabuntur singulis annis duodecim bolle farine auenatice. Item vectori piscium pro conuentu satisfiet per nos more solito. Item pro custodia potus conuentualis assignabimus domum sufficientem. Pro vestitu vero fratrum annuatim dabuntur singulis solidi quinquaginta ac eorundem barbitonsori et sartori et vestium lotrici satisficiemus competenter. De predictis autem omnibus et singulis ad conuentus victum et vestitum pertinentibus ministrabitur singulis prout opus fuerit secundum tenorem regule de eislem. Fient computationes secundum formam [regule] Benedictine. Et quod residuum fuerit exponet ad vsus communitatis cum nostra facultate. Prefatos igitur fructus et redditus ad sustentacionem honestam nostri dicti conuentus regulariter et in sancta communitate victuri perpetuo pro nobis et successoribus nostris assignamus et eosdem de concilio et assensu dictorum visitatorum nostro conuentui sepedicto damus et concedimus per presentes. Et in testimonium tam huius nostre assignacionis et conuentus

de eadem acceptacionis ac dictorum dominorum visitatorum ad idem consensus et approbacionis presentes litteras omnium nostrum manibus subscriptas sigillorum nostrorum fecimus appensione muniri Apud dictum monasterium nostrum de Deir vltimo Februarii anno Domini m^o. quingentesimo trigesimo sexto .

Incipit carta augmentacionis Joannis abbatis.¹—(A.D. 1542.)

Ad Dei laudem et gloriam nouerint vniuersi ad quorum noticias presentes sunt peruenture nos Joannem permissione diuina abbatem monasterii Beate Marie Deirensis Cisterciensis ordinis nostra spontanea voluntate conuentus nostri fratrumque nostrorum nobiscum iugiter Deo seruientium considerata necessitate synceraque religione et pietatis in Deum constancia et erga nos sancte religionis obedientia dedisse concessisse et perpetuis temporibus presentibus et futuris assignasse singulis fratrum nostrorum singulis diebus quibus carnibus in ordine vesci licitum est octo denarios et in diebus quibus pisces comedere consueuimus singulis diebus singulis fratrum nostrorum tres denarios in summa colligendos ad duos anni terminos Pentecostes et Sancti Martini in hyeme per equales portiones ad vniiformem conuentus nostri sustentacionem per communitatis bursarium aut prouisorem ne rerum inedia aut penuria labescat cepta apud nos regularis obseruantie reformatio Quosquidem octo denarios in carniū diebus et tres in piscium feriis in summa recolligendos (vt dictum est) ad duos anni terminos singulis fratrum communitatis nostre presentium et futurorum a nobis et successoribus nostris perpetuo assignamus et sigilli nostri appensione confirmamus cum duodecim caponibus quotannis bursario conuentus pro beneuolentie pittantiis vbilibet vel vndelibet terrarum nostrarum de Deir aut Petirugy ad bursarii nutum colligendis Preterea assignacionem dudum factam per reuerendos in Christo patres Gualterum abbatem Vallis Lucis et Robertum abbatem a Killoss in omnibus statutis punctis nos conuentumque nostrum concernentibus ratificamus in pane potu vestibus bovis saginatis agnis pultreis salmonibus piscium salsamentis cum duarum cimbarum piscibus consueto precio emendis cum

¹ [From a copy among the Gale MSS., (O. vii., 42.) in the Library of Trinity College, Cambridge.]

butiro sale pipere ordeo lentibus caseis barbitonsori vectori vestiumque sartori et lotrici conuentus coco et focario in omnibus et per omnia vt in dictorum reuerendorum patrum plenius continetur carta confirmamus et sigilli nostri appensione ad perpetuam rei memoriam comunimus et manuali nostra subscriptione spontanea libertate pro fratrum nostrorum benemerita in nobis pietate approbamus Apud nostrum monasterium die trigesimo mensis Maii anno incarnati Verbi sesquimillesimo quadragesimo secundo .

Hic abbas Joannes Innas fato sublatus est anno sequente In cuius locum suffectus est Magister Robertus Keyth germanus Comitis Marescalli qui et ipse diem clausit extremum iuuenis nono anno sue prelationis Parisiis non recepto ordinis habitu . Cui successit filius prefati Comitis quindecim annorum adolescens A.D. 1552.

Assedatio terrarum monasterii Deirensis. ¹ —(A.D. 1544.)

Kirktown assedatur pro 4 lib., 6 dusen off fowlis.

Clerkhill pro 30s., 6 caponis.

Corthailhows pro 3 lib. 6s. 8d., 6 caponis, 6 laud fowlis, tway wedderis, tway bollis of hors corne.

Walkmyll pro 3 lib. 6s. 8d., xii. fowlis.

Myll of Crehye pro 6 lib. 13s. 4d., 2 wedderis, 24 caponis.

Dennys pro 3 lib. 6s. 8d., 6 caponis, 6 fowlis, ii. wedders, ii. bollis off hors corn.

Mekil Elyrk pro decem lib. 13s. 4d., 12 caponis.

Litil Elyrk pro 4 lib., sex caponis, ane wedder.

Mekil Achradly pro sex lib. 13s. 4d. tway wedderis, 24 caponis, 4 bollis hors corn.

Achmwngyell pro 4 lib., 1 wedder, 12 caponis.

Carnebannoct pro 4 lib., 1 wedder, 12 caponis.

¹ [From a copy among the Gale MSS., (O. vii, 42,) in the Library of Trinity College, Cambridge.]

Lytill Achrady pro 6 lib. 13s 4d., tway wedderis, 24 caponis, 6 fflowlis,
4 bollis hors corn.

Cragmyll [pro] 53s. 4d., 12 caponis, vno porco.

Badforsky pro 3 lib. 6s. 8d., 2 wedderis, 12 caponis, tway bollis hors corn.

Achlek pro 6 lib. 13s. 4d., tway dusen off caponis.

Acherb pro 4 lib., ane wedder, 12 caponis.

Cryally pro 53s. 4d., ane wedder, 6 caponis, ii. bollis hors corn.

Skelemerno pro 4 lib.

Achmachqwhan pro 6 lib 13s. 4d., ii. wedderis, ii. dwsen off caponis.

Altry pro 16 lib., 4 wedderis, 4 dusen caponis, 8 bollis hors corn.

Biffy [pro] 16 lib., 6 wedderis, 4 dusen caponis, 12 bollis hors corn.

Benwallis pro 4 lib. 10s., 12 caponis.

Glakreach pro 6 lib. 13s. 4d.

Almad pro 4 lib. 10s., ane wedder, sex caponis.

Brwishill pro 5 markis, ane wedder, sex caponis.

Myll of Brwxye pro 36 bollis victualium, ii. merkis, 12 caponis, ane dwsen
of oder fowlis, and ane swyne.

Scrogghyll pro 33s. 4d., 12 caponis, ii. wedderis.

Cwthyll in manibus Abbatis estimatur valere 8 cheldras victualium.

Cottaris of Cwthill, 4 lib. 3s. 4d., sex dusen and sex pwltrye.

Summa pecunie precedentis, 7 scoir v. lib. 16s. 8d.

Rahyll pro viii. cheldris off vittal, 8 wedderis, viii. dwsen off caponis.

Fischeris off Petyrheid and tenenttis payis viii. lib. v. s. 6d., 14 dwsen
and sex fowlis.

Feichlyl, 4 chalder of vittall, 13 lib. 6s. 8d., 4 wedderis, 12 caponis, 12
pwltry (incertis decimis.)

Monkishill pro xx. bollis victuall, 15 lib. 6s. 8d., 4 wedderis, sex caponis,
sex pwltry (demptis decimis.)

Will. Mathows hows in Newbwrgh, 13s. 4d. sex caponis, with hospitalite
to serwandis,

Barry, fyfty-thre s. 4d.

Summa precedentis pecunie 30 lib. sex s.

Summa off land ferme off Myll off Bruxye, Cwthill, Rabill,
Fehyll, Monkishill, xviii. scoir and xvi. bollis of wittal.

Summa caponum, 46 dusen.

Summa of land wedderis, 49 with tway swyne.

Summa of pwltry fowlis, 32 dwsen.

Summa of cwstome corn, 36 bollis.

Anni redditus .

Tulioicht soluit 3 lib. vi. s. 8d.

Lytil Crehye soluit 40s.

Twlkis soluit 33s. 4d.

Sahok de Kynmundy soluit 40s.

Summa ix. lib.

Summa omnium firmarum et annuorum reddituum, nyne scoire viii.
lib., sex s.

Altar landis in Fowern .

Wilyame Dwthe for ane altar land suld pay xx. s.

The Lard off Fowern for ane land suld pay x. s.

Rentale garbarum decimalium parrochie de Deir.

Twlkis et Carnwrqwehis antehac [pro] 8 marcis assedabatur, estimate
valere 24 bollas victualium.

Petfowr assedabatur pro 32 bollis, 4 muttonibus, 24 pullis.

Myll of Petfowr assedabatur pro iii. bollis. i. muttone, sex pullis.

Alden assedabatur pro 32 bollis, 4 muttonis, 24 pwltry.

Knok Knokailhows, 24 bollis, iii. muttonibus, 18 pullis, Domino de Knok.

Mill of Auden assedabatur [pro] iii. bollis, 2 firlotis, 1 mutton, 6 pullis.

Litill Crehye, 32 bollis, 4 mutton, sex pullis.

Coneyit, 32 bollis, 4 mutton, sex pultry.

Mylbrek assedabatur [pro] x. bollis, 1 mutton, sex pullis.

- Kynmundy, 16 bollis, 2 mutton, 16 pullis.
 Myllhyll, 18 bollis, 2 mutton, 12 pullis.
 Petymarkhows, 6 bollis, 1 mutton, sex pullis.
 Kynknokye, 4 bollis, 1 mutton, sex pullis.
 Percok, Skilmwir, Cortierom, Halhillock assedantur pro 24 bollis, 4
 muttonibus, 24 pullis.
 Mekill Crehye pro 32 bollis, 4 muttonibus, 24 pullis.
 Dennis pro 8 bollis, 1 mutton, sex pullis.
 Myll of Crehye pro 12 bollis, 2 muttonibus, 12 pullis.
 Cortailhows, viii. bollis, 1 mutton, sex pultry.
 Seroghyll, iii. bollis, 1 mutton, sex pullis.
 Brwntbray, sex bollis, 1 mutton, sex pullis.
 Litill Elrik, sex bollis, 1 mutton, sex pullis.
 Anaqwhyte, viii. bollis, 1 mutton, sex pullis.
 Myll of Achnagat, iii. bollis, 1 mutton, sex pullis.
 Mekill Elrik, xii bollis, 11 mutton, sex pullis.
 Oycorn, xiiii. bollis, 11 mutton, xii. pullis.
 Sayhok and Achnagat, xl. bollis, v. mutton, xii. pullis.
 Aldtone, iii. bollis, 1 mutton, sex pullis.
 Barrak, Knawen, Achmaledy, xliiii. bollis, iii. muttonis.
 Mekill Achrady, 14 bollis, 1 mutton, vi. fowlis decime.
 Litill Achrady, xvi. bollis, 11 mutton, xii. pullis.
 Manys off Federat, iii. lib.
 Schewaddo, Domino de Federat, vii. bollis.
 Aehmwngyell, sex bollis, 1 mutton, sex pultry.
 Carnbanno, sex bollis, 1 mutton, sex pullis.
 Aldtown, ane boll.
 Brwishill, v. bollis, 1 mutton, sine pullis.
 Corbyhill, vi. bollis, 1 mutton, sex pullis.
 Allathan, 12 bollis, 1 mutton, sex pullis.
 Corsgyicht, iii. bollis, 1 mutton, sex pullis.
 Balmaealye, sex bollis, 1 mutton, sex pullis.
 Brwmhill, iii. bollis, 1 mutton, sex pullis.
 Qubytarnis, iii. bollis, 1 mutton, sex pullis.
 Yrnesyid, xvi. bollis, 11 mutton, xii. pullis.
 Aehgwhat, Domino de Federat, x. bollis.

- Mekill Achyoch, xvi. bollis, tway mutton, twell pwltry.
 Artamfwrd, v. bollis.
 Lital Achyoch, Domino de Federat, viii. bollis, 1 mutton, sex pullis.
 Cwlehis, xxiii. bollis, iii. mutton, xviii. pullis.
 Pondlarerofft, sex firlotis, 1 mutton, sex pullis.
 Crokla, iii. bollis, 1 mwttton, sex pullis.
 Achherb, viii. bollis, 1 mutton, sex pullis.
 Cragmyll, iii. bollis, 1 mutton, sex pullis.
 Achlek, xvi. bollis, 11 mutton, xii. pullis.
 Badfforskye, sex bollis, 1 mutton, sex pullis.
 Aldmad, vii. bollis, 1 mutton, sex pullis.
 Glakreoch, ten bollis, 11 mutton, sine pullis.
 Benwellis, 8 bollis, 1 mutton, sex pullis.
 Altry, 32 bollis, 8 mutton, 24 pullis.
 Cryallye, v. bollis, 1 mutton, sex pullis.
 Skelemerno, 8 bollis, 1 mutton, sex pullis.
 Achmachhar, x. bollis, 2 mutton, 12 pullis.
 Smyddeland, Kyrktown, x. bollis, 1 mutton, 6 pullis.
 Perkhows, xvi. bollis, 1 mutton cum dimidio, ix. pullis.
 Rytte of Biffye, xvi. bollis, 11 mutton, xii. pultry.
 The Raw of Byffe, xvi. bollis, 11 mutton, xii. pullis.
 xiiii. oxin of Perkhows assedantur pro iii. bollis.
 Clerkhill, iii. bollis, i. mutton, sex pullis.
 Decime de Cwthill decimantur per Abbatem [et] estimantur valere . .
 Brighows, a boll.

Summa victualium (demptis Twlkis, Carnewrgheis, aratro de
 Achrady, Manis off Federat, decimalibusque garbis de Cwt-
 hill) extenditur ad xxxviii. scoir viii. bollas . Excipitur mola
 de Brwxye.

Summa muttonum, five scoir and ix.

Summa pullorum, xxvi. scoire and xv.

The Myl of Bruxye, 40 bollis.

Prouentus vicarie de Deir anno Domini 1544 .

Financié paschales, lii. lib. sex s. ii. d.

Lana decimalis, sexaginta sex petre.

Agni decimales, xix. scoir quinque.

Casci decimales, v. scoir xvi. petre.

Jura funeralia, a 23 Decembris anni 1543 vsque ad 12 Nouembris anni 1544, 21 lib. iii. s.

Decimales garbe parochie de Petirugy anno Domini 1544 .

Achtedonald with the pendikillis, 2 chalderis.

Dwnstoun, v. bollis, i. mutton, sex pullis.

Aehle, 14 bollis, ii. mutton, 12 pullis.

Rora, xviii. bollis, ii. mutton, sex geyis.

Fortre, Myll off Rora, vi. bollis, iii. mutton, tway geyis.

Carnegall, xii. bollis.

Inuerqwhomrye, xxxii. bollis, ii. mutton, 12 pullis.

Yokkeishill, xvi. bollis, ii. mutton, xii. pullis.

Myll of Inuerqwhomry, x. bollis, i. mutton, vi. pullis.

Lwdqwharne, xx. bollis.

Myll of Tysfie, iii. bollis, i. mutton, sex pullis.

Inuernade, sex bollis, i. mutton, sex fowlis.

Fachfeillis, iii. bollis, 2 firlotis, i. mutton, sex fowlis.

Saychok, sex bollis, i. mutton, sex fowlis.

Downyhillis, viii. bollis, i. mutton, sex fowlis.

Superior Dennis, iii. bollis, i. mutton, sex pullis.

Inferior Dennis, iii. bollis, i. mutton, sex pullis.

Bwtlo, Domino de Crag, sex bollis, i. mutton, sex pullis.

Tortostoun Myl, Ailhowshill, 32 bollis, Domino de Crag.

Mekill Coklo, 25 bollis, iii. mutton, xxiii. fowlis.

Litill Coklo, iii. bollis, sex pullis.

Myiresyid, xvi. bollis, ii. mutton, xii. pullis.

Ballmwire, xvi. bollis, ii. mutton, xii. pullis.

Inuernety, xx. bollis.

Rahill, decime 8 chaldrarum.

Summa victualium parochie de Petirugy, demptis decimis de
Rahill et Achtedonald Cotteristounne et owtset eiusdem,
xiiii. scoir et xviii. bollis.

Summa pullorum huius parochie, sex scoire et xii. cum viii.
anseribus.

Summa muttonum, 22 cum medio.

The Maais of Kynmundy, 4 lib.

Hoc anno, scilicet 1544, pars nostra vicarie de Petirugy, dimidium scilicet
de Hillokis.

Financie paschales, xl. s.

Lana decimalis, due petre 8 lib.

Agni decimales, quindecim.

Casei decimales, quinque petre.

Prouentus parochie de Fouerne in decimalibus garbis anno Domini 1544.

Drummis, xvi. bollis, 1 wedder, sex pullis.

Akynnischil, x. bollis, 1 wedder, sex pullis.

Ardoch, xiiii. bollis, 11 mutton, xii. pullis.

Achlown, xviii. bollis.

Menes with the myll and Crabedennis, xii. libris.

Twlery, iii. lib. vi. s. 8d.

Tulecorthy, iiii. lib.

Bannacadill, sex lib. xiii. s. 4d.

Twleave, xii. bollis, ii. mutton, sex pullis.

Petymwk, v. bollis, i. wedder, sex fowlis.

Monkishill, xx. bollis, xii. pullis.

Orchartown, xxvi. s. 8d.

Blachele, ii. bollis, ii. firLOTis, vi. wedderis, iiii. pullis.

Cwlltyrculen, xxx. bollis, vi. wedderis, xviii. pullis.

Fydesmoir, xl. bollis, iiii. wedderis, xviii. pullis.

Fydesbeg, Domino Forbes, sex merkis.

Ailhows a Fyddes, v. bollis, i. wedder, vi. pullis.

Molendinum de Fydes, v. bollis, i. wedder, sex pullis.

Achnacant, xii. bollis, i. wedder, sex pullis.

Myl of Fowern, xii. bollis, i. wedder, sex pullis.

Sayehok, xiiii. bollis.

Petmyllan, xxx. bollis, iiii. wedderis, xviii. pullis.

Manis of Fowern and Balgeirso, xviii. libris.

Mekill Hulloeh, x. bollis, i. wedder, sex pullis.

Litill Haddoch, viii. bollis, ii. wedders, xii. pullis.

Knokhall, Domino Synclare, xx. bollis.

Newbwrght, eidem, xxvi. bollis off mallt.

Summa victualium huius parochie xv. scoir v. bollis, ii. firloittis.

Summa pecunie huius parochie, 49 lib. 6s. 8d.

Summa muttonum xxx.

Summa pullorum vii. scoir and sewyne.

Financie paschales hoc anno in Fowern, xx. lib. vi. s. v. d.

Agni decimales, thre scoire.

Lana decimales, xiiii. petre.

Casei decimales, xxxiii. petre.

Jura funeralia, x. lib. estimantur.

Salmones decimales, ane barrel.

Decime trium cymbarum pro 4 libris assedantur.

Ilk portion off aill hes xviii. bollis off malt and sewyne bollis off meill, and fowrty kakis mair / fowrty kakis extendis to half ane firloft and ten kakis / 11 portionis extendis to 50 bollis, 1 firloft, 20 [kakis] 1 [22] portionis extendis to 100 bollis, 2 firloftis, 40 kakis.

Proventus hoc anno, scilicet 1544, ecclesie de Kynedir.

Pro decimis garbalibus Dominus junior a Drwme soluit 82 libras pro iure rectorie.

Prouentus vicarie hoc anno 1544.

Financie paschales erant xxiii. lib. iiii. s. x. d.

Agni decimales erant five scoir xiiii.

Lana decimalis, xxv. petre.

Casei decimales, xxiii. petre, v. libre.

Jura funeralia estimantur ad x. libras.

416 lib. pecunie in decimis redditibus financiis pascalibus.

Robertus Stephanussonus .

Rentale terrarum seu prediorum Abbacie seu Monasterii de Deir ordinis Cisterciensis diocesis Aberdonensis per nos Dominos Priorem et conuentum eiusdem pro tempore nostris manibus subscriptum et nostro sigillo communi roboratum apud idem monasterium vigesimo die mensis Nouembris anno Domini millesimo quingentesimo quinquagesimo quarto in fidem et testimonium veritatis et perpetue memorie. ¹

Manerea de Deir vulgo *lie Manis* de *Cuthill* tres cheldras ordii octo bollas frumenti quatuor celdras et octo bollas farine duodecim capones duas duodenas *lie pultrey* centum quadraginta oues matrices in *lie keine* soluendo pro qualibet duos solidos et ad custodiendum octuaginta arietes Reservandiscroftis vocatis Schowane Jok Holmis Wille Dike Wille Bowman Robert Mowresounc seruatoribus loci et similiter reseruanda petia terre vocata Lamyrmuir seruatoribus loci .

Clerkhill, triginta solidos sex capones .

Quartailhous, tres libras sex solidos octo denarios sex capones sex *lie pultrey* duos arietes duas bollas auenarum .

Molendinum fullonum, tres libras sex solidos octo denarios duodecim *lie pultrey* .

Molendinum de Creche, sex libras tredecim solidos quatuor denarios duos arietes octodecim capones .

Dennis, tres libras sex solidos octo denarios sex capones sex *lie pultrey* duos arietes duas bollas auenarum .

¹ [From the original in the possession of the Club.]

- Mekill Auchrady, sex libras tredecim solidos quatuor denarios duos arietes viginti quatuor capones quatuor bollas auenarum .
- Auchu unzeall, quatuor libras unum arietem duodecim capones .
- Carbanno, quatuor libras unum arietem duodecim capones .
- Litill Auchrady, sex libras tredecim solidos quatuor denarios duos arietes duodecim capones octo *lie pultrey* quatuor bollas auenarum .
- Cragmyll, quinquaginta tres solidos quatuor denarios .
- Glakreache, sex libras tredecim solidos quatuor denarios duodecim capones unum arietem unacum additis in carta feodifirme facta Alexandro Keytht
- Litill Elreik, quatuor libras unum arietem sex capones unacum additis in carta feodifirme facta Alexandro Keytht .
- Badforske, tres libras sex solidos octo denarios duos arietes duodecim capones duas bollas auenarum .
- Auchlek, sex libras tredecim solidos quatuor denarios viginti quatuor capones .
- Aucharb, quatuor libras unum arietem duodecim capones .
- Cryally, quinquaginta tres solidos quatuor denarios unum arietem sex capones duas bollas auenarum .
- Skillemarnocht, quatuor libras .
- Auchnachir, sex libras tredecim solidos quatuor denarios duos arietes duodecim capones .
- Altre, sedecim libras quatuor arietes quatuor d[uod]enas caponum octo bollas auenarum .
- Biffy, sedecim libras sex arietes quatuor d[uod]enas caponum duodecim bollas auenarum .
- Aulmad, quatuor libras decem solidos unum arietem sex capones .
- Brunshill, quinque mercas unum arietem sex capones .
- Molendinum de Bruxe, quadraginta bollas victualium duas mercas duodecim capones unum arietem unum porcum .
- Skrogishill, triginta tres solidos quatuor denarios duodecim capones duos arietes .
- Villa ecclesiastica, quatuor libras sex d[uod]enas *lie pultrey* .
- Banwallis, quatuor libras tredecim solidos quatuor denarios duodecim capones .
- Mekill Elreik, decem libras tredecim solidos quatuor denarios duodecim capones duodecim *lie pultrey* tres mutones .

Fechill, quinquaginta duas bollas farine auenatice viginti quatuor bollas ordii quatuor bollas frumenti viginti quatuor capones viginti quatuor *lie pultrey* quatuor arietes unacum additis in carta feodifirme facta Domino de Forbes et eius sponse .

Monkishill, decem bollas farine octo bollas ordii duas bollas frumenti octo mereas pecunie unacum additis in carta feodifirme facta Domino de Forbes et eius sponse .

Grange de Rayhill, villa de Fescheartoun, cum portu ancoragie et Cath Inche, octo celdras ordii octo duodenas caponum octo arietes quatuor libras quatuor solidos quadraginta duo *lie pultrey* Et pro potestate brasiandi septem libras sex solidos octo denarios decem duodenas *lie pultrey* annuatim soluenda per tenentes et occupatores in manibus Commendatarii et nostris existente .

Barre, quatuor mercas .

Crofta de Nevbrucht vocata Monkisholmis, tredecim solidos quatuor denarios .

Due terre vocate *Altar Landis* de Fowerne, una existente in manibus Domini de Fowerne altera vasta jacente .

Annus redditus quinque mercarum de terris de Tulleocht de terris Domini de Culter annuatim .

Annus redditus triginta trium solidorum quatuor denariorum de terris de Towebis .

Annus redditus quadraginta solidorum de terris de Litill Creche .

Annus redditus quadraginta solidorum de terris de Sayehok de Kynmondy.

Ego Frater Gilbertus Chesholme prior subscribo .

Ego Frater Joannes Keytht subscribo .

Ego Frater Alex^r Scherar subscribo .

Ego Frater Jacobus Brovne subscribo .

Ego Frater Thomas Keyr subscribo.

Ego Frater Alexander Torre subscribo .

Ego Frater Duncanus Lownane subscribo .

Ego Frater David Howesoun subscribo .

Ego Gilbertus Innes subscribo .

Ego [Frater] Wilhelmus Smytht subscribo .

Ego Frater Willelmus Elphynstoune subscribo .

Ego Frater Thomas Weyr subscribo .

Ego Frater Gylbertus Murray subscribo .

Confirmatio Commendatarii et Conventus de Deir super terris de Meikle Auchrady cum pertinentiis facta Magistro Roberto Lumisdane et Elizabeth Keyth eius sponse. ¹ (A.D. 1556.)

Robertus permissione diuina commendatarius monasterii de Deir Aberdonensis diocesis nostro conventu ad presentem effectum nostro intercedente consensu et assensu capitulariter congregato vtilitate et commodo dicti nostri monasterii premissis et sane intellectis Etiam ut ne quid in illius dispendium aut grauamen nostra culpa cedere possit mature consultus et deliberatus quandam cartam arrendationis locationis et in emphiteosim perpetuam hereditarie dimissionis factam per nobilem et potentem dominum Willelmum comitem Mariscalli dominum Keyth etc. dominum emphiteotearum terrarum subscriptarum . . . Magistro Roberto Lumisdane Elizabeth Keyth eius sponse eorum alteri diutius viuenti . . . de . . . terris de Auchrady maiori . . . de verbo in verbum . . . ad plenum intellexisse sub hac forma et tenore OMNIBUS hanc cartam visuris vel audituris Willelmus comes Mariscalli dominus Keyth etc. ac dominus emphiteotearum terrarum subscriptarum . . . [salutem Noueritis nos] assedasse arrendasse locasse et ad feodifirmani et emphiteosim perpetuam dimisisse . . . dilectis nostris seruatoribus Magistro Roberto Lumisdane et Elizabeth Keyth eius sponse eorumque alteri diutius viuenti in coniuncta infeodacione et heredibus masculis inter eosdem legitime procreatis seu procreandis quibus deficientibus heredibus masculis et assignatis ipsius Magistri Roberti quibuscunque omnes et singulas terras meas de Auchrady maiori cum vniuersis suis pendiculis et pertinentiis iacentes infra dominium de Deir et vicecomitatum de Abirdene . . . Tenendas . . . de Roberto commendatario de Deir et conventu eiusdem et eorum successoribus Abbatibus Commendatariis et Conventu de Deir in feodifirma seu emphiteosi et hereditarie imperpetuum . . . Reddendo inde annuatim . . . Commendatario et Conventui de Deir . . . sex libras tridecim solidos quatuor denarios duos arietes viginti quatuor capones quatuor bollas auenarum et pro augmentatione rentalis dicti monasterii . . . viginti solidos monete Scotie . . . et pro arragiis carriagiis et bondagiis . . . prestabit et prestabunt duos equos per spacium trium

¹ [Abridged from a transcript in the General Register House, Edinburgh.]

dierum ad laborandum in laboribus necessariis dicti monasterii de Deir videlicet inducendo decimas focalia frumenta ligna et lapicidia cespites et alia necessaria pro edificacione reparacione et restauracione dicti monasterii ecclesie claustrum et domorum eiusdem vnacum sufficienti seruitore ad laborandum cum eisdem duobus equis . . . Prouiso tamen quod quoties huiusmodi seruus cum huiusmodi duobus equis laborat vt premittitur circa premissa tam idem seruus quam huiusmodi equi sustententur impensis dicti monasterii prout alii seruitores et equi laborantes ad idem opus et quod grana crescentia super memoratas terras . . . diuient moluentur et multuram solitam et consuetam satisfaciant et persoluent apud molendinum domini de Deir . . . et quod tenentes et occupatores dictarum terrarum . . . in exercitiis Regis seruabunt balliuo hereditario dicti monasterii qui fuerit pro tempore et suis deputatis suam potestatem habentibus sufficienter armati eorum propriis impensis iuxta modum et consuetudinem patrie in similibus . . . et quilibet heres ipsius Magistri Roberti in suo primo anno introitus ad huiusmodi terras . . . dietam feodifirmam duplicabunt et iuramentum fidelitatis seu homagium dictis Commendatario et Conuentui de Deir et suis successoribus . . . prestabunt orthodoxiamque seu catholicam fidem dictos Commendatarium et Conuentum eorumque successores antedictos eorumque terras possessiones et decimas dicti monasterii manutenebunt et defendant prout congruit vassallo Necnon tres sectas ad tria placita capitalia seu curias domini de Deir annuatim prestabunt . . . In cuius rei testimonium huic carte nostre manu nostra subscripte sigillum nostrum proprium est appensum apud Dunnoter nono die mensis Septembris anno Domini millesimo quingentesimo quinquagesimo quinto coram his testibus Monano Hog Magistro Willelmo Chalmer Waltero Raitt Magistro Keyth Roberto Blaklawis Alexandro Forbes Johanne Stevinson et Magistro Johanne Robertone cum diuersis aliis QUAMQUIDEM cartam . . . in omnibus et per omnia nostro conuentu ad hunc effectum capitulariter congregato matura deliberacione prehabita de nostro speciali consensu nobis gratia studii in remotis partibus existentibus . . . confirmamus In cuius rei testimonium huic carte nostre confirmacionis manu nostra subscripte apud ciuitatem Parisiensem duodecimo die mensis Octobris anno Domini millesimo quingentesimo quinquagesimo quinto coram his testibus Magistro Joanne Eldar Willelmo Daudson et Jacobo Annand

notario publico cum diuersis aliis sigillum nostrum commune dicti nostri monasterii de Deir vnacum subscriptionibus manualibus nostri conventus presentibus est appensum apud idem monasterium decimo octauo die mensis Aprilis anno Domini millesimo quingentesimo quinquagesimo sexto coram testibus Magistro Georgio Myddiltoun Monano Hog Roberto Blaklawis Magistris Waltero Rait et Johanne Robertsoun notariis cum diuersis aliis .

Wilyam Erll Marschell .

Robertus Commendatarius de Deir manu propria .

Ita est Magister Joannes Elder testis in subscriptione premissa per Robertum Commendatarium de Deir requisitus manu propria.

Ita est Magister Willelmus Daudison testis in subscriptione premissa per Robertum Commendatarium de Deir requisitus manu propria .

Ita est Magister Jacobus Annand testis et notarius in subscriptione premissa per Robertum Commendatarium de Deir requisitus manu propria .

Ego Frater Gilbertus Chesholme prior subscribo .

Ego Frater Alexander Scherar subscribo .

Ego Frater Thomas Keyr subscribo .

Ego Frater Duncanus Lownane subscribo .

Ego Gilbertus Innes subscribo .

Ego Frater Wilhelmus Smytht subscribo .

Ego Frater Joannes Keytht subscribo .

Ego Frater Jacobus Brovne subscribo .

Ego Frater Alexander Torre subscribo .

Ego Frater Daud Howesoun subscribo .

Ego Frater W^{mus} Elphynstoune subscribo .

Ego Frater Gylbertus Murray subscribo .

Discharge be the Priour of Deir to the Abbot. ¹—(A.D. 1566.)

We Robert Stewinstoun pryour of the Abbacy of Deir and Andro

¹ [Abridged from the Register of Deeds, vol. viii., foll. 340, 341, MS. Gen. Reg. House, Edin.]

Stewinstoun baillie of Edinburcht . . . grantis ws to haif ressait fra the handis of Archibald Leithe furrou burges of the said burght as cawtioner and sourtie for Robert commendatour of the Abbacy of Deir the sowme of ane hundreth and ten pundis money of this realme in full . . . payment of the foirsaid sowme contenit in ane obligatioun maid be the said Abbot as prencipall and the said Archibald as cawtioner . . . for him to me the sail Robert Stewinstonn . . . of the dait the xxj. day of Nouember the yeir of God j^m v^o lxiiij. yeiris . . . In witnes of the quhilk thing we haif subseriuit thir presentis with our handis at Edinburch the xxij. day of May the yeir of God j^m v^o lxxvj. yeiris befor thir witnes Robert Campbell Johne Makgill and James Williamesone notar publict with vthairis dyuers .

Andro Stewinstoun with my hand .

Carta Johanni Fraser vocato Unicornn. † —(A.D. 1427.)

Universis hanc cartam visuris . . . Robertus de Keth marescallus Scotie salutem in Domino Noveritis nos cum consensu et assensu Domini Willelmi de Keth filii nostri et heredis dedisse . . . dilecto nostro consanguinco Johanni Fraser nunc vocato Unicorn pro homagio et seruicio suo nobis impenso et impendendo totam terram nostram de Noua Foresta in comitatu Buchanie infra vicecomitatum de Abirden Tenendam et habendam . . . predicto Johanni et heredibus suis masculis legitimis quibuscunque de nobis et heredibus nostris in feodo et hereditate . . . curiis vitam et membra tangentibus nobis et heredibus nostris reseruatis Faciendo inde dictus Johannes et heredes sui masculi legitimi quicunque domino nostro Regi seruicium debitum et consuetum et nobis et heredibus nostris tres sectas annuatim ad tria placita nostra capitalia baronie de Aldane tantum . . . In cuius rei testimonium sigillum nostrum huic presenti carte apponi fecimus vna cum sigillo Domini Willelmi de Keth filii nostri et heredis apud Dunoter primo die mensis Aprilis anno

† [Abridged from the original in the charter chest at Philorth.]

This charter was confirmed by King James I., at Auchterhouse, on the twenty-first day of August, 1427.—(Registrum Magni Sigilli, lib. ii., no. 59, MS. Gen. Reg. House, Edin.)]

Domini millesimo quadringentesimo vicesimo sexto Testibus Domino Patricio de Ogilvy vicecomite de Angus Domino Waltero de Ogilvy Domino Alexandro de Forbes domino eiusdem Domino Johanne Burnarde et Domino Johanne Boyle capellanis Willelmo de Norwale et Roberto de Forsith Georgeo de Murray Alishay persewande .

Contract of marriage between Wilyeame son of the Earl Marscheal and Elizabetht daughter of the Earl of Huntlie.¹—(A.D. 1482.)

This indenture made at Aberdene the xj. day of Januar the yher of God a thousand four hvdrethe fourscoir and ane proportis . . . that it is apointit . . . betuix noble and myehti lordis Georg erle of Hvntlie lord Gordoun and Badzenacht on that a part and Wilyeame erle Marscheal and lord Ketht on that wthir part in manner . . . as efter followis that is to say that for gret fauors and kyndnes the quhilk has bene betuix the saidis Lordis and to be had and continewit amang the samyn God willand Wilyeame son and aperand ayr to the said lord Erle Marscheal sal mary spous and have to wif Elizabetht Gordoun douchter to the said lord Erle of Hvntlie For the quhilk mariag to be . . . solempnist in the face of haly kirk the said Georg erle of Huntlie his ayrs executours and assignais sal . . . pay to the said Wilyeame erle Marscheal his ayrs executours or assignais the sowme of sextene hundretht markis of the usuale monee of Scotland . . . at thir termes wnder writin that is to say at the terme of Witsunday begynand in the yeir of God a thousand four hundretht four scoir and four yers ane hundretht markis and at the terme of Martymes in wynter next . . . folowand ane wthir hundretht markis and sua furtht yere be yere and terme be terme yerly twa hundretht markis at Witsoulay and Martymes wythtoute ony interruption . . . ay and

¹ [Abridged from the original in the charter room at Gordon Castle.

On the eighth day of October, in the year 1378, William of Keth, marischal of Scotland, gave an annual rent of six merks sterling from his lands of Aehidonalde in the barony of Alden, or failing these lands, from the other lands of the barony, to a chaplain in the cathedral of Aberdeen performing religious services for the souls of the founder, and of William of Calabre, canon of Aberdeen. This foundation was confirmed by Pope Clement VII. and King Robert III.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 121, 129.) William of Calabre, in the year 1392, conjoined this foundation with the endowment of the stallship of Ellon, stipulating that the holder of the joint funds should be a priest.—(Id., vol. i., pp. 179-182.)

quhil the saide sovme of sextene hundretht markis be fully . . . payit . . . And alsua ane obligation to be gevin [heire uppon] wnder the seilis of Wilyeame erle of Erole Gilbert de Hay of Ury Gilbert de Waus of Many Alexander de Hay of Mouchaile conjunctlie and seneralie . . . And atour it is apoyntit betuix the said parteis at the said Wilyeame erle Marscheal sal infest be charter and possessioun be conijunct feftment the said Wilyeame his sone and the said Elizabetht his sponis and to thair ayrs maile to be gottin betuix tham and failyeande tharof to the ayrs of the said Wilyeame erle Marscheal quhatsumeuer of ane hundredtht markis wortht of landis to be haldin of the King of his lands of the barony of Alden liand withtin the shirrefdom of Aberdein in sieker and dew forme be the sicht of the said Georg erle of Hvntlie and the costis and the expenss to be maide thairuppon to be ewinly . . . diuidit betuix baytht the said Lords And gif thir writs be mystie and noecht cleir in ony thing at thai be reformit and correckit be the sicht of the frendlis of baytht the said parteis and specialy of Wilyeame erle of Erole Wilyeame lord Forbes Alexander Gordon of Megmar Master Gilbert de Hay of Ury James Wischeart of Petarow and Robert Arbuthnot of that Ilk and failyeand of ony of thir persovnis wtheris that has comonit in the said matter . . . And to the fulfilling . . . of al and sundre poyntis . . . befor expressit athir of the said parteis has gevin til wyther the faithis in thair bodyis the Haly Ewangelis tuechit the gret aitht [sworne] . . . And for the mair sickirnes athir of the said Lordis has interchangeably maid thair seilis be affixt to thir present indenture at day and place befor writin and mairatour subscriuit wytht thair propir handis .

Instrumentum possessionis Johannis Kyntor ejusque sponse.¹—(A.D. 1486.)

Penultimo die Aprilis apud canstrum de Kintor hora quasi decima . . . coram nobilibus et prouidis viris Antonio Ketht Roberto Ketht Johanne Ketht fratribus germanis nobilis domini Willelmi comitis Mariscallie

¹ [Abridged from the Notary's Protocol, titled "Register of Sasines of the Burgh of Aberdeen, vol. i," MS. in archivis ejusdem.]

Patricio Mydiltoun Alexandro Forbes Alexandro Kethl Johanne Kethl Thoma Cuning Domino Roberto Martyn et Andrea Ramsay Johannes Kyntor resignavit pure in manibus dicti Comitis omnes terras de Cornyche jacentes in baronia de Aiden infra vicecomitatum de Abirden . . . et consequenter idem Dominus dictas terras prefato Johanni Kintor et Isabelle Prat sponse sue in conjuncta infeodatione . . . donavit secundum tenorem carte inde sibi faciende Super quibus Thomas de Camera procuratorio nomine diete Isabelle petiit instrumenta .

Confirmatio Regis Comiti Marescallo. ¹ —(A.D. 1503.)

Apud Edinburghe . x. Novembris . j^m. v^c. iii. . Rex confirmavit Willelmo comiti Marescallo domino Keithe et heredibus suis quibuscunque terras et baroniam de Aldene cum tenentibus etc. earundem infra vicecomitatum de Aberdene quas dictus Comes personaliter resignavit ac terras de Pettinbla et Pettindrum in baronia de Kynedvarde infra vicecomitatum predictum que eciam fuerunt dieti Willelmi hereditarie et per ipsum tente in tenandria et alba firma de barone de Kynedward et quas ipse personaliter in manibus Regis tanquam moderni baronis de Kynedvarde resignavit . Insuper annexavit et incorporavit Rex dictas terras de Pettinbla et Pettindrum diete baronie de Aldene imperpetuum fiendas pendiculum et annexum ejusdem et vnus servicii cum dicta baronia ubi prius in alba firma tenebantur . Reddendo annuatim Regi tres sectas ad tria placita capitalia vicecomitatus de Abirdene unacum warda relevio et maritagio cum contigerint . Testibus Jacobo Sancti Andree archiepiscopo duce Rossie cancellario Regis . Willelmo episcopo Abirdlonensi secreti sigilli custode Archibaldo comite de Ergile Patricio comite de Boithuile Alexandro domino Hume Andrea domino Gray Ricardo Murhede Gawino Dunbar decano Moraviensi rotulorum et registri ac consilii clerico .

Service on Mill of Aden. ¹ —(A.D. 1678.)

August 16, 1678 . Special service of Helen Strachan relict of George

¹ [From the Abbreviatio Registri Magni Sigilli, lib. xiv., no. 47, MS. Gen. Reg. House, Edin.]

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem.]

Rankin of Mill of Aden now spouse of Alexander Gordon and him for his interest in a just and reasonable third of . . . the mill of Aden and mill croft of the same with the multures sequells and knaveships . . . and pertinents as also of . . . the half plough of Aden called Scare-lavereik with the . . . pertinents . . . all lying in the parish of Deer barony of Aden and shire of Aberdeen with the dithes of the said half of the plough of Aden and mill croft inclusive also with . . . power . . . of digging and selling . . . sods for the service of the tenants and possessors of said lands and mill in the mosses of Aden and Mintlaw in the usual manner and digging faill and divott for the behoof of the houses and biggings of said lands and mill in common with the four ploughs of Aden . . . And also of . . . the plough of Kinnaldie with the . . . pertinents . . . and of . . . that plough of Auchtielair and pertinents lying in the parish and shire foresaid in special warrant and security of said lands . . . and others above mentioned And also of . . . that third part of Cuthell with the . . . pertinents lying in the parish and shire foresaid also of another just third part of said lands of Cuthill called Cartillhaugh with the . . . pertinents lying in the parish and shire foresaid as for the principal and in special warrandice of the same in an equal third part of two ploughs of Sunyside of Northessie and in a third part of one plough of Midlessie with the privilege of moss and all the pertinents of the same lying in the parish of Longlay and shire of Banf .

Inquisicio Willelmi Jhonstoun.¹ —(A.D. 1509.)

Inquisicio facta apud burgum de Aberdene decimo septimo die mensis Aprilis anno Domini millesimo quingentesimo nono coram honorabili viro Alexander Bannerman de Watertoun vicecomitis deputato de Aberdene in pretorio burgi de Aberdene in curia capitali pro tribunali sedente per subscriptos videlicet Georgium Meldrum de Fyvie Johannem Gordone de Lungar Johannem Mowat de Loseragy Johannem Forbes de Echt Patricium Steuart de Latheris Andream Tulidof de eodem Henricum Forbes de Kynnellour Alexandrum Mortymer de Cragyuer Willelmum

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archivis ejusdem.]

Turing de Foverne Thomam Meldrum de Edane Johannem Skene de Ouchterarne Johannem Troup de Comolegy Willelmum Buchan de Auchmacoy Johannem Dunbrek de eodem et Duncanum Strathachin de Glenkindy . Qui jurati dicunt quod quondam Alexander Jhonstoun pater Willelmi Johnstoun latoris presencium obiit vltimo . . . sasitus vt de feodo ad pacem et fidem domini nostri Regis de omnibus et singulis terris de Sauchok et Denuys cum suis pertinenciis iacentibus in baronia de Alldane infra vicecomitatum de Abirlene et de vno annuo reddito triginta trium solidorum et quatuor denariorum de terris de Innerwadie cum suis pertinenciis iacentibus infra dictam baroniam et vicecomitatum in specialem varantum ad conseruanlas dictas terras de Sauchok et Dennys indempnes de annuo reddito quadraginta solidorum Abbati et Conuentui de Deyr debito ac de terris de Auchat cum pertinenciis iacentibus in baronia de Stenyvod infra dictum vicecomitatum in specialem varantum dictarum terrarum de Sauchok et Dennys Et quod dictus Willelmus est legitimus et propinquior heres dicti quondam Alexandri sui patris de dictis terris cum pertinenciis Et quod est legitime etatis Et quod dicte terre de Sauchok et Dennys cum pertinenciis valent nunc per annum sex libras et valuerunt quatuor libras tempore pacis Et quod dicte terre de Auchat valent nunc per annum decem marcas et valuerunt tempore pacis sex marcas Et valor dicti annui redditus patet in se Et omnes dicte terre cum pertinenciis tenentur in capite de Domino de Stenyvoid Reddendo inde annuatim dicto Domino de Stenyvoid duos denarios nomine albe firme Et nunc existunt in manibus dicti Domini de Stenyvoid per spacium trium mensium vel eocirca per decessum quondam dicti Alexandri patris sui in defectu veri heredis jus suum hucusque minime prosequentis .

Confirmatio Regis Johanni Gordoune de Lungar. ¹ —(A.D. 1506.)

Apud Edinburgh Rex confirmavit cartam

¹ [From the Abbreviatio Registri Magni Sigilli, lib. xiv., no. 197, MS. Gen. Reg. House, Edin.]
On the fifteenth day of May, 1548, John Gordoun, son and heir of John Gordoun of Pette-marens (who was slain in fight with the English in the year 1547) was infeft on a precept from chancery in his favour as heir to his father in the lands of Crewthin in the parish of Drumlet,

Alexandri Setoune de Tonche Frasere militis [in qua vendidit et alienavit Johanni Gordoune de Lungar heredibus suis et assignatis terras de Kynmundeis videlicet villam de Kynmunly le Myllhill le Myllbrokis Pettymercus et Kynknokky infra vicecomitatum de Abirdene pro quadam certa summa pecunie persoluta . Testibus Willelmo Scot de Balwery milite Roberto Innes de Invermerky Jacobo Gordoune de Anchmyling Johanne Setoune Johanne Innes Willelmo Pantoune et Johanne Gray notario publico . Apud Edinburghe . xvi. Aprilis . j^m. v^c. vi.]

Service on Over Kinmundy.¹ —(A.D. 1692.)

October 5, 1692 . Special service of Alexander Gordon as nearest heir of his grandfather Robert Gordon of Pitlurg in . . . the towns and lands of Overkinmundy with the dominical lands manor place houses biggings gardens tofts and crofts . . . the towns and lands of Dowry the town and lands of Millbreck with the mill mill lands and astrict multure . . . the town and lands of Millhill the town and lands of Pettiemareus the town and lands of Smallburn the town and lands of . . . comprehending therein the town and lands of Auldtowne . . . Nethertown alias Weellstrype and others Pitendreighseat Backhill alias Barrackseat with all the . . . pertinents . . . lying in the barony of Kinmundy parish of Deer and shire of Aberdeen united . . . into one whole and free barony [called] the barony of Kinmundy . . . Which lands and barony of Kinmundy . . . with the pertinents are held of the King and Queen and their successors perpetually for yearly payment to them . . . of one pair of spurs of gold yearly at the Feast of Pentecost at said manor or mesuage of Kinmudie in name of free blench if asked only . . .

in the lands of Gelkemstoun, in the half of Kyndrot, and in the third part of Faithlic in the barony of Kynedward, and in the lands of Myllhill, Pettemareus, and mill of Mylbrek in the barony of Kynmoundie.—(Original in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem.]

Service on Clackriach.¹ —(A.D. 1695.)

February 15, 1695 . Special service of John Keith as nearest heir of his grandfather John Keith of Clackriach in . . . the town and lands of Clackriach and Litle Elrick the town and lands of Burntbrae with the houses . . . and pertinents . . . lying in the parish of Old Deer and shire of Aberdeen according to charter of confirmation . . . by William earl Marischal to the said John Keith his heirs and assignees . . . granted the . . . day of . . . 16 . . . Which whole towns and lands of Clackriach Litle Elrick Burntbrae and others . . . are held of William earl Marischal and his successors in feu farm and heritage perpetually for yearly payment of thirty pounds Scots in name of feu farm . . .

Inquisicio Willelmi Buchane.² —(A.D. 1507.)

Inquisicio facta apud burgum de Abirdenne quinto die mensis Junii anno Domini millesimo quingentesimo septimo coram honorabili viro Alexandro Bannerman de Watirtoun vicecomitis deputato de Abirdenn in pretorio burgi de Abirdenn in curia vicecomitis eiusdem pro tribunali sedente per subscriptos videlicet Gilbertum Hay de Ardendracht militem Walterum Barelly de Towy Willelmum Turing de Fouern Thomam Fraser de Stancwod Duncanum Thomsone de Auchnahamparis Alexandrum Skene de eodem Alexandrum Caldour de Sonnahard Willelmum Vrry de Petfeche Alexandrum Cummin de Cultir Robertum Burnat de Balmad Alexandrum Coupland de Vthawe Patricium Steuart de Latheris Duncanum Strathachin de Glenkyndy Johannem Dawgerno de Garnesfintroy et Willelmum Blakhall de eodem Qui jurati dicunt quod quon-

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem.]

At the same time, the above named John Keith was served heir to his father, William Keith in the same lands.—[Ibid.]

² [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol i, MS. in archivis ejusdem.]

dam Alexander Buchane de Auchmacoy pater Willelmi Buchane Iatoris presencium obiit vltimo . . . sasitus vt de feodo ad pacem et fidem domini nostri Regis de terris de Auchmacoy Oykorn cum tenentibus et tenendijs cum suis pertinenciis Et de vno annuo reddito duarum marcarum vsualis monete Scoocie de duabus partibus terrarum de Faichlie cum suis pertinenciis iacentibus in baronia de Kynneduard De tribus quartariis siue partibus terrarum de Mekle Creche cum pertinenciis iacentibus in dominio de Federay Et de terris de Inuererny cum suis pertinenciis iacentibus in baronia de Ouchterless Allirdes infra dictum vicecomitatum Et quod dictus Willelmus est legitimus et propinquior heres dicti quondam Alexandri patris sui de dictis terris et annuo reddito cum suis pertinenciis Et quod est legitime etatis Et quod dicte terre de Auchmacoy et Oykorn cum tenentibus et tenendijs et annuus redditus valent nunc per annum viginti septem marcas et valuerunt decem libras tempore pacis Et quod dicte tres partes siue quartaria terrarum de Mekle Creche valent nunc per annum duodecim marcas et valuerunt sex marcas tempore pacis Et quod dicte terre de Inuerherny cum pertinenciis valent nunc per annum octo marcas et valuerunt quadraginta solidos tempore pacis Et quod dicte terre de Auchmacoy Oykorn et annuus redditus cum pertinenciis tenentur in capite de suppremo domino nostro Rege per seruicium varde et releuij Et quod dicte tres partes siue quartaria terrarum de Mekle Creche cum pertinenciis tenentur in capite de Domino de Federay in alba firma Reddendo vnum denarium nomine albe firme Et quod dicte terre de Inuerherny cum pertinenciis tenentur in capite de domino Barone de Ouchterless Allirdes per seruicium varde et releuij Et quod dicte terre de Auchmacoy Oykorn et annuus redditus cum pertinenciis nunc existunt in manibus domini nostri Regis per spacium quadraginta dierum aut eocirea Et quod dicte tres partes siue quartaria terrarum de Mekle Creche cum pertinenciis nunc existunt in manibus dicti Domini de Federay per dictum spacium quadraginta dierum Et quod dicte terre de Inuerherny cum pertinenciis existunt in manibus dicti Domini de Allirdes per spacium quadraginta dierum aut eocirea per decessum dicti quondam Alexandri patris sui in defectu veri heredis jus suum hucusque minime prosequentis Datum et clausum sub sigillo officij dicti vicecomitis deputati et sigillis quorundam eorum qui huic inquisitioni intererant faciende anno die mense et loco prenotatis .

Carta confirmacionis Johannis Andersoun burgensis de Abirdene.¹ —
(A.D. 1507.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam vendicionis et alienacionis factam per dilectum nostrum Willelmum Crawford de Fetheray cum consensu et assensu Thome Crawford eius filii et apparentis heredis suis sub sigillis . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel audituris Willelmus Crawford de Fetheray eternam in Domino salutem Noueritis me . . . pro redemcione debitorum meorum . . . cum expressis consensu et assensu Thome Crawford filii mei et heredis apparentis delisse concessisse et precise vendidisse . . . prouido viro Johanni Andersoun burgensi de Abirdene burgi totas et integras terras meas de Mekilereche cum suis pertinenciis jacentes in dominio meo de Fetheray infra vicecomitatum de Abirdene inter terras de Litol Creche pertinentes Domino Comiti Marascalli ex oriente le Dennis Abbati et Conuentui de Deir pertinentes ex boreali terras de Mekilehrik eislem Abbati et Conuentui spectantes versus occidentis et terras meas de Annochy versus austrum . . . Tenendas et habendas . . . prefato Johanni suis heredibus et suis assignatis a me et heredibus meis de supremo domino nostro Rege et suis successoribus in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . dicto supremo domino nostro Regi seruicium warde et releuii debitum et consuetum . . . In cuius rei testimonium presenti carte mee sigillum meum et sigillum dicti Thome Crawford filii mei et heredis apparentis in signum sui consensus et assensus sunt appensa apud burgum de Abirdene sexto die mensis Septembris anno Domini millesimo quingentesimo septimo coram honorabilibus et prouidis viris Andrea Cullane preposito de Abirdene Daud Menzeis de Petfodd[ell]is Gilberto Menzeis filio suo et herede apparente Thoma Lessilie Thoma Waus duobus balliuorum eiusdem Daud Andersoun George Bissate Willelmo Futhes Roberto Crage Johanne Blak Daud Fynne burgensibus dicti burgi Dominis Willelmo Mill et Johanne Striueing notario publico QUAMQUIDEM CARTAM . . . pro perpetuo confirmamus Saluis nobis et

¹ [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 368, MS. Gen. Reg. House, Edin.]

successoribus nostris juribus et serviciis dietarum terrarum cum pertinentiis ante presentem nostram confirmationem nobis debitis et concessis . In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh nono die mensis Septembris anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .

Concessio Roberto Andersoune ejusque sponse. ¹—(A.D. 1511.)

Apud Edinburghe . iii. Junii . j^{mo} . v^{to} . xi. . Rex concessit Roberto Andersoune filio Johannis Andersoune burgensi de Aberdene et heredibus suis quibuscunque tres quartas partes terrarum de Mekill Creechie necnon concessit dicto Roberto et Agneti Irwin ejus sponse et ipsorum alteri diucius viventi in conjuncta infeodatione et heredibus inter ipsos legitime procreatis quibus deficientibus legitimis et propinquiorebus heredibus dicti Roberti quibuscunque residuam quartam partem de Mekill Creechie infra vicecomitatum de Abirdene quas idem Johannes resignavit . Reservato libero tenemento dicto Johanni .

Letter from David earl of Craufurde and lord the Lyndissay, sheriff of Aberdeen, to Sir Alexander of Forbes of that ilk knight, his depute. ²—(A.D. 1443.)

David erle of Craufurde and lord the Lyndissay to Sir Alexander of Forbes of that ilk knyght oure deput of the shireffidome of Abirdene greting For quly that we ar infourmyt that oure Soueren Lorde the Kyng with the aiss of his counsail has chargit yhou as deput of the saide shireffidome to ger restore agayne to oure cousin and alye David Seryngeoure al his gudis that he was spolyheit of as yhe knaw and als the gudis that Alexander Stewart take out of the landis of Pettfovre his maling Noght agayn standing as we ar infourmyt yhe haf done litle or noght to oure saide Soueren Lordis charge of the quhilk we ferly mikle gif it sa be con-

¹ [From the *Abbreuiatio Registri Magni Sigilli*, lib. xvlii., no. 50, MS. Gen. Reg. House, Edin.]

² [Abridged from the original in the charter room at Castle Forbes.]

siderand the office that yhe bere Qnharefor we charge yhou in oure saide Soueren Lorde the Kingis name that nochtwythstanding the delay bigane yhe fulfil and serve oure saide Souerene Lordis lettres in al fourme and effect as thai proportis in thaim self . . . as yhe wil ansuere to hym and his counsail thare upon for we haue new charges thairupon of late / And forther we declare to yhou that sin oure said cousin and alye has na wyte of the gret hereship made be the Lorde of Gordone upon yhou and yhoure freindis as we are wele and sekirly infourmyt we desire and wald that his said gudis war restoryt agayn sa that it nedyt vs not to entromet tharewith sin he and yhoure frendis ar bath sa nere to vs / / Gevin vnder our seele at Dunde the viii^{ten} day of Aprile the yhere of God . j^m. iii^e. and xlth.iii.

Carta confirmacionis Joanni Andersone super terris de Petfour.¹—(A.D. 1477.)

Jacobus Dei gracia Rex Scotornm . . . Sciatis nos quendam cartam dilecte nostre Egidie Stewart filie et vnus heredum quondam Walteri Stewart de Burlie militis . . . intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel auditoris Egidia Stewart [domina] dimidietatum terrarum de Lovnane et de Petfour ac senior filiarum et vna heredum quondam Domini Walteri Stewart de Burlie militis salutem in Domino sempiternam Noueritis me in mea pura viduitate existentem dedisse concessisse et precise vendidisse . . . prouido viro Johanni Andree burgeni burgi de Abirdene totas et integras terras meas dimidietatis de Petfour cum suis pertinentiis michi jure hereditario pertinentes jacentes in comitatu Buchanie infra vicecomitatum de Abirdene pro quadam certa summa pecunie quam prefatus Johannes michi . . . in pecunia numerata in mea vrgente necessitate gratanter persolvebat . . . Tenendas et habendas . . . prefato Johanni Andree et heredibus suis et suis assignatis a me et heredibus meis et meis assignatis de domino nostro Rege et heredibus suis in feodo et hereditate imperpetuum . . . Faciendo inde . . . domino nostro Regi et heredibus suis seruicium de dictis terris

¹ [Abridged from the Registrum Magni Sigilli, lib viii. no. 14, MS. Gen. Reg. House, Edin.]

debitum et consuetum Necnon reddendo annuatim dicto Domino nostro Regi et heredibus suis duos denarios argenti super solum dictarum terrarum ad Festum Penthecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum apud Montross vicesimo secundo die mensis Maij anno Domini millesimo quadringentesimo septuagesimo septimo Testibus nobili et potente domino Willelmo comite de Erole Dominis et Magistris Thoma [et] Johanne de le Hay ecclesiarum de Turriff et Croudane rectoribus Magistro Johanne Oliphant Johanne Wormot vno balliuorum de Abirdene Willelmo Hay et Domino Roberto Leis capellano cum multis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis heredibus et successoribus nostris wardis releuiis maritagis iuribus et seruiciis de dictis terris ante presentem confirmationem debitis et consuetis In cuius rei testimonium presenti carte nostre confirmationis inagnum sigillum nostrum apponi precepimus . . . Apud Elinburgh decimoquarto die mensis Junii anno Domini millesimo quadringentesimo septuagesimo septimo et regni nostri decimo septimo .

Carta confirmationis Thome Innes commorantis in le Cottis de Lanbride.¹ —(A.D. 1506.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam vendicionis et alienacionis factam per dilectum nostrum Johannem Andersoune dominum dimedietatis terrarum de Petfour . . . intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Johannes Andersoun dominus dimedietatis terrarum de Petfour salutem in Domino sempiternam Noueritis me . . . vendidisse . . . honorabili viro Thome Innes in le Cottis de Lanbride omnes et singulas terras meas dimedietatis de Petfour cum pertinentiis jacentes infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . prefato Thome heredibus suis et assignatis de supremo domino nostro Rege et successoribus suis in feodo et hereditate imperpetuum . . . Reddendo inde annuatim supremo domino nostro Regi et successoribus suis seruicia cum wardis releuiis et mari-

¹ [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 243, MS. Gen. Reg. House, Edin.]

tagiis de dictis terris debita et consueta . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum apud Monasterium de Deir septimo die mensis Maii anno Domini millesimo quingentesimo septimo coram hiis testibus venerabili in Christo patre Jacobo de Deir abbate Dominis Willelmo Grantuly vicario de Deir et Alexandro Davidis capellanis Magistro Matheo Masse et Alexandro Masse notario publico diuersis que aliis . QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis et successoribus nostris iuribus et seruiciis de dictis terris cum pertinentiis ante presentem nostram confirmationem nobis debitis et consuets In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo primo die mensis Julii anno Domini millesimo quingentesimo septimo et regni nostri decimo nono .

Inquisicio Johannis Innes.¹—(A.D. 1507.)

Inquisicio facta apud burgum de Abirdene vicesimo nono die mensis Julij anno Domini millesimo quingentesimo septimo coram honorabili viro Alexandro Bannerman de Wattertone vicecomitis deputato de Abirdene in pretorio burgi eiusdem in curia vicecomitis pro tribunali sedente per subscriptos videlicet Alexandrum Irvin de Drvm Gilbertum Hay de Ardenderaugh milites Walterum Berclay de Towy Alexandrum Skene de eodem Johannem Cullan de Knavane Patricium Reid de Colliston Alexandrum Keith Willelmum Forbes Alexandrum Cumming de Cultir Thomam Leslie David Leslie de Petcapile Thomam Burnat de Gask Willelmum Jhonnstone filium et heredem apparentem Alexandri Jhonnstone de eodem Patricium Lesly et Willelmum Buchan de Auehnaeooy Qui jurati dicunt quod quondam Thomas Innes pater Johannis Innes latoris presencium obiit ultimo . . . sasitus vt de feodo ad pacem et fidem domini nostri Regis de omnibus et singulis terris dimidietatis de Petfour cum suis pertinenciis jacentibus infra dictum vicecomitatum Et quod dictus Johannes est legitimus et propinquior heres dicti quondam patris sui de dictis terris cum pertinenciis Et quod est legitime etatis

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archivis ejusdem.]

Et quod dicte terre dimidietatis de Petfour cum suis pertinenciis valent nunc per annum decem marcus et valuerunt quinque libras tempore pacis Et quod dicte terre cum pertinenciis tenentur in capite de supremo domino nostro Rege per seruicium warde et relenij debitum et consuetum Et quod dicte terre cum pertinenciis nunc existunt in manibus domini nostri Regis per decessum dicti quondam Thome patris sui qui obiit feria sexta post Festum Penthicostes datam presencium immediate precedentis in defectu veri heredis jus suum lucusque minime prosequentis Datum et clausum sub sigillo officij dicti vicecomitis deputati et sigillis quorundam qui huic inquisitioni intererant faciende anno die mense et loco prenotatis .

Concessio Regia Waltero Innes. ¹—(A.D. 1507.)

Apud Edinburghe . xiii. Decembris . j^m. v^o. vii. . Rex concessit Waltero Innes et heredibus suis terras de Touchis ac dimidietatem terrarum de Pitfour infra vicecomitatum de Abirdene Que terre de Touchis fuerunt dicti Walteri et ob alienacionem earundem in manibus Regis recognite fuerunt etc. et que dimidietas de Petfour fuit eciam dicti Walteri per alienacionem sibi per Walterum Rothvene de Lownane de eisdem factam et quas idem Walterus personaliter resignavit Insuper Rex dictas terras in unam liberam baroniam de Touchis creavit et incorporavit . Reddendo tres sectas curie vicecomitatus de Abirdene videlicet unam sectam ad quodlibet placitum capitale necnon wardam etc. cum contigerint . Testibus Willelmo episcopo Abirdonensi Archibaldo comite de Ergile Patricio comite de Boithuile Matheo comite de Levenax Andrea domino Gray Jacobo abbate de Dunfermling Magistro Gawino Dunbar archidiacono Sancti Andree .

Service on Pitfour. ²—(A.D. 1700.)

June 19, 1700 . Special service of William Morison as nearest heir of

¹ [From the *Abbreuiatio Registri Magni Sigilli*, lib. xv., no. 84, MS. Gen. Reg. House, Edin.]

² [Abridged from the *Libri Actorum Curiae Vicecomitatus de Aberdeen*, MS. in archivis ejusdem.]

his brother-german George (afterwards designed Mr. George) Morison of Pitfour advocate in . . . the lands and barony of Toux and Pitfour comprehending . . . the lands commonly called Toux and Pitfour Mill of Leggat mill lands astrict cultures and sequels . . . Cairneurchieis Drumies Braikeshill Dumbmill Teitswall Gachinwives with the manor place of Pitfour the whole houses . . . and pertinents . . . lying in the parish of Deer and shire of Aberdeen united . . . and incorporated into one barony to be called the barony of Pitfour . . . according to charter under the great seal granted by Charles II. of date 22 February 1667 . . . in favour of George Morison of Pitfour father of the said William Morison (therein designed eldest lawful son of the late William Morison burgess of Aberdeen) and Janet Gordon his sponse and the longest liver of either of them in conjunct fee and liferent . . . and after their death respectively in favour of the said George (afterwards designed Mr. George) Morison their eldest lawful son brother german of the said William Morison now of Pitfour in fee and the heirs male of his body and assignees whomsoever whom failing John Morison their second son now dead and the heirs male of his body and assignees whomsoever whom failing the said William Morison their thirl son and the heirs male of his body and assignees whomsoever whom all failing the said George Morison senior his nearest and lawful heirs and assignees whomsoever . . . Which said lands and barony of Pitfour are held of the King in fee and heritage perpetually for yearly payment of the services formerly used and wont . . .

THE PARISH OF NEW DEER OR AUCHREDDIE.¹

Carta Andree de Culane¹—(A.D. 1441 *et* A.D. 1444.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quendam cartam consanguinei nostri Roberti domini de Erskin militis super alienacione

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 465-469, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 442-444.]

² [Abridged from the Registrum Magni Sigilli, lib. ii., no. 131, MS. Gen. Reg. House, Edin.]

terrarum de Knavan . . . intellexisse sub hac forma . OMNIBUS hanc
 cartam visuris vel auditoris Robertus comes de Marr dominus de Erskin
 et baronie de Kelly salutem in Domino sempiternam sciatis nos cum
 consensu et assensu carissimi filij nostri Thome de Erskin militis dedisse
 et concessisse ac precise et omnino vendidisse et hac presenti carta nostra
 confirmasse dilecto nostro Andree de Culane burgensi burgi [de] Abir-
 dene totas et integras terras nostras de Knavane cum pertinenciis
 jacentes in dicta baronia nostra de Kelly infra vicecomitatum de Abir-
 dene pro quadam certa summa pecunie quam idem Andreas nobis in
 pecunia numerata plenarie persoluebat Tenendas et habendas . . . pre-
 fato Andree et heredibus suis et suis assignatis a nobis heredibus nostris
 et nostris assignatis imperpetuum . . . Faciendo inde . . . domino nos-
 tro Regi et heredibus suis seruiicium debitum de dictis terris et consuetum
 . . . In cuius rei testimonium sigillum nostrum vna cum sigillo prefati
 Thome filii nostri presentibus est appensum apud burgum predictum de
 Abirdene vicesimo quarto die mensis Januarij anno gracie millesimo
 ecce^{mo} quadragesimo Testibus nobilibus viris Dominis Dauid de Haya
 de Yhester Alexandro Forbes de eodem Henrico de Douglas de Logtoun
 militibus Jacobo de Ruthirfurde de eodem Johanne de Haliburtoun de
 Saulyne Archibaldo de Meldrum de Cleesch Johanne Broune de Kennate
 et Dauid Lyndesay armigeris nostris cum multis aliis . QUAMQUIDEM
 cartam . . . per omnia approbamus . . . et imperpetuum confirmamus
 Saluis nobis heredibus et successoribus nostris wardis releuiis et mari-
 tagiis aliisque iuribus et seruiiciis de dictis terris cum pertinenciis ante
 presentem confirmationem debitis et consuetis In cuius rei testimonium
 presenti carte nostre magnum sigillum nostrum apponi iussimus Testi-
 bus Domino Jacobo episcopo Dunkeldensi consanguineo ac cancellario
 nostro Alexandro de Levingstoun de Calentare Johanne Sibbald de Bal-
 gouny Colino Cambell Johanne Cokburne militibus Jacobo de Leving-
 stoun capitaneo castris nostri de Struelin et Johanne de Levingstoun
 armigeris apud Strueline penultimo die mensis Octobris anno Domini
 millesimo quadragentesimo quadragesimo quarto et regni nostri octauo .

Concessio Regis Thome Craufurd ejusque sponse. ¹ —(A.D. 1490.)

Apud Edinburghe . xv. Februarii . j^m. cccc. lxxxix. . Rex concessit Thome Craufurd filio et heredi apparenti Willelmi Craufurd de Fethray et Katherine Ogilvy ejus sponse et eorum alteri diucius viventi in conjuncta infeodatione et heredibus inter ipsos legitime procreandis quibus deficientibus legitimis et propinquioribus heredibus dieti Willelmi quibuscunque terras de Allathane Bothmacaly et Broklaw infra dominium de Fetheray infra vicecomitatum de Abirdene quas idem Willelmus resignavit .

Inquisicio Johannis Chalmer. ²—(A.D. 1505.)

Inquisicio facta apud burgum de Abirdene septimo die mensis Januarii anno Domini millesimo quingentesimo quarto coram honorabili viro Alexandro Bannerman de Watertone vicecomitis deputato de Abirdene in pretorio burgi de Abirdene in curia capitali pro tribunali sedente per subscriptos videlicet Alexandrum Iruyne de Drum Willelmum Fraser de Phillorth milites Walterum Berclay de Towy Johannem Mowat de Loscragy Alexandrum Skene de eodem Henricum Forbes de Kynnellour Robertum Dugud de Auchmahuff Johannem Gardin de Latheris Alexandrum Jhonnstone de eodem Alexandrum Wyntone de Andait Johannem Dunbrek de eodem Alexandrum Mortymer de Cragyner Georgium Lesly de eodem Willelmum Turing de Foverne Alexandrum Caldour de Sonnahard Thomam Craufurd Willelmum Blakhall de eodem Ranaldum Oudny et Jacobum King de Bourty . Qui jurati dicunt quod quondam Thomas Chamcr de Strachechyn pater Johannis Chamcr latoris presencium obiit vltimo . . . sasitus ut de feodo ad pacem et fidem domini nostri Regis de omnibus et singulis terris de Corsogich cum suis pertinenciis jacentibus in dominio de Federay infra dictum vicecomitatum Et quod dictus Johannes est legitimus et propinquior heres dieti quondam Thome patris

¹ [From the Abbreviatio Registri Magni Sigilli, lib. xii., no. 187, MS. Gen. Reg. House, Edin.]

² [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archivis ejusdem.]

sui de dictis terris eum pertinenciis Et quod est legitime etatis Et quod dicte terre cum pertinenciis valent nunc per annum quatuor marcas et valuerunt quadraginta solidos tempore pacis Et quod dicte terre cum pertinenciis tenentur in capite de Domino de Federay in alba firma Reddendo annuatim vnum denarium monete Scotie pro tempore currentis Et quod nunc existunt in manibus Domini de Federay per decessum dicti quondam Thome patris sui post primum diem mensis Julij immediate elapsi in defectu veri heredis jus suum hucusque minime prosequentis .

Gift to Robert Irwing¹ —(A.D. 1573.)

James be the grace of God King of Scottis To all and sindrie oure liegis . . . greting Wit ye ws with auise and consent of oure richt traist cousing James erll of Mortoun lord Dalkeith regent to ws our realme and liegis to haue gevin and grantit . . . to oure louit Robert Irwing bruther germane to Alexander Irwing of Drum his airis and assignais ane or ma the ward nonentres males fermes proffittis and deweteis of the tonn and landis of Mekle Allathane and of Muttoubray and Pittillim quhilkis ar partis and pendicles thairof liand within the barony of Fedderat and oure schirefdome of Abirdene of all yeiris and termes bygane that the samen hes bene in oure or oure predicessouris handis as superiouris thairof be ressoun of nonentres sen the deceis of vnuquhile Crawfurde of Fedderat forgrandschir to Williame Crawfurde now of Fedderat last lauchfull heretabill possessour thairof immediat tennente to ws or oure predicessouris of the samen to the space of threscoir yeiris or thairby last bipast . . . and ay and quhill the lauchfull entre of the richteous air or airis thairto being of lauchfull aige with the releif of the samen quhen it sal happin . . . Gevin vnllir oure previe seill at Halyrudehous the aucht day of November the yeir of God j^m v^c thre scoir threttene yeiris and of our regune the sevint yeir .

Per signaturam manu dicti Domini Regentis subscriptam .

¹ [Abridged from the original in the charter room at Drum.]

The Kingis charge to recover the Castle of Fedderat etc. ¹—(A.D. 1591.)

James be the grace of God King of Scottis To all and sindrie our legis . . . greting Forsamekle as it is understand to ws and Lordis of our Seceit Counsall that uponne the twelf day off May instant George Crawford sone to Williame Crawford sumtym off Fedderat Eduard Craufurd in Corbshill Johne Craufurd in Cullane Ronald and James Craufurds in Artamfuird Magnus Craufurd Andro Innes Johne Myllar Dauid Torrie Andro Torrie Andro Hill and Williame Prait war ordourlie denuncit rebellis and put to our horne lik as upoune the xxiii. day off the said monethe of Maii instant Johne Craufurd of Bomakellie was lykwayss denunceit rebell and put to our horne be vertew of utheris lettres rased at the instance of Alexander Iruing of Drum Johne Feirwadder messenger and our weilbelouit familiar clerik and counsalour Maister Daud M'Gill of Cranstone Riddell our aduocat for our interes for thair nocht compairand befoir our Justice and his deputis to haue wnderlyne our lawis for the striking and dinging of the said John Fairwadder messenger for the lauchfull executione of certane our wtheris letteris aganis the said George Craufurd rieving and tacking of our saidis wtheris letteris fra the said Johne Fairwadder and compelling of him in eithik and barbarus maner to eit and suallie thame to the gryt hesard and perrell of his lyff and for the surprysing and taking of the Castell of Fedderat perteing to the said Alexander Iruing of Drum keiping and deteing of the same aganis ws and our authoritie and for certane utheris crymes particularlie speeifeit and contenit in our saidis utheris lettres as in the samin lettres dewlie execut indorsit and registrat schawine to the Lordis of Counsall at lenthe is contenit [Nochtwithstanding] quhairof the saidis personis rebellis hes maist prouwdlie and contemptuandlie remanit sen the tymes respectiue of the denunciationis lik as thai do yit wrerelaxit takand no regard tharof bot frequentis and reparis in all pairtis quher thai pleis as gif thay war our frie legis Lik as to the forder contempt of ws thai as yit keipis and detenis the said houss and Castell of Fedderat and hes associat and conuocat with thame selfis ane greit noumer of deboschit vagabundis rebellis fugitiues and outlawis quha

¹ [Abridged from the original in the charter room at Drum.]

daylie committis maist heivie heirschepis reffis spoilzeis and depredationis upoune peaceable and guid subiectis duelling about the said Castell to the encouragement of otheris to do the lyk heirefter without remeid be prouidit Quhairfoir we haue gevin and grantit . . . our full power and commissioun . . . to our . . . derest cusing and consalour George erle of Huntlie . . . to conocat our legis in armes and to pas persew and assege the said Castell off Fedderat raiss fyir and wss all force and weirlyk ingyne that can be haid for wyning and reconerie thairof as alswa to pas serche seike and tak the saidis personis rebellis quhairewir thai may be apprehendit and to bring put and enter thame befoir our Justice and his deputis within the tolbuith of Edinburgh of our burgh of Edinburgh to the effect iustice may be ministrat upoune thame for thair demerittis conforme to the lawis of our realme . . . Gevin wnder our signet and subscriuit witht our hand at Falkland the xix. day of Julii and of our regne the xxiiii. yeir 1591.

James R.

J. Cancellarius .

Carta Johanni Crauturd in vitali redditu. ¹ —(A.D. 1493.)

Omnibus hanc cartam visuris . . . Jacobus . . . abbas Monasterii de Deir et Conuentus eiusdem . . . salutem Noueritis nos unanimi consensu . . . dedisse . . . et hac presenti carta nostra confirmasse dilecto nostro Johanni Craufurd commoranti in Auchlek . . . dimidietatem omnium terrarum nostrarum de Auchcharbe cum suis pertinentiis jacentem in dominio nostro de Deir infra vicecomitatum de Abirden pro toto tempore vite sue pro suo fideli seruiicio nobis fideliter facto et impenso Tenendam . . . de nobis et successoribus nostris . . . adeo libere . . . sicut aliqua terra infra regnum Scotie pro seruitio impenso datur aut possidetur . . . Faciendo inde dictus Johannes sectas ad curias nostras de Deir absque preiudicio periculo et onere amerciamentorum curiarum tantum . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum commune est appensum apud Deir xxiii^o die mensis

¹ [Abridged from the Notary's Protocol, entitled "Register of Sasines for the Burgh of Aberdeen," vol. i., MS. in archivis ejusdem.]

Augusti anno Domini millesimo quadringentesimo nonagesimo tertio coram prouidis uiris Thoma Kynnard de Kynniumond Alexandro Fynne Jacobo Innes Domino Waltero Saitblic vicario de Deir et Johanne Murray officario nostro .

Carta feodifirme Joanni Irving.¹—(A.D. 1599.)

Omnibus hanc cartam visuris . . . Alexander Irving feodatarius de Drum ac dominus superior terrarum subscriptarum . . . salutem Noueritis me cum . . . consensu . . . honorabilis viri Alexandri Irving de Drum mei patris libere tenementarij dictarum terrarum . . . presertim propter amorem quem habeo et gero erga Joannem Irving fratrem meum legitimum assedasse . . . prefato Joanni Irving et heredibus masculis de corpore suo legitime procreandis quibus deficientibus mihi meis heredibus masculis Dominis de Drum cognomen et arma de Irving gerentibus reuertendas . . . villas et terras meas de Ardtanfurd Schivado et Pwn-lareroft cum . . . pendiculis et pertinentiis earundem jacentes infra baroniam meam de Fedrett parochiam de Deir et vicecomitatum de Abirdene reseruando tamen dicto Alexandro Irving patri meo vitalem redditum . . . dictarum terrarum de Schivado cum suis pertinentiis durante vita sua duntaxat Quequidem ville et terre cum suis pertinentiis prius fuerunt Vilhelmi Irving etiam fratris mei legitimi et quas . . . in manibus meis . . . simpliciter resignauit in fauorem dieti Joannis suorum heredum masculorum de corpore suo legitime procreandorum quibus deficientibus mihi meis heredibus masculis antedictis reuertendas . . . Tenendas . . . de me meis heredibus masculis et assignatis Dominis de Drum quibuscunque cognomen et arma de Irving gerentibus in feodifirma seu emphiteosi perpetua hereditarie imperpetuum . . . Reddendo inde annuatim . . . mihi meis heredibus masculis antedictis summam trium librarum vsualis monete regni Scocie ad duos anni terminos consuetos . . . necnon sua propria seruitia more patrie in exercitiis S. D. N. Regis et suorum successorum propriis eorum sumptibus et personalia sua seruitia in nostris propriis seruitiis vltra Australem

¹ [Abridged from the original in the charter room at Drum.]

Escam vulgo *the South Water Esk or South Water* nostris impensis infra vero eundem Escam scilicet boreales partes huius regni eorum propriis expensis et faciendo tres sectas ad tria placita capitalia tenenda per nos nostrosue predictos vel nostros ballinos pro tempore apud principale messuagium de Fedrett tenenda . . . Prouiso omnimodo quod si defecerint heredes masculi de corpore dicti Joannis legitime procreandi et si sint heredes femelle legitime de corpore dicti Joannis legitime procreate plures vel vna tunc et in eo casu successores masculi dicti Joannis in et ad dictas terras cum pertinentiis persoluent dictis heredibus femellis pluribus aut vni equaliter inter se diuidendam aut vni soli si vna tantum sit summam quatuor millium marcarum monete predictae pro suo jure naturali successionis dictarum terrarum cum pertinentiis Insuper dilectis meis Jacobo Irving de Awchyoeh . . . et eorum cuilibet coniunctim et diuisim balliuis meis in hac parte . . . salutem Vobis . . . mando quatenus . . . sasinam . . . dictarum villarum et terrarum . . . prefato Joanni Irving et heredibus masculis . . . legitime procreandis hereditarie . . . vel suo certo actornato . . . tradatis . . . In cuius rei testimonium huic presenti cartae mee manu Magistri Gulielmi Chalmer notarii publici Aberdonie comorantis scripte meaque manu necnon manu dicti mei patris in signum sui consensus subscripte sigillum meum proprium est appensum apud Drum vigesimo quinto die mensis Februarij anno Domini millesimo quingentesimo nonagesimo octauo coram his testibus Magistro Roberto Irving de Montcoffer Roberto Irving eius famulo Jacobo Irving de Achyoeh et Alexandro Irving seruitore dicti Alexandri Irving de Drum senioris .

Alex. Iruing of Drum with my hand .

Alexander Iruing fier off Drum with my hand .

Submission and Decreet Arbitral between the clan and name of Forbes and the hous of Drum Irwine. ¹—(A.D. 1606.)

At Edinburgh the tuentie fourt day of Nouember the yeir of God j^m. sex hundreth and sex yeiris in presence of the Lordis of Counsell comperit

¹ [Abridged from the original in the charter room at Drum]

Maister Thomas Hoip procuratour speciallic constitute for Alexander Irwing of Drum and siclyk comperit Maister Vmphra Blinschell procuratour for Arthour now lord Forbes John Forbes of Petsligo Williame Forbes of Tolquhone and James Gareache of Kilstair and gawe in the submissioun and decreit arbitrall vndirwrittin subscryuit [he] thair handis desyryng the samyn to be insert and registrat in the Buikis of Counsell . . . of the quhilk submissioun and decreit arbitrall the tennour follows THE BLANK on the bak heirof subscryuit is designit be the richt honorabill Arthour maister of Forbes Johne Forbes of Petsligo Williame Forbes of Tochone John Forbes of Bruxis Abrahame Forbes of Blaktoun and James Gareache of Kilstaris for our selffis and taking the burding on ws coniuunctlic and seuerallie for the haill clane and name of Forbes ouris and thairis haill kin frendis dependeris tennentis followeris serwantis partakeris and all vtheris quhome we may stope or lett directly or indirectly and in speciall but preiudice alwayis of the generalitie foirsaid takand burding on ws for Williame Forbes in Tirrivaill sone to Johne Forbes in Milbuye Johne Forbes brothir lauchfull to Williame Forbes of Corsinday Robert Skene in Tillibirlache callit The Tutour and Patrik McKynneir fugitiwes for the slaughter of wmqhile Williame Broun serwitour to John Irwing of Ardtanfurd wounding of Johne Chalmer younger of Ballnacraige and Maister Patrik Irwing in Corchuttachie ombesetting of the said Johne Irwing his way with forbidden wapunis bot ony offence gevin to thame or denunciit feid be thame of purpois till hawe bereft the said Johnes lyff miraculously preserwit be the providence of the Almichtie Quhilk being elene contrarie to our honour and lang continewit freindschip with the hous of Drum in signification of our affection to the said hous of Drum and hatred to the said enormitiis we the saidis Arthoure maister of Forbes Johne Forbes of Petsligo Williame Forbes of Tochone John Forbes of Brux Abraham Forbes of Blaktoun and James Gareache of Kilstaris and remanent vndir subscrywearis takand the burding on ws coniuunctlic and seuerallie as said is obliissis ws to caus the said Williame Johne Robert and Patrik fugitiwes abyd at undirly and fulfill quabsumewir decreit and sentence it sall pleis Alexander Irwing of Drum be him self allane or be quhomesoewir vtheris he pleissis to pronunce and insert in the blank subscryuit on the bak heirof aganis the saidis fugitiwes and that within fyftene dayis next efter the lauchfull intimatioun of his or

thairis decreit to be maid to ws or ony of ws and in caice it sal happin the saidis fugitiwes or ony of thame nocht till . . . obey and fulfill the said Alexander Irwing of Drum or his foirsaidis decreit as sal be pronouneit in all pointis within the said space of fyftene dayis nixt efter the lauchfull intimatioun of the samyn as said is we . . . and remanent vndirsubscrywearis for our selffis and takand the burding on ws for the hail clane and name of Forbes ouris and thairis hail kin freindis dependeris tennentis followaris serwandis partakeris and all vtheris quhome wee may stope or lett directlie or indirectlie hindis and oblistis ws coniunctlie and seuerallie that [we nor] nane of ws or our foirsaidis sall directlie or indirectlie publictie or privatlie ather mantene assist fortifie defend ressait succour support harbour hous or hald intertene gif counsell or releiff or mak moyen in ony sort to the saidis Williame Johne Robert and Patrik fugitiwes or ony of thame thair followeris assistaris associatis or partakeris bot sall vtterlie refus thane and thair foirsaidis associattis and sall newir querrell be oure selffis nor our foirsaidis for quhome wee haue taikin burdin as said is beir gruge feid hatred or inimitie directlie or indirectlie aganis quhatsumewir persone or personis for quhatsumewir damage hurt or skaith sal be done to the saidis fugitiwes ony of thame or thair associattis and assisteris in thair bodeis guidis and geir ony maner of way and gif we or ony of ws or our foirsaidis for quhome we haue taikin burdene dois in the contrair heirof or contravenis thir presentis or ony part of the same in that caice we . . . and remanent vndirsubscrywearis oblistis ws and ewerie ane of ws oure aris executouris and assignais coniunctlie and seuerallie to . . . pay . . . sic sowmes of money as the decreit to be insert in the blank on the bak heirof sall contene and specific and to sic persone or persones as within the space sal be limitatit in the decreit . . . and . . . constitutis . . . Maisteris Thomas Hoip and Vmphra Blinschell . . . our lauchfull procuratouris for consenting to the registratioun heirof in *uberiori constitutionis forma promittentes de rato* be thir presentes writtin be Maister Williame Leslie of Warthill and subscryuit with our hands at Drum the tuintie sevint day of Januar the yeir of God j^m sex hundreth and sex yeiris befor thir witnesses Alexander Burnet of Leyis Alexander Jaffray burges of Abirden Maister Gilbert Ross nottar James Gordoun of Auchmull Maister Williame Leslie writter heirof . *Sic subscribitur* . Arthour Maister of

Forbes Johne Forbes of Petsligo Williame Forbes of Tolquhone with my hand James Gareauche of Kinstair A. Irwing of Drum accepttis A. Burnet of Leyis witnes Mr. Williame Leslie witnes and writter heirof Alex^r Jaffray witnes James Gordoun witnes Mr. Gilbert Ross nottar publict witnes . Followis the tennour of the decreit arbitrall . I Alexander Irwing of Drum hawing powar gevin to me be the submissioun and designatioun abakwrittin to giue decreit in the materis vnder speecheit . . . decernis and ordanis the said Johne Forbes brothir to the said Williame Forbes of Corsinday Robert Skene in Tillibirlay and Patrick M^cKaneir fugitiwes fairsaidis to refund content and pay to the saidis Johne Chalmer and Maister Patrik Irwing equallie betnixt thame the sowme of tua thowsand pundis vsuall current money of this realme and to Androw Broun lauchfull brothir currente to the said vmqhile Williame Broun the sowme of vther twa thowsand pundis money fairsaid within fyftene dayis nixt immediatlie efter the intimatioun of this my decreit to the saidis Arthour now lord Forbes Johne Forbes of Petsligo Williame Forbes of Tolquhone and James Gareauche of Kinstair or to ony ane of thame and for satisfactioun and assythment of the skaith hurting bluiding and wounding of the saidis John Chalmer and Maister Patrik Irwing and of the slauchter of the said vmqhile Williame Broun and ombesetting of the said Johne Irwing his way of purpois to haue bereft him of his lyff . . . and gif the saidis Johne Forbes Robert Skene and Patrik M^cKaneir fugitiwes fairsaidis obtemperis not this my decreit . . . within the space fairsaid in that caice ordanis and decernis the saidis Arthour now lord Forbes Johne Forbes of Petsligo Williame Forbes of Tolquhone and James Gareauche of Kilstair for thame selffis coniuinctlie and seuerallie taking the burding on thame for the hail clan and name of Forbes thair hail kin freindis dependeris tennentis followaris serwandis pertakeris and all vtheris quhome thay may stope or lett directlie or indirectlie that thay nor nane of thame nor nane of thair fairsaidis sall heirefter publictie or priuatlie directlie or indirectlie ather mantene assist fortifie defend ressait succour support harbour houss or hald intertein gif counsell or releiff or mak moyen in ony sort to the said Johne Robert and Patrik fugitiwes or to ony ane of thame thair followeris associattis assistaris pairtakeris . . . and gif the said Arthour now lord Forbes Johne Forbes of Petsligo Williame Forbes of Tolquhone and James Gareauche

of Kilstair or ony of thame or ony of the clan and name of Forbes ane or ma . . . or vtheris quhome thay may stope or let directlie or indirectlie . . . contravenis this present decret . . . then and in that caice decreittis and decernis the saidis Arthour now lord Forbes Johne Forbes of Petsligo Williame Forbes of Tolquhone and James Gareache of Kilstair coniuetlie and seuerallie thair aris executouris and assignais to . . . pay and delyuer to Maister Robert Irwing portioner of Montcoffer and the said Johne Irwing of Ardtamford my brothir equallie betuixt thame al and hail the sowme of four scoir thowsand pundis vsuall current money of this realme within the space of fyftene dayis nixt and immediatlie efter that the contrawentioun of this my decret and ordinance beis fund provin . . . In witnessing quhairof I haue subseryuit thir presentis with my hand writtin be Maister Williame Dauidsoun my serwitour at Drum the tuentie twa day of October the yeir of God j^m sex hundreth and sex yeiris befor thir witnessis Johne Irwing of Hattoun Maister Gilbert Ross Alexander Irwing my serwitour and the said Maister Williame Dauidsoun writter foirsaid . *Sic subscribitur* . A. Irwing of Drum with my hand Arthour Maister of Forbes Johne Forbes of Petsligo W^m Forbes of Tolquhone with my hand James Gareache of Kilstair Johne Irwing of Hattoun witnes to the said Alexander Irwingis subscriptionne Alex^r Irwing witnes as said is Maister Gilbert Ross witnes as said is Maister Williame Dauidsoun writter of the premissis and witnes to the said Alexander Irwing his subscriptione Extractum de Libro Actorum per me

Joannem Skene
Cls. Reg^{ri} &c.

Service on Culsh.¹ —(A.D. 1698.)

February 4, 1698 . Special service of William Lindsay as nearest heir of his father William Lindsay of Culsh in . . . the town and lands of Culsh and the outsett thereof called Whytbogue with the pendicle of said lands of Culsh called Standingstains along with the mill of Culsh mill lands

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem.]

thereof astrict cultures sequels and knaveships . . . with manor place houses . . . and pertinents . . . along with the tithes [vicarage] and rectorial thereof all lying in the barony of Fedderet parish of New Deer otherwise called Auchredie and shire of Aberdeen Which said lands . . . and others above recited with the pertinents are held of the King in fee and heritage perpetually for yearly payment for . . . ward and non entry of three pounds Scots at two terms of the year . . . with the like sum of three pounds Scots for relief . . . along with forty pounds Scots for the marriage or marriages of an heir or heirs . . . according to the old rights and infetments of said lands and pertinents thereof and for said tithes . . . the sum of thirty shillings and four pence Scots yearly at the feast and term of Pentecost in name of blench farm for relief of the Knight Marshal and others having right their heirs and successors of said sum of thirty shillings and four pence as the proportional part of the yearly [duty] payable to his Majesty and his successors for the lordship of Altrie tithes [vicarage] and rectorial of said lands with the rest of said lands and lordship of Altrie (of which New Deer is part and portion) . . . according to charter under the great seal by Charles II. to the said William Lindsay his heirs and assignees whomsoever dated 1 August 1673 ordaining the manor place of Culsh to be the principal message of the foresaid lands . . .

Inquisicio Andree Buchane. ¹—(A.D. 1507.)

Inquisitio facta apud burgum de Abirdene decimo quinto die mensis Marcii anno Domini millesimo quingentesimo sexto coram honorabili viro Alexandro Bannerman de Watirtoun vicecomitis deputato de Aberden in pretorio burgi eiusdem pro tribunali sedente per subscriptos videlicet Willelmum Fraser de Phillortht militem Willelmum Gordone de Scheues Willelmum Craford de Federay Willelmum Leslie de Bauquhane Walterum Berclay de Towy Henricum Forbes de Kynneller Alexandrum Ketht de Ythe militem Willelmum Blakhale de Barroch de Bourty Willelmum King de Bourty Alexandrum Iruyn de Forglene Thomam

¹ [Abridged from the *Libri Actorum Curiae Vicecomitatus de Aberdeen*, vol. i, MS. in archivis ejusdem.]

Crafurd filium et heredem apparentem Domini de Federay Alexandrum Coupland de Vthaw et David Kynnard de Kynnynmond Qui jurati dicunt quod quondam Willelmus Buchane pater Andree Buchane latoris presencium obiit vltimo . . . sasitus vt de feodo ad pacem et fidelem domini nostri Regis de omnibus et singulis terris dimedietatis de Wyk-horne cum suis pertinenciis iacentibus in baronia de Kyneduart infra dictum vicecomitatum Et quod dictus Andreas est legitimus et propinquior heres eiusdem quondam Willelmi patris sui de dictis terris cum suis pertinenciis Et quod est legitime etatis Et quod dicte terre cum suis pertinenciis valent nunc per annum quinque marcas et valuerunt triginta duos solidos tempore pacis Et quod tenentur in capite de Domino de Auchmacoy in alba firma Reddendo inde annuatim vnum denarium monete Scocie currentis pro tempore nomine albe firme Et nunc existunt in manibus dicti Domini de Auchmacoy per decessum dicti quondam Willelmi patris sui per spacium duorum annorum et trium mensium aut eocirca in defectu veri heredis jus suum hucusque minime prosequentis .

THE PARISH OF STRICHEN.¹

Carta Johannis de Ile comitis Rossie et domini Insularum ac baronis baronie de Kynnedward facta Willelmo Cumyne de Culter.² —(A.D. 1460, A.D. 1461, et A.D. 1475.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam confirmacionis carissimi consanguinei nostri Johannis de Ile comitis Rossie et domini Insularum ac baronis baronie de Kynnedward / factam et concessam dilecto nostro Willelmo Cumyn de Culter super carta donatione et vendicione sibi Willelmo factis per Thomam Cumyne de Pullane de duabus dimedietatibus terrarum de Kyndrocht et Audiale . . . ad

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 499-411, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 391-394.]

² [Abridged from the Registrum Magni Sigilli, lib. vii., no. 319, MS. Gen. Reg. House, Edin.]

plenum intellexisse sub hac forma / OMNIBUS hanc cartam visuris vel auditoris Johannes de He comes Rossie et dominus Insularum ac baronie de Kynnedward salutem in Domino sempiternam Noueritis nos quamdam cartam Thome Cumyne de Pullane factam dilecto et fideli armigero nostro Willelmo Cumyne de Culter de duabus dimedietatibus terrarum de Kyndrocht et Audiale cum pertinentiis iacentibus in baronia nostra de Kynnedward . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel auditoris Thomas Cumyne de Pullane salutem in Domino sempiternam Noueritis me . . . omnino vendidisse . . . dilecto consanguineo et assignato meo in hac parte Willelmo Cumyne domino de Culter totas et integras illas duas dimedietates meas terrarum de Kyndrocht et Audiale cum pertinenciis iacentes in baronia de Kynnedward infra vicecomitatum de Abirden pro quadam certa summa pecunie michi per eundem Willelmum . . . persoluta . . . Tenendas et habendas . . . prefato Willelmo assignato meo heredibus suis et suis assignatis de domino Barone de Kynnedward in feodo et hereditate imperpetuum . . . Reddendo inle annuatim dictus Willelmus assignatus meus heredes et assignati sui capelle Beate Marie Virginis de Ratreff quinque libras et terciam partem vnus libre cere ad terminos consuetos Et reddendo inde etiam Domino baronie de Kynnedward vnum denarium argenti apud manerium baronie de Kynnedward ad Festum Pentecosten nomine albe firme si petatur pro wardo et releuio anaragio cariagio sectis curie aut aliquali alio seruicio seculari exactione vel demanda . . . In cuius rei testimonium sigillum meum presentibus est appensum apud Monasterium de Deir vicesimo secundo die mensis Aprilis anno Domini millesimo quadringentesimo sexagesimo Testibus venerabilibus in Christo patre ac domino Domino Willelmo abbate Andrea Yonge subpriore monasterii supradicti Ricardo de Kyntor preposito burgi de Abirdene Magistro Johanne Levingstoun vicario de Inuerragy Alexandro Fergusson Johanne Seroggis cum Domino Thoma de Leis capellano notario publico . QUASQUIDEM donacionem et concessionem . . . pro nobis heredibus et successoribus nostris dominis Baronibus de Kynnedward imperpetuum confirmamus In cuius rei testimonium carte nostre confirmacionis sigillum nostrum est appensum apud insulam de But vicesimo septimo die mensis Junii anno Domini millesimo cccc^{mo} sexagesimo primo Testibus reuerendis in Christi patribus et dominis Jacobo et Andrea Sancto

Andree et Glasguensis episcopis necnon magnifico et potenti domino David comite Craford Jacobo domino Levinstoun Gilberto domino Kynedo Jacobo domino Hamiltone et Jacobo Wrke capellano cum multis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis heredibus et successoribus nostris wardis releujs juribus et serui-ciis de dictis terris ante presentem confirmacionem nobis debitis et consu- etis In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus Testibus reuerendis in Christo patribus Johanne episcopo Glasguensi Thoma episcopo Abir- donensi Willelmo episcopo Orkadensi nostri secreti sigilli custo le dilectis consanguineis nostris Andrea domino Avandale cancellario nostro Colino comite de Argile domino Lorne magistro hospicii nostri David comite de Craford domino Lyndesay Jacobo domino Hamiltone et Magistro Archi- baldo de Quhitlawe archidiacono Laudonie secretario nostro Apud Edin- burgh vndecimo die mensis Aprilis anno Domini millesimo cccc^{mo} septua- decimo quinto et regni nostri decimo quinto .

Preceptum saisine in favorem Johannis Gordone.¹—(A.D. 1487.)

Willelmus Gray de Kindrocht honorabilibus et prouidis viris Roberto Gordone de Udaucht Patricio Gordone de Halaucht Jacobo Gordone in Petlurge Patricio Matalane in Auchincreeff Johanni Pantone de Pitmedan et Thome Kynnarde de Kynnymond in hac parte meis balliuis salutem Quia omnes et singulas terras meas quarte partis ville de Kindrocht in mea dimidietate eiusdem jacentes cum . . . pertinentiis earundem infra baroniam de Kynnedor et vicecomitatum de Abirlene honorabili viro Johanni filio et apparenti heredi Johannis Gordone de Auchluchry con-

¹ [Abridged from the notary's protocol, entitled "Register of Sasines for the Burgh of Aber- deen," vol. i., MS in archivis ejusdem.

On the fifteenth day of May, 1548, John Gordoun, son and heir of John Gordoun of Pette- marcus (who was slain in fight against the English in the year 1517) was infett on a precept from chancery in his favour, as heir to his father in the lands of Crevethin in the parish of Drumblat and barony of Strathbogy, in the lauds of Gilkemstoun, in the half of Kyndrocht, and in the third part of Faithlie, lying in the barony of Kynedward, and in the lands of Myhill, Petteumarcs, and Mill of Myllbrek, in the barony of Kynmounde.—(Original in the charter chest of Sir John Stuart Forbes of Pitligo and Fettercairn, baronet.)]

cessi et vendidi prout in carta mea desuper sibi confecta plenius continetur Vobis igitur precipio . . . quatinus . . . sasinam hereditariam diete quarte partis ville de Kindrocht . . . prefato Johanni Gordone . . . conferri curetis . . . In cuius rei testimonium sigillum meum proprium presentibus est appensum apud ecclesiam de Botari quinto die mensis Septembris anno Domini millesimo quadringentesimo octuagesimo septimo .

Carta terrarum de Andyale Andree Elphinstoun de Selmys.¹—(A.D. 1504.)

Omnibus hanc cartam visuris . . . Georgeus Gray filius et heres apparens Wilelmi Gray de Andyale dominus feodi terrarum de Andyale et dictus Wilelmus eius pater dominus liberi tenementi dictarum terrarum salutem . . . Noueritis nos unanimi consensu . . . vendidisse . . . honorabili viro Andree Elphinstoun de Selmys omnes et singulas terras nostras de Andyale cum suis pertinentiis jacentes in baronia de Kynedward et infra vicecomitatum de Abirdene . . . Tenendas . . . a nobis hereditibus nostris et assignatis de supremo domino nostro Rege et suis successoribus . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Andreas Elphinstoun heredes sui aut assignati dicto supremo domino nostro Regi et suis successoribus seruitium debitum et consuetum tantum . . . In cuius rei testimonium sigilla nostra huic presenti carte nostre sunt appensa apud Edinburgh nono die mensis Januarii anno Domini millesimo quingentesimo tercio coram hiis testibus

¹ [Abridged from the original in the archives of the King's College and University, Aberdeen.]

In the year 1504, the same Andrew Elphinstone of Selmis granted the above-named lands to the students of Theology in the New College of the University of Aberdeen.—(Fasti Aberdonenses, p. 44.) In the year, 1506, William Cumyng of Inverclouchy, conveyed his half of these lands to a chaplain and a student of Theology in the church of the same college for the performance of the usual religious services for the souls of King James III., his queen Margaret, King James IV., and his queen Margaret, William, bishop of Aberdeen, and also of himself, his deceased wife, and his father and mother, etc.—(Id., p. 68.) Bishop Elphinstone, by his second foundation, also confirmed these lands to the college, ordaining the second of the six students in Theology founded by him, to draw from them a yearly pension of eight pounds, and to bear their name.—(Id., pp. 85, 88.)

videlicet Domino Thoma Myrtoun thesaurario Abirdonensi Patricio Levingstoun Johanne Cocherane Rankino Muir Petro Saffyntoun Johanne Gray et Jacobo Young notario publico cum multis aliis .

Contractus inter Johannem Chaumer de Auchcorvy et David Knox de Auchorthy de matrimonio solemnizando. ¹—(A.D. 1498.)

Xxii^o die Februarii anno Domini millesimo quadringentesimo nonagesimo septimo . . . Appunctuatum fuit inter Johannem Chaumer de Auchcorvy ex una et David Knox de Auchorthy partibus ab altera in modo et forma sequenti videlicet Dictus Johannes habebit filium et heredem apparentem dicti David quemcumque . . . ad unam filiarum ipsius Johannis indefamatam Quod matrimonium in facie ecclesie tractabitur juridice in toto possibili festinatione immediate cum fuerint legitime etatis Et hoc matrimonium complebitur Deo duce et non deficiet quousque ipse Johannes filiam legitimam indefamatam de corpore suo procreatam seu procreandam habuerit et ipse David filium et heredem apparentem Et si contigerit dictum David filios non habere ad succedendum sue hereditati seu masculos heredes tunc dictus Johannes habebit heredem seu heredes legitimos dicti David quoscumque etc. Insuper dictus David resignabit immediate terras suas de Auchorthy cum suis pertinentiis in manibus Thome Chamer de Strathechin domini superioris earundem et dictus Johannes causabit . . . patrem suum ad infeodandum prefatum David hereditarie in dictis terris tenendis de eo in alba firma prout decet . Insuper post matrimonii complementum dictus David ponet filium suum et heredem in feodo omnium dictarum terrarum sumptibus ipsius Johannis . . . Reseruato libero tenemento dicto David pro toto tempore vite sue Ad quod fideliter obseruandum utraque pars fide magna corporale prestitit juramentum et prius deficiens alteri parti consuervanti viginti libras monete Scotie persoluet pro dampnis et expensis etc. Super quibus dictus Johannes Chamer petiit instrumenta Acta in camera mea hora quasi decima ante meridiem Testibus Willelmo Laysk de eodem David Chamer filio et herede apparente Willelmi Chamer

¹ [Abridged from the Notary's Protoeol, entitled "Register of Sasines for the Burgh of Aberdeen, vol. i.," MS. in arkivis ejusdem.]

de Balnacrag Alexandro Muresoun in Kynnermond Jacobo Robertsoun in Cortheis Andrea Cardno in Chapeloun Willelmo Chamer et Dauid Liell Et consequenter dictus Dauid petiit instrumenta .

THE PARISH OF PETERHEAD.¹

Carta Walteri Ogilvy de confirmatione terrarum etc.² —(A.D. 1439 et A.D. 1440.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam Margarete de Fentoun de Bevfort filie senioris quondam Walteri de Fentoun de Bevfort ac vnus heredum eiusdem factam et concessam dilecto et fideli nostro Waltero de Ogilvy filio quondam Patricij de Ogilvy de Vchtirhous militis . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel audituris Margareta de Fentoun de Bevfort filia senior quondam Walteri Fentoun de Bevfort et vna heredum eiusdem salutem in Domino sempiternam Sciatis me . . . dedisse . . . nobili viro Waltero de Ogilvy filio quondam Domini Patricij de Ogilvy de Vchtirhous pro suo consilio et auxilio michi impensis et impendendis totas et integras terras meas infrascriptas videlicet totam quartam partem terrarum nearum de Bevfort et manerium eiusdem cum pertinentiis ac totam quartam partem meam terrarum de Ard cum pertinentiis iacentes infra vicecomitatum de Inucrnys necnon totam quartam partem meam baronie de Baky et manerium eiusdem cum aduocacione capelle cum pertinentiis iacentem infra vicecomitatum de Forfar ac totam quartam partem meam baronie de Culas et de Buthirgask cum pertinentiis iacentem infra vicecomitatum de Perth vnacum tota quarta parte mea terrarum de Coklaw Balmure et Drumblate iacente infra vicecomitatum de Abirdene Tenendas et habendas . . . dicto Waltero et heredibus inter ipsum et me legitime procreandis quibus forsitan deficientibus veris legitimis et propinquioribus heredibus dicti Walteri quibus-

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 414-419.]

² [Abridged from the Registrum Magni Sigilli, lib. iiii, no. 132, MS. Gen. Reg. House, Edin.]

cunq̄ue de domino nostro Rege et heredibus suis in feodo et hereditate imperpetuum . . . Faciendo . . . domino nostro Regi et successoribus suis seruicia inde debita et consueta reseruato michi pro toto tempore vite mee libero tenemento dictarum terrarum cum pertinenciis duntaxat . . . In cuius rei testimonium sigillum meum presenti carte est appensum apud Vchtrhous decimo die mensis Marcii anno Domini millesimo quadringentesimo tricesimo octauo lijs testibus Daud de Ogilvy de eodem Jacobo Lyonn Daud Lyonn Johanne Carncors de Balmachenar Alexandro Grahame et Domino Willelmo Tod capellano et multis aliis QUAM quidem cartam . . . imperpetuum confirmamus Saluo nobis seruicio nostro ante presentem confirmationem de dictis terris cum pertinenciis debito et consueto In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus Testibus dilecto consanguineo nostro Willelmo domino de Crechtoun cancellario nostro Alexandro de Levingstoun de Calentare Willelmo de Cranstoun Johanne Cokburne militibus et Magistro Ricardo Crag vicario de Dunde clerico nostro apud Edinburgh vicesimo sexto die mensis Februarii anno Domini millesimo quadringentesimo tricesimo nono et regni nostri quarto .

Carta noue infeodacionis pro Daud Lindesay.¹ —(A.D. 1458.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Daud Lindissay filio Daud Lindesay de Lethnot et Mergarete Fentoune de Baky totam et integram quartam partem terrarum baronie de Balmure cum pertinenciis iacentem infra vicecomitatum nostrum de Aberdene ac totam et integram quartam partem terrarum baronie de Baky cum pertinenciis iacentem infra vicecomitatum nostrum de Forfare salua et excepta quarta parte terrarum ville de Bridistoune de qua quarta parte terrarum Elisabeth Lindesay filiam dictorum Daud et Mergarete alias infeodauium Quequidem quarte partes terrarum de Balmure et Baky cum pertinenciis fuerunt dicte Mergarete Fentoun matris dicti Daud

¹ [Abridged from the Registrum Magni Sigilli, lib v. no. 28, MS. Gen. Reg. House, Edin.]

hereditarie Et quas excepta dicta quarta parte terrarum ville de Bridistoune eadem Mergareta . . . in manus nostras apud Edinburgh . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Dauid Lindesay filio et heredibus de corpore suo legitime procreandis quibus forte deficientibus Elizabeth Lindesay sorori dicti Dauid filii et heredibus de corpore suo legitime procreandis quibus deficientibus Margarete Lindesay sorori eciam dicti Dauid Lindesay et heredibus de corpore suo legitime procreandis quibus forte deficientibus Issabelle Lindesay sorori eciam eiusdem Dauid et heredibus de corpore suo legitime procreandis quibus forte deficientibus Mariorie Lindesay sorori eciam dicti Dauid filiabus dictorum Dauid et Margarete et heredibus de corpore suo legitime procreandis quibus omnibus quod absit deficientibus veris legitimis et propinquioribus heredibus dicte Margarete matris quibuscunque de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum Faciendo inde annuatim . . . seruicia de dictis terris debita et consueti Reservato tamen libero tenemento omnium dictarum terrarum cum pertinentiis dicte Margarete de Fentoune pro toto tempore vite sue In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendis in Christo patribus Georgeo episcopo Brechinensi cancellario nostro Thoma episcopo Candidecase nostri secreti sigilli custode dilectis consanguineis nostris Jacobo domino Levingstoune magno camerario nostro Roberto domino Boid Roberto domino Flemyn Patricio domino Halys Willelmo de Murrauea de Tuliberden et Niniano Spot nostrorum compotorum rotulatore apud Faulkland xiiij. die mensis Octobris anno Domini m^o cccc. lviiij^o et regni nostri xxij^o .

Carta Davidi Stewart super terris de Ard et Strathglass de Balmur Coklaw etc. ¹ —(A.D. 1459.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto familiari nostro Dauid Stewart militi et Mariote sponse sue et eorum alteri diucius viuenti pro

¹ [Abridged from the Registrum Magni Sigilli, lib. v., no. 71, MS. Gen. Reg. House, Edin.]

suo seruicio nobis impenso et impendendo quartam partem terrarum de Ard et Strathglass cum pertinentiis jacentem infra vicecomitatum nostrum de Inuernys ac quartam partem terrarum de Balmur Coklaw Tro[tir]stoune Buthlaw Drumblat et Tollis cum pertinentiis jacentem infra vicecomitatum nostrum de Abirdene Neenon quartam partem baronie de Baky cum pertinentiis jacentem infra vicecomitatum nostrum de Forfare Ac quartam partem terrarum de Cullace et Buttirgask jacentem in Gowery et quartam partem terrarum de Strathifentoun cum pertinentiis jacentem in comitatu de Stratherne infra vicecomitatum nostrum de Perth Que quarte partes terrarum predictarum cum pertinentiis nobis . . . racione forisfacture per Jacobum de Douglace militem et Jonetam de Fentoun sponsam suam contra nostram regiam maiestatem commisse et perpetrare deuenerunt Tenendas . . . predictis Dauid et Mariote sponse sue et eorum alteri diucius uiuenti et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus uerbis legitimis et propinquiioribus heredibus dicti Dauid quibuscunq; de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . seruicia de dietis terris debita et consueta . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendis in Christo patribus Georgeo episcopo Brechinensi cancellario nostro Niniano episcopo Candidecace dilectis consanguineis nostris Jacobo domino Levingstoun magno camerario nostro Patricio domino le Grahame Willelmo de Morauia de Tulybardyn et Magistro Johanne Arous archidiacono Glasguensi secretario nostro apud Perth xx° die mensis Julii anno Domini millesimo cccc^{mo} lix° et regni nostri xxiii° .

Carta confirmationis Alexandro de Dunbar de Westfield super terris de Balmure Tor[t]istoun Coklaw etc.¹—(A.D. 1472.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam dilecti consanguinei nostri Georgei comitis de Huntle domini Gordoune et de Badynache factam et concessam dilecto et fideli nostro Alexan-

¹ [Abridged from the Registrum Magni Sigilli, lib. vii., no. 149, MS. Gen. Reg. House, Edin.]

dro de Dunbar de Westfelde militi . . . ad plenum intellexisse sub hac forma / OMNIBUS hanc cartam visuris vel audituris Georgeus comes de Huntlie dominus *le Gordoune* et de Badyenache salutem in Domino sempiternam Noueritis nos delisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Alexandro de Dunbar de Westfelde militi omnes et singulas terras nostras de Balmure Torlistoun Coklaw Densyde *le Aylehoushill* Buthlaw et molendinum de Tor[t]istoun cum pertinentiis jacentes infra vicecomitatum de Abirdene Quarumquidem terrarum . . . quarta pars fuerat Mergerete de Pentoun de Baky et dicta Margareta . . . in manus nostras personaliter apud Erlee . . . simpliciter resignauit Insuper Joneta de Fentoun habens vnam quartam partem dictarum terrarum . . . soror diete Mergerete sponsa Willelmi Hakete . . . in manus nostras . . . simpliciter resignauit apud Huntlie Et vna quarta pars dictarum terrarum . . . erat Georgi Narne de Sandfurde et idem Georgeus . . . in manus nostras apud Huntlie . . . simpliciter resignauit eandem . . . Et vna quarta pars dictarum terrarum . . . existit in manibus nostris per viam juris et omne jus et juris clameum . . . dicto Alexandro et heredibus suis damus . . . et . . . quitteclamamus imperpetuum . Tenendas et habendas . . . de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . tres sectas ad nostras tres curias capitales ad baroniam nostram de Cluny tenendas et ad locum consuetum eiusdem . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum apponi fecimus apud Huntle decimo sexto die mensis Julij anno Domini M^o cccc^{mo} lxx^{mo} secundo coram hiis testibus Ranaldo Wintonne de Andate Georgeo Lesly de Quhitcorss Hugone Ross filio et herede apparente Hugonis Ross de Kilrawak Willelmo Setoune Jacobo Cummyrn armigeris Domino Johanne Garntuly rectore de Glas et Domino Johanne Kemblog nostro capellano notario publico cum multis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis heredibus et successoribus nostris wardis reueniis maritagiiis iuribus et seruiciis . . . delitis et consuetis In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . apud Edinburgh decimo quarto die mensis Augusti anno Domini millesimo quadringentesimo septuagesimo secundo anno regni nostri decimo tercio .

Carta coniuncte infeodacionis Gilberti Keith de Inuirugy et Jonete Grahame sue sponse super superioritate et proprietate terrarum de Tortastoun etc.¹ —(A.D. 1491.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos pro fidei gratuitoque seruicio nobis per dilectum nostrum Gilbertum Keith de Inuerugy militem impenso et impendendo et pro singulari fauore quem erga ipsum gerimus dedisse concessisse et hac presenti carta nostra confirmasse dicto Gilberto et Jonete Grahame sponse sue et eorum alteri diucius viuenti in coniuncta infeodacione totam et integram superioritatem omnium et singularum terrarum de Tortastoun Buthla *le Scottis myln* et rupis vulgariter nuncupate *le Ravinniscrag* cum pertinentiis jacentium infra vicecomitatum nostrum de Abirdene / Ac totam et integram proprietatem earundem cum pertinentiis Quequidem superioritas fuit dilecti consanguinei nostri Georgei comitis de Huntlee hereditarie Et quam idem Georgus . . . in manus nostras apud Edinburgh . . . simpliciter resignauit Et que etiam proprietas cum pertinentiis fuit dicti Gilberti hereditarie et quam ipse Gilbertus in manus nostras apud Edinburgh . . . simpliciter resignauit post resignationem per dictum Georgeum de superioritate predictam . . . Tenendas et habendas . . . dictis Gilberto Keith et Jonete Grahame eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus veris legitimis et propinquioribus heredibus dicti Gilberti quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . vnum denarium argenti super solum dictarum terrarum in Festo Penthecostes nomine albe firme si petatur tantum / Insuper nos cum auisamento nostri consilii et pro bono gratuitoque seruicio nobis per dictum Gilbertum impenso et impendendo dedimus et concessimus ac tenore presentis carte nostre damus et concedimus eidem Gilberto et heredibus

¹ [Abridged from the Registrum Magni Sigilli, lib. xii, no. 286, MS Gen. Reg. House, Edin.]

On the sixteenth and twentieth days of June, 1656, Andrew, lord Fraser, with consent of Alexander Forbes of Boyndlie, resigned the lands of Buthlaw, the third part of Thunderton, and muir of Tortarstounne, in the barony of Tortarstounne and parish of Langside, in the hands of William, earl Marischal, in favour of Alexander, lord Forbes of Pitsligo.—(Original in the charter chest of Sir John Stuart Forbes of Pitsligo and Fetterearn, baronet.)]

suis plenariam et liberam licenciam libertatem et potestatem ad edificandum et construendum castrum sen fortalicium super dicta rupe nuncupata *Ravinniscrag* ad longitudinem latitudinem et altitudinem quas eïis melius videbitur expedire Cum vectibus ferreis *le battaling machcoling portculicis le drawbriggis* Et cum vniuersis aliis defensionibus pro secura custodia dicti castri Cum constabularijs janitoribus excubatoribus carcerum custodibus peruigilibus fossis et carceribus Ac cum feodis constabulariorum et janitorum / Et cum omnibus aliis et singulis libertatibus commoditatibus asiamentis et proficuis quibuscunque enicunque castro infra regnum nostrum spectantibus seu spectare valentibus in futurum . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh septimo die mensis Maij anno Domini millesimo quadragesimo nonagesimo primo et regni nostri tertio .

THE PARISH OF ST. FERGUS.¹

Composicio inter Monasterium de Abirbrothoc et Dominum Henricum le Chen super ecclesia de Inuervgy.² —(*circa* A.D. 1350.)

Nouerint omnes / ad quos presens scriptum peruenerit / quod cum inter Abbatem et Conuentum de Abirbrothoc ex parte una / et Henricum le Chen militem ex altera / super aduocatione ecclesie de Inuervgy / eisdem monachis in vsus proprios per sedem apostolicam et episcopos loci diocesanos concessa et confirmata / coram Abbate de Der et Decanis de Abirden et de Ross a Domino Papa iudicibus delegatis controuersia diucius uerteretur /

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 419-423, and Illustrations of the Topography and Antiquities of the same shires, vol. ii, pp. 397-406.]

The teind sheaves of the church of St. Fergus, formerly held by the laird of Ennerwgy, were, in the year 1521, leased for five years by the Abbot of Arbroath to Gilbert Menzeis and Sir Andrew Dalgarno, vicar of Abirloth, for the yearly rent of fifty pounds Scots.—(Registrum Recentius Abbaeie de Aberbrothoc, p. 433.) In the year 1525, the teinds of the church of St. Fergus and of the church of Fettirangus were leased for nineteen years to Gilbert Keyth of Troup and Helizabeth Forbes his wife, and to Gilbert Menzeis and Marione Chalmr his wife, for a grassum of two hundred merks and a yearly reut of fifty pounds Scots.—(Id., p. 448.)

² [From the Registrum Vetus Abbaeie de Aberbrothoc, p. 207.]

tandem in hunc modum conuenit . uidelicet quod prefate partes ordinationi et dispositioni prefatorum iudicium delegatorum / et Domini Alexandri episcopi Abirdonensis et tunc temporis loci diocesani se commiserunt . ratum et gratum ad inuicem habitare quod predicti ordinatores inter eos dignum duxerint statuendum . Post multas nero altercationes hinc inde habitas / pro bono pacis inter partes irrefragabiliter obseruande / de uirorum prudentum consilio / prefati ordinatores in hunc modum statuerunt . scilicet . quod tota decima garbarum prefate ecclesie de Inuervgy in vsus proprios eorundem monachorum integraliter in perpetuum quieta permaneat et pacifica / et predicto Henrico et heredibus suis remaneat ius presentati ad totum alteragium . Et sciendum quod ille qui idem alteragium tenuerit / et monachi qui garbas percipiunt / episcopalia et si forte alia emergant onera communiter sustinebunt et equaliter de eis respondebunt / exceptis sex solidis domino Episcopo Sancti Andree / de terra dicte ecclesie annuatim debitis / de quibus plenarie respondebit qui supradictum alteragium habuerit / prouidendo insuper vt eidem ecclesie honeste seruiatur . Vt autem hec compositio siue amicabile ordinatio firma in perpetuum et illibata permaneat / super ea duplex conficitur instrumentum / vnum penes supradictos monachos / aliud penes predictum militem remansurum / sigillis dictorum ordinatorum et predictarum partium adinuicem confirmatum .

Carta Reginaldi de Cheyne filii Domini de Duffus concessa Abbati et Conuentui de Kinloss.¹ —(A.D. 1283.)

Omnibus sancte matris ecclesie filiis presens scriptum visuris . . . Reginaldus de Chen filius dominus de Duffus et Maria uxor ejus . . . salutem Noueritis uniuersi quod cum nos ex quadam laici juris appetentia occupassemus et detinuissemus aliquamdiu quandam terram que dicitur le Ruys de Kylbuthock quam terram viri religiosi Abbas et Conuentus de Kynlos instancius ad se clamabant pertinere cumque per fideles et fide dignos patrie manifestius intellexissemus dictos Abbatem et Conuentum ex collatione felicis recordationis Alexandri Regis Scotorum secundi

¹ [Abridged from a transcript made, in the year 1751, by Robert Gray, writer]

dictam terram del Ruuys per rectas divisas suas et cum omnibus libertatibus et pertinenciis suis per quadraginta annos et eo amplius quiete pacifice et sine interruptione possedisse . Tandem divino timore compuncti pro bono consciencie et pro salute anime vostre et heredum nostrorum prefatam terram cum omnibus libertatibus et pertinenciis suis per rectas divisas suas et metas quas nobilis memorie Walterus filius Alani ex mandato prefati Alexandri Regis secundi perambulando constituit quorum adhuc signa apparent videlicet Incipiendo ab origine fontis qui est subter lapidem qui vocatur Lapis Albus in latere montis de le Drum et deinde versus aquilonem per rivulum a dicto fonte derivatum et lapides magnos de voluntate et consensu nostro juxta predictum rivulum positos et arbores olim in dictis divisis cruce signatas usque ad predictam terram del Ruuys et sic per lapides stantes et lapidum acervos usque le Blakeforde et abinde per siccum qui descendit sub cruce lapidia stante in via Regia juxta sylvam de Kylbuthock ac deinde per majorem [siccum] et per musam transeundo usque le Starbrigg per metas et divisas inter dictos Abbatem et Conventum et Freskynum dominium de Duffus olim factas plenarie restituumus Unde fatemur nos vel heredes nostros in predictam terram nullum omnino jus habere vel habuisse Renunciando insuper pro nobis et pro heredibus nostris omni juri ecclesiastico et civili si quid nobis vel heredibus nostris ullo tempore posset competere et omnibus literis regiis et apostolicis impetratis et impetrandis que prefatis Abbati et Conventui possent obesse et nobis prodesse ne prefati Abbas et Conventus super predicta terra eujuscumque juris vel rationis obtentu ullatenus inquietentur sed quietior sit eis predictae terre in perpetuum possessio quam fuerat ab initio Et ut firma sit in perpetuum et inconcussa prefatis Abbati et Conventui prefate sue terre possessio sine inquietacione nostra vel heredum nostrorum nos pro nobis et heredibus nostris corporale prestimus juramentum subjicientes etiam nos et heredes nostros jurisdictioni Episcopi Moraviensis qui pro tempore fuerit ut nos vel heredes nostros super prefata terra predictos Abbatem et Conventum ullatenus inquietantes ad simplicem dictorum Abbatis et Conventus requisicionem sine strepitu judiciali per sententiam excommunicationis in personas et per interdictum in terras sine ulla contradictione vel appellatione valeat compscere . In cujus rei testimonium presenti scripto una cum sigillo nostro ad instantiam nostram appensa sunt sigilla Domini Archiepiscopi

episcopi Moraviensis et sigillum capituli loci ejusdem et Domini Johannis archidiaconi Moraviensis . Datum apud Canoniam de Elgyn ad Pesticostem anno Domini millesimo ducesimo octogesimo tertio .

Acquietancia Reginaldi le Chen filii. ¹—(A.D. 1289.)

Omnibus has litteras visuris vel auditoris Reginaldus le Chen filius . salutem in Domino . Noueritis me apud Rokisburgh die Jovis proxima post Festum Sancti Gregorii pape anno gracie . M^o cc^o lxxx^o nono . recepisse de Domino Alexandro de Balliol camerario Seocie pro feudo meo de terminis Pentecostes et Martini anni gracie . Mⁱ ccⁱ lxxxⁱ octavi . tresdecem libras sex solidos et octo denarios sterlingorum . In cuius rei testimonium has litteras meas eidem dedi patentes . Date apud Rokisburgh die et anno prescriptis .

Concessio Regis Willelmo Keithe ejusque sponse. ²—(A.D. 1476.)

Apud Edinburghe . xxxi. Martii . j^m. cecc. lxxvi. . Rex concessit dilectis suis Willelmo Keithe filio et heredi apparenti dilecti sui Gilberti Keithe de Inverrugy militis et Jonete de Dunbar sponse dicti Willelmi et eorum alteri diucius viventi et heredibus inter ipsos legitime procreandis quibus deficientibus legitimis et propinquioribus heredibus dicti Gilberti quibuscunque terras de Galvail cum molendino earundem necnon terras de Hithee et quadraginta solidatas terrarum ville de Galvil et prefati molendini infra vicecomitatum de Banf quas idem Gilbertus resignavit .

Gift of the marriage of an heiress by Sir Gilbert Keithe of Innervgy knight to his son. ³—(A.D. 1486.)

Be it maid kende til all men be thir present lettres me Gilbert Keithe

¹ [From the original in the British Museum, printed in Stevenson's Illustrations of Scottish History, p. 33.]

² [From the Abbreviatio Registri Magni Sigilli, lib. vii., no. 344, MS. Gen. Reg. House, Edin.]

³ [Abridged from the original in the charter room at Philorth.]

of Inuervgy knycht to haif frely gevin and disposit . . . to my son James Keith the marreaghe of the dochter and ayr til vmquhile Dauid Forestar of Laweroklav or hir failzeande the nerast mareaghe of his ayr togidder with all profitis and pertinentis pertyning or at may pertene therto efter the tenor of ane letter of selling and alienation of the saide mareagh maid til me be Allan Kynnarde of that Ilk and our lord til vmquhyle the forsaid Dauid as in the samyn letter at mair lenth is contentit sa that it sal be lesum to the saide James ether to mary the saide ayr with himself or to dispone therupon quhar it plesis him And be thes my present lettres I constitut and makis the said James my verray lauchful assignay in that part to follow and persew be justice befor quhatsumeuer juge spirituale or temporale all and sindry quhatsumeuer lettis or stoppes the said James to bruk or joiss the forsaide mareaghe and profits therof . . . In witnes of the quhilk thing to this my present wryt I haf affixt my sele at Inuervgy the xii. day of the monethe of October the yer of God ane thousand four hundreth auchty and sex yeris befor thir witnes my sone and apperand ayr William Keth of Hythye Gilbert Keith of Perceoche Thomas Kynnarde of Kyninmonde Thomas Monro Henry Lychton and Sir Walter Clerk notar publict with vtheris dyuerss .

Gilbert Mowattis precept vpoune Brabuster and Sleiklie witht thair pertinentis for ward and releif / *cum sasina in secunda cauda*.¹ —(A.D. 1520.)

Willelmus Keitht de Inuervgy miles ac dominus quarte partis Cathanie dilectis nostris Willelmo Strulath Johanni Huchonsone et Alexandro Mowat balliuis meis in hac parte . . . Quia dedi et hereditarie concessi dilecto consanguineo meo Gilberto Mowat omnes et singulas terras meas de Brabustermire et Slecle cum pertinenciis jacentes in barronia de Hausbastyr intra bondas Cathanie et infra vicecomitatum de Inuerness prout in carta sua sibi desuper confecta plenius continetur Vobis igitur . . . precipio . . . quatenus . . . statum et possessionem hereditariam

¹ [Abridged from a transcript in the possession of Joseph Robertson, Esq.]

dictarum terrarum cum pertinentiis dicto Gilberto aut suo certo attornato latori presencium . . . juste habere faciatis . . . et in signum sasine per vos tradite vestrum sigillum in secunda cauda post meum appendatis Datum sub signeto meo apud Inuervgy quinto die mensis Marcij anno Domini millesimo quingentesimo decimonono .

THE PARISH OF CRIMOND.¹

Carta Domini Willelmi Monypeny super terris de Brodland de Ratre de Rothraquhy de Carneglass et de Mylhil etc.²—(A.D. 1458.)

Apud Edinburghe . vii. Octobris . j^m. v^o. lviii. . Rex concessit dilecto familiari suo Willelmo Monypeny de Ardweny et Conkirsalte militi et heredibus suis pro suis gratuitis servitiis Regi impensis et impendendis omnes et singulas terras baronie de Brodland de Ratre de Rothraquhy de Carneglass et de Mylhil ac molendinum de Creichmount infra vicecomitatum de Aberdene Regi contingentes racione forisfacture quondam Hugonis comitis de Ormounde . Tenendas de Rege in feodo et hereditate etc. . Reddendo annuatim Regi unum denarium argenti ad Festum Pentecostes apud capitale messuagium de Brodeland de Ratre nomine albe firme . Testibus Georgio episcopo Brechinensi cancellario Thoma episcopo Candide Case secreti sigilli custode Georgio comite de Anguse Willelmo comite de Marschel Jacobo comite de Mortoun Andrea domino Avandale Jacobo domino Levingstoune magno camerario Patricio domino le Grahame Alexandro domino Montgomery Georgio domino Setonne Willelmo domino Borthwic Patricio domino Halis Magistris Johanne Arous archidiacono Glasguensi Thoma Waus decano Glasguensi secretario et Niniano de Spot computorum rotulatore .

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 423-428, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 394-396.]

² [From the Abbreviatio Registri Magni Sigilli, lib. v., no. 16, MS. Gen. Reg. House, Edin.]

Concessio Regis Preposito et Canonicis ecclesie Sancti Salvatoris infra civitatem Sancti Andree. ¹ —(A.D. 1458.)

Apud Perth . vi. Novembris . j^m. cccc. lviii. . Rex concessit dilectis clericis et oratoribus suis Preposito et Canonicis ecclesie collegiate Sancti Salvatoris infra civitatem Sancti Andree et eorum successoribus omnes et singulas terras baronie de Brodland de Ratre de Ratbeaquhy de Carn-[glase] et de Myllhil et molendinum de Creichmount infra vicecomitatum de Abirdene quas Willelmus Monypenny de Ardweny et de Conkirsalte miles personaliter resignavit apud Perth Tenendas de Rege in feodo et hereditate etc. Reddendo annuatim Regi unum denarium argenti ad Festum Pentecostes apud capitale messuagium de Brodeland de Rettre nomine albe firme si petatur tantum et oracionum suffragia deuotarum Testibus Georgio episcopo Brechinensi cancellario Johanne comite Atholie fratre Regis Jacobo domino Levingstoune magno camerario et magistro hospicii Patricio domino le Grahame Willelmo de Moravia de Tulibardine Magistris Johanne Arous archidiacono Glasguensi secretario et Niniano de Spot canonico Dunkeldensi computorum rotulatore .

Inquisitio Willelmi Keithe. ² —(A.D. 1495.)

Inquisitio facta apud Abirdene xxviii^o die mensis Aprilis anno Domini millesimo quadringentesimo nonagesimo quinto in pretorio burgi de Abirdene in curia capitali vicecomitis de Abirdene tenta per nobilem virum Alexandrum Irwin de Drum vicecomitem eiusdem per subscriptos videlicet Malcomum Forbes de Tolquhone Johannem Turryng de Foverne Walterum Barclay de Towy Patricium Barclay de Grantuly Alexandrum Burnat filium et heredem apparentem Domini de Leyis Alexandrum Cumnyu de Cultir Alexandrum Tulydaf de eodem Willelmum Oudny filium et heredem apparentem Willelmi Oudny domini eiusdem Henricum Forbes de Kynnellor Johannem Ross de Auchlossyn Alexandrum Menzeis de Petfoddalis Henricum Annand de Uchterellon Willelmum Fraser

¹ [From the Abbreviatio Registri Magni Sigilli, lib. v., no. 26, MS. Gen. Reg. House, Edin.]

² [Abridged from the original in the charter room at Drum.]

de Darris Willelmum Craford de Fedra Alexandrum Sken de eodem Qui jurati dicunt quod quondam Gilbertus Ketht de Inuerugy miles pater Willelmi Keithhe latoris presentium obiit ultimo . . . sasitus ut de feodo ad pacem et fidem Domini nostri Regis de omnibus et singulis terris baronie de Bordland de Ratre Rathnoquhyn Carneglass Mylnerhil et molendino de Crechmont cum suis pertinentiis jacentibus infra vicecomitatum de Aberdene Et quod dictus Willelmus est legitimus et propinquior heres dicti quondam sui patris . . . Et quod est legitime etatis Et quod dicte terre et molendinum cum suis pertinentiis valent nunc per annum quadraginta libras et valuerunt tempore pacis triginta libras . . . Datum sub sigillo dicti vicecomitis et sigillis quorundam qui huic inquisitioni intererant faciende anno die mense et loco suprascriptis .

Carta Regis pro Johanne Dumbare de terris de Cremond etc.¹—(A.D. 1455.)

Jacobus Dei gracia Rex Scotorum . . . Noueritis nos dedisse . . . dilecto nostro Joanni Dumbare pro suo fideli servitio nobis impenso et impendendo . totas et integras terras de Crechmond Aglis / Cremonde Gorth / Cremond Mogat / Tillykerak cum le Park / cum pertinentiis / infra vicecomitatum nostrum de Aberdene . Quequidem terre peruenerunt ad manus nostras ratione forisfacture quondam Hugonis comitis de Ormont . Tenendas . . . predicto Joanni Dunbar et heredibus de corpore suo legitime procreatis seu procreandis / quibus deficientibus nobis et heredibus et successoribus nostris Regibus Scocie libere reuertendas in feodo et hereditate imperpetuum . . . Reddendo inde . . . nobis hereditibus et successoribus nostris vardam et maritagium si contigerit / et seruitia de dictis terris debita et consueta . In cuius rei testimonium huic presenti carte nostre sigillum nostrum appendimus . Coram reuerendis in Christo patribus Thoma Johanne et Georgio Dunkeldensi Moraviensi et [Brechinensi] episcopis / Vilhelmo comite de Cathnes domino de Sinclare nostro cancellario et consanguineo / predilectis consanguineis nostris Jacobo [domino Levingstoun] magno nostro camerario / Patricio domino

¹ [Abridged from a copy in the General Register House, Edinburgh.]

de Graham / Jacobo domino de Hamiltoun etc. / Wilhelmo de Moravia domino de Tullybardin . Apud Perth primo die mensis Septembris / anno Domini millesimo quadringentesimo quinquagesimo quinto . et regni nostri decimo nono .

Carta confirmationis Willelmo Hay de Vry super terris de Creichmond. ¹
—(A.D. 1457.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam dilecte nostre Beatricis de Dunbar domine de Creichmond . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel audituris Beatrix de Dunbar relicta quondam Magistri Gilberti Hay de Vry ac domina de Creichmond salutem in Domino sempiternam Noueritis me . . . filiali dilectione et affectione dedisse . . . carissimo filio meo et apparenti heredi Willelmo Hay de Vry omnes et singulas terras meas baronie mee siue dominij mei de Creichmond cum suis pertinencijs jacentes infra vicecomitatum de Abirdene Tenendas et habendas . . . prefato Willelmo et heredibus suis a me et heredibus meis de supremo domino nostro Rege in feodo et hereditate imperpetuum . . . secundum tenorem carte mee michi prius inde confecte Reservato tamen michi libero tenemento earundem pro toto tempore vite mee . . . Faciendo inde . . . annuatim seruicia debita et consueta supremo domino nostro Regi et successoribus suis . . . In cuius rei testimonium sigillum meum presenti carte mee est appensum apud Crechmond xij. die mensis Septembris anno Domini millesimo quadringentesimo octuagesimo septimo Coram honorabilibus viris Willelmo Hay de Ardendracht / Archibaldo Rate de Drumtoety / Gilberto Hay in Carmuk / Willelmo Kennedy constabulario de Abirdene / Magistro Johanne Hay vicario de Cluny / Domino Johanne Sauchak vicario de Crechmond / ac Domino Johanne Striueling presbitero ac notario publico cum multis alijs . QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis et successoribus nostris juribus et seruicijs de dietis terris cum pertinencijs ante presentem nostram confirmacionem nobis debitis et consuetis . In cuius rei

¹ [Abridged from the Registrum Magni Sigilli, lib. x., no. 104, MS. Gen. Reg. House, Edin.]

testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh septimo die mensis Octobris anno Domini millesimo quadringentesimo septimo et regni vicesimo octavo .

Service on Mill of Crimond etc.¹ —(A.D. 1674.)

January 16, 1674 . Special service of Mary Meldrum sponse of David Stewart commissary of Murray Isobell Meldrum sponse of James Gordon of Ardmeallie and Elspet Meldrum sponse of Mr. David Cumming minister at Bremurray as nearest heirs portioners of Mr. John Hay of Logie their uncle in . . . the mill of [Crimond] with the mill lands etc. the plough of Neathertown of Crimondgorth the plough of Longley and half plough of Overtown of Crimondgorth and plough of Lochhills and that other plough of the lands of Overtown of Crimondgorth formerly occupied by John Mowat the town and lands of Strathtodle formerly occupied by Mr. William Rires with the . . . pertinents . . . and the tithes of the same lying contiguously within the barony and parish of Crimond and sheriffdom of Aberdeen incorporated into one whole and free tenandry to be called in future the tenandry of Logie Crimond . . . held in chief of Gilbert earl of Erroll . . . in ward tax for yearly payment of fifteen pounds Scots money at the Feast of Pentecost in name of ward tax as oft as the said wardship falls only . . .

THE PARISH OF LONMAY.²

Preceptum Regium ad dandum saisinam Alexandro Irwyne ejusque sponse.³ —(A.D. 1452.)

Jacobus Dei gracia Rex Scotorum dilectis nostris Gilberto Keith de

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem.]

² [See Collections for a History of the Shires of Aberdeen and Banff, pp. 429, 430.]

In the year 1314, Bishop Henry Chein erected the church of Lunmeay into a prebend of the cathedral of Aberdeen — [Registrum Episcopatus Aberdonensis, vol. ii, p. 252.]

³ [Abridged from the original in the charter room at Drum.]

Inuerugy militi et Willelmo Abirdour ac eorum alterj coniunctim et diuisim vicecomitibus nostris de Abirdene in hac parte specialiter constitutis salutem Quia dedimus . . . hereditarie dilectis nostris Alexandro Irwyne filio et heredi apparenti Alexandri Irwin de Drum et Joneto Keith sponse sue et eorum alteri diucius uiuenti omnes et singulas terras de Lunney Salquhok Corskelly Ardnabethy et Carness cum pertinenciis jacentes infra dictum vicecomitatum de Abirdene Quequidem terre cum pertinenciis fuerunt dicti Alexandri prius hereditarie et quas idem . . . in manus nostras apud Striuelin per . . . suos procuratores . . . simpliciter resignauit prout in carta nostra dictis Alexandro filio et Joneto sponse sue inde confecta plenius continetur Vobis precipimus . . . quatenus dictis Alexandro et Joneto sponse sue et eorum alteri diucius uiuenti vel eorum certo attorney latori presencium sasinam dictarum terrarum cum pertinenciis iuste habere faciatis . . . Datum sub testimonio magni sigilli nostri apud Edinburgh octauo die mensis Julij anno regni decimo quinto .

De recusatione Comitis de Erail recipere literas Regis. ¹ —(A.D. 1475.)

Instrumentum notarium fidem faciens quod Willelmus Carle banilator et portator quarundam literarum Regis directarum Willelmo comiti de Erail domino de le Hay ac constabulario Scotie sub signeto ex deliberatione Dominorum Consilii in hac parte specialiter deputatus ad presentiam dicti Comitis accessit et easdem literas Regis produxit unacum portiforio quorundam nominum infra dominium dicti domini Comitis indictatorum ad errastandum et attachiandum hujusmodi personas indictatas ad curiam Justiciarii proximam tenendam apud burgum de Abirdene . Quasquidem literas dictus Willelmus Carle dicto domino Comiti realiter optulit ac eundem dominum Comitem pro executione debita earundem fienda requisiiit Quas literas dictus dominus Comes recipere expresse recusavit presentibus Johanne Forbes filio Domini Willelmi Forbes militis et aliis . Apud ecclesiam de Lunnei . xxi. Junii . j^m. ecce. lxxv.

¹ [Noted from the original in the charter room at Castle Forbes.]

Alexander Setone de Tulchfrasser resignat terras de Kynninmond in favorem Johannis Gordone de Lunger.¹—(A.D. 1501.)

Xv. die mensis Decembris anno Domini millesimo quingentesimo primo . . . personaliter constitutus Alexander Setone de Tulchfrasser miles . . . simpliciter resignavit in manibus Alexandri comitis Buchanie ac domini baronie de Kyneduard omnes terras suas de Kynninmond cum suis pertinentiis jacentes in baronia de Kyneduard Quiquidem Comes dominus superior easdem Johanni Gordon de Lunger tradidit et deliberavit secundum tenorem carte sue desuper confecte . . . Super quibus dictus Johannes petiit instrumenta Acta in hospitio dicti Comitis in Abirdene hora quasi decima ante meridiem testibus Magistro Georgio Stirueling Johanne Pantoun de Petmethen Alexandro Cunyugene Domino Alexandro Johnestone Patricio Steuart de Latheris .

THE PARISH OF FRASERBURGH.²

Carta Andree Mercer.³—(A.D. 1381.)

Omnibus hanc cartam visuris et audituris Walterus de Lesley dominus de Ross salutem in Domino sempiternam Noueritis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Andree Mercer pro suo fidei seruiicio nobis impenso et impendendo totam terram nostram de Faythley cum pertinentiis in baronia de Kynedward infra vicecomitatum de Abirdene Quamquidem terram cum pertinentiis Johanneta de Meingnes filia et heres quondam Alexandri de

¹ [Abridged from the Notary's Protocol, entitled "Register of Sasines for the Burgh of Aberdeen, vol. i., MS. in archivis ejusdem.]

² [See Collections for a History of the Shires of Aberdeen and Banff, pp. 431-435, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 385-391.]

³ [Abridged from the original in the charter room at Philorth.]

Meingnes domina diete terre . . . in sua pura et legitima viduitate apud Dwne in Mentheth quinto die mensis Junij anno Domini millesimo ccc^{mo} octuagesimo primo nobis . . . simpliciter resignauit Tenendam et habendam eidem Andree heredibus suis et assignatis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . Reddendo inde nobis et heredibus nostris . . . vnum par calcarium deauratorum apud Faythley supradictum in Festo Pentecostes nomine albe firme annuatim tantum si petatur . . . In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi hiis testibus venerabilibus in Christo patribus Dominis Alexandro et Alexandro Dei gratia Morauiensis et Rossensis ecclesiarum episcopis Dominis Alexandro et Willelmo de Lindisay fratribus nostris carissimis Dominis Waltero Senescalli Roberto de Innes et Ricardo Comyn militibus Magistris Willelmo de Dynguale et Alexandro Man decano et archidiacono ecclesie Rossensis Adam de Vrehart Alexandro de Cheeshelm Hugone de Monro Roberto Burnen' et multis aliis apud Elgyne decimo octauo die mensis Augusti anno supradicto .

Ratificatio Regis.¹—(A.D. 1382.)

Robertus Dei gratia Rex Scottorum Omnibus probis hominibus totius terre sue clericis et laicis salutem Sciatis nos approbasse ratificasse et hac presenti carta nostra confirmasse donacionem illam et concessionem quas dilectus consanguineus noster Walterus de Lesley de Ross et dilecta consanguinea nostra Eufamia sponsa sua ex vnanimi consensu et assensu fecerunt et concesserunt dilecto et fideli nostro Andree Mercer de terra de Faythley cum pertinentiis in baronia de Kynedward infra vicecomitatum de Abirdene Et de terra de Tiry cum pertinentiis in eadem baronia infra eundem vicecomitatum Tenendis . . . dicto Andree heredibus et assignatis suis . . . Saluo seruicio nostro In cuius rei testimonium presenti carte nostre confirmationis nostrum precepimus apponi sigillum Testibus venerabilibus in Christo patribus Willelmo et Johanne cancellario nostro Sancti Andree et Dunkeldensis ecclesiarum episcopis Johanne primogenito nostro de Carrik senescallo Seocie Roberto de Fyff et de

¹ [From the original in the charter room at Philorth.]

Menteth filio nostro dilecto Willehmo de Douglas et de Marr consanguineo nostro comitibus Jacobo de Lyndesay nepote nostro karissimo et Roberto de Erskyne consanguineo nostro militibus apud Melhfen quarto decimo die Februarii anno regni nostri vndecimo .

De interfectione Andree Scot fugitivi. ¹—(A.D. 1397.)

Vniuersis ad quorum noticiam presentes litere peruenerint Alexander Fraser dominus de Phillorth vicecomes de Abirden salutem Cum piun sit et meritorium veritati perhibere testimonium et precipue in hijs que coram iudicibus ordinarie acta executata sunt et finita exhibere est quod testificamur quod in curia vicecomitatus de Abirden tenta ibidem secundo die mensis Aprilis anno Domini millesimo trecentesimo nonagesimo septimo comparuerunt coram nobis sedentibus pro tribunali Walterus de Forfar et Cristinus Crueschankis latores presentium accusati et calumpniati per rotulos inquisitionis per ordinacionem domini nostri Regis et sui consilii generalis facte de arte et parte communis destructionis patrie et spoliacionis fidelium Regis ac eciam de arte et parte interfectionis Andree Scot apud le Foulewod Quamquidem primam calumpniam denegauerunt et interfectionem dicti Andree Scot fatebantur dicendo quod ipsum Andream legitime interfecerunt vnde positi fuerunt ad assisam proborum et fidedignorum patrie per quam compertum fuit et declaratum quod dicti Walterus et Cristinus quondam Andream Scot legitime interfecerunt quia fugitivus erat a lege et ad cornu Regis et de omnibus alijs calumpnijs accusacionibus et actionibus antedictis quieti fuerant et immunes Et hoc omnibus quorum interest tenore presentis innotescimus Datum sub sigillo nostro apud Abirden die et anno prenotatis .

Obligatio Archibaldi comitis de Duglas Vilhelmo Fraser de Philorth. ²—
(A.D. 1410.)

Pateat vniuersis nos Archibaldum comitem de Duglas dominum Galo-

¹ [From the original in the charter room at Philorth.]

² [From the original in the charter room at Philorth.]

On the twenty-fourth day of September, 1423, John, earl of Buchan, Constable of France.

widie et Vallisanandie per tenorem presentium firmiter obligari dilecto consanguineo nostro Vilhelmo Fraser de Philorth militi in centum marcis bone et vsualis monete regni Scotie causa certe conventionis et contractus initi inter me et eundem Vilhelmum Soluendis dictis centum marcis monete jam dicte eidem Vilhelmo et suo certo assignato per hunc modum videlicet viginti marce ad Festum Beati Petri proximum quod dicitur Ad Vincula et residue octogene marce in Festo Omnium Sanctorum proximo inde sequente sine vltiore dilatione ~~seu~~ fraude aliquali Et si contingat nos in solutione dicte summe pecunie in dictis terminis deficere quod absit obligamus nos heredes nostros exequitores et assignatos et omnes terras nostras ceteraque bona nostra mobilia vbicunque locorum fuerint fore namanda capienda et distringenda ad voluntatem dicti Vilhelmi heredum suorum et assignatorum . . . quousque iis tam de dampnis laboribus et expensis quam de debito principali fuerit plenarie satisfactum nullo proponendo obstaculo in contrarium In cuius rei testimonium sigillum nostrum fecimus apponi presentibus apud Edinburgbt anno Domini j^m cccc. x. decimo die mensis Julij .

Solutum est de ista summa predicto Vilhelmo apud Lochmaben *ane and threttie pundis* Solutum eidem Vilhelmo de eadem summa *ane and twenty pundis* .

Transumptum carte Regis Roberti III. ¹—(A.D. 1405 et 1425.)

Transumptum de registro Regis Roberti Tertii . ROBERTUS Dei gratia

chamberlain of Scotland, and lord of the barony of Kynedwart, granted the lands of the lordship of Philorth, namely, Philorth, Kyrkton, Carnebulg, Invernoth, Ardglassy, Ardmakorn, Kynbulg, Kynglasser, mill of Philorth, Carnywhyng, Little Breck, Breckmore, mill of Bask, in the barony of Kinedwart, to William Fraser of Philorth and his heirs male, whom failing, to William Forbes of Kynnaldy and Agnes his wife, the daughter of the said William Fraser, and the heirs of their bodies, whom failing, to the heirs whomsoever of the said William Fraser. On the sixth day of November following, the same Earl granted to the same William Forbes of Kynnaldy and his wife, and to the heirs of the said William's body, whom failing, to Sir Alexander Forbes, knight, the lands of Carnywhyng, Brekor Vor, and Little Brekor, resigned in their favour by William Fraser of Phylorth.—(Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)

¹ [Abridged from the original in the charter room at Philorth.]

Rex Scotorum Omnibus probis hominibus totius terre sue clericeis et laicis salutem Sciatis nos approbasse ratificasse et hac presenti carta nostra confirmasse donationes concessiones conditiones et paeta que et quas fecit et concessit quondam Valterus Leslie miles dominus de Ros dilecto et fidei nostro Alexandro Fraser militi de certis terris cum pertinentiis et annuis redditibus jacentibus infra comitatus de Ross et Bucquhannic ac dominium Galuidie Tenendis et habendis dicto Alexandro et heredibus suis in feodo et hereditate . . . Saluo nobis et heredibus nostris seruicio nostro inde debito et consueto In cuius rei testimonium presenti carte nostre confirmacionis nostrum precepimus apponi sigillum Testibus reuereudo in Christo patre Gilberto episcopo Aberdonensi cancellario nostro Willelmo de Cunynghaim de Kilmauris David Fleming de Biggar Johanne de Ros de Haukheid militibus Joanne Senescalli fratre nostro naturali clerico probacionis domus nostre Johanne de Crawford custode sigilli nostri secreti secretario nostro in remotis agente . . . apud Dundonald vicesimo octauo die mensis Octobris anno Domini millesimo quadringentesimo quinto et regni nostri anno sexto decimo . DATUM sub testimonio sigilli excellentissimi principis Jacobi Dei gratia Regis Scotorum illustrissimi ad instantiam Vilhelmi Fraser de Philorth vicesimo quarto die mensis Mareii anno Domini millesimo quadringentesimo vicesimo quarto et regni sui decimo nono .

Transumptum carte Alexandro Fraser militi ejusque sponse.¹—(A.D. 1375 et A.D. 1455.)

In Dei nomine Amen Per hoc presens publicum instrumentum siue transsumptum cunetis pateat euidenter quod anno ab Inearnatione Domini millesimo quadringentesimo quinquagesimo quinto mensis vero Aprilis die decimo octauo . . . in mei notarii publici ac testium subscriptorum presentia personaliter constitutus honorabilis et prouidus vir Alexander Fraser dominus de Philorth cum notario infrascripto quandam cartam magno sigillo nobilis et potentis Domini Valteri de Leslie domini de Ross sano et integro sigillatam non rasam non abolitam . . . sed

¹ [Abridged from the original in the charter room at Philorth.]

prorsus omni vitio et suspicione carentem vt prima facie apparebat . . .
 tradidit perlegendam . . . in modum sequentem OMNIBUS hanc cartam
 visuris vel audituris Valterus de Leslie miles dominus de Ross salutem in
 Domino sempiternam Noueritis nos delisse concessisse et hac presenti
 carta mea confirmasse dilectis fratri et sorori nostris Domino Alexandro
 Fraser militi et Johanne sponse sue et eorum alteri diutius viuenti heredi-
 busque inter ipsos legitime procreatis seu procreandis omnes et singulas
 terras de Phillorth videlicet terras de Kirktoon Cairnbuilg Inuerolochy
 Ardglassy Kinglasse cum molendino Kinbog Ardmakren cum molendino
 duos Brakours Auchintuin Auchmacludy Braklawmoir terras de maiore
 Drumquhendill et minore Drumquhendill Auchinchogill Plady Loncardy
 et Delgady cum le Querell terras de maiore Fyntrie Balchern et Blak-
 toune cum iustis pertinentiis jacentes infra vicecomitatum de Aberlein
 terras de Ferdonald in Ross cum octodecim libris sterlingorum infra
 vicecomitatum de Inuernes et terras baronie de Kregiltoun cum pertinen-
 tiis et quadraginta libras tenendriarum jacentium in partibus de Galuidia
 Reservato nobis loco Castris de Kregiltoun cum residuo tenendriarum
 dictarum partium Tenendas . . . predictas terras cum pertinentiis pre-
 fato Alexandro et Johanne sponse sue et alteri eorum diutius viuenti
 heredibusque inter ipsos legitime procreatis seu procreandis pro recom-
 pensatione et satisfactione predictarum terrarum suarum de Ross cum
 pertinentiis de supremo domino nostro Rege ita libere sicut nos prefatus
 Valterus et Eufamia sponsa nostra totas terras cum pertinentiis tenemus
 siue tenuimus aliquibus temporibus retroactis . . . Faciendo inde pre-
 dictus Alexander et Johanna sponsa sua et heredes eorum supremo
 domino nostro Regi pro dictis terris seruicium debitum et consuetum
 . . . In cuius rei testimonium sigillum meum presentibus est appensum
 apud Aberdeen quarto die mensis Junij anno Domini millesimo tricen-
 tesimo septuagesimo quinto Testibus Vellemo comite de Douglas
 Georgio de Dunbar comite Marchie Archibaldo de Douglas Roberto
 Erskin Willelmo de Dyssyngtoun militibus et Thoma de Rate cum
 multis aliis POST cuiusquidem carte traductionem et eiusdem diligentem
 inspectionem dictus Alexander a me notario publico infrascripto sibi fieri
 petiit presens publicum instrumentum Acta erant hec apud Aberdeen
 . . . presentibus prouidis et discretis viris Joanne Fraser de New Forrest
 Johanne Futhes de Rothehyrsbane Andrea Menzes Johanne Vocat bur-

gensibus de Aberdein et Alexandro Donaldsone cum multis et diuersis aliis testibus . . .

Et ego Joannes Duffous presbiter Morauiensis diocesis publicus Imperiali autoritate notarius [*etc. in forma communi.*]

Rex tradit terras de Philorth Aberdour Tipparty et Utlaw Alexandro Fraser.¹—(A.D. 1456.)

In Dei nomine Amen Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno ab incarnatione Domini millesimo quadringentesimo quinquagesimo quinto . . . ac mense Februarii die tertia . . . in mei notarii publici et testium infrascriptorum presentia personaliter constitutus honorabilis vir Alexander Fraser de Philorth . . . accessit ad presentiam excellentissimi principis et domini nostri metuendissimi Domini Jacobi Regis Scotorum illustrissimi et ibidem flexis genibus omnes et singulas terras suas de Philorth cum pertinentiis et terras suas de Aberdour cum pertinentiis jacentes infra vicecomitatum de Aberdein necnon terras suas de Tipparty et Wtlaw cum pertinentiis jacentes in baronia de Strathalva infra vicecomitatum de Baumf in manus prefati excellentissimi Principis tanquam domini superioris dictarum terrarum . . . simpliciter resignauit Qua resignatione . . . facta prefatus supremus dominus noster Rex omnes et singulas terras suprascriptas cum pertinentiis prefato Alexandro et heredibus suis quibuscunque secundum tenorem carte sibi desuper conficiende hereditarie . . . tradidit . . . Super quibus omnibus et singulis prefatus Alexander Fraser de Philorth a me notario publico infrascripto sibi fieri petiit presens publicum instrumentum Acta erant hec apud Aberdein [in] camera hospitii prefati supremi domini nostri Regis hora quasi duodecima ante meridiem . . . Testibus reverendo in Christo patre ac domino Georgio miseratione diuina episcopo Brechinensi Jacobo de Liuingstowne magno camerario Scotie Thoma domino Arskein Patricio domino Glames Patricio Cokburn Jacobo Ledal [de] Crechiltoune militibus . . .

¹ [Abridged from the original in the charter room at Philorth.]

Preceptum sasine in favorem Alexandri Fraser de Philorth militis.¹—
(A.D. 1464.)

Hugo Fraser dominus de Lowet Herberto Fraser baliuo meo irrenocabili in hac parte constituto salutem Quia dedi . . . honorabili viro et consanguineo meo Alexandro Fraser de Philorth militi omnes et singulas terras meas domini de Lowet et de Kinell jacentes infra vicecomitatus de Inuernes et Forfer et heredibus suis masculis de corpore suo legitime procreatis prout in carta talie desuper confecta plenius continetur Quare vobis precipio . . . quatenus . . . prefato Alexandro Fraser aut suo certo procuratori . . . sasinam . . . dictarum terrarum mearum de Lowet et Kynell cum vniuersis pertinentiis suis tradatis . . . secundum . . . tenorem carte talie communis desuper confecte Saluo jure cuiuslibet . . . Datum sub sigillo [meo] apud Aberdein vicesimo quarto die mensis Augusti anno Domini millesimo quadringentesimo sexagesimo quarto .

Inquisitio Alexandri Fraser de Philorth.¹—(A.D. 1482.)

Inquisitio facta apud burgum de Aberdein coram Alexandro Irwyne de Drum deputato vicecomitis de Aberdein octauo die mensis Maii anno Domini j^m ecce, lxxxii. . per personas subscriptas videlicet Gilbertum Skein de eodem Villelmm Wdny de eodem Joannem Turring de Fowern Andream Fraser de Steanewol Gilbertum Waus de Mani Georgium Forbes de Auchintoull Patricium Reid de Colistowne Villelmm Chavmer de Balnaeraig Joannem Cowtis de Veltercowll Alexandrum Reid Wilhelmm Wdny [iuniorem] Joannem Cowtis iuniorem et Alexandrum Liell Qui jurati dicunt quod quondam Alexander Fraser de Philorth miles pater Alexandri Fraser latoris presentium obiit vltimo . . . sasitus vt de feodo ad pacem et fidem domini nostri Regis de baronia de Philorth cum pertinentiis jacente infra vicecomitatum de Aberdein et de duodecim marcis de terris de Tallarty et si terre de Tallarty non extendant ad valorem duodecim marcarum hoc quod deficiet recipietur et supplebitur

¹ [Abridged from the original in the charter room at Philorth.]

de terris de Tibirtaw jacentibus in baronia de Slanis infra dictum vicecomitatum secundum tenorem carte inde confecte Et quod dictus Alexander lator presentium est legitimus et propinquior heres eiusdem quondam Alexandri patris sui de dicta baronia de Philorth et duodecim marcis terrarum dictarum de Tallarty et Tiburtaw cum pertinentiis Et quod est legitime etatis Et quod dicta baronia de Philorth cum pertinentiis exceptis terris de Tibardy et Vtelaw non annexis dicte baronie de Philorth per supremum dominum nostrum Regem valet nunc annuatim centum marcas et valet triginta libras tempore pacis Et de valore xii. mercarum terrarum predictarum clare patet Et quod dicta baronia de Philorth cum pertinentiis tenetur in capite de domino nostro Rege per seruitium warde releuii et trium sectarum Et quod dicte duodecim marce terrarum predictarum tenentur in capite de domino Comite de Erroll per seruitium albe firme reddendo inde annuatim denarium vsualis monete Scotie ad Festum Pentecostis nomine albe firme si petatur Et quod dicta baronia de Philorth exceptis terris de Tibardy et Vtlaw prius exceptis nunc existit in manibus domini nostri Regis Et quod duodecim marce terrarum prefatarum nunc sunt in manibus domini Comitis de Erroll legitime per se ipsos causa mortis et a tempore dicti quondam Alexandri Fraser per spatium vnus mensis vel eocirca in defectu veri heredis jus suum minime prosequentis Et quod dicte terre de Tibardy et Vtlaw cum pertinentiis nunc jacent in dicta baronia de Philorth per annexationem factam vigore literarum regiarum existentium in manibus Mariorie Mengzeis sponse quondam dicti Alexandri Fraser de Philorth militis ac matris prefati Alexandri Fraser latoris presentium ratione sue juncte infeodationis Datum sub sigillo officii dicti vicecomitis deputati et sigillis quorundam qui huic inquisitioni intererant faciende anno die mense et loco supradictis .

Inquisitio de administratione bonorum Alexandri Fraser de Philorth.¹—
(A.D. 1491.)

Inquisitio facta apud burgum de Aberdein in curia capitali vicecomitis

¹ [Abridged from the original in the charter room at Philorth.]

de Aberdein tenta in pretorio eiusdem burgi per nobilem virum Alexandrum Gordoun de Midmar militem dicti vicecomitis deputatum quarto die mensis Octobris anno Domini millesimo quadringentesimo nonagesimo primo per subscriptos videlicet Alexandrum Setone de Meldrum Andream Fraser de Stenewod Johannem Fraser Alexandrum Dundas de eodem Vilhelmum Craford de Fedrett Johannem Turring de Fowern Johannem Chein de Streloch Henricum Forbes de Kinellar Valterum Barklay de Towie Alexandrum Jhonstown de eodem Henricum Annand de Ochterellon Thomam Gordoun de Kennerty Alexandrum Mengzeis de Badfoddellis Johannem Cullen Vilhelmum Aberdowr Alexandrum Mowet de Loseragie et Laurentium Cowtis Qui jurati dicunt quod Alexander Fraser filius et heres quondam Alexandri Fraser de Philorth est incompos mentis fatuus et naturaliter idiota et quod timetur de alienatione tam terrarum suarum quam aliarum rerum mobilium et immobilium et quod sustinuit dictam fatuitatem per tempus quinque annorum preteritorum Et quod Vilhelmus Fraser frater germanus dicti Alexandri est propinquier et proximior consanguineus predicti Alexandri patris sui et idem Vilhelmus est sue rei providus et potens cauere idone de administratione rei aliene Et quod est etatis decem et septem annorum Et huic inquisitioni fideliter et diligenter facte sigillum dicti vicecomitis deputati et sigilla quorundam qui huic inquisitioni intererant faciende sunt appensa anno die mense et loco supradictis .

Presens inquisitio extracta fuit de Libro Curiarum Vicecomitis de Aberdein per me Magistrum Joannem Bydnach notarium publicum clericumque et scribam pro tempore dicte curie teste subscriptione manus proprie sub meo signo manuali .

Rex constituit curatores Alexandri Fraser de Philorth ¹ —(A.D. 1496.)

Jacobus Dei gratia Rex Scotorum Omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Noveritis quia alias constitutus dilectum armigerum nostrum Valterum Ogiluy de Boyn curatorem

¹ [Abridged from the original in the charter room at Philorth.]

Alexandri Fraser filii et heredis quondam Alexandri Fraser de Philorth ac administratorem suarum terrarum annuorum reddituum possessionum et honorum quorumcunque qui prius per inquisitionem de mandato nostro per vicecomitem nostrum de Aberdein factam et ad capellam nostram returnatam compertus fuit incompos mentis fatuus et naturaliter idiota Et nunc vero dictus Valterus nobis exposuit quod officium curatoris dicti Alexandri commode exercere non potest nisi qui prius Alexandri fratres et alii famosi ad sui suportationem in eodem sibi adiungantur et vt hi sibi adiuncti valeant se de huiusmodi officio exoneravit et idem in manibus nostris deposuit et omnino dimisit Nos enim considerantes expositionem et petitionem dicti Valteri rationi consonantes et dicto Alexandro cuius curatorie officium nunc in manibus nostris vt premititur existit oportunas fore reputantes et quod nobis ex nostro officio regali incumbit talibus succurrere et de remedio opportuno providere fecimus igitur . . . predictum Valterum Ogiluy necnon Vilhelmum Fraser Georgium Fraser fratres dicti Alexandri et Joannem Fraser de Ardglassie coniunctim et diuisim curatores eiusdem Alexandri Fraser filii et heredis quondam Alexandri Fraser de Philorth ac administratores omnium et singularum terrarum reddituum possessionum ac honorum omnium mobilium et immobilium quorumcunque eidem Alexandro pertinentium seu pertinere valentium semper et quousque summus Deus de ipsius conualescentia aut morte disponat cum potestate personam suam regendi ac terras redditus possessiones et bona mobilia et immobilia sibi pertinentia gubernandi licetque terras redditus et possessiones occupandi et assedandi firmasque grassumas et denoria earundem leuandi ac tanquam attornati et procuratores dicti Alexandri ubi interest coniunctim et diuisim comparandi et respondendi necnon suas actiones causas et querelas prosequendi defendendi et omnia alia et singula faciendi gerendi et exercendi que ad officium curatorum de jure seu consuetudine dinoscuntur pertinere Prouiso tamen quod dicti curatores faciant et perimplent dicto Alexandro omnia et singula suis honori et commodo pertinentia et que de jure seu consuetudine facere et perimplere tenentur Quare vniuersis et singulis quorum interest vel interesse poterit stricte precipimus . . . quatenus predictis curatoribus coniunctim et diuisim in omnibus et singulis premissa tangentibus prompte respondeant et pareant sub omni pena que competere poterit in hac parte Datum sub testi-

monio magni sigilli nostri apud Edinburght vicesimo nono die mensis Junii anno Domini millesimo quadingentesimo nonagesimo sexto et regni nostri nono .

Inquisitio Willelmi Fraser.¹ —(A.D. 1501.)

Inquisitio facta apud burgum de Aberdein decimo die mensis Decembris anno Domini millesimo quingentesimo primo in curia vicecomitatus de Aberdein tenta in pretorio eiusdem per honorabilem virum Alexandrum Bennerman de Wattertoone vicecomitem deputatum de Aberdein per subscriptos videlicet Alexandrum Innes de eodem Alexandrum Iruing de Drum Walterum Ogiluy de Boyn Joannem Chein de Eslnont Valterum Barklay de Towie Vilhelmum Craturd de Fedrett Andream Tilledaff de eodem Patricium Barklay de Gartlay Andream Fraser de Stoniwod Joannem Panttown de Petmethan Joannem Mowet de Loscragie Malcolmm Forbes de Tochon Alexandrum Jhonstowne de eodem Alexandrum Skeine de eodem An ream Crag de Crageffinray Joannem Dilgarno de Gardinfinray et Joannem Dumbrek de eodem Qui jurati dicunt quod quondam Alexander Fraser de Philorth frater Vilhelmi Fraser latoris presentium obiit ultimo . . . sasitus ut de feodo ad pacem et fidem domini nostri Regis de terris baronie de Philorth cum suis annexis et vuitis cum tenentibus et tenendiis libere tenentium servitiis cum suis pertinentiis jacentibus infra dictum vicecomitatum Et quod dictus Vilhelmus est legitimus et propinquior heres dicti quondam Alexandri fratris sui de dictis terris cum pertinentiis Et quod est legitime etatis Et quod dicte terre baronie de Philorth . . . valent nunc per annum centum et octoginta libras et valuerunt tempore pacis octoginta libras Et quod tenentur in capite de supremo domino nostro Rege per servitium varde et relenii faciendo annuatim tres sectas ad tria placita capitalia vicecomitatus de Aberdein Et nunc existunt in manibus domini nostri Regis ob decessum dicti quondam Alexandri per spatium vnius anni et dimedii anni aut eocirca in defectu veri heredis jus suum hucusque nimine prosequentis Datum et clausum sub sigillo officii dicti vicecomitis deputati et sigillis

¹ [Abridged from the original in the charter room at Philorth.]

quorundam qui huic inquisitioni intererant faciende anno die et mense prenotatis .

Dominus de Phillortht et Ogiluy. ¹ —(A.D. 1512.)

Xv. die mensis Mareii anno Domini millesimo quingentesimo xi^o . . . in mei notarii publici et testium infrascriptorum presentia personaliter constitutus nobilis puer Walterus Ogiluy nepos et heres quondam Walteri Ogiluy de Boyne militis cum consensu . . . Willelmi Ogiluy de Strathern militis sui tutoris per suum cirographum manuum ibidem . . . perlectum resignavit in manibus Willelmi Fraser de Phillortht militis totas et integras terras suas de Fetyhede cum suis pertinentiis jacentes in baronia sua de Phillortht infra vicecomitatum de Abirdene domini superioris earundem . . . simpliciter resignavit . . . secundum tenorem reversionis desuper confecte . . . ita ut liceat dicto domino superiori easdem in manibus suis imperpetuum retinere aut de eisdem pro sue libito voluntatis disponere Super quibus idem Dominus de Phillortht petiit instrumentum Acta erant hec in ecclesia Fratrum Minorum hora quasi quinta post meridiem Testibus Alexandro Iruyn de Drum milite Thoma Fraser de Stanewod Willelmo Urre de Petfeche Alexandro Iruyn filio dicti militis Archebaldo Fraser Willelmo Craford et Willelmo Scott .

Instrumentum sasine in favorem Alexandri Fraser. ² —(A.D. 1516)

In Dei nomine Amen per hoc presens publicum instrumentum ennetis pateat . . . quod anno incarnationis Domini millesimo quingentesimo decimo sexto mensis vero Maii die sexto . . . in mei notarii publici et testium subscriptorum presentiis personaliter constituit honorabilis vir Alexander Fraser filius et heres quondam Vilhelmi Fraser de Philortht militis quoddam preceptum saisine papiro scriptum nobilis et potentis domini Comitis de Erroll ac vicecomitis de Aberdein sigillo sui officii

¹ [Abridged from the Notary's Protocol, entitled "Register of Sasines for the Burgh of Aberdeen, vol. iii.," MS. in archivis ejusdem.]

² [Abridged from the original in the charter room at Philorth.]

sigillatum Thome Bissat maro feoli vicecomitatus de Abirdein presentavit quodquidem dictus Thomas marus . . . mihi notario publico legi tradidit Cuius precepti tenor sequitur sub hac forma WILLEAM earll of Erroll lord Hay and shireff of Abirdein to Thomas Bissat mair of fie of the said shirefhome greating Forsamekill as thair is ane precept derectit till ws fra our sowerane lords the Kingis chappell commandand ws or our deputis to gif stait and possessione to Alexander Fraser or till his atturna of the barronie of Philorth vith annexis and vneitis tenandis and tenandris with serweic of frie haldairs with thair pertinentis saffand vderis menis richtis takand security for four hundereth and fiftie pundis vsuall money of the realm for the mailles of the forsaid landis with thair pertinentis quhilks was in the Kingis handis the spaic of twa yeiris and ane term last bypast and of ane hundereth and four scoir pundis aucht to the King for the ward and the releif of the samen . . . the quhilk to do we committ to you our full power and speciall command be this precept delyueing the samen again to the beirer dewlie executit and indorsit Giuen under our seall of offeic the xxiii. day of Apryll at Aberdein the yeir of God ane thousand fyve hundereth and saxtein yeiris Quo precepto per me notarium publicum lecto antedictus Thomas marus . . . accessit ad principale massuagium dicte barronie de Phillorth cum suis pertinentiis et apud dictum massuagium prefato Alexandro heredi filio dicti Vilbelmi . . . saisinam . . . dicte baronie . . . tradidit . . . Super quibus omnibus . . . prefatus Alexander . . . sibi fieri petiit . . . publica . . . instrumenta . . . presentibus ibidem discretis et honestis viris Johanne Fraser in Ardglasse Johaune Stewart in Skillimarno Domino Johanne Clark vicario de Rathyn et Magistro Johanne Gordowne vicario de Philorth ac notario publico cum diuersis aliis testibus . . .

Et ego Adamus Duffous presbiter Morauiensis dyocesis publicus
Apostolica et Imperiali autoritate notarius [*etc. in forma communi.*]

De satisfactione pro interfectione Dauid Scott.¹ — (A.D. 1531.)

In Dei nomine Amen . Per hoc presens publicum instrumentum cunctis

¹ [Abridged from the original in the charter room at Philorth.]

pateat euidenter quod anno incarnationis Dominice millesimo quingentesimo tricesimo primo mensis vero Julij die octauo . . . in honorabilis viri Johannis Campbell de Lundy militis deputati nobilis et potentis domini Archibaldi comitis Ergadie domini Campbell et Lorne justiciarii generalis supremi domini nostri Regis pro tribunali seletis in curia itineris justiciarie vicecomitatus de Aberdene tenta in pretorio burgi eiusdem dicto die et dominorum compositorum subscriptorum meique notarii publici et testium subscriptorum presentis personaliter comparuit prouidus vir Alexander Fraser de Phillorth et publice obtulit cuicumque persone vel personis amicis parentibus et parentelis de propinquiori stirpe seu progenie quondam David Scott in satisfactionem et emendam pro interfectione ipsius quondam David summam decem librarum monete Scotie necnon ad sustinendum vnum capellanum missas et alia diuina suffragia pro anima ipsius quondam David per spatium vnus anni celebrare ac etiam peregrinationes et suffragia predicta secundum modificationem Dominorum Consilii pro anima dicti quondam David vt premissum est peragi faciendum Et quia ipse Alexander nullam noticiam de parentibus aut amicis dicti quondam David infra bondas vicecomitatus de Abirdene commorantibus aut alibi vt asseruit habere potuit ad dictam satisfactionem et emendam pro dicta interfectione recipiendam et acceptandam solempniter protestabatur quod quicquid actum factum siue dictum fuerit contra ipsum in dicta materia nullatenus sue remissioni pro ipso crimine sibi concessa praiudicaret . . . et . . . a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum . . . presentibus ibidem venerabili in Christo patre David abbate monasterii de Abirbrothok nobilibusque et potentibus dominis Johanne domino Erskin Johanne domino Forbes discretis et circumspectis clericis Magistro Willelmo Stewart preposito de Linclowden supremi domini nostri Regis thesaurario Domino Jacobo Kincaigy decano Abirdonensi Nicholao Craufurd de Oxingangis clerico justiciarie Magistris Alexandro Strauthauehin Jacobo Fowlis David Anderson et Patricio Duncansoun notario publico testibus . . .

Et ego Johannes Bannatyne clericus Dunblanensis diocesis publicus sacris Apostolica et Imperiali auctoritatibus notarius [*etc. in forma communi.*]

heredis mei Procautionarij deuenerunt Dominus de Arbutnat Gilbertus Mengzeis de [Pitfoddellis] et Thomas Mengzeis heres dictus apparens dicti Gilberti .

Item per Valterum Melwein in Craig viii^{xx} marcas pro victualibus Item per Gilbertum Menzeis vii^{xx} marcas in Item per dictum Gilbertum iij^{xx} angelos quod refero Thome et Magistro Jacobo Menzeis . Item per Lindsay iij. marcas in Item per Dominum de Lauristowne

pro tertia parte de Aurnehall et tertia parte annui redditus de pro tribus annis . Item per Joannem Stratoune pro tertia parte de Butre pro spatio quinque annorum . Item per Jacobum Ogiluy pro tertia parte de Butre pro spatio trium annorum . Item Thome Menzeis et me refero dicto Thome . Item in granis crescentibus in Cairnbuilg Pettowleis et Tarwathie per estimationem et xlvi^{xx} bollas auenarum . Item in hordio ix^{xx} et ix. bollas per estimationem .

Et ego vero dictus Alexander condo meum testamentum in hunc modum . Item do et lego animam meam omnipotenti Deo et eius dulcissime generatrici Marie et corpus meum sepeliendum vbi Deus voluerit . Item do et lego bona michi pertinentia prolibus meis equaliter diuidenda excepta Margareta quia assignaui maritagium Alexandri Cuming sibi . Item constituo Katerinam Menseis Alexandrum Fraser filium meum primogenitum Magistrum Joannem Fraser Magistrum Adam Duffus Georgium Gordoun de Schiues et Magistrum Alexandrum Gallwie rectorem de Kinkell meos exequitores superioris testamenti .

Alex^r Fraser of Philorth .

The Kingis letter of protection of the possessions of Alexander Fraser of Phillorth.¹—(A.D. 1532.)

James be the grace of God King of Scottis to all and sindry our wardenis lieutenantis justices sheriffis stewartis justice clerkis crovnaris and thare deputis and all vthiris our officiaris jugeis and ministeris of our law spirituale and temporale liegis and subditis quham it efferis quhais

¹ [Abridged from the original in the charter room at Philorth.]

knaulege thir our lettres sal cum greting Forsamekile as our louit Alexander Fraser of Phillorth is now with our licence quhilkis we gif and grantis to him to pas in France and vthiris partis beyond sey to do his pilgramage at Sanct Johnne of Amess and vthiris his lefull erandis Tharfor we haue takin and be thir our lettres takis the said Alexander and all and sindry his landis heretages rentis kirkis frutis malis fermes teyndis takkis stedingis graynges store places cornis catale possessionis and gudis movabill and vnmovabill spirituale and temporale quhatsumever quaherever thai be within our realme or outwith vnder our speccale protection . . . Gevin vnder our priue sele at Edinburgh the first day of Februare the yeire of God j^m v^c xxxi. yeris and of our regne the xix. yeire .

Per signaturam manu S. D. N. Regis subscriptam .

Proclamatio huius littere legitime facta fuit apud crucem fori burgi deAbirdene quarto die mensis Septembris anno Domini millesimo quingentesimo trigesimo quinto per Thomam Blair marum deputatum de Abirden in presentia et de mandato honorabilis viri Willelmi Rolland vicecomitis deputati de Abirden . . . coram testibus Thoma Menzeis preposito de Abirden Magistro Andrea Tulidef de Ranistoun Johanne Arthour Valtero Cullan Thoma Blak et Alexandro Kay burgensibus de Abirden cum diuersis alijs . . .

Proclamatio huius littere legitime facta fuit apud crucem fori burgi de Banff nono die mensis Septembris anno Domini millesimo quingentesimo trigesimo quinto per Andream Downe marum deputatum de Banff . . . coram testibus Georgio Baird de Ordinhuffis Villelmo Baird Roberto Crag cum diuersis alijs . . .

Gift to Alexander Fraser of Phillorth of the escheat of his goods. ¹ — (A.D. 1556.)

Marie be the grace of God Quene of Scottis To all and sindrie our

[Abridged from the original in the charter room at Philorth.]

liegis . . . greting Witt ye ws to haue gevin and grantit . . . to oure louitt Alexander Fraser of Phillorth his airis and assignais the escheit of all and sindrie guidis movabill eornis cattell dettis takkis stedingis money gold siluer cunyeit and vncunyeit actionis obligationis actis contractis and vthiris quhatsumeuir quhilkis pertenet to the said Alexander and now pertening to ws be ressoun of escheit throu being of the said Alexander and his collegis quhilkis war vpoun the seruing of ane breiv of inquest of oure chapell impetrate be Robert Gordoun as nevoy and air to vmquhile Johnne Gordoun his gudschir decernit be ane decreit of the Lordis of oure Counsale to haue committit wilfull errour in seruing of the said breif and thairfore to be punist in thair personis and guidis conforme to the lawis of oure realme and actis of our parliament for the causis contenit in the said decreit likeas at mair lenth is specifeit in the samyn off the dait at Edinburgh the xvi. daye of December last bipast . . . Attoure we of oure speciale grace and favouris power and authoritie ryall haue remittit . . . to the said Alexander all actionis cryme pane and punisment that may be impute to him for the said wilfull erreure be ony maner of waye in tyme cuning . . . Gevin vndir oure priue seile at Edinburgh the threttene day of Januare the yeir of God j^m v^c fiftie fyve yeiris and of oure regne the fourtent yeir .

Per signaturam manu charissime matris nostre Marie Regine
Dotarie ac Regentis regni nostri subscriptam .

Instrumentum sasine Alexandri Fraser de Philorth.¹—(A.D. 1570.)

In Dei nomine Amen . Per hoc presens publicum instrumentum cunctis pateat . . . quod anno incarnationis Dominice millesimo quingentesimo septuagesimo mensis vero Marcii die vicesimo octauo . . . in mei notarii publici et testium subscriptorum presentis personaliter constitutus honorabilis vir Alexander Fraser de Pettowly pro se et Johannes Fraser in Ardmakran procurator et eo nomine dicti Alexandri Fraser de Pettowlye

¹ [Abridged from the original in the charter room at Philorth.]

respectiue et successiue . . . habentes et tenentes in eorundem respectiue manibus quoddam sasine preceptum vicecomitis principalis de Aberdene sigillo officii eiusdem sigillatum in se continens preceptum cancellarie supremi domini nostri Regis . . . Quodquidem preceptum sasine discreto viro Allano Ruthirfurd vni marorum deputatorum vicecomitatus de Aberdene . . . tradiderunt . . . quod idem marus . . . mihi notario publico subscripto publicandum tradidit quod ego . . . perlegi sub hac verborum forma / GEORG erle of Huntly Lord Gordoune and Badyenocht and schiereff principall of Aberdene to Maister Gilbert Bissat mair of fie of the said scherefdome and to his deutes ane or ma greating For-samekill as our Soveran Lords precept of chancellarie purchassit and obteneit be Alexander Fraser of Pettowly is derectit to ws and our deputis . . . of the quhilk the tenor followis / JACOBUS Dei gratia Rex Scotorum vicecomiti et balliis suis de Aberdene salutem Quia per inquisitionem de mandato nostro per vos factam et ad capellam nostram retornatam compertum est quod quondam Alexander Fraser de Philorth auns Alexandri Fraser de Pettulie latoris presentium obiit vltimo . . . sasitus vt de feodo ad pacem et fidem nostram in totis et integris terris et baronia de Philorth cum pertinentiis fortificio manerie annexis con-nexis tenentibus tenandriis et libere tenentium seruitiis iacentibus infra balliam vestram necnon in totis et integris terris de Faythly et Tyrie totis et integris terris de Skatterty cum pertinentiis totis et integris terris de Tillechero Blairmormont Park de Cremond necnon in solari dimedietate terrarum de Kindrocht et Denend eiusdem cum earundem pendiculis et pertinentiis iacentibus infra balliam vestram predictam in totis et integris piscationibus et piscium esculis vulgo *fisch bait* infra maris fluxum infra bondas omnium et singularum terrarum de Cairabuilg Faythly Pettouly et Couburty cum earundem pertinentiis iacentium infra balliam vestram prescriptam Et quod dictus Alexander Fraser est legitimus et propinquior heres prefati quondam Alexandri aui sui de omnibus et singulis predictis terris fortificio manerie tenentibus tenandriis et libere tenentium seruitiis piscationibus et piscium esculis cum earundem pendiculis et pertinentiis Et quod est legitime etatis Et quod de nobis tenentur in capite Vobis precipimus . . . quatenus prefato Alexandro vel suo certo acturnato . . . sasnam predictarum terrarum cum fortificio manerie tenentibus tenandriis et libere tenentium seruitiis pesca-

tionibus et piscium esculis cum earundem pendiculis et pertinentiis juste haberi faciatis . . . capiendo securitatem de i° lxxx. libris de releuio dietarum terrarum et baronie cum fortificio manerie . . . ac de xii. libris de releuio antedietarum terrarum de Faythly et Tyrie cum pertinentiis neonon de vii. libris x. s. de releuio prefatarum terrarum de Skattartie ac etiam de xx. libris de releuio prescriptarum terrarum de Tullichero Blairmormont Park de Cremond cum pendiculis et pertinentiis et de vi. libris xiii. s. iij. d. de releuio prenominate dimedietatis solaris ville et terrarum de Kindrocht et Denend eiusdem preterea de ii. denariis monete per duplicationem albe firme antedietarum piscationum et piscium esularum infra fluxum maris infra bondas terrarum antedietarum nobis debite . . . teste memetipso apud Edinburght vicesimo tertio die mensis Mareii anno regni nostri tertio We chaing you heirfor straitly and commandis that . . . ye pas and gif the said Alexander Fraser or his lawful actornay . . . heritabill state seising and possessione of all and hail the saidis landis and barronie of Philorth with the pertinentis . . . and als of all and hail the landis of Tyrie and Faythly of all and hail the landis of Skatterty with the pertinentis with all and hail the landis of Tillichero Blairmormont Perk of Cremond and sick lyk of the sonne half of the landis of Kindrocht and Denend of the samen . . . and als of all and hail the fisching and fisch bait within the flowing of the sie within the bowndis of all and hail the landis of Cairnbuilg Faythly Pettouly and Couburty with thair pertinentis all lyand as said is . . . Giffene wnder our seill of offeie at Aberdein the xxvi. day of March the yeir of God ane thowsand fyw hundereth and sewintie yeiris Post cuiusquidem precepti sasine . . . publicationem dietus Alexander pro se et Johannes Fraser procuratorio nomine eiusdem respectiue instanter requisierunt prefatum Allanum Ruthirfurd marum deputatum antedictum quatenus ad debitam et efficacem executionem huius precepti . . . procedere dignaretur Quiquidem marus deputatus . . . sasinam . . . omnium et singularum prefatarum terrarum et baronie de Philorth cum pertinentiis . . . terrarum de Faythly et Tyrie totarum et integrarum terrarum de Tullichero Blairmormont Park de Cremond neonon solaris dimedietatis terrarum de Kindrocht et Denend eiusdem cum earundem pendiculis et pertinentiis totarum et integrarum piscationum cum piscium esculis vulgo *fisch bait* infra maris fluxum infra bondas omnium et sin-

gularum terrarum de Cairnbuilg Faythly Pettowly et Cowburty cum earundem pertinentiis prefatus Alexandro Fraser pro se presenti et acceptanti et Johanni Fraser procuratorio nomine antedicti Alexandri Fraser respectiue et successiue . . . per terre et lapidis traditionem cymbe et rhetis deliberationem tradidit . . . Et in signum hujusmodi possessionis sic tradite prefatus Allanus Ruthirfurd marus deputatus antedictus certos boues arabiles appreciatos per fide dignos ac certas pecunie summas elegit et acceptauit Super quibus omnibus . . . prefatus Alexander pro se et Johannes Fraser procuratorio nomine eiusdem quo supra respectiue et successiue a me notario publico subscripto sibi fieri petierunt instrumentum seu instrumenta . . . presentibus ibidem honorabilibus et discretis viris Vilelmo Cuming de Inueroloquhy Johanne Fraser de Newforrest Magistro Paulo Fraser cantore de Brechin Alexandro Chalmer de Kirktoone de Tyrie Alexandro Cuming fratre germano Vilhelmi Cuming de Inueroloquhy Andrea Fraser fratre germano dicti Alexandri Fraser Gilberto Fraser Vilhelmo Fraser Roberto Fraser Alexandro Man Johanne Robertstone servitoribus dicti Alexandri Fraser de Pettonlie Dauide Gunnar Roberto Ogstoune in Faythly Dauide Yett in Kindrocht et Thoma Reid ibidem cum diuersis aliis testibus . . .

Et ego vero Vilhelmus Bruic clericus Abirdonensis diocesis . . . notarius publicus [*etc. in forma communi.*]

THE PARISH OF PITSLIGO.¹

Confirmatio Regis Alexandro Forbes de Petslego.²—(A.D. 1476.)

Apud Edinburghē . x. Octobris . j^m. ecce. lxxvi. . Rex confirmauit

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 435-442, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 376-383.]

² [From the Abbreviatio Registri Magni Sigilli, lib. vii., no. 379, MS. Gen. Reg. House, Edin. On the fourteenth day of January, 1409, William Fraser, lord of Petowly, granted a precept to his kinsman, Thomas Brisbane of Bar, to infest Sir William Lang, canon of Aberdeen, in

dilecto suo Alexandro Forbes de Petslego militi et heredibus suis terras baronie de Petslego unacum domo sive turre earundem et terras baronie de Kynnaldii infra vicecomitatum de Abirdene quas idem Alexander per-

an annual rent of forty shillings out of the lands of Petowly.—(Original in the charter room at Castle Forbes.)

On the eighteenth day of June, 1455, a charter under the great seal of the lands of Petslegow in the earldom of Buehane, and of the lands of Mykilwardris in the regality of Garviach, united into the barony of Petslegow, was granted to Alexander Forbes of Kynnaldi, on the resignation of himself and Agnes Fresale his mother, but reserving her liferent of the lands. On the twenty-ninth day of April, 1477, Alexander Forbes was served heir to Alexander Forbes of Kynnaldi and Petslego, knight, his grandfather, (who died in the month of March, 1477), in the barony of Petsligo, with the house or tower, then valued at one hundred merks, and forty pounds in time of peace, and held of the King in blench farm. On the ninth day of November, 1496, John Forbes of Petslego was infest upon a royal precept in his favour, as heir to his father, Alexander Forbes of Petslego, in the lands and barony of Petslego, and in the lands of Lathintie, although the donator to the ward, on the third of the same month, complained in a summons against the sheriff and persons of inquest, that the heir was only nine years of age, that they had retoured the lands of Petslego as held in blench farm, and as worth £86 13s. 4d. yearly, while they were held by service of ward and relief, and were worth £100 a year. On the sixteenth day of August, 1524, Esobell Wemyss, lady of Petslego, leased to "her lovit carnale sone," John Forbes of Petslego, for forty pounds yearly, payable to her at Hysart in Fife, her terce of the lands of Petslego, Kynnawdie, and Stroglass. On the twenty-second day of March, 1563, William Forbes of Melgon was infest as heir to Alexander Forbes of Petslego, his father, in the lands and barony of Petslego, the half lands of Dawacht, with the superiority of Grode in the barony of Kynawdy, and the lands of Cowburtibeg; and the same William Forbes, on the twenty-eighth day of March of the same year, granted precept to infest Alexander Forbes of Auchanaseis in the lands and barony of Petslego, the lands of Meikle Wardres with the grain and fuller's mills, and the lands of Lathlath with the mill, sold to him and his heirs male bearing the name and arms of Forbes, by his brother, under the reservation of his liferent and the terce of Katherine Gordonn his wife. On the twenty-third day of January, 1579, a royal charter was granted to Alexander Forbes of Petslego of the lands of Petslego with the annexed lands of Mekill Wardress, the lands of Melgone, Boig of Dawach Menach, with the half of Dawach Menauch in the barony of Kynawdy, the shady half of Knocksoule and Kynawdy, the half of the half of Dawach, and the superiority of Grodeis etc. On the twenty-sixth day of June, 1600, John Forbes of Petsligo resigned in the King's hands, for new infetment in his own favour, the lands and baronies of Petslego and Kynnaldy, with the tower, fortalice, ports, fishings, and patronage of the church of Aberdour. On the twelfth day of November, 1618, a charter under the great seal of the lands and barony of Petsligo with the annexed lands of Cowburtibeg, and the patronage of the churches of Aberdour, and of Logy on Ethensyde, was granted to John Forbes of Petsligo and his heirs male, whom failing, to Robert Forbes of Rires and his heirs male, whom failing, to James Forbes, brother of the said Robert, and his heirs male, and their assignees whomsoever. On the twenty-fourth day of December, 1629, Alexander Forbes of Petsligo resigned the lands of the barony of Aberdour in favour of himself and his heirs male. On the twenty-seventh day of April, 1637, Alexander, lord Forbes of Pitsligo was served heir male of Alexander, lord Forbes of Pitsligo, his father, in the above lands and barony, etc.—(Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)

sonaliter resignavit . Et insuper pro singularibus favoribus quos gessit Rex erga ipsum Alexandrum in excambium mutavit detenciones dictarum terrarum et baroniarum videlicet reddendo Regi pro dictis terris baronie de Petslego et turre predicta quas prius tenuit de Rege in warda et relevio unum denarium argenti apud dietam turrin in Festo Penthecostes nomine albe firme et pro dictis terris baronie de Kynnaldy quas tenuit in alba firma pro uno denario argenti wardam et relevium ejusdem baronie cum contigerint . Testibus Johanne episcopo Glasguensi Willelmo episcopo Orhadensi Andrea domino Avandale Colino comite de Ergile David comite de Craufurde Jacobo domino Hammiltoune et Magistro Alexandro Inglis cancellario Aberdonensi clerico rotulorum et registri .

Concessio Regis Johanni Forbes de Petslego. ¹—(A.D. 1507.)

Apud Edinburghe . i. Martii . j^m. vi. . Rex concessit dilecto suo Johanni Forbes de Petslego et heredibus suis terciam partem terrarum de Pettalloquhy et Litill Brekhache infra vicecomitatum de Abirdene que dicto Johanni pertinerunt et de Rege per servicium warde etc. tente in manibus Regis ob alienacionem earundem absque consensu ejus recognite fuerunt etc. . Reddendo annuatim Regi tres sectas ad tria placita capitalia curie vicecomitatus de Abirdene necnon wardam etc. cum contigerint .

Procuracionis instrumentum pro recuperatione bonorum in nave dicta *lic* Edward Bonaventure repertorum. ²—(A.D. 1556.)

In Dei nomine Amen . Presentis publici instrumenti serie cunctis innotescat et palam fiet qualiter die mense anno et loco in calce presentis publici instrumenti specificè descriptis Constituti personaliter preximii viri Georgius Barnes et Andreas Judde milites et Anthonius Huse armiger consules collegii sive societatis Mercatorum Anglie [versus] partes Russie et Moscovie ditionis illustrissimi et potentissimi principis

¹ [From the Abbreviatio Registri Magni Sigilli, lib. xiv., no. 395, MS. Gen. Reg. House, Edin.]

² [From the General Register House, Edinburgh. See Collections for a History of the Shires of Aberdeen and Banff, p. 440.]

Johannis Vesselevyche Dei gratia Imperatoris totius Russie ac Magni Ducis Valledermuskie Muskoskie Novigrotskie Bazouskie Plaskeskie etc. negotiandi gratia traphicantium dominorum et proprietariorum cujusdam navis onerarie diete *ly* Eduerd Bonaventure oneris sive portagii centum et sexaginta doliorum ac rerum mercium et bonorum in eadem nave nuper in partibus Moscovie et Russie ditionis ejusdem augustissimi Imperatoris oneratorum ac apparatus munitionum victualium et aliorum ornamentorum et instrumentorum nauticorum quorumcunque ejusdem in ora Scotie juxta seu prope sinum seu littus maris Scotici dictum Buchan Ness vi tempestatum jactitate quassate et rupte tam nominibus suis propriis quam vice loco et nomine omnium et singulorum aliorum ejusdem societatis sociorum fratrum et collegarum dixerunt allegarunt et proposuerunt: Quod cum dieta eorum navis mense Novembris ultimo sub ductu et regimine Joannis Bukeland magistri sub Deo sive exercitatoris ejusdem existens in itinere suo versus civitatem Londonensem partium regni Anglie portum videlicet destinatum vi tempestatum (ut premittitur) ita perierit et occubuerit ut magna pars apparatus rerum mercium et bonorum in ea (ut preinscribitur) onustorum et caricatorum in mare natans pars vero ad terram dejeeta ad manus quorundam inhabitantium fines et oras de Buehquhan Ness predictas et alia loca maritima adjacentia Serenissime Regine Scotie subditorum pervenerit et ab eisdem (ut ipsi exponentes asseruerunt) injuste occupata et detenta existit: Ideo exponentes memorati nominibus quibus supra . . . fecerunt . . . dilectos sibi in Christo eximium virum Dominum Laurentium Iluse legum doctorem Georgium Gylpyn generosum societatis Mercatorum Anglorum infra oppidum Antverpie residentium secretarium Johannem Lewes mercatorem civitatis Londonensis Johannem Bukeland magistrum sive exercitorem navis predictae Edmundum Roberts et Robertum Best . . . suos veros legitimos ac indubitatos procuratores actores factores negotiorumque suorum infrascriptorum gestores et nuncios generales et generalissimos . . . ad recuperandum quascunque res merces mercimonia bona mercandizas et alia quecunque jura . . . societatis predictae in quorumcunque manibus possessione retentione aut contractatione existentia et precipue in manibus quorumcunque subditorum Serenissime Regine Scotie qui bona res merces mercimonia et cetera jura . . . societatis predictae nuper in dicta nave nuncupata *lie* Edwerd Bonaventure onerata ac sic (ut premittitur)

natantia reperta vel ad terram dejecta receperunt et subtraxerunt ac penes se injuste detinuerunt et detinent in presenti . . . coram Serenissima Domina Regina Scotie ejusque a consiliis dominis illustribus ac coram quibuscunque admirallis regni Scotie officialibusque consulibus magistratibus et jus dicentibus tam ecclesiasticis quam secularibus quibuscunque comparendum . . . ac bonorum rerum et mercium ac ceterorum jurium . . . societatis predictae detentores et occupatores ad debitam satisfactionem et solutionem ac restitutionem eorundem juxta juris exigenciam cogendum et compellendum . . . Unde . . . factum est presens procuracionis instrumentum per me Thomam Atkinson notarium publicum signoque nomine cognomine et subscriptione meis solitis et consuetis unacum appensione sigilli communis societatis predictae roboratum . Actum Londini in edibus solite residentie Galtridi Walkeden sitis infra parochiam Sancti Pancrasii civitatis Londonensis decimo die mensis Decembris anno Domini millesimo quingentesimo quinquagesimo sexto et annis regnorum Serenissimorum in Christo principum Philippi et Marie Dei gratia Anglie Hispaniarum Francie utriusque Cielie Jerusalem et Hibernie Regis et Regine fidei defensorum Archiducum Austrie Burgundie Mediolane et Brabancie Comitum Haspurgi Flandrie et Tirolis tertio et quarto : Presentibus tunc ibidem eximio viro Rogero Martine aldermanno civitatis Londonensis Joanne Marshe armigero Leonello Duckette Joanne Ryvers Thoma Bannestar Francisco Robensoune mercatoribus civitatis Londonensis predictae necnon Thoma Nicoles et Richardo Whellar testibus . . . vocatis et specialiter requisitis .

Sequitur subscriptio notarii .

Et quia ego Thomas Atkynsoun civis civitatis Londonensis publicus Sacra Regia auctoritate notarius [*etc. in forma communi.*]

Litera procuracionis per Owscheip Gregorybeche Nepera facta. ¹—(A.D. 1557.)

Universis pateat per presentes me Owscheip Gregorybeche Nepera ora-

¹ [From the General Register House, Edinburgh.]

tozem illustrissimi et potentissimi principis Johannis Vesselbeche Dei gratia Imperatoris totius Russie ac Magni Ducis Volledarmuskie Muskoskie Novigrotskie Bazouskie Plaskeskie etc. fecisse . . . Johannem Lewesche Edmundum Roberts et Johannem Bukland Anglos mihi dilectos . . . meos legitimos procuratores generales et speciales : Concedendo et committendo eisdem . . . meam plenam . . . potestatem illas meas fortunas res merces corporis ornamenta et reliqua que amisi bona quecunque prope Buequhanness maritimum Scotie sexto mensis Novembris ultimo elapsi (tempore scilicet quo navis illa Anglicana dicta Edward Bonaventure qua ego mee fortune merces et bona vehebamur naufragium passa est) perscrutandi recuperandi et recipiendi . . . In quorum . . . testimonium has presentes meas mandati et procuracionis literas manu mea propria signatas per notarium et tabellionem publicum ad majorem facti certitudinem subscribi curavi : Apud Edinburgum quinto Februarii anno a nato Christo millesimo quingentesimo quinquagesimo sexto : Coram Willelmo Maitland de Lethingtoun secreti consilii scriba Laurentio Huseo doctore legum Georgeo Gylpyn Henrico Ray Berwik nuncio Anglis Joanne Gibsoun aurifabro Scoto Hectore Troop Joanne Brown et Jacobo Nicholoun Scotis notariis et tabellionibus publicis cum multis aliis .

Sic subscribitur .

Et ego Jacobus Nicholoun notarius et tabellio publicus dictum Owscheip has presentes literas vidi scribere et ultra audivi eum pronunciantem nonnulla verba sua lingua vernacula que Robertus Best in hunc modum Anglice vertebat Ego Owscheip constituo prefatos meos procuratores ad formam harum literarum superscriptarum . Acta in hospicio Richardi Troop hora nona ante meridiem anno die et mense prescriptis et coram testibus prenotatis .

Rentale of the lands of Pitsligo not lyferented by the Ladie.¹—(A.D. 1693.)

Milne of Auchlin—one tennent—twenty-seven and a-half bolls, whereof

¹ [From the original in the possession of the Club.]

four bolls, converted at 4 lib. 3s. 4d., and tuentie merkis of money deutie, a miln suyn or 10 merks.

Little Cuburtie—one tennent—an challer vietwall, or 100 merks money.
Aberdour—fifteen tennents—616 lib. 6s. 8d., and 8 bolls bear, or 4 lib.

3s. 4d. per boll.

Overglassy—one tennent—100 lib.

Maynes of Pitsligo—one tennent—38 lib., and 8 bolls bear, or 50 merks.

Milne of Pitsligo—fourteen tennents—73 lib., and 4 bolls meal, and 17 bolls bear.

The Herds croft—being waste—3 lib.

Stonbridges—one tennent—14 bolls, 1 firLOT.

Cateairn—one tennent—40 lib.

Satlinraw West—8 bolls bear.

Over Bracco—two tennents—15 bolls, 1 firLOT.

Nether Bracco—one tennent—15 bolls, 1 firLOT.

Dobiesbill—four tennents—26 merks, and 28 bolls, 4 firLOTS.

Roseheartie—one tennent—9 lib.

Lochielair—one tennent—9 score merks.

Auchlin—8 tennents—243 lib. 13s. 4d., (the halfe of 120 lib. of which to be paid in vietwall or money as the tennents please), and 3 bolls vietwall.

Roseheartie—The 5 boats and ther crew payes 400 merks.

Double feuars in Newtoun of Roseheartie—four, paying in all, 5 lib. 6s. 8d.

Single feuars in Roseheartie—twelve—nine of whom pay 6 lib. in all, and the other three pay 4 lib., 6 lib, and 2 lib. respectively.

One tennent—4 bolls soueing, 40 merks and teind.

One tennent—soueing 16 libs. 13s. 4d.

One tennent—20 merks, teind free.

Two tennents—40 lib. 13s. 4d.

Peithill—two tennents—30 merks.

Milne of Aberdour—one tennent—44 bolls victuall quherof 100 merks for on challer.

Nota—Thir is 10 chalders out of this rental of the Mayns lyferented and wplifted be the Lalie Pitsligo.

Nota—The rest of the Maynes, not heirin included, is possesset be a greive, and the rent lyes in his hands.

Inquisicio Georgei Meldrum.¹ —(A.D. 1507.)

Inquisicio facta apud burgum de Abirdene quinto die mensis Octobris anno Domini millesimo quingentesimo septimo coram honorabili viro Alexandro Bannerman de Wattirtone vicecomitis deputato de Abirdene in pretorio burgi de Abirdene in curia capitali vicecomitis de Abirdene pro tribunali sedente per subscriptos videlicet Alexandrum Iruyn de Drum Gilbertum Hay de Ardendracht milites Johannem Movat de Loscragy Alexandrum Skene de eodem Thomam Fraser de Stanevode Willelmum Crafurdl de Federay Willelmum Turing de Fouerne Alexandrum Cummyne de Cultir Alexandrum Caldour de Sonnahard Henricum Forbes de Kynnellor Johannem Ross de Auchlossin Alexandrum Tullouche de Moncoffir Willelmum Blakhale de eodem Johannem Dunbrek de eodem et Willelmum King de Bourty Qui jurati dicunt quod quondam Willelmus Meldrum de Fyve pater Georgei Meldrum de Fyve latoris presentium obiit vltimo . . . sasitus ut de feodo ad pacem et fidem domini nostri Regis de sexta parte terrarum de Rossau[r]ty de tereia parte molendini de terciã parte brasine de terciã parte portus de Rossau[r]ty Et de multura terciẽ partis de Brekauche et de multura terciẽ partis de Pettallauchy et de multura sexte partis de Rossau[r]ty Et de terris de Brekauche et Pettallauchy cum suis pertinenciis jacentibus in baronia de Kynneduard Et de terris de Banquhory Dewyne et piscariis earundem cum suis pertinenciis jacentibus in baronia de Torry infra dictum vicecomitatum Et quod dictus Georgeus est legitimus et propinquior heres dicti quondam Willelmi patris sui de dictis terris partibus molendini brasine portus de Rossau[r]ty de multura terciẽ partis de Brekauche terciẽ partis de Pettallauchy et sexte partis de Rossau[r]ty et de dictis terris de Banquhory Dewyne et piscariis earundem cum suis pertinenciis Et quod est legitime etatis Et quod dicte terre de Rossau[r]ty terciẽ partes molendini brasine portus de Rossau[r]ty dicte multure terciẽ partis de Brekauche Pettallauchy et sexte partis de Rossau[r]ty cum suis pertinenciis et dicte terre de Brekauche et Pettallauchy valent nunc per annum quatuor marcas et valuerunt duas marcas tempore pacis Et quod dicte terre

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archivis ejusdem.]

et piscarie de Banquhory Devyne cum suis pertinenciis valent nunc per annum viginti libras et valuerunt viginti marcas tempore pacis Et quod dicte terre de Rossau[r]ty partes molendini brasine portus de Rossau[r]ty et multure tercię partis de Brekauche Pettallauchy et sextę partis de Rossau[r]ty et terre de Brekauche et Pettallauchy cum pertinenciis tenentur in capite de supremo domino nostro Rege per seruicium warde et releuij debitum et consuetum Et quod dicte terre et piscarie de Banquhory Devyne cum suis pertinenciis tenentur in capite de Abbate et Conuentu Monasterij de Arbrothoe in feodifirma soluendo eisdem annuatim viginti solidos nomine feodifirme et vnum annuum redditum quinque librarum Priori et Conuentui domus Fratrum Predicatorum dicti burgi de Abirdene Et quod dicte terre de Rossau[r]ty partes molendini brasine portus multure et terre de Brekauche et Pettallauchy cum suis pertinenciis nunc existunt in manibus domini nostri Regis per spacium quatuor mensium aut eocirea ob decessum dicti quondam Willelmi patris sui Et quod dicte terre et piscarie de Banquhory Devyne cum suis pertinenciis nunc existunt in manibus dicti Abbatis et Conuentus per idem spacium ob decessum dicti patris sui jus suum lucusque minime prosequentis Datum et clausum sub sigillo officij dicti vicecomitis deputati et sigillis quorundam eorum qui huic inquisicioni intererant faciende anno die mense et loco prenotatis .

Concessio Regis Georgeo Meldrum de Fywee.¹—(A.D. 1509.)

Apud Edinburghe . v. Martii . j^m. v^c. viii. . Rex pro bono gratuitoque seruicio sibi impenso concessit dilecto suo Georgeo Meldrum de Fywee et heredibus suis binam partem terrarum de Pettallochy cum aula eoquina et domibus earundem binam partem terrarum de Brekhalehe cum multura tercię partis earundem sextam partem terrarum de Rossawarty cum molendino *le Brewhouse croft* et *le Porthavin* de Rossawarty in baronia de Kinedward intra vicecomitatum de Abirdene extendentes annuatim ad

¹ [From the Abbreviatio Registri Magni Sigilli, lib. xv., no. 86, MS. Gen. Reg. House, Edin.]

On the fifteenth day of July, 1510, George Meldrum of Fywee granted the above-named lands to John Forbes of Petslego, his heirs and assignees.—(Original in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

summam quatuor mercarum Que terre etc. fuerunt quondam Willelmi Meldrum de Fivce patris dicti Georgii et in manibus Regis tanquam heredis et successoris quondam Johannis comitis Buchanie baronis de Kinnedward devenerunt . Et Rex concessit firmas proficua et devorias earundem de omnibus terminis preteritis racione nonintroitus forisfacture etc. Reddendo annuatim tres sectas ad tria placita capitalia curie vicecomitatus de Abirdene cum wardis et releuis et maritagium cum cou-tigerint etc.

THE PARISH OF ABERDOUR.¹

Rex confirmat cartam Archebaldi de Douglas militis Domino Alexandro Fraser militi.²—(A.D. 1378.)

Robertus Dei gratia Rex Scottorum Omnibus probis hominibus totius terre sue clericis et laicis salutem Sciatis nos cartam Archebaldi de Douglas militis domini Galwydie consanguinei nostri dilecti . . . intellexisse ad plenum sub hac forma OMNIBUS hanc cartam visuris . . .

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp 442-448, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 373-382.]

In the year 1318, Bishop Henry Chein erected the church of Aberdour into a prebend of the cathedral of St. Machar at Aberdeen.—(Registrum Episcopatus Aberdonensis, vol. ii., p. 252.)

On the twenty-fourth day of July, 1423, James Douglas, lord of Balvany, and overlord of the barony of Aberdour, granted to his kinsman, William Forbace, lord of Kynnaldi, the lands of Glasloch, Couleauok, Tulynamolt, Nether Bulgne, Mydilmaste Bulgne, Ovir Bulgne, Achillim, with the mill of Bulgne, and the quarry of Culburty, with the pertinents in the barony of Aberdour, resigned by William Fraser, lord of Philorth, in favour of the said William Forbace, and Agnes, his wife, the daughter of the said William Fraser, and the longer liver of them and their heirs. On the ninth day of July, 1552, Alexander Fraser of Phyllorth gave the lands of Cowburtibeg in exchange for the lands of Pittalloquhy, to John Forbes of Petslego. On the twelfth day of July, 1575, Margaret Forbes, the elder of the two daughters and heiresses of the deceased William Forbes of Petslego, was intef in the half of the lands of Cowburtibeg, and in the superiority of the lands of Lethinty. On the fourth day of November, 1575, Alexander Forbes of Petslego received sasine of the half of the lands of Cowburtibeg, upon a charter granted by Janet Forbes, the second daughter and co-heiress of William Forbes of Petslego, with consent of Robert Duguid, her future husband.—(Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)

² [Abridged from the original in the charter room at Philorth.]

Archebaldus de Douglas dominus Galvydic et de Botheuill salutem . . . Noueritis nos dedisse . . . et hac presenti carta nostra confirmasse dilecto confederato nostro Domino Alexandro Fraser militi pro homagio et seruicio suo nobis impenso et impendendo octoginta marcatas in Marris et molendinis cum eorum multuris et sequelis in dominio nostro de Abredouer infra vicecomitatum de Aberdenn Tenendas . . . predicto Domino Alexandro et Domine Johanne sponse sue vel eorum diutius viuenti et heredibus dicti Domini Alexandri de corpore suo legitime procreatis vel procreandis de nobis et heredibus nostris quibus forte quod absit deficientibus de Johanna sponsa nostra et heredibus suis dicti domini de Abredour in feodo et hereditate . . . Faciendo inde nobis et heredibus nostris quibus forte quod absit deficientibus dicte Johanne sponse nostre et heredibus suis dicti domini de Abredouer dictus Dominus Alexander et heredes sui de corpore suo legitime procreati vel procreandi forinsecum seruicium quantum pertinet dietis terris et molendinis . . . Quibus heredibus dicti Domini Alexandri de corpore suo legitime procreatis vel procreandis forte deficientibus volumus quod dicte octoginta marcate terrarum predictarum et molendinorum cum pertinentiis ad nos et heredes nostros quibus forte deficientibus quod absit ad dictam Johannam sponsam nostram et heredes suos dominos dicti domini de Abredouer libere et integre revertantur In cuius rei testimonium presenti carte nostre sigillum nostrum est appensum hiis testibus Dominis Patricio de Hepburne Roberto Senescalli de Inuerneth Johanne de Abernethy militibus Domino Johanne de Carrie canonico Glasguensi rectore ecclesie de Botheuill Thoma de Irwyne Johanne de Crechtoun Eustacio de Maxwell et Thoma de Rate cum aliis QUAMQUIDEM cartam donacionemque et concessionem in eadem contentas . . . in omnibus . . . pro nobis et heredibus nostris imperpetuum confirmamus saluo seruicio nostro In cuius rei testimonium presenti carte nostre confirmacionis nostrum precepimus apponi sigillum Testibus venerabilibus in Christo patribus Willelmo et Johanne cancellario nostro Sancti Andree et Dunkeldensis ecclesiarum episcopis Johanne primogenito nostro de Carrie senescallo Socie Roberto de Eyf et de Meneteth filio nostro dilecto Willelmo de Douglas et de Marr consanguineo nostro comitibus Jacobo de Lyndesay nepote nostro karissimo et Alexandro de Lyndesay militibus apud monasterium de Aberbroth ultimo die Decembris anno regni nostri octauo .

Rex confirmat donationem ab Archibaldo comite de Douglas fratri suo factam. ¹ —(A.D. 1426.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . confirmasse donationem et concessionem illas quas quondam dilectus frater noster Archibaldus comes de Douglass et dominus Galwidie fecit dilecto et fidei nostro Jacobo de Douglas de Balvany fratri germano dicti quondam Archibaldi comitis de Douglass de totis et integris terris et baronijs subscriptis videlicet de baronia de Avach cum pertinentiis jacente infra vicecomitatum [de] Inuernys et terris ac baronijs de Edirdure de Strath-erne et de Brachlyne cum pertinentiis jacentibus infra predictum vicecomitatum de Inuernys et baronia de Bocharnye infra vicecomitatum de Banff et de omnibus et singulis terris de Balvany in baronia de Murthillach infra eundem vicecomitatum de Banff et de omnibus terris de Convath infra vicecomitatum predictum de Banff et de baronijs de Abirdoure et de Rettre jacentibus infra vicecomitatum de Abirdene Tenendas et habendas . . . predicto Jacobo et heredibus suis de dominis superioribus dictarum terrarum et baroniarum et heredibus suis in feodo et hereditate inperpetuum per omnes rectas metas suas antiquas et diuisas . . . sicut in carta dicti quondam Archibaldi comitis de Douglass fratris nostri predicto Jacobo de Douglas inde confecta plenius continetur saluo seruicio nostro In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus Testibus reuerendo viro Magistro Johanne Cameron preposito ecclesie collegiate de Lyneloudane ac nostri priuati sigilli custode Joanne Forrestarij camerario Waltero de Ogilvy thesaurario et Roberto de Lawedre justiciario regni nostri militibus Apud Edynburgh decimo octauo die mensis Aprilis anno regni nostri vicesimo primo .

Confirmacio duarum cartarum Patricij de Ogilbny. ² —(A.D. 1428.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos duas cartas vnam

¹ [Abridged from the Registrum Magni Sigilli, lib. ii., no. 47, MS. Gen. Reg. House, Edin.]

² [Abridged from the Registrum Magni Sigilli, lib. ii., no. 111, MS. Gen. Reg. House, Edin.] Cf. Illustrations of the Topography and Antiquities of the Shires of Aberdeen and Banff, vol. ii., p. 380.]

videlicet Johannis comitis Buchanie constabularij Francie camerarij Scocie et dominij baronie de Kynedwart factam et concessam Patricio de Ogily vicecomiti de Angus et Cristiane de Keth sponse sue de toto et integro dominio suo de Glenkuthill cum pertinencijs videlicet Echmedane et le Glenhousis Kynbene Byth Petmakaldor Tolly Bothmakaly le Saltcotis Inchebrek et terris de Gowney iacentibus in baronia de Kynedwart ac de villa de Alathane iacente in comitatu de Buchane Et aliam videlicet Morgundi filij Albe factam et concessam Michaeli filio suo de vna dauoca terre sue de Carncors de mandato nostro visas . . . intellexisse ad plenum Quarum prime carte tenor sequitur et est talis / OMNIBUS hanc cartam visuris vel auditoris Johannes comes Buchanie constabularius Francie camerarius Scocie et dominus baronie de Kynedwart salutem in Domino sempiternam Noueritis nos libere dedisse et hac presenti carta nostra pro nobis heredibus nostris et successoribus imperpetuum confirmasse confederato nostro Patricio de Ogily vicecomiti de Angus et Cristiane de Keith sponse sue consanguinee nostre carissime pro suis pœnemeritis nobis sepius temporibus retroactis gratanter impensis totum et integrum dominium de Glenkuthil cum pertinentiis videlicet Echmedane et le-Glenhousis Kynbene Bith Petmakaldor Towy Bothmakaly le Saltcotis Inchebrek et terras de Gowney iacentes in baronia nostra de Kynedwart ac villam de Alathan iacentem in comitatu de Buchane Quas quidem terras cum pertinencijs dieti Patricius et Cristiana . . . in manus nostras per fustem et baculum coram multis fidedignis apud villam de Perth . . . per suas literas patentes resignarunt Tenendas et habendas . . . dictis Patricio et Cristiane sponse sue et eorum diuecius viuenti ac heredibus inter eosdem legittime procreatis vel procreandis / quibus vero deficientibus veris legitimis et propinquieribus heredibus omnium et singularum terrarum quibuscunque de nobis heredibus nostris et successoribus in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . de dictis terris seruicia debita et consueta . . . In cuius rei testimonium huic carte nostre presenti sigillum nostrum apponi fecimus apud Perth decimo sexto die mensis Octobris anno Domini millesimo quadringentesimo vicesimo tercio / / TENOR vero alterius talis est / OMNIBUS hominibus tam presentibus quam futuris has literas visuris vel auditoris Morgundus filius Albe salutem Noueritis me dedisse et concessisse et hac presenti carta mea confirmasse Michaeli filio meo vnam dauocam terre mee de Carncors per omnes rectas diuisas suas

inter Caise et Turruchd tenendam et habendam sibi et heredibus suis de me et heredibus meis in feodo et hereditate libere quiete et plenarie integre et honorifice in bosco et plano in pratis et pasturis in moris et marresiis in stagnis et molendinis in aquis ripis et viuariis in viis et seruitiis et in omnibus aliis asiamentis et libertatibus predictae terre pertinentibus adeo libere et quiete sicut aliquis liber homo infra regnum Scocie liberius plenius et quociens terram suam dare poterit filio suo Reddendo inde annuatim michi et heredibus meis ille et heredes sui vnum par calcariorum ferri ad Penthecosten pro omni seruicio et consuetudine et exactione seculari / preter forinsecum domini nostri Regis seruicium Hiis testibus Domino G. episcopo Breehinensi Magistro Laurencio archidiacono Sanctiandree Domino Alano Hostiario Domino Dauid Hastings Domino Johanne de Vallibus Domino Johanne de Cambrun Domino Roberto de Loreng' Domino Hugone Flandres Magistro de Ouide fratre Domini Laurencij archidiaconi Sanctiandree Georgio de Malwyle Johanne Clugestoun Willelmo de Sandfor clerico et multis aliis . QUAS quidem cartas . . . imperpetuum confirmamus Saluis nobis et heredibus nostris de predictis terris cum pertinentiis wardis releuiis et maritagiiis cum contigerint ac aliis seruicijs debitis et consuetis In cuius rei testimonium huic presenti carte confirmacionis nostre nostrum magnum sigillum apponi precepimus Testibus reuerendo in Christo patre Johanne episcopo Glasguensi cancellario nostro Magistro Willelmo de Foulis custode nostri priuati sigilli Johanne Forstar camerario et Waltero de Ogilvy thesaurario regni nostri militibus apud Abirdene secundo die mensis Augusti anno Domini millesimo quadringentesimo vicesimo octauo et regni nostri vicesimo tercio .

Confirmacio carte Patricii de Ogilvyle.¹ —(A.D. 1423.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quod inspeximus . . . [cartam] Reginaldi de Irwyne de Maines factam Patricio de Ogilvile de Grandoun . . . [cuius] tenor . . . sequitur in hunc modum OMNIBUS

¹ [Abridged from the Registrum Magni Sigilli, lib. ii. no. 112, MS. Gen. Reg. House, Edin. Cf. Illustrations of the Topography and Antiquities of the Shires of Aberdeen and Banff, vol. ii., p. 389.]

hanc cartam visuris vel auditoris Reginaldus de Irwyne dominus de Mames salutem in Domino sempiternam Noueritis me dedisse concessisse et hac presenti carta mea confirmasse nobili viro Patricio de Ogilvy domino de Grandoun omnes et singulas terras meas de Mames vnacum quarta parte ville de Coule cum molendino et multura eiusdem cum pertinenciis infra vicecomitatum de Forfar in excambium ville de Glencuthill cum molendino eiusdem cum pertinenciis infra vicecomitatum de Aberdene Tenendas et habendas dicto Patricio et Cristiane sponse sue et eorum diucius viuenti et heredibus dicti Patricii quibuscunque in feodo et hereditate imperpetuum [de] Domino Johanne Lyon domino superiore predictarum terrarum et heredibus suis . . . Faciendo Domino Johanni Lyovne domino superiori predictarum terrarum et heredibus suis seruicium debitum et consuetum tantum pro omni alio seruicio seculari . . . In cuius rei testimonium sigillum meum presenti carte mee apposui apud Aberden vicesimo octauo die mensis Maij anno Domini millesimo quadringentesimo vicesimo secundo Testibus honorabilibus prouidis et discretis viris ac dominis Alexandro de Lychtoun milite priore domus de Torfyehyne Thoma de Tynnyngame et Willelmo de Craufurde archidiacono et cantore ecclesie de Aberden Johanne de Garthyne domino eiusdem Thoma de Fentoun Patricio Gray armigeris Domino Johanne de Kynnarde Reke Beset et Willelmo Cryne cum multis aliis QUA[M] quidem carta[m] . . . imperpetuum confirmamus Saluis nobis . . . seruicio debito et consueto vnacum vardis releuiis et maritagiiis cum contigerint de eisdem In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . apud Aberdene secundo die mensis Augusti anno Domini millesimo quadringentesimo vicesimo octauo et regni nostri vicesimo tercio .

Carta noue infeodacionis Willelmi comitis de Douglas / de Aberdour —
(A.D. 1450.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse

¹ [Abridged from the Registrum Magni Sigilli, lib. iv, no. 67, MS. Gen. Reg. House, Edin. In the same register (lib. iv., no. 231.) is another charter, granted on the seventh day of July, 1451, by the same King to the same Earl, of the same barony, castle, and erag, which the Earl had resigned into the King's hands.]

et hac presenti carta nostra confirmasse carissimo consanguineo nostro Willelmo comiti de Douglas et de Auandale domino Galwidie omnes et singulas terras baronie de Aberdour ac castrum et rupem de Dundarg cum suis pertinenciis jacentes infra vicecomitatum nostrum de Aberlene Quequidem terre castrum et rupes cum pertinentiis fuerunt dilecti consanguinei nostri Hugonis comitis de Ormonde hereditarie et quas et quod idem Hugo . . . apud Falkland per fustem et baculum per suos procuratores ad hoc legitime constitutos et suas literas patentes coram subscriptis testibus . . . simpliciter resignauit . . . Tenendas et habendas . . . predicto Willelmo comiti de Douglas et heredibus suis de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde . . . seruicia de dictis terris castro et rupe cum pertinenciis 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 Creichtoun nostro cancellario et consanguineo predilecto venerabili in Christo patre Andrea abbate de Melros nostro confessore et thesaurario dilecto consanguineo nostro Patricio domino Glamis magistro hospicij nostri Alexandro Ramsay de Dalwolsy Dauide de Murray de Tulibardin militibus Magistris Johanne Arous archidiacono Glasguensi et Georgio de Schoriswod rectore de Cultre clerico nostro apud Falkland vicesimo quinto die mensis Augusti anno Domini millesimo quadringentesimo quinquagesimo et regni nostro decimo quarto .

Carta confirmacionis Willelmi domini Ruthwen super terris de Glencuthil.¹—(A.D. 1503.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam vendicionis et alienacionis factam per dilectum consanguineum nostrum Alexandrum comitem Buchannie dominum de Vchtirhous et Banff ac baronem baronie de Glencuthill dilecto consanguineo nostro Willelmo domino Ruthven . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel audituris Alexander comes Buchannie dominusque de Vchtirhous et Banff ac baro baronie de Glencuthil salutem in

¹ [Abridged from the Registrum Magni Sigilli, lib. xliii., no. 599, MS. Gen. Reg. House, Edin.]

Domino sempiternam Noueritis me . . . vendidisse . . . nobili et potenti domino Willelmo domino de Ruthven omnes et singulas terras meas de Glencuthill et baroniam eiusdem cum vniuersis et singulis suis pertinentiis jacentes infra vicecomitatum de Abirden pro certa summa pecunie quam dictus Willelmus dominus de Ruthwen michi . . . persoluit . . . Tenendas et habendas . . . prefato Willelmo domino de Ruthwene heredibus suis et assignatis a me et heredibus meis de supremo domino nostro Rege et suis successoribus in feodo et hereditate imperpetuum . . . Reddendo inde . . . supremo domino nostro Regi et suis successoribus seruicium debitum et consuetum . . . In cuius rei testimonium huic presenti carte mee manu propria subscripte sigillum meum apposui Coram hiis testibus Patricio Wellis preposito et vicecomite de Perth Andrea Charteris de Cutlilgardi Roberto Mersare de Balleif David Kynneir de eodem Jacobo Kynneir Johanne Ruthvene de Cragyngaw Roberto Dalnahoy et Domino Andrea Eldar presbitero ac notario publico cum diuersis aliis Apud Perth vicesimo quarto die mensis Septembris anno Domini millesimo quingentesimo secundo QUAMQUIDEM cartam ac vendicionem . . . pro perpetuo confirmamus Saluis nobis . . . iuribus et seruiciis . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo septimo die mensis Januarii anno Domini millesimo quingentesimo secundo et regni nostri decimo quinto .

Inquisicio Willelmi domini Borthwyk, ¹—(A.D. 1503.)

Inquisicio facta apud burgum de Aberdene tercio die mensis Octobris

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archivis ejusdem.]

On the seventeenth day of July, 1571, William, lord Borthwick, sold to Patriek Cheyne of Esselmonth, the barony of Aberdour, to wit, the manor and kirk mause of Aberdour, with the mill, the towms and lands of Clintertie, Ardlayhill, Killequharn, Pennand, with the sea ports, boats, fishings, and bait, huik, and lync, and the lands of Tyrie, Meikle Achuye, Ballhangy, Gullye, all united into the barony of Aberdour. In the year 1605, charter of appreciation under the great seal of the above lands and others belonging to Patriek Cheyne of Esselmonth was granted to Alexander Fraser, apparent of Philorth. On the second day of May, 1608, Alexander Fraser, younger of Philorth, sold the lands of Over and Nether Pittullies, the barony of Outlawe, the lands of Tippertie and Skattertie, the maynes of Aberdour, with the manor of Dumdarg, the

anno Domini millesimo quingentesimo tercio coram nobili et potenti domino Johanne comite de Crafurde domino Lindesay ac vicecomite de Aberdene in pretorio burgi de Aberdene in curia capitali sedente per subscriptos videlicet Alexandrum Iruyne de Drum militem Willelmum Fraser de Phillorth militem Georgium Meldrum feudatorem de Fiwy Johannem Chene de Essilmond militem Alexandrum Skene de eodem Willelmum Crafurde de Federay Walterum Barclay de Towy Andream Tulideff de eodem Johannem Movat de Loseragy Willelmum Oudny de eodem Henricum Forbes de Kynnellour Alexandrum Johnestoun de eodem Alexandrum Tulloch de Moncoffir Robertum Dogul de Auchnahuff Alexandrum Caldour de Synoharde Johannem Ross de Auchlossin et Johannem Dalgarno de Dalgarnoyfinteray Qui jurati dicunt quod quondam Willelmus dominus Borthuyk pater Willelmi Borthuyk latoris presencium obiit vltimo . . . sasitus ut de feodo ad pacem et fidem domini nostri Regis de terris baronie de Abirdour cum suis pertinenciis jacentibus infra dictum vicecomitatum Et quod dictus Willelmus est legitimus et propinquior heres dicti quondam Willelmi patris sui de dictis terris cum pertinenciis Et quod est legitime etatis Et quod dicte terre valent nunc per annum septnaginta et quinque libras et valuerunt quadraginta libras tempore pacis Et quod tenentur in capite de supremo domino nostro Rege per seruicium varde et relevij Et nunc existunt in manibus domini nostri Regis per quindecim dies ante terminum Pentecostes vltimi elapsi per decessum dicti quondam Willelmi patris sui in defectu veri heredis jus suum hucusque minime prosequentis Datum et clausum sub sigillo dicti domini vicecomitis ac sigillis quorundam qui huic inquisitioni intererant faciende .

lands of Pennan, Killiquharne, Clintertie, and Ardlahill, with the patronage of benefices and chaplainries, the lands of Rothnachie, etc., to Andrew Fraser, son of John Fraser of Querrelbus, reserving, however, the liferent of the said Alexander Fraser and Isabella Gordoun his wife. On the sixteenth day of October, 1624, the same Andrew Fraser granted the lands of Aberdour, Dundarg Pennan, Kilquharne, Clintertie, and Ardlayhill, with the mill of Aberdour, and right of patronage, etc., and two ploughs of Taertie to John Fraser, eldest son of the deceased Sir Alexander Fraser of Fraserburgh, knight. On the twenty-fifth day of January, 1630, Alexander Fraser, younger of Phiorth, granted the town and lands of Aberdour, the tower and fortalice of Dundarg, and the lands of Kilquharne, Ardlayhill, Clintertie, and Pennan, to Alexander, lord Forbes of Pitsligo. In the year 1635, Alexander, lord Forbes of Pitsligo, granted the lands of Clintertie and Pennan to George Baird of Auchmedden.—(Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettersairn, baronet.)

THE PARISH OF TYRIE.¹

Confirmatio Regis Alexandro de Sancto Claro. ²—(A.D. 1369.)

David Dei gracia Rex Scottorum / Omnibus probis hominibus tocius terre sue salutem . . Sciatis nos approbasse . . . donacionem illam et concessionem / quas Hugo de Rosse de Felorth fecit et concessit Alexandro de Sancto Claro filio quondam Thome de Sancto Claro de terra de Estirtyry cum pertinenciis infra vicecomitatum de Abirden Tenenda et habenda dicto Alexandro et heredibus suis cum omnibus et singulis libertatibus commoditatibus aysiamenis et iustis pertinenciis quibusenque ad dietam terram spectantibus seu quoquo modo iuste spectare valentibus in futurum a deo libere quiete plenarie integre et honorifice in omnibus et per omnia sicut carta dieti Hugonis eidem Alexandro inde confecta in se iuste continet et proportat . Saluo seruicio nostro . In cuius rei etc. Testibus etc. Apud Dunde primo die Nouembris . anno regni nostri quadagesimo primo .

Preceptum sasine in favorem Alexandri Fraser. ³—(A.D. 1418.)

Laurentius Merser de Andy dilectis meis Joanni Fraser in Ardglassie Roberto Hay Alexandro Dilgaern et Alexandro Fraser ac eorum cuilibet coniunctim et diuisim balliuis meis in hac parte irrenocabiliter constitutis salutem Quia compertum est per legitimam inquisitionem factam coram

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 449-451, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 383-384.]

On the sixth day of November, 1423, John, earl of Buchan, and Constable of France, granted precept to infeft William Forbes of Kynnaldy, in the lands of Carnywhinge, Brekorvor, and Little Brekor, in the barony of Kinedwart. On the eleventh day of December, 1563, John Forbes of Pitsligo granted precept to infeft John Gordoun of Lungar, in the lands of Tuliechnobo, Carynyvngs, and Catrlochit. (Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fetterearn, baronet.)

² [Abridged from the Registrum Magni Sigilli, p. 76, no. 273.]

³ [Abridged from the original in the charter room at Philorth.]

vicecomite de Aberdein in pretorio burgi de Aberdein quod quondam Vilhelmus Fraser de Philorth miles pater Alexandri Fraser latoris presentium obiit ultimo vestitus et sasitus in omnes et singulas terras de Faytly et Tyrie cum pertinentiis jacentes in baronia de Kineduard infra vicecomitatum de Aberdein et quod predictus Alexander est legitimus et propinquior heres dicti quondam Vilhelmi patris sui et quod dicte terre cum pertinentiis de me tenentur tanquam domino superiore in feodofirma Vobis igitur et vestrum cuilibet . . . precipio . . . quantum dicto Alexandro suo attornato sey procuratori latoris presentium sasinam hereditariam omnium dictarum terrarum de Faytly et Tyrie cum pertinentiis tradatis . . . In cuius rei testimonium meum proprium sigillum huic est appensum vna cum subscriptione manuali apud Kynross decimo Novembris anno Domini millesimo quadringentesimo decimo octavo coram his testibus Roberto Merser Domino Dauide Hutone Dauide Anguiss Andrea Valcar cum diuersis aliis .

Carta Henrici Mersar de Mekillour super terris de Faithlie et Tiry.¹—
(A.D. 1503.)

Apud Edinburghe . xvi. Augusti . j^m. v^o. iii. . Rex quia licet terre et baronia de Kynedward infra vicecomitatum de Abirdene per Dominos Consilii sibi adjudicabantur pertinere tanquam heredi quondam Johannis comitis Buchanie baronis de Kynedward et quia terre de Faithlie et Tiry in dicta baronia spectant dilecto suo Henrico Mersar de Mekilloure filio et heredi quondam Laurencii Mersar de Mekilloure militis et per dictum Laurencium immediate de barone de Kynedward tente longe ante tempus dicti Comitis nunc in manibus Regis existunt per decessum dicti Laurencii et nonintroitum dicti Henrici noluit tamen aliquod dampnum dicto Henrico generari igitur concessit confirmavit et quietclamavit dicto Henrico Mersar de Mekilloure et heredibus suis dictas terras de Faithlie et Tiry in dicta baronia et vicecomitatu de Abirdene . Reddendo annuatim Regi tres sectas ad tria placita capitalia vicecomitatus de Abirdene una cum warda relevio et maritagio cum contigerint .

¹ [From the Abbreviatio Registri Magni Sigilli, lib. xiv., no. 4, MS. Gen. Reg. House, Edin.]

Carta Vilhelmo Fraser de Philorth.¹—(A.D. 1504.)

Omnibus hanc cartam visuris vel auditoris Hendricus Merser de Audy . . . salutem Noveritis me . . . dedisse . . . et ad feodifirmam dimisisse et hac presenti carta mea confirmasse nobili viro Vilhelmo Fraser de Philorth militi omnes et singulas terras meas de Faytly et Tyrie cum suis pertinentiis jacentes in baronia de Kyneduard infra vicecomitatum de Aberlein Tenendas . . . prefato Vilhelmo heredibus suis et suis assignatis de me heredibus meis et assignatis in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Vilhelmus heredes sui aut assignati mihi heredibus meis aut assignatis viginti quinque marcas vsualis monete Scotie nomine feodifirme ad duos anni terminos vsuales . . . tantum . . . In cuius rei testimonium huic presenti carte mee sigillum meum est appensum apud burgum de Perth decimo quinto die mensis Junii anno Domini millesimo quingentesimo quarto coram nobilibus et honorabilibus viris Roberto Douglas de Loehlewin Roberto Douglas de Logtouno Vilhelmo Craford Vilhelmo Inglard Roberto Merser Joanne Broun burgensibus de eodem cum diuersis aliis .

THE PARISH OF RATHEN.²

Litera Jacobi de Douglas de Balvany de sasina Alexandro Frasare danda.³—(A.D. 1420.)

Vniuersis ad quorum noticiam presentes litere peruenerint Jacobus de Douglas de Balvany salutem in Domino Sciatis me fecisse constituisse . . . dilectum meum Simonem Baneriman balliuum meum hac vice specialiter deputatum ad dandum pro me et nomine meo Alexandro Frasare

¹ [Abridged from the original in the charter room at Philorth.]

² [See Collections for a History of the Shires of Aberdeen and Banff, pp. 451-459, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., p. 392.]

³ [Abridged from the original in the charter room at Philorth.]

filio et heredi Fraser de Fylorth saisinam hereditariam terrarum de Culburty Mamsy et terrarum de Ouer Pettouly Nether Pettouly et de Rathin cum pertinentiis jacentium in dominio de Abirdour infra vicecomitatum de Abirden Ad quod vero faciendum dicto Simoni hac vice meam committo plenariam potestatem saluo iure cuiuslibet In cuius rei testimonium presentibus quia sigillum proprium ad presens non habui sigillum nobilis domini Alexandri de Setone domini de Gordone coram testibus subscriptis apponi procuravi videlicet Johanne de Sancto Michaelē Roberto de Dalyell et Willelmo de Setone testibus apud Perth sexto die mensis Octobris anno Domini millesimo cccc^{mo} xx.

Precept of sasine by Alexander Fraser of Philorth knight in favour of his son. ¹—(A.D. 1474.)

Alexander Fraser of Philorth knyght to his weilbelowit freindis William Crafurd laird of Fedrett and William Fraser laird of Newforrest conjunctly and severallie in that pairt my bailyeis wneuoabill sendis greating Forsamekill as I have giwen grantit and heritabillly confirmit to my deir and best belowit sone Alexander Fraser and my air appeirand all and sundry my landis of Memsie in the erldome of Bucquhane within the schirefdom of Aberden as in my chartowr be me maid till him thairwpon mair fully is contenit Quhairfor I chaing you conjunctly and severally but delay incontinent thir my letteris be you sein ye pas to my landis of Memsay and give seising . . . of my forsaid landis to Alexander my forsaid sone and air appeirand and till his airis maill . . . In witnes of the seasing heretabill stait and possessione the seall of the giwer next efter my seall be appenssit at Philorth the twalt of the moneth of Agust ane thowsand fowr hundereth sewintie fowr yeiris befor thir witnes that is Alexander Fraser Thomas Fraser and Williame the Mair witht wtberis mony and sundry .

¹ [Abridged from the original in the charter room at Philorth.]

The Lord Fraser *contra* the Laird of Phillorth. ¹—(A.D. 1637.)

Apud Edinburgh 23 Februarij 1637.

Sederunt :

Sanct Andrews <i>cancellarius</i>	B. Edinburgh
Glasgow	B. Gallonay
Mar	B. Brechin
Pertie	L. Naper
Wigtoune	Mr. Elphinston
Seafort	Clericus Registri
Dumfries	Advocat
Southesk	Thesaurer Depute
L. Angus	Justice Clerk
L. Lorne	

ANent our Souerane Lordis lettres raised at the instance of Andro lord Fraser makand mention : That quhair his Maiestie being graciouslie pleased to prefer and advance vntill Andro lord Fraser his father to the honor title and dignitie of a baron and Lord of Parliament, and haveing given him his armes and cognisance accordnglie the said vntill Lord bruiked the same title and dignitie, with all the priviledges and preheminences proper and dew to the same, vntill the tyme of his decease, and as the occasioun fell out, he sett vp his armes in all places quhair his occasions invited him, and there wes nevir anie question moved aganis him thairanent till now latelie that the kirkyard dyke of Rethin being altogidder ruinous and decayed, the gentlemen and others in the parish, out of thair respect to the honor of God and credit of the parish, resolved and concludit to repair and big vp the said kirkyaird dyke, allotting to everie pleuche in the said parish suche a proportion of the said dyke as sould fall to thair shair, except that part quhair the kirkstyle was of old, and is yit, with certane footes of wall neirest the style on

¹ [From the Registrum Secreti Concilii, MS. Gen. Reg. House, Edin.]

both syles quhilk wes designed and appoynted to be bigged and repaired by the late Lords of Louat and Fraser: And quhairas in the meane tyme before the perfyttng of this worke, it pleased God to call the late Lord Louatt to his mercie from this lyffe, the charge and burden of the reparacioun of the haill worke formerlie designed for the late Lords of Louat and Fraser wes then layed vpon the late Lord Fraser, and he wes earnestlie delt with be the minister and sessioun of the kirk to vndertake it, and vpon his aunc proper charges and expenss without anie kynde of helpe or supplie at all he accomplished and perfytted it; and so the worke being his awne worke bigged and perfytted be him, he causel putt vp, vpon, and aboue the said kirkstyle, his name and armes in carved stones, after a decent and comelie order, never thinking that anie man would have been so voyde of modestie and discretion as to have maligned the said work: Bot trew it is that the late Laird of Phillorth haveing vpon the _____ day of _____ departed this lyffe, Alexander Frisell his sone, accompanied with William Strathe selaitter in Fraserburgh Thomas Fraser maltman thair Andro Hay griewe to Phillorth William Nell officiar John Ramsay smith Alexander Rannie in Kinglassie Maister Andro Fraser and George Will and others thair complices boddin in feare of warre, come in a verie vnecomelie and vnseemelie maner, vnder cloud and silence of night, with a number of sklaiters wrights massonis and vtlers workmen, to the said kirkyard dyke, and haveing brought with thame three great brods, with the armes of Phillorth drawin vpon the same, they caused fixe and sett vp thir brods directlie aboue the said Lord Frasers armes; and so hes altogidder covered and defaced the saids armes in suche forme as they can not be seene: Wherein they can pretend no just nor lawfull warrand for thair lawles proeedings, seing they are not parishoneris in that parish and hes no hous residence nor remaineing within the same: Whereby it is verie evident that there onlie drift and purpose is and hes bene to have stirred the said Lord Fraser to a violent and lawles reperation of this inexcusable wrong; bot he out of his dutifull respect to his Maiesties obedience and lawis, quhilk he will ever prefer to his awne vnreulie passions, hes forborne to tak vpon him the sward of justice, and will content hinselke with the ordinar remed of law, nowayes doubting bot the Lords of Privie Council haveing dewlie considerit the nature of this complaint, and what

inconuenients might haue followed thairvpon to the breake of his Maiesties peace, will so forsie to the reparacion of this indignitie done to the said Lord Fraser, and to the contempt done to his Maiestie and his lawis, as others salbe terrified to doe the lyke heirafter: And anent the charge given to the saids persons abone compleanit vpon to haue compeered personallie before the Lordis of Privie Counsell this present day to haue answered to the premissis, and to haue hard and seene order tane thairanent as apperteanes, vnder the paine of rebellion and putting of thame to the horne, with certification to thame if they failyied lettres should beene direct *simpliciter* to putt thame thairto; lykeas at more lenth is conteaned in the saids lettres executiounis and indorsatiounis tharof: Quhilkis being callit and the said Andro lord Fraser persewer compeirand personallie, and the said Alexander Fraser of Phillorth being lykewayes personallie present for himselfe and in name of the remanent defenders forsaid: The reasons and allegatioune of the parties present togidder with the depositions of certane personis product be the said persewaris ressaued suorne and admitted as witness in this mater aganis the saids defenders being red hard scene and considerit be the saids Lords and they weele advysit thairwith: The Lords of Secret Counsell finds and declairs that the said Alexander Fraser of Phillorth his armes were putt vp vpon the part libellit in the night, and that therby there wes ane great wrong done to the said Lord Fraser: Bot becaus the said Alexander Fraser declared in presence of the saids Lords that the setting vp of his saids armes wes done be him vpon respect and for honor of his fathers tuncrallis, and not out of anie splene or contempt of the said Lord Fraser, nor of the honor title and dignatie conferrit be his Maiestie vpon him: Thairfore the saids Lords will forbear all farther censuring of Alexander Fraser of Phillorth for putting vp his armes and covering the said Lord Fraser his armes, and decerns and ordans the said Laird of Phillorth, betuix and the 15 day of Marche now approcheing, to caus take doune his armes and brods (quhairwith he covered the said Lord Fraser his armes) at midday, in presence of the minister of the kirk of Rathin or moderator of the presbitarie, and not to medle with nor remove the said Lord Fraser his armes in tyme comeing bot in a legall way vpon decretit to be recovered before the judge ordinar: And this present act and ordinance being intimat to the Laird of Phillorth he acquiesced thairto, and actit

himselfe for performance thairof vnder the paine of fyue thousand merks : And the saids Lords assoilzies simpliciter the saids defenders fra that poynt of this complaint tuicheing the convocatioun of his Maiesties leiges, and covering and obscureing the said Lord Fraser his armes, and decerns thaim quyte thairfra in tyme comeing ; Becaus the said complaint being admitted to the said persewer his probation, and diverse witness being product be him ressaved suorne and admitted heirin, he did cleirlye and sufficientlie verifie and prove that the said Laird of Phillorth his armes were putt vp in the night, and succumbit and failyied in proveing the convocation lybellit and of the obscureing the said Lord Fraser his armes in maner libellit : In respect quhairof and of the declaratioun made be the said Laird of Phillorth that he did nothing in this mater out of splene or contempt of the said Lord Fraser nor of the honor and dignitie conferred be his Maiestie vpon him, The saids Lords hes fund and declarit decerned and assoilyied in maner forsaid : And the saids Lords modifies to everie witnes product in this caus the soume of ten pundis to be payed by the said Alexander Fraser of Phillorth.

Anent our Souerane Lords lettres raised at the instance of Hew lord Lovat, Alexander Fraser of Phillorth, for thameselves and in name of the haill parishoners of the parish of Rathen makand mention : That quhair by certane acts of the kirk session of the said parish the haill parishoners were appoynted to repaire the kirkyard and dykes thairof, and the said Lord Lovat and vmquhile Andro lord Fraser were ordaned conjunctlie to build the kirkstyle thairof : And the compleaneris lookeing that nane within the parish would doe anie thing in this pious worke quhilk might disparage or effront the cheife persons and these that were most enteressed in the parish, nevertheles the said vmquhile Andro lord Fraser and Andro then maister of Fraser and now lord Fraser his sone, out of ane affectation to raise thair names to after ages above the rest of the parish, not acquainting the Lord Lovat who wes conjunct with him in this mater, least thair designe sould be marred, built the said kirkstyle himselfe and erected his armes and name thairon as if he were the cheife and sole beretor in the parish, haveing litle or no heretage within the same, and extendit the said kirkstyle 18 foote or thairby beyond the old fundation, within the proper bounds of the toune and lands of Rathin perteaning

heretable to the Laird of Phillorth, and thairwith hes tane in ane yaird and hous belonging to the said Laird, to the discontentment of the hail parishoners and to the great disparagement of the Lord Lovatt and Laird of Phillorth who is heretable proprietor of the toun of Rathin quhairvpon the said kirk stands as said is, and who and his predicessors have been founders and are patrons of the said kirk, doeing thairby what in thame lay to breake the peace and quiet of the parish in heich and proud contempt of law and justice: And anent the charge given to the said Andro now lord Fraser to have compeired personalie before the Lords of Prive Counsell at a certane day bygane to have answord to this complaint and to have hard and seene suche order tane thairanent as apperteaned vnder the paine of rebellion and putting of hime to the horne with certificatioun to him if he failyied lettres suld beene direct simpliciter to putt him thairto, lykeas at more lenth is conteaned in the saids letres executioun and indorsatiouns thairof: Quhilks being callit, and the said Lord Lovat compeirand be James Gibsone his procurator and the said Laird of Phillorth compeirand personallie and the said Andro lord Fraser being lykewayes personalie present; The reasons and allegatiouns of the parties present being hard and considerit be the saids Lords and they weele advysit thairwith: The Lords of Secret Counsell remits this complaint and the tryell of the same to the judge ordinar and competent to be decydit as accords of the law.

Carta venditionis Alexandro Irwin de Drum.¹ — (A.D. 1483.)

Omnibus hanc cartam visuris . . . Alexander Cummyne filius et heres quondam Willelmi Cummyne de Cvltir . . . salutem Noueritis me . . . cum consensu . . . amicorum meorum propinquiorum . . . dedisse . . . ac precise vendidisse necnon titulo pure vendicionis alienasse et hac presenti carta mea confirmasse nobili viro ac dilectissimo auunculo meo

¹ [Abridged from the original in the charter room at Drum.]

In the same year, 1483, the same Alexander Cummyne resigned the above lands, castle, and lake, into the King's hands, constituting Alexander Lesly of Warderis, Alexander Berklay of Matheris, Alexander Irwin of Belteis, David Berklay of Jhonestone, John Ross, the son and heir of Thomas Ross of Auchlossine, William Abirdour, Alexander Abirdour, and Sir William Donaldson, vicar of Dulmawok, his procurators for that purpose.—(Original in the charter room at Drum.)]

Alexandro Irwin de Drum omnes et singulas terras meas de Inrelochwy cum castro et lacu carundem cum suis pertinenciis jacentes in baronia de Kynedward infra vicecomitatum de Abirdene . . . Tenendas . . . prefato Alexandro Irwin heredibus suis et suis assignatis de me et heredibus meis et meis assignatis in feodo et hereditate imperpetuum . . . Reddendo inde michi et heredibus meis et meis assignatis . . . annuatim vnum denarium argenti super solum dictarum terrarum ad Festum Pentecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium sigillum meum huic presenti earte mee est appensum apud Abirdene duodecimo die mensis anno Domini millesimo quadringentesimo octuagesimo iij^o .

Remissio pro Alexandro Irwin de Lunney et tredecim aliis.¹—(A.D. 1492.)

Jacobus Dei gratia Rex Scotorum Omnibus probis hominibus suis ad quos presentes litere peruenerint salutem Sciatis quod nos remisimus Alexandro Irwin de Lunney Alexandro Abirdoure David Irwin Thome Yule Willelmo Kempe Johanni Gibsoun Fergusio Morisoun Jacobo Fordiss de Bogtoun Willelmo Clerk Willelmo Lutare in Baldarrach Johanni Smyth in Torfynny Roberto Alexandersoun Alexandro Irwin filio Alexandri Irwin de Belteis et Willelmo Bynny latoribus presentium rancorem animi nostri sectam regiam et omnem actionem quam et quas erga ipsos seu eorum aliquem concepimus . . . pro violenta capcione et detencione loci et fortalicij de Inuerallochqwy contra tenorem nostrarum literarum ac pro violenta destructione et spoliacione certorum bonorum in dicto loco existentium neenon pro omnibus aliis criminibus offensis transgressionibus et actionibus quibuscunque per dictas personas aut earum aliquam retroactis temporibus vsque in diem confectionis presentium commissis seu quoquo modo perpetratis proditoria tradicione murthuro incendiis raptu mulierum et communi furto exceptis dummodo partibus conquerentibus et dampna taliter satisfaciant quod nullam super hoc de cetero justam queremoniam audiamus Et

¹ [Abridged from the original in the charter room at Drum.]

supradictas personas sub firma pace et protectione nostra iuste suscipientes firmiter inhibemus nequis eis aut earum alicui occasione transgressionum predictarum aut aliarum actionum vt premittitur malum molestiam iniuriam seu grauamen aliquod inferre presumat iniuste super nostram plenariam forisfacturam aut mortem eis aut earum alicui inferat sub pena amissionis vite et membrorum In cuius rei testimonium has literas nostras remissionis pro toto tempore vite dictarum personarum duraturas sub magno sigillo nostro sibi fieri fecimus patentes Apud Banff vicesimo nono die mensis Nouembris anno Domini millesimo quadringentesimo nonagesimo secundo et regni nostri quinto .

Carta coniuncte infeodationis Willelmi Cumyng alias *Merchmond* Heraldi et Margarete Hay eius sponse super terris de Inverelochy. ¹ —(A.D. 1504.)

Apud Edinburghe . xviii. Januarii . j^m. v^o. iii. . Rex concessit familiari suo Willelmo Cumyng de Inverelochy alias *Merchmond* Heraldo nuncupato et Margarete Hay ejus sponse et eorum alteri diucius viventi in conjuncta infeodatione et heredibus masculis de corpore ipsius Willelmi legitime procreandis quibus deficientibus Issobelle Cumyng filie ipsius primogenite et heredibus suis de corpore suo legitime procreandis quibus deficientibus Cristine Cumyng sorori ipsius Issobelle et heredibus ipsius Willelmi de corpore suo legitime procreandis et suis assignatis quibus deficientibus nepoti suo Alexandro Cumming de Cultir et heredibus suis quibuscunque terras de Inverelochy castrum lacum piscarias et molendinum earundem cum aqueductu ad dictum molendinum et le Fortre de Inverry ad terras de Inverelochy spectantibus necnon dimedietatem terrarum de Kindrocht et Audiale infra vicecomitatum de Abirdene Quas terras de Inverelochy etc. dictus Willelmus personaliter resignavit et quas terras de Kindrocht et Audiale Thomas Cumyng resignavit . Insuper Rex (pro fideli et gratuito servicio ipsius Willelmi sibi et quondam carissimis fratri et matri ejus quorum animabus propitiatur Deus in curia per triginta annos elapsos impenso) quietclamavit omnes dictas

¹ [From the Abbreviatio Registri Magni Sigilli, lib. xiv., no. 34, MS. Gen. Reg. House, Edin.]

terras de omni clameo etc. . Reddendo annuatim unam sectam ad placitum capitale curie vicecomitatus de Abirdene proxime et immediate post Festum Sancti Michaelis tenendum unacum warda relevio et maritagio cum contigerint .

Carta pro Willelmo Cumyng juniore.¹ —(A.D. 1513.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . et . . . confirmasse dilecto nostro Willelmo Cumyng filio et heredi apparenti dilecti nostri familiaris Willelmi Cumyng de Inuerellochy militis alias Marchmond heraldi omnes et singulas terras de Inuerellochy castrum lacum piscationes et molendina earundem cum aqueductu ad dictum molendinum et le Fortre de Inuerwry cum pertinentiis prefatis terris de Inuerellochy spectantibus Necnon totam et integram dimediatatem omnium et singularum terrarum de Kindrocht cum pertinentiis jacentem infra vicecomitatum nostrum de Abirdene Necnon totas et integras terras de Estir Cullessy cum suis pertinentiis jacentes in dominio nostro de Fiffe infra vicecomitatum nostrum eiusdem . Quequidem terre de Inuerellochy . . . et dicta dimediatas . . . terrarum predictarum de Kindrocht . . . fuerunt dicti Willelmi Cumyng senioris hereditarie et quas et quam idem . . . sua mera et spontanea voluntate in manibus nostris apud Edinburgh per fustem et baculum personaliter . . . resignavit et que terre de Estir Cullessy . . . fuerunt dicti Willelmi Cumyng senioris et Cristine Prestoune eius sponse in coniuncta infeodacione et quas idem in manibus nostris apud Edinburgh per fustem et baculum personaliter etiam . . . resignarunt . . . Tenendas . . . predictas terras de Inuerellochy . . . necnon . . . dictam dimediatatem . . . predictarum terrarum de Kindrocht . . . dicto Willelmo Cumyng juniore et heredibus suis de nobis et successoribus nostris in feodo et hereditate et dictas terras de Estir Cullessy in feodifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . pro dictis terris de Inuerellochy . . . et dimediatate terrarum de Kindrocht . . . seruicia ante dictam resignacionem nobis inde debita et consueta secundum teno-

¹ [From the General Register House, Edinburgh.]

rem carte nostre et infeodacionis dicto Willelmo Cumyng seniori . . . confectarum . . . de data apud Edinburgh decimo octauo die mensis Januarii anno Domini millesimo quingentesimo tercio et regni nostri decimo sexto Et pro dictis terris de Estir Cullessy . . . feodifirmam ante dictam resignacionem nobis inde debitam et consuetam secundum tenorem carte nostre et infeodacionis eidem Willelmo Cumyng seniori confectarum de data apud Edinburgh decimo octauo die mensis Septembris anno Domini millesimo quingentesimo septimo et regni nostri vicesimo . . . Reseruatis libero tenemento omnium prescriptarum terrarum . . . ac omnibus proficiuis ipsarum dicto Willelmo Cumyng seniori et Cristine eius sponse et ipsorum alteri diucius viuenti pro toto tempore vite ipsorum In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendissimo et reuereudo in Christo patribus Alexandro Sanctiandreæ archiepiscopo cancellario nostro Willelmo episcopo Abirdonensi nostri secreti sigilli custode dilectis consanguineis nostris Archibaldo comite de Ergile domino Campbell et Lorne magistro hospicii nostri Matheo comite de Levinax domino Dornlie Alexandro domino Hwme magno camerario nostro Andrea domino Gray justiciario nostro Magistris Gavino Dunbar archidiacono Sanctiandreæ clerico rotulorum registri ac consilii nostri Patrieio Pantere secretario nostro et Roberto Coluile de Vchiltre nostre cancellarie direttore Apud Edinburgh decimo quarto die mensis Julii anno Domini millesimo quingentesimo decimo tercio et regni nostri vicesimo sexto .

Service on Inverallochie.¹ —(A.D. 1697.)

Special service of Alexander Fraser as nearest heir of his father Alexander Fraser of Inverallochie in . . . the lauds of Inverallochie with the tower fort manor place houses etc. loch fishings thereof mill mill lands and astrict multures pertaining to said mill with the water course of said loch rinning to and leading from said mill . . . with the fishing of white

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archiuis ejusdem.]

On the twenty-third day of November of the following year, William Fraser was served heir of the above-named Alexander Fraser, his brother, in these same lands.—[Id.]

fishes fishing boats the wrack and wair of fishes on the sea shore of said lands of Inverallochie . . . and pertinents lying in the parish of Rethen and shire of Aberdeen also in . . . the town and lands of Armabedie with the houses buildings gardens mill mill lands multures fishing boats fishings . . . and . . . pertinents along with the pasture of cattle and animals and future inhabitants of said lands of Armabedie in and by the lands and bounds of Cairnglas . . . and pertinents . . . used and wont . . . lying in the parish of Lonmay and shire of Aberdeen as for the principal and likewise in . . . the town and lands of Bonnatoune with the dye mill thereof and their pertinents lying in the parish of Lonmay and shire of Aberdeen and that in special warranty and security of . . . the foresaid lands of Inverallochie and Armabedie with the . . . pertinents above expressed also in special warranty and security of . . . the towns and lands of Cairnglas with the houses and fishing village fishertoune port and shipping station . . . with the power of building mills one or more and other privileges . . . and pertinents . . . lying in said parish of Lonmay and shire of Aberdeen . . . all . . . created and incorporated into a whole and free barony to be called the barony of Inverallochie . . . Which said lands and barony of Inverallochie are held in chief of the King in taxed wardship . . . for yearly payment during wardship and nonentry or either . . . of the sum of twenty pounds Scots at two terms of the year . . . and the like sum of twenty pounds for relief . . . and the sum of two hundred merks Scots for the marriage of an heir or heirs . . .

THE PRESBYTERY OF ALFORD.

THE PARISH OF ALFORD.¹

Commission from ane reverend fader in God Patrik Bishope of Aberdene
anent the constant provision for a school at the Kirk of Alford.² —
(A.D. 1633.)

Forsameikle as by ane laite Acte of Parliament it is appoynted that
schooles sall be at ewerie parioche kirk and that for mantinance thair of
ane certane provisionne sall be sett downe be ws with adwyse and consent
of the parochineris And we finding the necessitie of ane schoole to be
at the kirk of Awfurd and being wnable owre selwes to trawell thether
Therfor we have delegate in owre place Maister Androw Strachane
minister at Tillenesle and remanent brethren of the Presbyterie of
Awfurd convenit for the tyme to deall and concurre with the minister
and parochineris of that said kirk firme and stable halding and to hald
quhat they in owre name sall doe and conclude in the premisses by this
owre mandate and commission giwen wnder our hand att owre Place of
Aberdeine the twantie two day of November j^m vi^c threttie three yeirs.

Pa. Aberdene.

Act of the Presbytery for the constant provision of ane schoole at the
kirk of Alford.²—(A.D. 1633.)

At Alford the 28 of November anno 1633 conveyned the breth-

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 587-589.]

² [From the General Register House, Edinburgh.]

rein of the Presbytery with the elders and parochineris for the visitation thairof.

The said day anent the order taking for the constant provision of ane schole at the said kirk of Alford in all tyme cumming, conforme to the late Act of Parliament maid anent the plantation of scholes at every parochie kirk: Maister Androw Strathaquhan parson of Tillinessell and remanent brethren of the Presbytery of Alford, conveyed for the tyme, with speciall consent and assent of the heritores, elders and vthers parochinars, they are to say, Alexander Burnet elder of Cloony, Alexander Forbes of Anchintowell, William Garioche of Tillichetlie, personally present, and likewise with consent and assent of Johne Forbes of Bonagask, Mr. James Forbes of Haughtowne, Thomas Davidstone portioner of Ardgethin, Mr. Androw Cant minister at Pitsligo, Alexander Forbes of Archballache, William Forbes of Tamadis, Alexander Forbes in Meikle Endovic, the said William Garioche of Tillichetly and George Garioche portioner off Kinstair, euery one for thair owne right and entress, as ane band and obligation drawin up and maid be them, for the constant provision of the said schole, subscribed with thair handis at Alford and Aberdene the dayes off November and Januar respective, the yeirs of God ane thousand sex hundreth threttie three and thretty four years, produced be Master Adam Barclay minister at the said kirk, at mair lenth bears: And sicklyk with consent and assent of the whole elders and vthers parochenars present for the tyme, and all vthers parochenars and heritors, by publick intimatione out of pulpit, being lawfully requyred to be present the said day and place and to the effect forsaid, being called and not compeirand: The said Maister Androw Strathaquhan and remanent brethrein conveyed for the tyme, commissioneris for an reverend father in God Patrik Bishope off Aberdene, in regard of his present inhability to travell thither in his owne persone, he vertue of ane commission granted vnto them, vnder his hand of the date at his Place of Aberdene the twenty two day of November j^m vi^e and thretty three years, did stent the whole parochen and heritors thairoff to the effect aboue expressed, ordeining euery one of them, according to thair entress respective to pay to Maister Johne Lilly present scholemaister at the said kirk and his successors scholemaisters thair, yearly, ane firloft of ait

meall for ilk pleugh of land they possess within the said parochie, compting the pleughs as they have been comptit stentit and esteemed these divers yeirs by past, and as they are presently stented, for payment of the ministeris stipend, vpholding of the fabrick, and other commone workes, of the said kirk; and the first years payment to be and begin the second day of November last by past to the second day of November ane thousand sex hundreth and thretty four yearis, and so forth yearlie: Ordeining and decerning with consent forsaid the said firlott of ait meall to be payed yearlie as said is to the scholemaisters of the said kirk, and to continue as ane settled and constant provision for the maintenance of ane schole thair, in all tyme coming, conforme to the said late Act of Parliament maid anent the plantation of scholes: In verefecation quhair-off the commissionaris forsaidis have subscriyved thir presents with thair landis day year and place aboue expressit.

Extractit furth of the Presbytery Books of Awfoord be me Mr. Alexander Garioch minister at Cuschny and svbscriyved with my hand the thrid day of Junij 1637 yearis.

M. A. Garioche clark to the presbytery.

Band and obligatioun of the heretouris and wtheris for the constant provision of ane schoole at the Kirk of Alfoord.¹ —(A.D. 1633 and A.D. 1634.)

We wndersubserveris, heretouris, wedsetteris, and wtheris parochineris of Awfurd, for ovr entres, faithfullye bindis and oblessis ws (for advancing of Godis glorie, the guid of his church, and the educatione and training wpe of the yowth within the said parochine in writteing, reeding in grauner and wther literature etc.) to paye everie ane of ws, for our selues our awin landis and entres within the said parochin respective, to Maister Johne Lillie present schole maister att the said kirk and his successouris scholemaisteris thair, yeirlye, the number of victuall after specified, videlicet, ane firlott of ait meill for ilk pleuch of land we possess within the said parochine, compting the pleughes as they have beene compted stented

¹ [From the General Register House.]

and esteemed thir divers yeirs by past, and as thaye ar presentlye stented for payment of the minister his stipend, wphalding of the fabrick of the kirk and wther commowne workis of the said parochine: compting the first yeir of our payment to be and beginne the second daye of November last by past in this instant yeir of God j^m vj^c threttie thrie yeiris, and to continow till the second daye of November in the yeir of God j^m vj^c threttie and four yeiris; and swa furth yeirlye according to the saidis termis: And for the farther setling and secureing of the said victuall (according to the proportione above expressed) for ane constant and setled stipend to the said Maister Johne Lillie scholemaister forsaide and his successouris scholemaisteris att the said kirk, wee are content and consentis that ane reverend father in God Patrick be the mercie of [God] Bischoppe of Aberdene be him self, or commissioners deputed and apoynted be him to that effect, att the visitatione of the said kirk of Awfurd, impose the same as ane constant stent wpon the landis of the parochine and heretouris thair of to be payed be thame yeirlye in tyme coming as ane constant and setled stipend for maintenance of the said Maister Johne Lillie and his successouris scholemaisteris at the saide kirk, and that according to the lait Act of Parliament maid anent the plantatione off scholes at everie parish kirk, of the date att Edinburgh the [twenty-eighth] daye of [June] in this present yeir of God j^m vj^c threttie thrie yeiris: Provyding allwayes the saide reverend father or his commissioneris forsaidis excede nocht the quantitie of victuall and proportione forsaide: In witness quhair of thir presentis written be Maister Adam Barclaye minister att Awfurd are subscriyved with our handis att [Alford and Aberdeine] respective the _____ dayes of [November] and [Januar] respective the yeir of God j^m vj^c threttie [thrie and thretty four] yeiris .

Jo. Forbes

M. Ja. Forbes

Alexander Forbes

T. Davidsons

William Garioche

Mr. Androw Cant

A. Forbes

George Garioche forsaide with my hand at the pen ledd be the nottar vndir writtin at my special command because I could nott writ my self .

Ita est Gulielmus Forbes notarius publicus de speciali mandato dicti Georgii scribere nescientis vt asseruit ad hec

manu propria rogatus et requisitus .
 At Alfurd the fyft of Januare 1634 I Williame
 Forbes consentis to the premissis and to
 the Act of the Presbyterie mad conforme
 heirto .

Williame Forbes .

Rentall of the Parochine off Awfurd.¹—(A.D. 1637.)

The Rentall of both stock and teynd of the landis lyand within the
 parochine of Aufurd.

Imprimis, Bandley, thrie pleughis belonging to Jhon Forbes off Banagask
 —3 chalderis, 8 bollis.

Badivine, tuell oxen gait, sex oxin gait quhairoff belonging to the said
 Jhon Forbes—1 chalder, 4 bollis.

Meikle Endovie, four pleughes, ane pleugh quhairoff belonging to Jhone
 Forbes forsaid—1 chalder.

Aslowne with the pendicles, thrie pleughis belonging to the said Jhon
 Forbes—3 chalderis, 4 bollis.

Dorsail, four pleughis, tuell oxin gait quhairoff belonging to the said
 Jhon Forbes—1 chalder, 6 bollis.

Fermtoun and Mainis of Postuig, thrie pleughis, tuell oxin gait quhairoff
 belonging to the forsaid Jhone Forbes off Banagask—1 chalder,
 100 libs.

Wther tuo pleughis off Meikle Endovie belonging to Mr. Robert Burnet
 advocat in Edinburgh—2 chalderis, 8 bollis.

Item, ane vther pleugh thairoff belonging to Alexander Forbes—1 chalder.

The Muire, tuo pleughis belonging to James Forbes of Cloak—2 chal-
 deris, 4 bollis.

¹ [From the General Register House]

Item, vthir tuell oxin gait of Dorsail belonging to the said James Forbes—1 chalder, 6 bollis.

Item, ane vther pleugh off Dorsail belonging to Mr. Androw Cant—14 bollis, 3 firlothis.

Item, Valhous Anfuird and half Ardgeathin, tuo pleughis, four oxin gait belonging to the forsaid Mr. Androw Cant—2 chalders, 100 merkis.

Item, the vther half off Ardgeathin and Graystaines, tua pleughis belonging to Thomas Davidsons—1 chalder, 12 bollis.

Midmill, ane pleugh belonging to William Forbes off Tolmadis—1 chalder.

Carneverene, thrie pleughis belonging to Alexander Burnet off Kebbatie—2 chalderis, 4 bollis.

Auchintoull with the pendicles, Breadhauche, Longhauche, Colfork, Tibberchindie, aucht pleughes belonging to Alexander Forbes off Auchintoull—7 chalderis, 8 bollis.

Tillichetlie, ane pleuch belonging to William Garioch off Tillichetlie—1 chalder, 4 bollis.

Arshballagh, four pleughis belonging to the said Villiam Garioch—300 merkis.

Shaddow half Kinstair belonging to the said Villiam Garioch—3 chalderis.

Sone half Kinstair and Litle Endovie, belonging to George Garioch off Litle Endovie, four pleughis—6 chalderis, 8 bollis.

M. A. Barclay minister att Awfurd.

22 Junij 1637. The Minister maid faith vpon this Rentall and that it wes the present rent peyed.

Carta Comititis de Mar Willelmo de Lyndesay. ¹ —(A.D. 1418.)

Carta per Alexandrum Senescalli comitem de Mar et de Garviauch concessa consanguineo suo Domino Willelmo de Lyndesay domino de Rossy terrarum de Auffurde videlicet Argaythin et Arbauchlax jacentium in comitatu de Mar infra vicecomitatum de Aberden tenendarum de Comitibus de Mar Testibus Domino Willelmo de Hay domino de Nauchtan Alexandro de Ogilby vicecomite de Angouse et Waltero de Ogilby fratre ejus . i. Januarii j^m cccc. xvii.

Carta Willelmi de Garviach de Kynstare. ¹ —(A.D. 1454.)

Carta per Willelmum de Garviach de Kynstare concessa nobili domino Jacobo domino de Forbes militi domino suo singularissimo pro suis auxiliis favoribus supportationibus gratitudinibus et manutentia unius anni redditus quatuor librarum de terris de Kynstare et de Edyndovy jacentibus in baronia de Forbes solvendi post decessum patris sui Jacobi de Garviach liberetenentis earundem terrarum . Testibus Jacobo de Skene domino ejusdem Duncano de Forbes Magistro Andrea Symson vicario de Gamera Thoma de Skene Daud Brogane et aliis et quia sigillum proprium ad presens non habuit sigillum patris sui Jacobi de Garviach appenditur apud Kynstare x. Octobris j^m cccc. liv.

De resignatione terrarum de Kinstare et Edindovy. ¹ —(A.D. 1467.)

Instrumentum notarium super resignationem ad remanentiam per Agnetem Hay relictam quondam Jacobi de Garviach omnis juris et clamei juris ad terras de Kinstare et Edindovy jacentes in baronia de Forbes et vicecomitatu de Aberdene in manibus nobilis domini Willelmi domini le Forbes quia nullo jure dictas terras possidere potuit nisi per ipsum Dominum le Forbes suum dominum superiorem indubitatum et

¹ [Noted from the original in the charter room at Castle Forbes.]

aliud jus prius habitum ut asseruit nullius fuit vigoris aut effectus . Presentibus ibidem Alexandro Sken de eodem Thoma Forbes de Auchinhamper Alexandro Forbes filio Duncani Duncano Mortimer filio dicte Agnetis David Roiss Willelmo Fraser cum multis aliis prope ecclesiam Beati Egidii infra burgum de Edinburgh . xvi. Octobris j^m cccc. lxvii.

Carta Jacobo Forbes de Auchintowil.¹—(A.D. 1523.)

Omnibus hanc cartam visuris . . . Joannes dominus de Forbes salutem . . . Noueritis nos dedisse . . . dilecto consanguineo nostro Jacobo Forbes de Auchintowil totas et integras terras nostras de Auchintowil Toberchenze Nedir Myl de Auchintowil Mydhillis Colquhork cum suis pertinentiis jacentes in baronia de Forbes infra vicecomitatum de Aberdene incipiendo ex boriali parte earundem ad aquam de Lochell ascendendo per inferiorem partem le Lechis moss et le Schenocht ad Ic Boddoms ad crucem Sancte Catharine per humerum montis eiusdem vul-

¹ [Abridged from the original in the possession of the Club.

On the twenty-seventh day of October, 1555, William, lord Forbes, conveyed the lands of Auchintoull, Mydhills, Culquhork (excepting twelve bovates, in which James Innes is infeft, and the lands of Tibberchindy, belonging to the said Lord) to his cousin, Alexander Forbes, son and heir apparent of James Forbes of Auchintoull. On the twenty-third day of March, 1578-9, William, lord Forbes, gave to Alexander Forbes of Petslego, the sunny half of the dominical lands of Auchintoull and Langhaugh, in the barony of Forbes-Awfurde, in satisfaction of the sum of two thousand merks due to the said Alexander, by Alexander Forbes of Auchintoull. On the twenty-ninth day of May, 1585, Alexander Forbes of Fyngcis was infeft in the sunny half of Auchintoull, Langhauche, and Toberchindy, upon a charter granted by Alexander Forbes of Petslego four days previously. On the eighth day of November, 1593, John, lord Forbes, granted a precept of clare constat to infeft Alexander Forbes, the only son of the deceased Alexander Forbes of Auchintoull, in the sunny half of Auchintoull, in the lands of Langhauch, Colfok, Braidhauch, Nether Mill of Auchintoull, and Millhillis. The same Lord granted a precept of clare constat, with consent of Arthur, master of Forbes, to infeft John Forbes of Petslego, as heir of his father, Alexander Forbes of Petslego, in the sunny half of the Mauis of Auchintoull, with the lands of Langhauch.

On the twenty-fourth day of May, 1577, John Calder of Asloun gave the lands of Tubberchindy to his third son, Patrick. On the eighth day of October, 1579, the same Patrick Calder, with consent of his father, gave these lands to Alexander Forbes of Petslego. On the thirtieth day of November, 1593, Alexander Forbes of Auchintoull was infeft in these lands on a precept granted by John, lord Forbes, in his favour, as heir to James Forbes of Auchintoull, his grand father.—(Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

gariter *owyr the schulder of the hil of the samyn* ad verticem le Cragburne ascendendo per le Langburne ad le Slak ad verticem seu superiorem partem le Ledgadle per omnes rectas metas nouiter positas et erectas per ipsum Johannem Forbes et Jacobum Calder portionarium suum dictarum terrarum causa excambii facti predictarum terrarum de Auchintowil . . . hereditarie ipso Jacobo Forbes pro parte ipsius Jacobi Forbes terrarum de Ausslone Avyrhillis et molendini earundem Drumnaquhonner Baddenapetis hereditarie ipsi Jacobo Calder Quequidem terre et molendinum earundem fuerunt prius hereditarie pro dimidietate orientali earum Jacobi Calder et pro dimidietate occidentali earundem fuerunt hereditarie dicti Jacobi Forbes . Quas terras . . . prefati Jacobus Forbes et Jacobus Calder . . . in manibus nostris . . . apud Castrum nostrum de Drummynnor . . . simpliciter resignarunt . . . Tenendas . . . terras predictas . . . de nobis . . . per seruitium varde et releuii . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum est appensum apud Castrum nostrum de Drummynnor quinto die mensis Maii anno Domini millesimo quingentesimo vicesimo tertio coram his testibus Roberto Lummysden de Medlor Willelmo Mortimer de Craginer Johanne Clerk et Domino Jacobo Strathachin vicario de Aufurd cum multis aliis .

The rental of the barony of Forbes Aufurde.¹ —(A.D. 1552.)

The Smedy.—One plough, one tenant. Rent, £2; 1 custom wedder, 6 capons. Grassum, £2.

Cobilsseit.—One plough, two tenants. Rent, £3 6s. 8d.; 12 capons, 1 wedder, 1 leit peats, 2 geese. Grassum, £3 6s. 8d.

Argathin.—Four ploughs, 6 tenants. Rent, £13 6s. 8d.; 4 wedders, 48 capons, 8 geese, 40s. for a custom cow, 4 leits peats, 3 days ploughing. Grassum, £13 6s. 8d.

Arsballauche.—Four ploughs, five tenants. Rent, £8; 4 wedders, 48 capons, 8 geese, 60s. for a custom cow, 4 leits of peats, 3 days ploughing. Grassum, £26 13s. 4.

¹ [Noted from the original in the charter room at Castle Forbes.]

Carnaverane—Three ploughs, three tenants. Rent, £4 13s 3d. ; 24 bolls victual, 3 wedders, 24 poultry. Grassum, £4 13s. 4d.

A Croft—Paying 13s. 4d., and 6 poultry of rent. Grassum, 13s. 4d.

The Wolhous—One plough, one tenant. Rent, £3 6s. 8d. ; 12 capons, 1 wedder, 2 geese, 1 leit peats, 3 days ploughing. Grassum, £3 6s. 8d.

The Mill of Aufurde, with the mill lands, two tenants. Rent, 26 bolls victual, 1 wedder, 2 geese.

The Ailhous—One tenant. Rent, £2 13s. 4d. Grassum, £2 13s. 4d.

Five crofters paying rent, £3 15s. 4d. ; one wedder.

Tibirquhendy—Two ploughs, one tenant. Rent, eight merks.

Kinstair—An annual, payable by the Laird of Kinstair, of £4.

Service on Haughton.¹ —(A.D. 1694.)

January 12, 1694 . Special service of Patrick Reid as nearest heir of his father William Reid of Haughtoun in . . . the towns lands and dominical lands of Haughtoun Overhaughtoune Smidiehill Cobleseat and Persluk with the manor place thereof houses . . . and singular pertinents of all the foresaid lands with the mill mill lands fishings . . . lying within the parish of Alford and shire of Aberdeen Which foresaid lands . . . and others . . . are held in chief of John Forbes of Balfug in fee for yearly payment of the sum of nine merks Scots . . .

Decreet of perambulation Corsindae *contra* Asloun.² —(A.D. 1609.)

To all and sindrie . . . Sir Williame Heart of Prestoun knight justice to our Souerane Lord speciallie constitute in all matteris concerning the office of justiciarie within this realme for serveing in all justice courtis and courtes of perambulation . . . and speciallie for perambulating of the richt methis merches and deuisis betuix the landis vnderwritten . . . that is to say betuix the landis of Mekill Endovie Polfig Bandle Badievin

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem.]

² [From the original (a fragment) in the charter chest at Meldrum.]

with the mylne and pertinentis thairof perteing to Williame Forbes of Corsindae Katherene Fraser his spous Katherene Mortimer [relict of vinqhile James Forbes of Corsindae] Peter Bischope of Aberdeine Robert Merser Williame Forbes of Polfig Johnne Forbes his sone Fraser his spous haldin be thame of ane nobile and potent lord Airthour lord Forbes and be the said Lord Forbes haldin immediatlie of our Souerane Lord and the landis of Littill Endovie Kinstair Tullichetlie Hauchtoun Overhauch with the mylne thairof and thair pertinentis perteing to James Garioche of Kinstair Forbes his spous Forbes relict of vinqhile Williame Garioche Williame Garioche of Tullichetlie Forbes his spous George and Peter Garioches or to ony of thame haldin lykways be thame of the said Airthour lord Forbes and be him haldin of our said Souerane Lord immediatlie lyand within the barronie of Forbes Aufurd and schirefdome of Aberdene on the ane pairt the landis of Kincragie Creach Torrens with the mylne and pertinentis thairof perteing to Patrik Leslie elder of Kincragie Leslie his spous George Leslie fear of Kincragie Magdalen Woid his spous haldin be thame of ane noble and potent lord George marqueis of Huntlie etc. and be him immediatlie of our said Souerane Lord and the landis of Findlatrie Tonley Scamsgyse Brumehill and Denmylne with the pertinentis perteing to Alexander Calder of Aslowne Jeane Mowat his spous Fraser relict of vinqhile Hew Calder of Fyndlatrie Patrik Calder of Dorsell Lumisden his spous Hew Calder of Scamsgyse Airthour Forbes in Balfour Forbes his spous Forbes his sone and Forbes his spous haldin be thame of the said George marqueis of Huntlie etc. and be him immediatlie of our said Souerane Lord lyand within the barronie of Touche and the said schirefdome of Aberdene on the other pairt as in the breif raisit be the said Williame Forbes of Corsindae thairanent at mair lenth is contenit and siclyke betuix the landis of Findlatrie Tonley Scamsgyse Brumehill and Denmylne with the pertinentis . . . on the ane pairt the landis of Mekill Endovie Polfig Bandle Badievin with the mylne and pertinentis thairof . . . the landis of Littill Endovie Kinstair Tullichetlie Hauchtoun Overhauch with the mylne and pertinentis thairof . . . the landis of Kincragie Creach Torrens with the mylne and pertinentis thairof . . . on the other pairt as in the breif raisit be the said Alexander Calder of Aslowne in the said

matter lykways at mair lenth is contenit and last betwix the landis of Kincragie Creach Torrens with the mylne and pertinentis thair of . . . on the ane pairt the landis of Findlatrie Tonley Seamsgyse Brumhill and Denmylne with the pertinentis thair of . . . on the other pairt as in the breif raisit be the said Patrik Leslie of Kincragie and his said son in the said matter at mair lenth is contenit.

And first for the pairt of the said Williame Forbes of Corsindae George Mortymer of Auchinbadie Secundlie for the pairt of the said Alexander Calder of Aslowne Williame Gordoun younger of Knokespok Thirl Alexander Garioch of the Kirktooun of Bathelnie for Corsindae Fourt Johnne Caddell of Holmes for the Laird of Aslowne Fyft Daid Anderson burges of Aberdene for Corsindae Sixt Andro Stewart of Tannachie for Aslowne Sevint Johnne Keith in Tilliemad for Corsindae Aucht James Elphinstoun of Drumnahove for Aslowne Nynt Andro Chalmer burges of Kintor for Corsindae Tent Alexander Forbes of Toweis for Aslowne Ellevint Henrie Smart burges of Kintor for Corsindae Twelff Duncane Robertsoun of Cornobo for the said Laird of Aslowne And thaireftir be consent of baithe pairteis Johnne Woid of the Mylnetoun of Fintra being proponit as oddisman for the pairt of the said Williame Forbes of Corsindae and Patrik Duncan of Seottistoun being proponit as oddisman for the pairt of the said Alexander Calder of Aslowne etc.

THE PARISH OF KILDRUMMY.¹

Litere Regis Willelmi concessa Morgundo filio Gillocheri quondam comitis de Marre super comitatibus de Marre et Moravia. ²—(A.D. 1171.)

Willelmus Rex Scottorum universis episcopis comitibus abbatibus

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 589-592.]

² [From Selden's Titles of Honour, part ii, chap. vii. (Works, vol. iii., coll. 863, 864.)

"I have it written in parchment," says Selden, "in a hand of the time wherein it is dated, but without any seal to it."

By a charter, dated at Aberdeen on the first day of November, 1362, Thomas, earl of Mar, gave the right of patronage of the church of Kildrummy to the Dean and Chapter of Aberdeen,

prioribus baronibus militibus thanis et prepositis et omnibus aliis probis hominibus totius terre sue tam clericis quam laicis salutem eternam in Domino Sciatis presentes et futuri Morgundum filium Gillocheri quondam comitis de Marre in mea presentia venisse apud Hindhop Burnemuthe in mea nova foresta decimo kalendarum Junii anno gratie M C LXXI petendo jus suum de toto comitatu de Marre coram communi consilio et exercitu regni Scotie ibidem congregato Ego vero cupiens eidem Morgundo et omnibus aliis jura facere secundum petitionem suam jus suum inquisivi per multos viros fide dignos videlicet per barones et thanos regni mei per quam inquisitionem inveni dictum Morgundum filium et heredem legitimum dicti Gillocheri comitis de Marre per quod concessi et reddidi eidem Morgundo totum comitatum de Marre tanquam jus suum hereditarium sicut predictus Gillocherus pater suus obiit vestitus et saisitus Tenendum et habendum eidem Morgundo et heredibus suis de me et heredibus meis in feodo et hereditate cum omnibus pertinentiis libertatibus et rectitudinibus suis adeo libere quiete plenarie et honorifice sicut aliquis comes in regno Scotie liberius quietius plenarius et honorificentius tenet vel possidet Faciendo inde ipse et heredes sui mihi et heredibus meis forinsecum servicium videlicet servicium Scoticam sicut antecessores sui mihi et antecessoribus meis facere consueverunt Eodem vero die et loco post homagium suum mihi factum coram communi consilio regni mei predictus Morgundus petiit sibi jus fieri de toto comitatu Moravie de quo predictus Gillocherus pater suus obiit vestitus et saisitus Super qua petitione sua per quamplures viros fide dignos barones milites et thanos regni mei inquisitionem facere fei et per illam inquisitionem inveni dictum Morgundum verum et legitimum heredem de comitatu Moravie et

to be held by them in common for their own proper uses, provision being made from the fruits of the church for a chaplain performing religious services for the souls of the Earl, his ancestors, and successors, to the honour of St. James the Apostle in the cathedral church of St. Mary, Aberdeen.—(Registrum Episcopatus Aberdonensis, vol. i., p. 101.) A few months afterwards, Alexander, bishop of Aberdeen, considering the smallness of the revenues (wasted by frequent wars) of the parish churches of Kildrumny and Cloneth, belonging in common to the chapter of Aberdeen, united them together, ordaining the one vicar who should in future serve the cure of souls, to have a stipend of one hundred shillings sterling, with the kirkland.—(Id., vol. i., pp. 102, 103.) In the year 1520, the church of Kildrumny, with the church of Logy in Mar, was leased by the Dean, and Chapter for ninety four pounds thirteen shillings and four pence; the church of "Cawbrancht otherwise Cloneth" being leased at the same time for ten pounds.—(Id., vol. i., p. 384.)

quod eodem tempore propter guerram inter me et Anglicos graviter fuissem occupatus et Moravienses pro voluntate mea non potuissem justificare dicto Morgundo nullum jus facere potui Sed cum guerram inter me et adversarios meos complere et rebelles Moravienses superare potero et dicto Morgundo sibi et heredibus suis promitto pro me et heredibus meis fideliter et plenarie jus facere de toto comitatu Moravie Et ut hoc factum meum aliis certificaretur predicto Morgundo has literas meas dedi patentes Teste me ipso eodem anno die et loco supradicto .

Lit̄era Apostolica pro inquisitione fienda super natalibus quondam Morgundi comitis de Marr de quibus questio vertebatur inter Alanum dictum Hostiarium ex parte una et Willelmum comitem de Marr ex parte altera. ¹—(A.D. 1257.)

[Alexander episcopus servus servorum Dei dilecto filio] Priori Predicatorum Aberdonensium [salutem et Apostolicam benedictionem] . Significavit nobis dilectus filius nobilis vir Alanus dictus Hostiarius carissimi in Christo filii nostri Regis Scotie illustris sororius . quod cum nobilis vir Guillelmus de Marria Aberdonensis diocesis comitatum de Marria ad prefatum Alanum de jure spectantem detinuerit in ejusdem Alani prejudicium occupatum . et Morgundus et Duncanus defuncti quibus dictus Guillelmus in comitatu ipso se succedereasserit non fuerint de legitimo matrimonio procreati . dictus Alanus quasdam super hoc per quemdam procuratorem suum ad venerabilem fratrem nostrum Episcopum Bre-

¹ [From the Monumenta Britannica ex autographis Romanorum Pontificum deprompta, vol. ix., p. 155, (MS. British Museum, addit. MSS. 15351-15400, Plat.)

Among the records found in the treasury in the Castle of Edinburgh in the year 1291, was a roll of recognitions containing, among other matters, a record of the affair touching the Earl of Marr and Thomas the Doorward, (who died before the year 1233): "Item alius rotulus de recognicionibus in quo multa negocia vtrumque regnum tangencia continentur et etiam negocium tangens Comitem de Marr et Thomam le Usser"—(Acts of the Parliaments of Scotland, vol. i., append. to pref., p. 6.)

Among the records which the King of England delivered to the King of the Scots in 1292, was an agreement made of old between the Earl of Marr and Thomas Durward: "Item in vno saculo existente in maleta veteri vna pixis sigillata in qua est compositio inter Comitem de Mar et Thomam Ostiarium olim facta."—(Acts of the Parliaments of Scotland, vol. i., append. to pref., p. 10.)

chinensem suumque collegam impetravit litteras Apostolicas inter cetera continentes ut vocatis qui vocandi essent in inquisita super premissis diligentius veritate quod invenirent per suas nobis litteras intimarent . prefigendo partibus terminum peremptorium competentem quo per se vel per procuratores idoneos ad causam hujusmodi sufficienter instructos nostro se conspectui presentarent facture ac recepture quod ordo exigeret rationis . Sed cum iidem Episcopus et collega in eodem negotio procedentes processum suum ad examen Apostolicum juxta dictarum litterarum continentiam remisissent . nos postmodum causam hujusmodi dilecto filio nostro O. Sancte Marie in Via Lata diacono cardinali commisimus terminandam . coram quo causa ipsa pendente pars altera coram ipso quasdam litteras sub bulla nostra confectas predictarum ad dictos Episcopum et collegam obtenturum tenorem totaliter continentes . quas idem Guillelmus ad Abbatem monasterii de Jeddwrd suosque collegas impetravit . ostendit . per quas predictas litteras ad Episcopum et collegam predictos obtentas . si talis foret tenor ipsarum per omnia qualis in secundis litteris insertus fuerit . falsas esse dicimus decrevisse . Verum partibus super hiis coram eodem Cardinali ad invicem diutius litigantibus tandem dictus Cardinalis auditis et intellectis rationibus et allegationibus quas partes voluerunt proponere coram eo . cum procurator Alani predicti originale litterarum ipsarum nequiverit ostendere eum ipso . cum illud juramento suo asseruit fore in partibus Scoticanis . volens parcere partium laboribus et expensis . relatione de predictis omnibus nobis facta . de nostra licentia et mandato ac etiam de voluntate partium et assensu . litteras utrasque impetratas ex parte ipsius Alani et ex parte etiam Guillelmi comitis memorati et processus omnes habitos per eandem cassavit et irritavit etiam et irritos nuntiavit . cassans nichilominus omnem processum si quis auctoritate litterarum ex parte ipsius Comitis impetratarum de cetero coram quocunque iudice haberetur . partibus super jure suo in questione hujusmodi litteras impetrandi licentiam concedendo . prout in litteris Cardinalis ejusdem plenius continetur . Nos igitur quod per eundem Cardinalem super hoc factum est ratum et gratum habentes ac auctoritate Apostolica confirmantes mandamus quatinus vocatis qui fuerint vocandi super natalibus dicti Morgundi inquiratis diligentius veritatem et quod canonicum fuerit appellatione postposita decernatis . [facientes quod decreveritis firmiter] observari . dicto Regi

comitatus ipsius iudicio reservato . Testes autem [qui fuerint nominati si se gratia vel odio vel favore subtraxerint per censuram eandem cessante appellacione cogatis veritati testimonium] perhibere . Non obstante indulgentia que tibi fili Prior vel fratribus tui ordinis a sede Apostolica dicitur esse concessa quod de causis inviti cognoscere minime teneamini que vobis a Sede committuntur eadem . et que de indulto hujusmodi plenam et expressam non fecerint mentionem . Datum Viterbii iiii. nonas Octobris . anno tertio .

Memorandum super tres centum libratis terre que deficiebant Morgundo filio Gyloclely quondam comiti de Marre et adhuc deficiunt Domino Donenaldo comiti de Marre. ¹—(A.D. 1291.)

Memorandum quod quando Willelmus Rex Scocie reddidit Morgundo M[ac] Gyloclely predecessori Domini Donenaldi comitis de Marre comitatum suum de Marre secundum quod continetur in scripto quod habet predictus Douenaldus comes de Marre deficiebant tunc dicto Morgundo et adhuc deficiunt Comiti de Marr tres centum librate terre pro parte in dominiis et pro parte in homagiis et amplius de quibus petit jus sibi fieri et rationem .

Carta Andree de Moravia militis Panetarii domini Regis super terris de Garviauch in liberum maritagium. ²—(A.D. 1326.)

Robertus [Dei gratia Rex Scottorum] . . . Sciatis nos . . . confirmasse

¹ [From an appeal made from the Wardens of Scotland to the King of England by Sir Robert of Brus, lord of Annandale, preserved in the Treasury of Her Majesty's Exchequer at Westminster, and printed in Sir Francis Palgrave's Documents and Records illustrating the History of Scotland, vol. i., p. 21.]

By the "Ordonnance faite par Edouard Roi d'Angleterre sur le gouvernement de la terre d'Escoffe," in the year 1305, the future King of the Scots was ordered to place the castle of Kildrummy in good keeping: "Item accorde est que commande soit au Counte de Carrik quil mette le chastel de Kyndromyn en la garde de tuel homme pur qui il meismes voudra respoudre."—(Acts of the Parliaments of Scotland, vol. i., appen. to pref., p. 16.) The charge of this fortress was doubtless committed to Bruce, as guardian of the young Earl of Mar, his nephew.]

² [From the Earl of Haddington's Collections, MS. Adv. Bibl., Edin.]

Andree de Moravia militi Panetario nostro Scotie dilecto et fileli et Cristiane sponse sue sorori nostre dilecte omnes terras nostras de Garviauch tam infra burgos nostros quam extra in dominicis et dominiis cum pertinentiis suis in liberum maritagium Tenendas et habendas dictis Andree et Cristiane et heredibus de corporibus eorundem legitime procreandis de nobis et heredibus [nostris] in feodo et hereditate per omnes rectas metas et divisas suas adeo libere quiete plenarie et honorifice cum omnimodis libertatibus commoditatibus rectitudinibus asiamentis et justis pertinentiis suis sicut quondam Dauid comes de Huntingdoun predictas terras in dominicis et dominiis de predecessoribus nostris Regibus Scotie liberius quietius plenius integrius aut honorificentius aliquo tempore tenuit seu possedit Faciendo nobis et heredibus nostris dictus Andreas et Cristiana sponsa sua predicta et eorum heredes supradicti antiqua servicia de predictis terris cum pertinentiis debita et consueta In cujus rei testimonium . . . Apud Clakmannane . xxii^o die Julii anno regni nostri vicesimo primo .

Endenture entre Edward Roy Descoce et Richard Taleboth chevalier. ¹ —
(A.D. 1334.)

Ceste endenture faite par entre tres honorable Prince Edward par la grace de Dieu Roy Descoce dune part et Richard Thaleboth chevalier dautre part tesmoigne comme le dit Roy ait greante au dit chevalier son alliet delivrer hors de son baille au dit chevalier le chastel de Kyldromy o les appurtenances ainsi que le dit chevalier soblige quil ne sera en nulle querelle encontre le dit Roy ne contre lonnour et profit de son royaume se ne soit pour la querelle et la liegence du Roy Dengleterre . Et aussi le dit chevalier sassent et oblige comme . . . par devers le dit Roy Descoce que le dit chastel de Kyldromy serra tous jours prest au dit

¹ [From Illustrations of Scottish History, from the twelfth to the sixteenth century, pp. 55, 56, Glasgow, 1834.

Sir Richard Talbot of Goderich was one of the Disinherited Lords who placed Sir Edward Balliol on the Scottish throne. He was allied by marriage to the once all powerful house of Cumyn.]

Roy Descoco sans estre dence en nulle besoinge ou mester que lavant dit Roy ayt en recept pour son corps en le dit chastel . En tesmoignance de quelles choses les parties avant dites entrechaingablement a ceste endentre ont mis leurs seealz . Escripte a Edemburgh le . xvij . jour de Fevrier lan de grace mil . ccc . trente et trois .

Dominus Edwardus Rex Anglie mandat quod inquiratur si officium vicecomitatus de Rokesburgh et custodia foreste de Selkirk ad Isabellam comitissam de Marre pertineant jure hereditario. ¹ —(A.D. 1334.)

Rex dilectis et fidelibus suis Radulpho de Nevill et Antonio de Lucy salutem Supplicavit nobis dilectus et fidelis noster Galfridus de Moubray quod cum ipse ut de jure Isabelle comitisse de Mar uxoris sue esse debeat vicecomes de Rokesburgh et custos foreste de Selkyrk ac iidem vicecomitatus et custodia ratione donationis et concessionis quas magnificus princeps Edwardus Rex Scotie consanguineus noster de comitatu et foresta predictis fecit nobis jam capti sunt in manum nostram velimus ei officium vicecomitatus predicti ac custodiam dicte foreste facere liberari Nos ex causa predicta volentes certiorari utrum officium vicecomitatus predicti et custodia foreste predictae ad ipsos Galfridum et Isabellam ut de jure ipsius Isabelle ut premititur pertineant et antecessores ejusdem Isabelle officium et custodiam illa habuerunt necne et si sic tunc a quo tempore quo titulo qualiter et quo modo et si officium et custodia predicta occasione premissa capta sunt in manum nostram an alia et si alia tunc qua qualiter et quomodo assignavimus vos ad inquirendum per sacramentum proborum et legalium hominum de partibus predictis per quos rei veritas melius sciri poterit in presentia vicecomitis nostri comitatus predicti . . . Et ideo vobis mandamus quod . . . diligentem super premissis faciatis inquisitionem et eam distincte et aperte factam nobis sub sigillis vestris et sigillis eorum per quos facta fuerit sine dilacione mittatis et hoc breve . . . Teste Rege apud Westmonasterium . xv. die Septembris .

¹ [From the Rotuli Scotiae, vol. i., p. 278.]

Edwardus Rex Anglie mandat quod terre Isabelle comitisse de Marre sibi et Willelmo de Careswell marito suo liberentur. ¹—(A.D. 1347.)

Rex dilecto sibi Johanni de Coupeland vicecomiti de Rokesburgh salutem Mandamus vobis quod omnia terras et tenementa que sunt de hereditate Isabelle comitisse de Mar quam dilectus et fidelis noster Willelmus de Careswell duxit in uxorem infra comitatum predictum existentia eisdem Willelmo et Isabelle liberetis tenenda prout antecessores ipsius Isabelle eadem terras et tenementa ante hec tempora tenuerunt salvo jure nostro et alterius cujuscunque . . . Apud Redyng . xxviij. die Martii .

Edwardus Rex Anglie dat custodiam castri de Rokesburgh ac vicecomitatum comitatus de Rokesburgh Willelmo de Careswell marito Isabelle comitisse de Mar et domine hereditarie eorumdem. ¹—(A.D. 1347.)

Rex omnibus . . . salutem Sciatis quod commisimus dilecto et fideli nostro Willelmo de Kareswell qui Isabellam comitissam de Mar duxit in uxorem custodiam castri de Rokesburgh ac vicecomitatum comitatus de Rokesburgh que sunt de hereditate predictae Isabelle ut dicitur Habenda et tenenda eodem modo quo antecessores predictae Isabelle custodiam et vicecomitatum predictos ante hec tempora tenuerunt Percipiendo pro dictis custodia et vicecomitatu tantum quantum antecessores predictae Isabelle percipere consueverunt pro eisdem Volentes quod solutio illarum centum librarum quas prefate Isabelle pro custodia et vicecomitatu predictis nuper concessimus annuatim ad scaccariam nostram percipiendarum quamdiu eadem castrum et vicecomitatum in manu nostra contigerit remanere exnunc penitus cesset et de eisdem centum libris erga predictos Willelmum et Isabellam sumus totaliter exonerati . . . Apud Redyng secundo d'ie Aprilis .

¹ [From the Rotuli Scotiae, vol. i., p. 693.]

Edwardus Rex Anglie dat Willelmo de Careswell custodiam terrarum que fuerunt Isabelle nuper comitisse de Mar consortis ejusdem Willelmi defuncte. ¹—(A.D. 1348.)

Rex omnibus . . . salutem Sciatis quod pro bono servitio quod dilectus et fidelis noster Willelmus de Careswell nobis impendit et impendet in futurum concessimus ei custodiam omnium terrarum et tenementorum cum pertinentiis in terra Scotie que fuerunt Isabelle nuper comitisse de Mar consortis ejusdem Willelmi defuncte que de nobis tenuit in capite et que terre et tenementa in manu nostra existunt Habenda usque ad plenam etatem Thome filii et heredis ejusdem Comitisse Reddendo inde nobis per annum per manus camerarii ville nostre Berewici super Twedam valorem terrarum et tenementorum predictorum juxta extentam inde faciendam Salvo semper prefato Willelmo jure suo si quod habeat ad tenendum terras et tenementa predicta ad terminum vite sue post mortem prefate consortis sue racione prolis inter eos suscitata ac salvo jure prefati Thome si quod habeat ad terras et tenementa predicta . . . Teste Rege apud Westmonasterium . xv. die Januarii .

Confirmacio carte Comitiss de Marr. ²—(A.D. 1359.)

King David's confirmation of a chartour granted be Thomas comes de Mar dominus de Cauers et del Garuyauch ac camerarius Scotie . . . dilecto et speciali clerico suo [Domino] Johanni de Mar canonico Aberdonensi . . . terram suam de Cruterystoun in le Garuyauch infra vicecomitatum de Aberdene . Tenendam et habendam dicto Domino Johanni et suis assignatis de nobis . . . per omnes rectas metas et divisas suas sine

¹ [From the Rotuli Scotiæ, vol. i., p. 708.]

² [From the Earl of Haddington's Collections, MS. Adv. Bibl., Edin

Among the missing charters of King David II, are grants to Thomas, earl of Marr, of the lands and lordship of the Garviache.—(Robertson's Index to the Missing Charters, p. 31, no. 34; p. 36, no. 25) Sir Robert Douglas, quoting from the Marr charter chest, says that Earl Thomas "obtained a charter of confirmation from King David II to him and his heirs whatsoever, of the whole lands and lordship of Garrioch, to be holden by him and his heirs, as freely as David earl of Huntingdon, held the same."—(Peerage of Scotland, p. 460.) The seal and counter seal of Earl Thomas are described in H. Laing's Catalogues of Ancient Scottish Seals, pp. 96, 97.]

homagio seu warda relevio vel secta curie · libere quiete . . . cum omnibus
 recitudinibus consuetudinibus et justis pertinentiis . . . una cum lege
 Fleminga que dicitur *Fleming lauch* . Reddendo inde . . . unum denarium
 argenti qui vocatur sterlingus . . . nomine albefirme Salvo forinseco ser-
 vitio Domini Regis quantum ad dictam terram de jure pertinet . . . Testi-
 bus venerabili in Christo patre Domino Alexandro Dei gratia episcopo
 Aberdonensi Willelmo de Keth marescallo Scotie Dominis Waltero de
 Moigne Laurentio Gylebrande Johanne de Strauthachin et Willelmo de
 Ledale tunc vicecomite de Aberden militibus . *Item witnesses to the Kings*
confirmation Willelmo episcopo Sanctiandree et Patricio episcopo Brechi-
 nensi cancellario nostro Roberto senescallo Scotie comite de Strathern
 nepote nostro Patricio comite Marchie et Moravie Willelmo comite de
 Douglas Roberto de Erskin et Joanne de Prestoun militibus apud Perth
 vigesimo secundo die Novembris anno regni nostri vigesimo nono .

Endenture entre Sire Edward Roi d'Engleterre et Thomas counte de
 Marre. ¹—(A.D. 1359.)

Ceste endenture faite entre tres excellent prince Sire Edward par la grace
 de Dieu Roi d'Engleterre et de France dune part et Thomas counte de
 Mar dautre part tesmoigne que le dit Counte est demorrez devers le dit Roi
 et lui ad fait homage lige coudre toutes les persones du mound horspris
 tant seulement la persone de Sir David de Bruys son seigneur et le dit
 Counte servira loialment tant come il vivera le dit Roi d'Engleterre et ses
 heirs en ses guerres et aillours contre toutes persones horsprise la persone
 du dit Sir David tant come il fait son devoir devers lui Et pour celle
 cause le dit Roi d'Engleterre ad graunte et otroie au dit Counte pour son
 fee et pour son homage sis centz mares desterlings a prendre chescun an a
 leschequier d'Engleterre as termes de Seint Michel et de Pasques par
 oueles portions a terme de la vie du dit Counte ou tant que le Roi lui eit
 done un mariage a son pleisir et quele heure que le Roi lui eit done un
 tieu mariage soit le Roi descharge de celle heure en avant de la somme
 annuele de six centz mares avantdite par ensi toutes voies que si celle

¹ [From the *Rotuli Scotiae*, vol. i., p. 836.]

femme a qi il serra ensi mariez devie et leritage la femme ne demoege apres la mort la femme devers le dit Counte que adonques il receit la dite somme annuele de six centz mares a terme de sa vie ou tant que le Roi lui eit ordene autre mariage come dessus est dit Et en cas que le dit Counte prigne femme a sa volente autrement que de lordinance du dit Roi que nientmoinz les dites sis centz mares annueles lui soient paies en la forme avantdite Et si cas aveigne que le dit Counte pour cause de sa demoeer devers le Roi perde ses terres ou son heritage en Escoce que adonques le Roi soit tenez en recompensation de meisme leritage de lui faire paier six centz livres desterlings chescun an as termes susditz outre les sis centz mares annueles avantdites tant que il puisse avoir restitution de son heritage avantdite Et [ou]tre ce le dit Counte outre les sommes avantdites serra prestement servi de gages pour lui et ses gentz a toutes les foiz qil vandra en le service du Roi pour sa guerre et prendra autielx gages come le Roi durra a ses autres gentz dEngleterre les queux gages commenceront a lheure que le dit Counte ovesque ses dites gentz entrera le roialme dEngleterre pour venir en le service du Roi Et outre ce voet le Roi que le dit Counte eit sa action a poursuivre et recovrir son heritage si bien en Engleterre come en la Marche dEscoce que est a lobeissance du Roi si avant come la ley le voet doner Et toutes les choses susdites ad le dit Roi promis de faire et acomplir au dit Counte sanz fraude ou mal engien En tesmoignance des queles choses a ceste partie de lendenture demorrante devers le dit Counte le dit Roi ad fait mettre son grant seal Done a Westminster le xxiiij jour de Fevrier lan du regne de le dit Roi dEngleterre trentisme tierz et de France vintisme .

Edwardus Rex Anglie dat salvum conductum pro Nicholao de Botheville et Johanne Cambroun scutiferis Thome comitis de Marre in Scotiam profecturis ut inde centum boves et alia victualia pro ipso Comite abducant. ¹—(A.D. 1364.)

Rex vicecomitibus . . . salutem Sciatis quod cum nobilis vir Thomas

¹ [From the *Rotuli Scotiæ*, vol. i., p. 889.

The Parliament which met at Perth in February, 1369-70, found that the Earl of Mar had contumaciously absented himself.—(Acts of the Parliaments of Scotland, vol. i., p. 149.]

comes de Mar de Scotia mittat Nicholaum de Botheville et Johannem Cambroun scutiferos suos ad partes Scotie pro centum bobus et aliis victualibus de eisdem partibus Scotie in regnum nostrum Anglie ad ipsum Comitem pro sustentacione sua ducendis suscepimus ipsos Nicholaum et Johannem eundo ad dictas partes Scotie et exinde cum bobus et victualibus predictis et sex gacionibus pro ductione boum et victualium eorundem in regnum nostrum predictum veniendo in saluum et securum conductum nostram necnon in protectionem et defensionem nostram . . . Teste Rege apud Westmonasterium . xij. die Decembris .

Carta Johannis Camroune super terris de Burchis et de Westir Drummelochi in Stradone in maritagio cum Elena de Monte Alto.¹—(*circa* A.D. 1365 et A.D. 1426.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam dilecti consanguinei nostri Thome comitis de Mar domini de Garniach factam et concessam dilecto et fideli nostro Johanni Camroun in libero maritagio cum Elena de Monte Alto de omnibus et singulis terris suis de Burchis et de Westir Drummelochy cum pertinencijs in Stradone infra vicecomitatum de Abirden . . . intellexisse ad plenum sub hac forma . . . OMNIBUS hanc cartam visuris vel auditoris Thomas comes de Mar et dominus de le Garniach eternam in Domino salutem Nouerit vniuersitas vestra nos dedisse . . . dilecto et fideli nostro Johanni Camroun in libero maritagio cum consanguinea nostra carissima Elena de Monte Alto omnes terras nostras de Burchis et de Westir Drummelochi cum pertinencijs in Stradone infra vicecomitatum de Abirdene Tenendas et habendas eisdem Johanni et Elene uel eorum alteri diucius viuenti et heredibus suis inter ipsos legitime procreatis uel procreandis de nobis et heredibus nostris in feodo et hereditate . . . sine homagio warda reliuio uel secta curie . . . Reddendo inde nobis et heredibus nostris . . . vnum denarium sterlingorum

¹ [Abridged from the Registrum Magni Sigilli, lib. ii., no. 75, MS. Gen. Reg. House, Edin.]

By a charter, dated at Kildrumny on the twenty-second of July, 1377, William, earl of Douglas and Marr, granted the lands of Easter Foulis (in the parish of Leochel) to James de Monte Alto or Mowat. (Nisbet's Heraldry, part iii. p. 45; part iv. pp. 31, 131.) Earl William's seal is described in H. Laing's Catalogue of Ancient Scottish Seals, p. 44.]

annuatim apud castrum de Kyldrumy ad Festum Pentecostes nomine albe firme si petatur tantummodo . . . Saluo forniceo seruicio domini nostri Regis quantum ad dictas terras de iure pertinet . . . In cuius rei testimonium magnum sigillum nostrum presenti carte nostre est appensum Hiis testibus venerabili in Christo patre Domino Alexandro Dei gracia episcopo Aberdonensi Willelmo de Keth marescallo Scocie carissimo fratre nostro Thoma de Balliolo Domino Andrea tunc priore de Monimuse Domino Waltero de Couingtre decano Aberdonensi ac doctore vtriusque juris Domino Johanne de Cromdolo canonico Rossensi ac decretorum doctore Domino Waltero Moyngne et Johanne le Graunt Johanne de Strathachin Laurencio Gillebrande militibus Andrea de le Garuiach domino de Caskiben Duncano filio Rogeri tunc balliuo de Mar et multis alijs . QUAM QUIDEM cartam . . . imperpetuum confirmamus Saluo seruicio nostro In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Johanne Camroun electo confirmato ecclesie Glasguensis ac priuati sigilli nostri custode Johanne Forestarij de Libirtoun camerario nostro Scocie Roberto de Lavedre de Edryngtoun iusticiario nostro Waltero de Ogilevy de Balliciane thesaurario nostro et Alexandro de Forbes militibus apud Aberdene duodecimo die mensis Augusti anno Domini millesimo quadringentesimo vicesimosexto et regni nostri vicesimoprimo .

Carta Comitis de Marre ¹—(circa A.D. 1368.)

Omnibus hanc cartam visuris vel auditoris . Thomas comes de Marre . salutem in Domino sempiternam . Sciatis nos cum consilio nostro . in-spexisse . . . cartam dilecti fratris nostri . Domini Willelmi comitis de Douglas ac domini baronie de Cauers concessam . . . religiosis viris Abbati et Conuentui monasterii Sancte Marie de Melros . . . de toto iure patronatus ac aduocacione ecclesie de Magna Cauers in baronia predicta infra vicecomitatum de Roxburghe . . . Quamquidem cartam . . . nos Thomas comes de Marre predictus . . . imperpetuum pro nobis et heredibus nostris . . . confirmamus . In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi . Hiis testibus . Dominis Waltero de Moigne . . .

¹ [Abridged from the Liber S. Marie de Melros, vol. ii., p. 431.]

Carta Comitis de Marre.¹—(A.D. 1368.)

Omnibus hoc scriptum visuris vel auditoris Thomas de Balliolo frater magnifici viri Domini Thome comitis de Marre salutem in Domino sempiternam . Nouerit vniuersitas vestra me ex certa et euidenti causa ac deliberato consilio et expresso consensu dicti Domini Comitis de Marre fratris mei . . . simpliciter resignasse . . . reuerendo domino meo Domino Willelmo comiti de Dowglas domino baronie de Cauerys tanquam domino meo capitali de dicta baronia / omnes terras meas et singulas ac tenementa integra de Yarlside . Cauillyne . Langside . Senglee . Scanehusope et Peneercerys cum pertinenciis in dicta baronia infra vicecomitatum de Roxburghe me ex dono dicti domini fratris mei Comitis de Marre hereditarie contingentes a me et heredibus meis imperpetuum . In cuius rei testimonium huic litere resignacionis mee sigillum meum est appensum . Et vt mea presens resignacio . . . rata permaneat et immobilis . reuerendus frater meus et dominus . Dominus Thomas comes de Mar ad maiorem securitatem et euidenciam gracia . . . confirmacionis . . . presens scriptum sigilli sui attentici appositione munitur fecit et signarij . Datum apud Cauerys die Martis proxima post Festum Ascensionis Domini anno gracia millesimo ccc^{mo} sexagesimo octauo Hiis testibus . Dominjs Duncrno Walas et Johanne Grant militibus . Willelmo de Lyndessay . Willelmo Mawtaland . Bernardo de Kergill . Laurencio de Gowen . Symone de Glendonwyn . Thoma de Crannystoun . Ada de Hoppringill . et Willelmo filio Walteri et multis alijs .

Litera Regis pro carta Margarete comitisse de Marr facienda.²—(A.D. 1379.)

Robertus Dei gracia Rex Scottorum venerabili patri Johanni episcopo Dunkeldensi cancellario nostro salutem . Sciatis quod concessimus dilecte consanguinee nostre Elizabeth Senescalli filie iuniori et vni heredum quondam Thome Senescalli comitis Angusie consanguinei nostri nostram

¹ [Abridged from the Liber S. Marie de Melros, vol. ii., pp. 435-437.]

² [From a copy in the General Register House.]

licenciam specialem liberam atque puram ad infeodandum seniore[m] sororem suam Margaretam comitissam de Marre alteram heredum dicti Comitis consanguineam nostram de omnibus terris et redditibus vbiq[ue] infra regnum nostrum existentibus ipsam Elizabeth iure hereditario concernentibus cum seruitiis libere [te]nencium aduocacionibus ecclesiarum ac omnibus aliis iustis pertinenciis quibuscunq[ue] . Quare vobis precipimus et mandamus quatinus dictam Margaretam habere faciatis literas nostras sub magno sigillo nostro debitam formam capelle nostre continentes super confirmatione nostra secundum tenorem literarum dicte Elizabeth sibi inde confectarum in omnibus . Saluo seruicio nostro . Datum sub sigillo nostro secreto apud Edinburgh . xvij . die mensis Februarij anno regni nostri octauo .

Carta Margarete comitisse de Angus et de Marre. ¹—(circa A.D. 1390.

Omnibus hanc cartam visuris vel audituris Margareta comitissa de Angus et de Marre / salutem in Domino Nouerit vniuersitas vestra nos in libera vdiuitate nostra . . . dedisse . . . carissimo fratri nostro Alexandro de Hamilton et Elisabeth sorori nostre sponse sue omnes et singulas terras nostras domini de Inuerwike cum pertinentiis in constabularia de Hadingtoun de Balnebyn et de Drumcarne / in dominio de Abrenethy cum pertinentiis infra vicecomitatus de Perth et de Edynburche / Tenendas et habendas . . . predictis Alexandro et Elisabethe sponse sue / eorum diucius viuenti / ac heredibus inter ipsos legitime procreandis quibus forte deficientibus / Georgio filio nostro et heredibus suis de corpore suo legitime procreandis / et illis deficientibus heredibus nostris legitimis quibuscunq[ue] de domino nostro Rege et heredibus suis in feodo et hereditate imperpetuum . . . Reddendo . . . domino nostro Regi et heredibus suis / seruicium de dictis terris debitum et consuetum . . . In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi / hiis testibus nobilibus et potentibus dominis Dominis Roberto de Fif et Meneteth / Georgio de Dunbarr Johanne de Morauea comitibus Johanne de Sancto Claro Jacobo

¹ [Abridged from the original in the General Register House

The seal of 'Marguerite le Seneschalle comtesse de Marre' is figured and described in H. Laing's Catalogue of Ancient Scottish Seals, p. 131.]

de Sancto Claro / Willelmo de Sancto Claro fratribus nostris Alano de Lawedre / Henrico de Wedale et Johanne de Ochiltre publicis notariis cum multis aliis .

Litera Regis concessa Domino Malcolmo de Drommond ad edificandum turrem in terris de Kyndrocht. ¹—(A.D. 1390.)

Robertus Dei gracia Rex Scottorum . . . Sciatis quod concessimus dilecto fratri nostro Malcolmo de Drommond militi licenciam nostram specialem ad edificandum . . . turrem siue forsletum in terris de Kyndrocht cum pertinenciis infra comitatum de Marre . . . Datum sub testimonio nostri magni sigilli apud Methven decimo die Nouembris anno regni nostri primo .

Protestatio pro heredibus Comitatus de Marr. ²—(A.D. 1391.)

In Dei nomine Amen Per presens publicum instrumentum cunctis pateat euidenter / quod anno Domini millesimo ccc^{mo} nonagesimo / die Sabbati

¹ [Abridged from the original in the charter room at Drummond Castle.

In the summer of 1395, King Robert III., in partial discharge of the third part of the ransom of Sir Ralph of Percy, knight, (taken prisoner with his brother, Hotspur, at Otterbourne, in 1388) due to the King's brother-in-law, Sir Malcolm of Drummond, lord of Marr, granted to him the sum of seven hundred marks, being the fendal casualty of the relief of the lordship of Strathbogie, due to the King on the death of Sir John of Gordon, knight.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 198-201; Acts of the Parliaments of Scotland, vol. i., pp. 219, 220.) In acquittance of the same ransom, the Lord of Marr had a grant of twenty pounds a year from the customs of Inverness.—(Robertson's Index to the Missing Charters, p. 138, no. 19.)

² [From the Acts of the Parliaments of Scotland, vol. i., p. 216.

Sir Robert Douglas quotes from the Marr charter chest, "a bond of friendship between [Sir] David, earl of Crawford, and [Sir] Thomas [of] Erskine, [lord of that Ilk], obliging themselves to support each other with their counsel, etc.; and whereas [Sir] Thomas would be creditor to the said Earl for twelve [hundred] merks, for the marriage of Sir Robert, his [eldest] son, with the Earl's daughter, he forgives him six [hundred] merks thereof; and the said Earl obliges himself, after the decease of Isabel, countess of Marr, to support the said Lord Erskine, and Dame Janet, his wife, with all his power and interest, and with all his friends, in case she would consent to the foresaid marriage, in the recovery of the earldom of Marr, lordship of Garrioch, etc., to which she had undoubted right; also, in the recovery of all other lands they could pretend right to;

mensis Marcij die decima octava Indictione xiiij / pontificatus sanctissimi in Christo patris ac domini nostri · Domini Clementis pape septimi anno terciodecimo apud Sconam Sanctiandree diocesis super montem ex parte boreali monasterii eiusdem extra cymyterium vbi et quando excellentissimus princeps et dominus Dominus Robertus Rex Scottorum in suo pleno sedebat parlamento ad cuius Domini Regis presenciam / testibus ac me notario subscriptis personaliter presentibus accessit nobilis vir Dominus Thomas de Erskyne miles / et prefatum Dominum Regem vt audienciam sibi concederet humiliter et omni instancia requisivit / et audiencia sibi concessa / prefatus Dominus audientibus prelati et proceribus parlamenti domino nostro Regi dixit in vulgari prout sequitur vel saltem in verbis consuilibus / My Lorde the Kyng / it is done me til vnderstand that thare is a certane contract / made bytwene Schir Malcolme of Dromonde / and Schir Johne of Swyntone apone the landis of the erledome of Marre and the lordshipe of Garvyauch of the qwhilkes erledome and lordshipe Issabell the said Schir Malcolms wyf is verray and lauchfull ayre / and failliand of the ayrez of hir body / the half of the fornemyt erldome and lordship perteignys to my wyfe of richt of heretage / Tharefore I require yow for Goddis sake as my Lorde and my Kyng / as lanchful actornay to my saide wyfe / that in case gif ony sic contract be made in preiudice of my saide wife / of that at aucht of richt and of lauch perteigne til hir in fee and heritage failliand of the saide Issabell as is before saide / that ybe grant na confirmacione thare apone in hurtyng of the commone lauch of the kynryk / and of my wyvis richt / swa that sic contract gif ony be make na preiudice no hurtyng to my fornemyt wife of that at scho aucht to succede to as lauchful ayre / To the qwhilk our Lorde the Kyng answerit / saiant that he had weel herd and vnderstand his request / and said that hym thocht his request was resounable / and said als / that it suld nocht be his wil in that case no in nane othir oucht to do or to conferme that suld ryn ony man in preiudice of thair heritage attour

and if the said Sir Robert married his daughter, to support him in all things against all men, referring any differences that might happen between them to the arbitration of friends, etc." This writ is dated [at Brechin], the twentieth day of December, [1400].—(Peerage of Scotland, pp. 465, 466.) Cf. Lord Lindsay's Lives of the Lindsays, vol. i., p. 105, edit. 1849.

By a charter, dated at Kildrymmie on the eighth of April, 1403, (and confirmed by King Robert III. in 1404), Isabella of Douglas, countess of Marr and Garioch, granted the lands of Melginch and Cloveth to her kinsman, Sir David of Lindsay, earl of Crawford.—(Miscellany of the Maitland Club, vol. i., p. 358.)

the commone lauch / and namely in oucht at ryuyt the said Schir Thomas or his wyfe in sic manere / Apon the qwilk our Lord the Kynges grant the said Schir Thomas and als apone his saide request requerit me notare before said to make hym ane instrument / Acta sunt anno die mense Indicieione et pontificatu quibus supra presentibus reuerendis in Christo patribus Dominis Waltero Matheo et Gilberto Sanctiandree Glasguensis et Aberdonensis episcopis Roberto comite de Fyff et de Menteth custode Scoecie . Willelmo de Keth marescallo Scoecie Patricio Grame militibus / et alijs ad premissa testibus vocatis specialiter et rogatis .

Et ego Henricus de Wedalle clericus Glasguensis diocesis publicus auctoritate Apostolica et Imperiali notarius [*etc. in forma communi.*]

Litera Regis pro Domino Malcolmo de Drommond milite domino de Marr.¹ — (A.D. 1393.)

Robertus Dei gracia . Rex Scottorum / customariis nostris burgi de Abirdene / salutem / Quia concessimus dilecto fratri nostro Malcolmo de Drommond militi domino de Marr . pro homagio et seruicio suo nobis impenso et pro toto tempore vite sue impendendo . quadraginta libras sterlingorum annuatim leuandas et percipiendas per equales porciones ad Festa Sancti Martini et Pentecostes de magna custuna nostri burgi de Abirdene per manus customariorum nostrorum . . . quousque sibi et

¹ [Abridged from the original in the charter room at Drummond Castle. The Prior of St. Serf's Inch relates, under the year 1402, that—

" Schire Maleom of Drummond, lord of Mare,
A mairful knycht baith wys and ware,
That lang befor than weddit was
With the Erlis douchtyr of Douglas;
This torsald yeire he wes wyth slycht
Supprist and takyn; baith day and nycht
Kepit intil strait tenawns,
Quhill he deit in hard penawns."

(Wyntounis Cronykil, book ix., chap. xxiii.) That Sir Maleolm of Drummond died before the eighth of November, 1402, appears from a charter of that date, granted at Kildrumny, in which Isabel, lady of Marr and of the Garioch, speaks of herself as then a widow.—(Illustrations of the Antiquities of the Shires of Aberdeen and Banff, vol. ii., pp. 9, 10.) Cf. Liber S. Thomæ de Aberbrothoc, vol. ii., pp. 46, 47; Registrum Episcopatus Aberdonensis, vol. i., p. 27.]

heredibus suis per nos uel heredes nostros de quadraginta libratis terre in loco competenti per cartam nostram fuerit prouisum / Quare vobis mandamus . . . quatinus dietas quadraginta libras dicto Malcolmo et heredibus suis . . . persoluatis . . . In cuius rei testimonium has literas nostras . . . fieri fecimus patentes . Apud Perth nonodecimo die Octobris anno regni nostri quarto .

Litera Regis Thome de Erskine militi concessa. ¹—(A.D. 1395.)

Robertus Dei gratia Rex Scottorum . . . Sciatis quod consideratis laboribus et bene meritis dilecti consanguinei nostri Thome de Erskine militis multipliciter impensis concessimus sibi quod licet Isabella de Douglas comitissa de Marr et de Gareoch ex informatione vel contractu cuiuscunque persone dictos comitatus vel aliquam partem terrarum vel annuorum reddituum eorundem aut aliquas terras sive annuos redditus suos alibi iacentes infra regnum nostrum quibus heredes dicti Thome succedere debent in hereditatem nobis voluerit resignare aut alienationes de eisdem cuiuscunque persone facere in prejudicium verorum heredum suorum / nos siquidem huiusmodi resignationes non recipimus in futurum nec huiusmodi alienationes ratificabimus vel confirmabimus . Et si aliquas huiusmodi receptiones confirmationes aut ratificationes forsan negligenter fecerimus ipsas pro irritis et vacuis reputari volumus et haberi ita ut careant virtute penitus firmitatis / jure tamen nos et successores nostros concernente in iisdem comitatibus terris aut annuis redditibus semper salvo . Datum sub testimonio magni sigilli apud Edinburgh vigesimo secundo die Novembris anno regni nostri quarto .

Endenturyis betuix our Lord the Kyng and Margarettc contas of Marr and of Angus. ²—(A.D. 1397.)

Att Edynburgh the xxiiij^o day of May the yeir of our Lord a thousand

¹ [From Lord Hailes' Additional Sutherland Case, chap. v., sect. ii., p. 44.]

² [From a copy in the library at Panmure.]

"There is," says Sir Robert Douglas, "a confirmation by King Robert III. (dated May 6th.

thre hynyr nynty seven / mad war thir endentvrys vnniruretyu betuix a nobill and ane excellent Prince Robert throw the grace of God Kyng of Scottys / of the ta pairte / and Margarete contas of Marr and of Angus / of the tothir pairte / that is to say / at Gorge of Douglas hir son lord of Angus sall led into wife a dochteyr of our Lord the Kyngys / and our Lord the Kyng sall give hym for his marage all the landys at the sayd Gorge has in Angus / the baronyes of Abirnethy and Bonkyll / with the tenandrys of the forsayds lordschypps into frie regall / erytably to the saids Gorge and his dochteyr and to the langar lyver of thayme and to the aysr male betwyx thayme to be gotyn . Alsua ovr Lord the Kyng sall gif in fee and eritage all the profyits pertenant till our Lord the Kyng of the justery of the hale schirrefdome of Forfar to the sayd Gorge and to the aysr male betwyx thayme to be gotyn . Alswa ovr Lord the Kyng forsayd sall mak fre to the sayds Contas and Gorge hir son eritage sall gif the sexteyn ponde of anwell ovte of the landys of Abirnethy forsayde yeir be yeir . And alsua the forsayd ovr Lord the Kyng sall confirme approve and ratify under his greit seyll all giftys talices settyngys and condysounys mad or to be mad bo Dame Isabell contas of Mar to the sayd Gorge hir brother of all the lanys rentys and possessyounys the qvhylks sehe hes or may haf within the kynryke of Scotland and als at ovr Lord the Kyng sall resaiye all resignasyounys at the sayd Dame Isabell lykys to mak and with all hast he sall gif chartyr and possessyovin erytabill to the sayd Gorge and his dochteyr in fovrme and manner as the condysyovus reqvyris . Alsua ovr Lord the Kyng oblis hym lely that he sall resaiye na resignasyovynys mad be that ilk Dame Isabell of na landys rentys na possessyovynys to na

anno regni octavo [1397]), of a donation made by Sir James Sandilands to his well beloved son, George, earl of Angus, [brother to Isabel, countess of Marr and Garioch,] of all rights of succession competent to him, after the decease of Isabel, countess of Marr and Garioch, of the lands and barony of Cavers, with the office of sheriffship and keeping of Roxburgh castle, with the lordship, castle, and forest of Jedburgh, the lordship of Walton and Easdale in Roxburghshire, haill town of Selkirk, with the haill services of free tenants in that shire, the regality, superiority, and services of free tenants in the baronies of Buittle and Drumlanrig in Dumfriesshire, an annual rent of two hundred merks out of the burgh of Haddington, the haill lands and rents of Down, Buck, Cabrach, and Cloveth, in Banffshire, the succession to the barony of Tullieultry, in Clackmannanshire, with the heitable succession to the haill lands to which the heirs of James, earl of Douglas, might succeed." (Peerage of Scotland, p. 465.) Cf. Robertson's Index to the Missing Charters, p. 139, no. 7; Mr. Riddell's Remarks upon Scotch Peerage Law, pp. 154-164, 46-50.]

manys profyte / nar na confyrmasyoune gif tharupon / bvt anly to the oysis and the profyte of the forsayd Gorge hir brothir / ovtakande gif he has gifyn ony lettre to Sir Thomas Erskyn . Alsua ovr Lord the Kyng sall confirme all talzies settingys and condisovynys mad or to be mad he Sir James of Sandylandys lord of Calder to the sayd Gorge of his landys rentys and possessyovynys the qvhylys he has or may haf within the kynryk . Alsua ovr Lord the Kyng oblis hym at his pour to manteyn the forsayde Lady her men her landys and thair possessyovynys the qvhylys sehe has within the kyuryke as he doys his awyn propyr . In the wytnes of the qvhylys thyngs the selys of the pairtys forsayds to thair endemvrys enterchangibilly ar to sett the day and plays fornemyt .

Carta comitatus de Mar et Garviagh. ¹—(A.D. 1404.)

Registratur carta sequens comitatus de Mar et Garviagh de speciali mandato Domini Regis xvj^{to} die mensis Aprilis anno Domini millesimo quadingentesimo septuagesimo sexto .

Omnibus hanc cartam visuris vel auditoris Izabella comitissa de Mar et Garuiach salutem in omnium saluatore Noueritis nos in nostra pura et legitima viduitate constituta non vi aut metu ducta dedisse concessisse et

¹ [From the Registrum Magni Sigilli, lib. vii., no. 257, MS. Gen. Reg. House, Edin.]

Sir Robert Douglas says that there is in the Mar charter chest "a remarkable instrument of a protest, still extant, taken by Sir Alexander Stewart before the gates of the Castle of Kildrummie, on the nineteenth of September, 1404, setting forth that he did present and deliver to the Lady Isabel, countess of Mar, the Castle of Kildrummie, with the hail papers, evidents, silver plate, and all other plenishing within the said castle, into the hands of the said lady, freely, and with a good heart, for her to dispose of them as she pleased: Whereupon, she holding the said keys in her hands, of mature advice clused the said Sir Alexander for her husband, and in free marriage gave to him the said castle with its pertinents, the earldom of Marr, the lordship of Garrioch, the baronies of Stratha[l]ve[th] and Creichmoun, Down, Buck, and Cabrach, an annual rent of two hundred merks out of the customs of Haddington, the forest of Jedburgh, and the lands and pertinents of the same, and all other lauds belonging or which might belong to her, either by her father or her mother, within the kingdom of Scotland, to be holden by her said husband and herself, and the heirs procreate betwixt them; which failing, to the said lady and her lawful heirs: Upon all which the said Sir Alexander took instruments, etc."—(Peerage of Scotland, p. 461.) Cf. Lord Hailes' Additional Sutherland Case, chap. v., sect. ii., pp. 45, 46.]

hac presenti carta nostra confirmasse dilecto nostro et speciali Alexandro Senescalli filio primogenito Domin' Alexandri Senescalli comitis Buchanie causa contractus matrimonij inter eundem Alexandrum Senescalli et nos conferendi totum et integrum comitatum nostrum de Mar et de Garuiach forestanque de Gedworde ducentas marcas de custumis Regiis prout carta Regia nobis inde confecta proportat cum omnibus aliis et singulis terris nostris tenendiis tenementis et terrarum superioritatibus vniuersis nobis jure hereditario in regno Scocie vel extra pertinentibus quibuscunque cum pertinentiis Tenenda et habenda eidem Alexandro et heredibus suis inter ipsum et nos procreandis quibus forte deficientibus veris et legitimis heredibus vel assignatis predicti Alexandri quibuscunque in feodo et hereditate imperpetuum in boscis in planis viis semitis moris maresiis in pratis pascuis et pasturis mossis stangnis molendinis aquis piscariis turbariis petariis et eorum sequelis cum tenendiis et liberetenencium seruiciis cum curiis et eschaetis et earum exitibus ac cum omnibus aliis et singulis commoditatibus libertatibus et asiamentis ac justis pertinentiis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram ad prefatum comitatum de Marr et de Garuiach ac alias terras nostras et proprietates suprascriptas spectantibus seu juste spectare valentibus quomodolibet in futurum Adeo libere quiete integre honorifice bene et in pace in omnibus et per omnia sicut nos aut predecessores nostri Comites Marrie vel de Douglas aliquo tempore tenuimus tenuerunt vel habuerunt sine contradictione vel reuocacione quibuscunque per nos vel aliquem nomine nostro in futurum Reddendo in Domino nostro Regi seruicium debitum et consuetum tantum pro omnibus aliis exactionibus questionibus seu demandis que per nos vel heredes nostros vel aliquem nomine nostram exigi poterunt vel requirj . In cuius rei testimonium sigillum nostrum presentibus est appensum apud Kindromy duodecimo die mensis Augusti anno Domini millesimo quadringentesimo quarto Testibus venerabili in Christo patre Alexandro episcopo Rossensi Andrea de Lesley Johanne Forbes militibus Alexandro de Forbes filio Alexandro de Iruyne Duncano de Forbes Willelmo de Camera seniore scutiferis et multis alijs .

Alex^r Inglis cancellarius Aberdonensis Clericus
Registri manu propria etc.

Et dictus Clericus Registri pecijt transsumptum in forma publica redigendum dicte carte et contentorum in eisdem ac sigilli supra-scripte Izabelle appensionem non viciati neque suspecti etc. et desuper pecijt instrumentum ex parte domini nostri Regis Apud Edinburgh in domo mansionis dicti Clerici superscriptis die et anno . Coram hiis testibus Magistro Jacobo Douglas Bartholomeo Wawane et Georgio Henrison .

Jacobus Carwell presbiter Sanctiandree diocesis
notarius publicus manu propria etc.

Carta Comitisse de Marr et de le Garviach. ¹ —(A.D. 1404.)

Omnibus hanc cartam visuris vel audituris nos Isabella de Douglas comitissa de Marr et de Garviach salutem in Domino sempiternam . Noveritis nos in nostra pura et libera viduitate previsto solemnī tractatu et diligente dedisse concessisse et hac presenti carta nostra confirmasse nobili viro Alexandro Senescalli filio nobilis domini et potentis Domini Alexandri Senescalli comitis Buchanie / in liberum maritagium cum persona nostra contrahendum / totum comitatum nostrum de Marr cum castro nostro de Kyndrumy /

¹ [From Lord Hailes' Additional Sutherland Case, chap. v, sect. ii, pp. 46, 47.]

On the same day on which this charter was granted, the ninth of December, 1404, the same Isabella of Douglas, countess of Marr and of the Garviach, granted precept to infeft the same Alexander Stewart in the earldom of Marr and lordship of the Garviach, etc.—(Marr papers.) Sasine was given accordingly.—(Sir R. Douglas' Peerage of Scotland, p. 461.)

The countess Isabel's charter of the ninth of December, 1404, was ratified and confirmed by King Robert III., by a charter under the great seal, dated upon the twenty-first of January, 1404-5.—(Lord Hailes' Additional Sutherland Case, chap. v, sect. ii, p. 47; Sir R. Douglas' Peerage of Scotland, p. 461; Miscellany of the Maitland Club, vol. I., p. 368.)

"Hereafter," says Lord Hailes, "Alexander Stewart was uniformly styled 'Comes de Marr et Dominus de Garvyach.' Under that title he, with consent of his wife, granted investitures to the vassals of the earldom, bearing the lands to be held 'de nobis ratione dicte consortis nostre.'—(Original charter, 20th April, 1406, by 'Alexander Senescalli comes de Marr et dominus de Garcoch' etc.)"

The Countess Isabel survived her last marriage little more than three years. Her death before the tenth of February, 1408, is proved by a charter of that date, in which the Earl speaks of her as "alias consors nostra Isabella de Douglas comitissa de Marr et domina regalitatis de Garviach."—(Registrum Episcopatus Aberdonensis, vol. i., pp. 211, 212.) Her seal is figured and described in H. Laing's Catalogue of Ancient Scottish Seals, p. 45.]

totum dominium nostrum de ly Garviach cum servitiis liberetenentium nostrorum dicti comitatus et domini cum ecclesiarum advocacionibus / necnon baroniam de Strathalveth infra vicecomitatum de Banff / necnon baroniam de Crechinond in Buchania cum omnibus earundem pertinentiis / et ducentas marcas annui redditus custume de Hadington / necnon forestam de Gedword cum omnibus terris ad illam forestam pertinentibus / ac etiam omne jus et clameum quod vel que habemus vel habere poterimus in quibuscunque terris a nobis injuste detentis tam ex parte patris quam ex parte matris . Tenenda et habenda predicto Alexandro et heredibus inter ipsum et nos procreandis / quibus forte deficientibus heredibus nostris legitimis ex utraque parte / semper reservatis liberis tenementis omnium predictarum terrarum cum pertinentiis dicto Alexandro et nobis et nostrorum diutius viventi pro toto tempore vite nostre . . . Volumus etiam et concedimus pro nobis et heredibus nostris quod nullus heredum nostrorum habeat introitum et sasinam aut possessionem aliqualem in feodo dicti comitatus domini de Garviach vel aliarum quarumcunque terrarum aut reddituum durante tempore vite dicti Alexandri . . . In cujus rei testimonium nos libera potestate existens non vi coacta sed in presentia reverendi in Christo patris Alexandri Dei gratia episcopi Rossensis et omnium nostrorum tenentium huic presenti carte nostre extra castrum nostrum de Kyndromy non in eodem clausa vel detenta sigillum nostrum apponi fecimus ibidem nono die mensis Decembris anno Domini millesimo quadringentesimo quarto .

Litera Alexandri Senescalli domini de Marr et de le Garviauch de receptione extractum curie.¹—(A.D. 1405.)

Pateat vniuersis per presentes nos Alexandrum Senescalli dominum de Marr et de le Garviauch substitutum vicecomitem de Abirden recepisse et plenarie habuisse per Dominum Johannem de Forbas militem quadraginta marcas usualis monete de extractu curie statutorum ultimo tente per metuendissimum dominum meum Dominum Ducem Albanie locumtenentem domini nostri Regis . . . In cuius rei testimonium presentibus

¹ [Abridged from the original in the charter room at Castle Forbes.]

sigillum nostrum fecimus apponi apud Aberden secundo die mensis Januarii anno Domini m cccc^{mo} quarto .

Litera Regis pro Jacobo de Sandilands. ¹—(A.D. 1405.)

Robertus Dei gratia Rex Scottorum . . . Sciatis quod avisati cum consilio nostro concessimus dilecto nepoti nostro Jacobo de Sandilands et promisimus quod non admitteremus aliquam resignationem vel alienationem hereditariam de baronia de Caveris cum pertinentiis infra vicecomitatum de Roxburghe quam de nobis tenet Issobella comitissa de Marr . Volumus insuper quod si contingat nos negligenter forsitan et immemorem hujus nostre concessionis et promissionis aliquam alienationem admittere illam nullam esse volumus et etiam per presentes revocavimus . In cujus rei testimonium presentibus literis sigillum nostrum apponi precepimus apud Lynlithcu septimo die mensis Februarii anno regni nostri quinto decimo .

Carta Domini David Flemyng de Bigare super terris baronie de Cauerys et officio vicecomitis de Roxburghe. ²—(A.D. 1405.)

Robertus Dei gracia Rex Scottorum . . . Sciatis nos dedisse . . . dilecto consanguineo nostro David Flemyng de Bigare militi . totas et integras terras nostras baronie de Cauerys cum pertinentiis infra vicecomitatum de Roxburghe / et officium vicecomitis dicti vicecomitatus . nos iure Regio contingentes et concernentes racione eschaete / pro eo quod dicte terre cum pertinentiis et officium fuerunt hereditarie Isabelle comitisse de Marre . et ipsa easdem terras cum pertinentiis et officium alienavit . et saysinam earundem hereditarie liberari fecit consanguineo suo Archebaldo de Douglas sine licencia nostra petita et obtenta . licet dicta Isabella eadem terras et officium cum pertinentiis de nobis tenuit in capite . aut quocumque aliquo alio iure Regio nobis inde competenti . Tenendas et habendas . . . predicto David et heredibus suis de nobis et heredibus nostris in feodo et

¹ [From Mr. Riddell's Tracts, Legal and Historical, p. 215.]

² [Abridged from a copy in the General Register House.]

hereditate imperpetuum . . . Faciendo inde . . . seruicia debita et consueta . In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum . Testibus venerabilibus in Christo patribus Henrico episcopo Sanctiandree . Gilberto episcopo Abirdonensi cancellario nostro . Roberto duce Albanie comite de Fif et de Meuteth fratre nostro germano . Archebaldo comite de Douglas domino Galwidie . Jacobo de Douglas domino de Dalketh . et Roberto de Erskine consanguineis nostris militibus Apud Erskine decimo die mensis Augusti . anno Domini millesimo quadringentesimo quinto / et regnj nostri anno sextodecimo .

The indenture betuix the Erle of Mar and Schir Dauid Flemyng lorde of Bigar. ¹ —(A.D. 1405.)

This indenture made at Perth the foure and tuenti day of August / the yere of our Lorde . a thousand foure hundreth and the fyft . betuix noble men and nichti . Alisander Stewarde erle of Mar on the ta parte / and Schir Dauid Flemyng lorde of Bigar on the tother parte . contenis and beriswitnes / that it is accordit betuix thir forsaidez partiis in the maner that folowis / that is to say / that the said Erle of Mar hase gifin his gude wil and ful consent that the said Schir Dauid and his ayris sal hafe and ioyse the lordeschip of Caueris with the pertinencis alswele of auld as of new qwat sumeuer it be / alswele the office of the schiruedome of Roxburghe as ony othir pertinencis til it pertinent / in alsfer as in him is or may be in tyme to cum for all the terme of his life / eftir as the gift of our Lorde the King to the forsaide Schir Dauid thare upon made be his chartir proportis and beriswitnes / Item it is accordit that the saide Erle sal gif to the saide Schir Dauid or his atternez or assignez al charteris euidentis obligaciounis monumentis or instrumentis / pertinentis to the saide lands of Caueris or office of schireue / that may be gottin thrw the said Erle in ony maner with al gudeli haste / And forthur thar atour the saide Erle of Mar of his kindeli gudelynes and cousynage and for other causis of certane kindenes before made sal further aud suppouale the said Schir Dauid and his ayris in al thir poyntis before writin in alsfer as he gudeli may be resone gif he be requirit he the saide Schir

¹ [From a transcript in the General Register House.]

Dauid or his ayris / for the qwilk suppouale gude wil and kindenes sa schawin and prouit in deid to the saide Schir Dauid be the saide Erle / the saide Schir Dauid base grantit that the saide Erle sal haue al the landis of the barony of Monycabo with the pertinencez / the qwilk pertinez til him be cause of his wife / for all the terme of the life of Dame Isabel countess of Mar wife to the saide Erle / and thare to Dame Isabel wife to the saide Schir Dauid sal mak the saide Erle als sekir as can be lach and resone durand the saide tyme / Item it is accordit that gif the saide Schir Dauid decessis before his wife as God forbede / and the saide Dame Isabel wife to the said Schir Dauid deny this conmand / or cum agayne it eftir the decess of the saide Schir Dauid the saide Schir Dauid obligez his ayris that thai sal mak the saide Erle of Mar alsmekil land or annuale rent in conuenable place for al the terme of the saide Countessis life as is before saide within a yere eftir his decess / his wife denyande / Item it is accordit that quat tyme that the saide Erle or the saide Countess decessis the saidez landis of Monycabo with the pertinencis sal freli and quiteli resorto to the saide Schir Dauid or til his wife or til thair ayris but questione or demande / And at al this before nemmit be yemit and kepit in forme and effect as befor is saide bath thir forsaidez partiis hase gifin bodily fayth in presence of the Duc of Albany · the Erle of Orknay · Schir William the Grame · Johne of Vchiltre · and Schir Johne of Busby chapellane and to the mare sekirnes thai haf set thair selis enterchangeabli til thir inden-turis / And atour this the saide Schir Dauid here apon hase tane instrument / the yere day and sted before writin.

Litere Henrici Regis Anglie de salvo conductu pro Comite de Marre.¹ —
(A.D. 1406.)

Rex per literas suas patentes usque Festum Sancti Michaelis proxime

¹ [From the *Rotuli Scotiae*, vol. ii., pp. 177, 178.

On the fifth day of September, 1406, the same Earl of Marr had another safe conduct until Christmas for himself and seventy persons in his train ('sexaginta et decem personis'), for the same passage of arms with the Earl of Kent.—(*Rotuli Scotiae*, vol. ii., p. 179.) Cf. Wyntonis Cronykil, book ix., c. xxvii.

On the third day of September, 1406, John Stele and William Stewynson, chaplains of the Earl of Marr, had a safe conduct until Easter, in passing to and from Bruges in Flanders, on the Earl's affairs.—(*Rotuli Scotiae*, vol. ii., p. 179.)]

futurum duraturas suscepit in salvum et securum conductum Regis ac in protectionem et defensionem suas speciales Alexandrum comitem de Marre de Garviauchi de Scotia infra regnum Regis Anglie tam per villas firmatas quam alibi ad certa facta armorum cum carissimo consanguineo Regis Edmundo comite Kantie in presentia Regis facienda et perimplenda cum quadraginta personis armatis sive non armatis in comitiva sua veniendo ibidem morando et exinde ad propria redeundo Dum tamen idem Comes de Marre ad introitum suum cujuslibet hujusmodi villarum firmatarum presentes literas Regis de salvo conductu majoribus ballivis sive aliis custodibus et gubernatoribus earundem villarum demonstret et quod ipse aut persone predictae Regi aut regno Regis predicto presenti salvo conductu Regis durante dampnum vel prejudicium aliqua non faciant aut fieri procurent quovis modo . Teste Rege apud Westmonasterium vj. die Aprilis . Per ipsum Regem .

Litera Henrici Regis Anglie ad supplicationem Comitis de Marre concessa de salvo conductu pro Gerardo filio Egberdi et nave sua.¹—(A.D. 1406)

Rex universis et singulis admirallis . . . salutem Sciatis quod ad supplicationem Alexandri comitis de Marre concessimus et licentiam dedimus Gerardo fitz de Egberd magistro cujusdam navis vocate le Scint Esprit de Londonia quod ipse cum duodecim servientibus ac armatura apparatu et rebus ipsius Comitis ibidem existentibus extra portum civitatis nostre Londonie salvo et absque contradictione vel impedimento alicujus de ligeantia nostra Anglie usque Novum Castrum super Tynam transire et ibidem unam aliam navem capere et modo supradicto in Scotiam transire possit . . . Teste Rege apud Westmonasterium x. die Octobris . Per ipsum Regem .

¹ [From the Rotuli Scotiæ, vol. ii., p. 180.

On the eleventh day of December, 1406, letters of safe conduct till Whitsunday were granted to the Bishops of Aberdeen and of Dunkeld, to the Earls of Crawford and of Marr, and to William Grahame of Kincardine, as ambassadors on the part of Scotland, for concluding peace or truce with England.—(Rotuli Scotiæ, vol. ii., p. 181.)]

Littere compulsatorie Comitis de Marre et Domini regalitatis de Garuiach. ¹
—(A.D. 1408.)

Alexander Senescalli comes de Marre et dominus regalitatis de Garuiach institiario vicecomiti balliuo et maris nostris dicte regalitatis . . . Quam tam per inspectionem cuiusdam obligatorij quondam Alexandri de Abyrcromby quam per confirmationem quondam Thome comitis de Marre . . . Decano et Capitulo ecclesie Aberdonensis de et super solutione decem marcarum annuatim . . . pro terris parci de le Galchowell . . . concepimus . . . quod idem quondam Alexander Abyrcromby et heredes sui fuit et sunt . . . obligatus et obligati ad soluendum dictam summam . . . specialiter per terras suas de Petmalwhy et de Herthill . . . pro seruicio vnus capellani diuina celebrantis in ecclesia cathedrali . Vobis . . . precipimus quatenus . . . compellatis Johannem de Abyrcromby heredem dicti quondam Alexandri per terras suas et alia bona sua infra dictam regalitatem nostram de Garuiach . . . ad soluendum dictam summam . . . quando . . . super hoc fueritis requisiti . . . Apud Aberden decimo die mensis Martij anno Domini millesimo quadringentesimo septimo .

The indenture made betuix the Erll of Murreff and Alexander Cumyne. ²
—(A.D. 1408.)

This indenture made at Fynlette the xxvij . day of the moneth of Maij the yere of our Lord . m . cccc . and . viij . yeris betuix a noble lord and a mychty Schir Thomas of Dunbarr erll of Murreff on the ta part / and Alexander Cumyne on the tothir part / beris witnes that it is accordit in form and in effect as efter folwis that is for to say that the forsaide Erll sall giff his gude will to the mariage of his sister Euffame and . xxth . markis worth of laude within his landis of Glencharny / outtakyin his chemys and his demayne in to resounable place and cunnable / to the airis cumand betuene the saide Alexander and Euffame And the forsaide Alexander is

¹ [Abridged from the Registrum Episcopatus Aberdonensis, vol. i., p. 212.]

² [From the original in the charter room at Gordon Castle.]

oblist to be lele man and trew for al the days of his live to the forsaide Erll agayne all dedelike outtakand his allegeance til our Lord the King anerly And als it is accordit that fra the tyme of the vssay of his terme with Alexander Stewart erll of Mar / that is to say . v . yeris efter the making of this indentur that he sal entir than into the seruice of the forsaide Erll And als it is accordit that qwil the date that the Lord of the Hys haffis tak of the Erll of Murreff of Glencherny that the forsaide Erll of Murreff sal mak to the forsaide Alexander Cumyne fra the vssay of his terme that he haffis of the Erll of Mar . xx . markis worth of land withtin the schirreffdome off Elgyne or Fores And als the forsaide Alexander is oblist for to serue the Erll off Murreff lelily and trewly to the vssay of the Erll of Marris terme outtakand anerly the Erll of Marr seruice agayne al vther as is beforsaide And the forsaide Erll is oblist to mak him resonable reward efter his seruice as his consale ordanys vnsuspect In the witnes of this thyng but fraude or gile lelily to be kept our selys ar enterchangably to putt the day the yere the place beforsaide .

Litere Henrici Regis Anglie de salvo conductu pro Comite de Marre cum triginta personis in comitiva sua e regno Francie per regnum Anglie in Scotiam redituro. ¹—(A.D. 1408.)

Rex per literas suas patentes usque Festum Pasche proxime futurum

¹ [From the *Rotuli Scotiae*, vol. ii., p. 190

The Earl of Marr was now returning homewards from those adventures in France and Flanders, which were fortunately to find a contemporary chronicler in a churchman sprung from a family long numbered among the retainers of the house of Marr. See Wyntonounis Cronykil, book ix., ch. xxvii. (vol. ii., pp. 424-440, 522, 523.) Cf. *Johannis de Fordun Scotichronicon*, lib. xv., cap. xix ; lib. xvi., cap. xxv ; *Extracta e Variis Chronicis Scocie*, pp. 213, 214 ; *Pinkerton's History of Scotland*, vol. i., pp. 87, 88. The editor of Wyntonoun has misread the name of one of the six knights ("Alexander of Grewyn") who distinguished themselves with the Earl of Marr at Liege. The MS. has "Alexandyr of Yrewyn"—the well-known Knight of Drum, who followed his kinsman, the Earl, to the field of Harlaw in 1411, and was there slain.—(*Johannis de Fordun Scotichronicon*, lib. xv., cap. xxi)

The connection between the family of Wintonoun and the Earls of Marr may be traced through nearly a century. In 1362, one of two keepers of the castle of Kildrumny was Ingram of Wintonoun, whom the Prior of St Serf's Inch commemorates as 'a manly squire of renown.'—(*Wyntonounis Cronykil*, book viii., chap. xlv ; *Johannis de Fordun Scotichronicon*, lib. xiv., cap. xxiv.) In 1447, Ingram of Wintonoun Andat braved the wrath of the King by his testimony for the rightful heir of the Earldom of Marr, offering to do battle with any one of equal rank who should gainsay what he had affirmed.—(Paper in the Marr charter chest printed below.)

duraturas suscepit in saluum et securum conductum suum ac in protectionem tuitionem et defensionem suas speciales Alexandrum comitem de Marre de Scotia et triginta personas in comitiva sua de regno Francie in regno Regis Anglie veniendo ibidem morando et exinde versus partes suas proprias cum equis et hernesiiis suis quibuscumque tam per terram quam per mare transeundo . . . Teste Rege apud Westmonasterium xxix. die Decembris .

Carta Alexandri de Forbes domini de Burchis super terris de Glencarwe Glenconre et Le Orde. ¹—(A.D. 1409. et A.D. 1426.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam dilecti consanguinei nostri Alexandri Stuart comitis de Mar et de Garniach factam et concessam dilecto nostro Alexandro de Forbes de Burchis . . . intellexisse ad plenum sub hac forma . OMNIBUS hanc cartam visuris vel audituris nos Alexander Stewart comes de Mare et de Garuiach salutem in Domino sempiternam Noueritis nos dedisse . . . Alexandro de Forbes domino de Burchis dilecto consanguineo nostro pro suo fideli seruicio nobis impenso et pro toto tempore vite sue impendendo omnes et singulas terras nostras de Glencarwe de Glenconre et Le Orde cum pertinenciis infra dominium nostrum de Stradone infra vicecomitatum de Aberden Tenendas et habendas predicto Alexandro et heredibus suis de nobis et heredibus nostris successoribus seu assignatis nostris Comitibus de Mar quicunque fuerint in feodo et hereditate imperpetuum . . . cum curiis et earum exitibus et eschaectis . . . cum socco et sacco furca et fossa tholl et theme infangand theff

¹ [From the Registrum Magni Sigilli, lib. ii., no. 76, MS. Gen. Reg. House, Edin.

The Robert Davidson who appears among the witnesses to this charter was, doubtless, the person of the same name who, eighteen months afterwards, led the burghers of Aberdeen to Harlaw, under the banner of the Earl of Mar.—(Iohannis de Fordun Scotichronicon, lib. xv., cap. xxi.; Extracta e Variis Chronicis Scocie, p. 215.) He and the Earl were friends of old. The burgh accounts of 1398 record a payment for a stirrup cup of Bonaccord 'to Alexander Stewart before Robert Davidson's gate.' The Earl seems to have been, even then, in favour with the citizens. He is their most frequent guest, and they are found paying the costs of 'the men of Alexander Stewart, who were taken prisoners,' and 'buying back the sword and arrows of a certain man of the said Alexander.'—(Miscellany of the Spalding Club, vol. v., pp. 39, 40.) In the year 1412, it was enacted that no burgher 'have lord or lordship other than the King, the Duke, and the Earl of Marr, except the alderman and baillies.'—(Extracts from the Burgh Registers of Aberdeen, 1398-1570, p. 389.)]

and out fangande theff cum bondis bondagijs aueragijs et cariagijs petariis et turbarijs cum libero introitu et exitu . . . Reddendo annuatim prefatus Alexander et heredes sui nobis et heredibus nostris successoribus seu assignatis nostris Comitibus de Mar quibuscunq[ue] vnum denarium vsualis monete Scocie ad ostium australe ecclesie de Inuernochty in die Pentecoses nomine albe firme si petatur tantum . . . In cuius rei testimonium sigillum nostrum presenti carte nostre fecimus apponi apud castrum nostrum de Kyncardin vicesimo quarto die mensis Decembris anno Domini millesimo quadringentesimo nono Testibus reuerendo in Christo patre Domino Gilberto Dei gracia episcopo Aberdonensi cancellario Scocie Jacobo Steuart fratre nostro Willelmo de Camera domino de Findoun Domino Johanne Nesbit rectore ecclesie de Kyndrome Johanne de Inehmarty[n] archidiacono Rossensi secretario nostro Roberto filio Dauid et Thoma Youl burgensi de Abirden cum multis alijs . QUAM QUIDEM cartam . . . imperpetuum confirmamus Saluo seruicio nostro In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Johanne Camron electo confirmato ecclesie Glasguensis ac nostri priuati sigilli custode Johanne Forestarij camerario nostro Scocie Roberto de Lawedre iusticiario nostro Waltero de Ogilwy thesaurario nostro et Alexandro Forbes militibus apud Aberden duodecimo die mensis Augusti anno Domini millesimo quadringentesimo vicesimosexto et regni nostri vicesimo primo .

Confirmacio pro Domino Andrea Senescalli fratre Comitibus de Marre milite.¹ —(A.D. 1411.)

Robertus Dux Albanie [comes de Fife et de Menteth ac regni Scocie

¹ [Abridged from the Registrum Magni Sigilli, rot. xii., no. 14, MS. Gen. Reg. House, Edin.]

How the Earl of Marr came to be Lord of Duffel in Brabant (as he is styled as well in this charter as in another dated three months earlier, printed in a subsequent page), may be read in the Prior of St. Serf's Inch :

'The Erle of Mare of his proues,
That heily commendit wes,
A lady weddit gret of land,
The Lady of Duffyl in Brabant.'

Wyntounis Cronykil, book ix., chap. xxvii.

On the eighth day of December, 1416, Alexander Stewart, earl of Marr and Garioch, had letters of safe conduct through England for himself and forty persons in his train.—(Rotuli Scotiae, vol. ii., p. 219; Foedera, t. ix., p. 418.)]

Gubernator] . . . Sciatis nos approbasse ratificasse et auctoritate officii nostri gubernacionis regni predicti hac presenti [carta] nostra imperpetuum confirmasse donacionem et concessionem illas quas carissimus nepos noster Alexander Senescalli comes de Marr et de Garuiache ac dominus de Duffle in Brabancia fecit et concessit per cartam suam sub sigillo suo carissimo fratri suo Andree Senescalli militi hereditarie de totis et integris terris de Sandhalch cum pertinenciis iacentibus in baronia de Monblary infra vicecomitatum de Banf / et de totis terris de Culqwhorsy cum pertinentiis iacentibus in comitatu de Marr infra vicecomitatum de Aberdene Tenendas . . . predicto Andree et heredibus de corpore suo legitime procreatis seu procreandis in feodo et hereditate imperpetuum . . . Saluo domino nostro Regi . . . seruicio 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 Roberto Senescalli de Fyfe nepote nostro carissimo . Johanne Senescalli domino de Buchane filio nostro dilecto . Johanne Senescalli domino de Loorne milite . David Berclay . Waltero de Curry . et Andrea de Hawyc rectore de Listoun secretario nostro apud Edynburghe xvij^o die mensis Marcij anno Domini [millesimo ecce^{mo}] decimo et gubernacionis nostre quinto .

Carta Margarete de Glen relicte quondam Domini Johannis de Glen militis domine de Inchemartyne. ¹—(A.D. 1419. et A.D. 1420.)

Vniuersis hanc cartam visuris vel auditoris Alexander Stewart comes de Marr et de Garuiach ac Amarallus regni Scocie . . . Noueritis nos quandam cartam Margarete de Glen relicte quondam Domini Johannis de Glen militis domine de Inchemartyn et portionarie terrarum de Achlewyne Ardwyne et Harlaw factam Waltero de Ogiluy domino de Luntrethyn et

¹ [Abridged from the Miscellany of the Spalding Club, vol. iv., pp. 114-117.]

The office of Admiral of the Realm of Scotland, which this and a following charter show to have been held by the Earl of Mar, in 1419 and 1423, is not the only token which remains to attest that he was a successful warrior by sea as well as on land. There is a letter in the British Museum from the Duke of Bedford to his father, King Henry IV., telling that the Earl of Marr was at sea between Berwick and Newcastle, despoiling English vessels—(Pinkerton's History of Scotland, vol. i., p. 84.)

Isabelle sue sponse filie predicte Margarete . . . diligenter examinasse / cuius tenor sequitur in hec verba . OMNIBUS hanc cartam visuris vel auditoris Margareta de Glen relicta quondam Domini Johannis de Glen militis domina de Inchemartyne et portionaria terrarum de Achlewyne Ardwyne et Harlaw salutem in Domino sempiternam Vestra nouerit vniuersitas me . . . zelo dilectionis naturalis in mea pura et legitima viduitate dedisse . . . in modo et forma talie dilecto genero meo Waltero de Ogily domino de Lunthrehyn et Isabelle sponse sue filie mee pro suis multiplicibus beneficiis ac pro bono consilio auxilio et fauore michi sepius temporibus retroactis gratauer impensis . totas et integras terras meas de Achlewyne Ardwyne et Harlaw cum pertinentiis suis iacentes in regalitate de Garuiach infra vicecomitatum de Abirdene Tenendas et habendas . . . a me heredibus meis et successoribus dicto Waltero et Isabelle sponse sue ac eorum diutius viuenti Quibus decedentibus Waltero de Ogily filio predictorum Walteri et Isabelle et heredibus de corpore suo procreatis vel procreandis Quibus forte deficientibus Daudi de Ogily fratri germano dicti Walteri et heredibus de corpore suo procreatis vel procreandis Quibus vero deficientibus Alexandro de Ogily fratri germano eorundem et heredibus de corpore suo procreatis vel procreandis Quibus autem deficientibus Patricio de Ogily fratri germano predictorum et heredibus de corpore suo procreatis vel procreandis Quibus forte deficientibus Georgio de Ogily fratri germano prescriptorum et heredibus de corpore suo procreatis vel procreandis et sic de fratre ad fratrem et heredibus de corporibus eorundem procreatis vel procreandis dummodo vnus fratrum aut heredes eorundem vixerit vel vixerint a seniore fratre ad juniorem fratrem ex equali descensu sine fraude Quibus forte omnibus deficientibus quod absit heredibus inter predictos Walterum et Isabellam procreatis vel procreandis quibuscunque Quibus vero deficientibus heredibus meis propinquioribus quibuscunque . de Comite de Garuiach et heredibus suis ac successoribus in feodo et hereditate imperpetuum . . . Faciendo inde . . . seruicium debitum et consuetum . . . In quorum fidem et testimonium sigillum meum presentibus est appensum apud Dunde vicesimo die mensis Nouembris anno Domini millesimo quadringentesimo decimo nono . QUAMQUIDEM cartam . . . imperpetuum confirmamus per presentes In cuius rei testimonium sigillum nostrum presentibus fecimus apponi Apud Abirden secundo die mensis Januarij anno Domini millesimo quadringentesimo decimo nono hiis

testibus Alexandro de Seton domino de Gordoun Alexandro de Forbes domino eiusdem et Thoma Stewart militibus Alexandro de Irwyn domino de Drum et Johaune Inchemartyn secretario nostro cum multis aliis .

Indentur betwix the Dvck of Albaney Governour of Scotland and the Earll of Mar and Garviach. ¹—(A.D. 1420.)

This indenture made at Perth the xvi. day of the mounth of November in the yeir of our Lord a thousand four hundereth and twentie / betwix [ane] excellent and mightie prince Murtheu dvck of Albaney earll of Fife and Menteith and Governour of Scotland / on the ane pairt / and a vorschipful lord Schir Alexander Stewart earll of Mar and Garviach / on the tothir pairt / contenis and beris vitnes that it is fullelie accordit betwix thame in forme and maner as efter sal follow / and that is to say / that the forsaid Earll of Mar is becum man of sp[eciale feale] and reteneu till the forsaid Dvek of Albaney Governour of Scotland for all the terme of his lyffe befor and aganis all uthiris deidlyk personis / his alleagence aucht till our Lord the King allenerlie outane / and he salle giffe his letter therupone till our forsaid Lord the Governour in deu forme under his seille for certane gude dedis done till him be our said Lord the Governour . Alsua it is accordit that our said Lord the Governour sall giffe to his darrest cousin forsaid the Earll of Mar the [tane] halfe of the profittis of the justry of Aberdeine Bamffe and Invernesse and als oft as thay be haldin outtane the cornis and victualis of men and horse in the halding of the said ayeris / and the said Earll of Mar sall doe all his bisness and diligence till bring justris till the honour and profit of the said Lord the Governour for beath ther profit . Alsua our Lord the Governour sall gif hes letteris patentis till the said Earll of Mar of power to be steadhaldand till him / efter the tenor of the letters the quhilks the said Earll hede of umquhilum our Lord the Governour quhom God assoyle . Alsua the forsaid Lord the Governour is assentit and sall giffe hes confirmatione till his cusin Schir Thomas Steuart upon the infestment that the said Earll of Mar makis till

¹ [From a copy in the British Museum, printed in Pinkerton's History of Scotland, vol. i, pp. 454, 455.]

the said Schir Thomas hes sone apone the landis of Mar and Garveach / if it sa beies that the said Earll of Mar shaues a confirmatione of our Lord the King till our Lord the Governour givin till him and hes heiris and assignais apone the landis of Mar and Garviach forsaidis / for the quhilk confirmatione til he gevin til the said Schir Thomas throch our Lord the Governour that now is / and for uther gude dedis done of befortyme till the said Schir Thomas throch our said Lord the Governour / the said Schir Thomas is becum mane till our said Lord the Governour of sp[eciale feale] and reteneu for all the tyme of his lyffe befor and agains all uther deidlyk personis / hes alleagence aught til our Lord the King allanerlie outane / and tharupon sall gife his letters of reteneue in due forme till our Lord the Governour . Alsua it is accordit that our Lord the Governour sall giff his lettres haunde and seille till his forsaid cusin the Earll of Mar of mantinance helpe and suppleie in [deu] forme and in effect as quhilum our Lord the Governour hes fader did [of] befortyme bot fraude or gyle . Alsua it is accordit betwix the forsaid Lord the Governour and hes darrest cusin the Earll of Mar / that sen Valter Steuart the sone and ayire appirand of our forsaid Lord the Governour is oblisched till the forsaid Lord his fader that he sall not tak in mariage the dochter of Schir Robert Erskeine without the consent of hes forsaid Lord and fader / our forsaid Lord the Governour is oblischeit and oblischis him be this indenture till hes said cusin the Earll of Mar that he sall nocht gife hes consent till the fulfillan of the said mariage without vitting and consent of the said Earll of Mar . And alsua it is accordit that our said Lord the Governour hes gevin to hes forsaid cusin the Earll of Mar the profitis cumand of the landis of Badenach Urquart and Strathowne ay till the tyme that thay may be sett to profit / and frathensfurth our forsaid Lord till have the tane halfe of the profit cumand of the saidis landis and the forsaid Eil his cusin the tother halffe of the profit of the [saidis] landis endurand the tyme of the said Earllis lyve . And alsua the said Earll is oblischit and oblissis him be this indenture that he sall doe al his gudlie bisnes and diligens to bring and sett the saidis landis of Badenacht Urquart and Strathowen with the pertinentis till the maist profit that he may / and within als sehort tyme as he may / bot fraud or gyle . In the vitinising of the quhilks thingis leillie and trewlie for to be keipit bot fraud and gyle the seillis of the forsaid Lord the Governour and of the forsaid Earll of Mar hes cusin to thir indenturis interchangabillic ar to put the day yeir and place forsaidis .

Litera Domini Walteri de Lyndesay militis vicecomitis de Abirdene super resignatione terrarum de Culclerochy et Garry in manus domini sui Alexandri Stewart comitis de Marr et de Garuiach ac Amarallo regni Scotie. ¹—(A.D. 1423.)

Nobili domino et potenti ac domino suo metuendo Alexandro Stewart comiti de Marr et de Garuiach ac Amarallo regni Scotie vester humilis Walterus de Lyndesay miles Vicecomes de Abirdene omnimodas reuerentias et honores Ego Dominus Walterus predictus . . . in manus vestras omnes terras meas de Culclerochy et Garry cum pertinentiis infra vicecomitatum de Aberdene que de vobis tanquam de domino superiori earundem cum pertinentiis tenentur in capite . . . per fustem et baculum sursum reddo et resigno . . . ita quod vos Domine mi antedictæ de eisdem . . . disponere valeatis ad vestre libitum voluntatis Insuper facio . . . nobiles et circumspectos viros Thomam Stewart Andream Stewart Willelmum de Haya milites Thomam Gordoun Johannem Scrimieur Daudid de Tulach et Georgium de Inchemartyn armigeros meos attornatos . . . ad gerendum . . . omnia . . . que circa premissam resignationem fuerint necessaria . . . In cuius rei testimonium sigillum meum est appensum apud Abirdene vicesimo quarto die mensis Octobris anno Domini millesimo quadringentesimo vicesimo tertio .

Carta comitatus de Marr et domini de le Garuiach. ²—(A.D. 1426.)

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 carissimis consanguineis nostris Alexandro Stewart et Thome Stewart filio suo naturali militibus totum et integrum comitatum de Marr et totum et integrum dominium de Iye Garuiach cum

¹ [Abridged from the Miscellany of the Spalding Club, vol. iv., p. 127.]

² [From the Registrum Magni Sigilli Regum Scotorum, lib. ii., no. 8, MS. Gen. Reg. House, Edinburgh.]

Alexander Stuart, earl of Mar, was one of the assize which found the Duke of Albany, his son Walter, his brother Alexander, and their grandfather, the Earl of Lennox, guilty of treason at Stirling, in May, 1424.—(Johannis de Fordun Scotichronicon, lib. xvi, cap. x.)

pertinenciis jacentia infra vicecomitatum de Abirdene qui et quod fuerunt dictorum Alexandri et Thome quem et quod dicti Alexander et Thomas non vi aut metu ducti nec errore lapsi set mera et spontanea voluntate sua in manus nostras per fustem et baculum personaliter sursum reddiderunt pureque simpliciter resignarunt ac totum jus et clameum que in dictis comitatu et dominio cum pertinenciis habuerunt vel habere potuerunt pro se et heredibus suis omnino quiete clamauerunt imperpetuum . Tenenda et habenda predicto Alexandro pro toto tempore vite sue et post eius decessum prefato Thome et heredibus masculis de corpore suo legitime procreatis seu procreandis / quibus forsan deficientibus nobis et heredibus nostris libere reuersura de nobis et heredibus nostris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas cum tenandijs et libere tenencium seruiciis et cum omnibus alijs et singulis libertatibus commoditatibus asiamentis et iustis pertinenciis suis quibuscunque ad dicta comitatum et dominium spectantibus seu quoquomodo iuste spectare valentibus in futurum adeo libere et quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut dictus Alexander dicta comitatum et dominium cum pertinencijs de nobis aut predicesoribus nostris ante dictam resignationem nobis inde factam liberius tenuit vel possedit . Faciendo inde nobis et heredibus nostris dictus Alexander pro tempore vite sue et post eius decessum dictus Thomas et heredes sui predicti seruicia de dictis comitatu et dominio cum pertinencijs debita et consueta . In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum . Testibus venerabili viro Magistro Johanne Cameron preposito ecclesie collegiate de Llinclowdane custode nostri priuati sigilli Johanne Forestare de Corstorfyne camerario Roberto de Lawedre de Bass iusticiario et Waltero de Ozilvy de Lumtrethyn thesaurario regni nostri militibus Apud Edinburgh vicesimo octauo die mensis Maij anno gracia millesimo quadringentesimo vicesimo sexto . et regni nostri vicesimo primo .

J. Scheues .

Carta Comitis de Mar super dominio de Badynach. ¹—(A.D. 1427.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . carissimo consanguineo nostro Alexandro comiti de Mar totum et integrum dominium nostrum de Badinach cum pertinentiis iacens infra vicecomitatum nostrum de Inuyrnes Tenendas et habendas omnes et singulas terras prefati dominij nostri de Badynach cum pertinentiis prefato Alexandro consanguineo nostro pro toto tempore vite sue . . . Saluo seruicio nostro . . . debito et consueto In cuius rei testimonium presenti carte nostre pro toto tempore vite dicti Alexandri duntaxat durature magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Johanne electo confirmato ecclesie Glasguensis Johanne Forestarij camerario nostro Roberto de Lawedre iusticiario nostro ex parte australi aque de Forth et Waltero de Ogilvy thesaurario nostro militibus apud Edinburgh nono die mensis Januarij anno Domini millesimo quadingentesimo vicesimo sexto et regni nostri vicesimo primo .

¹ [Abridged from the Registrum Magni Sigilli Regum Scotorum, lib. ii., no. 69, MS. Gen. Reg. House, Edinburgh.]

In the year 1324, the lordship of Badenach, which, during the thirteenth century, was the inheritance of the oldest branch of the great house of Cumya, was, together with the Earldom of Murray, bestowed by King Robert Bruce upon his nephew, Sir Thomas Randolph.—(Registrum Episcopatus Moraviensis, pp. 342-344.) But it does not appear to have passed to his descendants. In the year 1338, it is found in the possession of the Earl of Ross; and, in the following reign, it is specially excepted from the renewed investitures of the Earldom of Murray.—(Miscellany of the Spalding Club, vol. iv., pp. 125, 126; Registrum Magni Sigilli, p. 88, no. 309, p. 119, no. 3.) In the year 1371, 'the sixty davachs of Baddenache, with the castle of Lochyndorbe,' were granted by King Robert II. to his fourth son, Sir Alexander Stewart, afterwards Earl of Buchan and Lord of Ross, now best remembered as 'the Wolf of Badenach.'—(Registrum Magni Sigilli, p. 84, no. 286, p. 121, no. 8, p. 127, no. 3; Registrum Episcopatus Moraviensis, pp. 472, 473, 183, 191.) On his death in 1394, without legitimate issue, the lordship should have reverted to the crown, but the eldest of his five bastards, the future Earl of Marr and the Garioch, would seem to have kept or claimed possession of it. In 1420, he is found making conditions as to his rents with the new Regent; his bastard son Thomas, appears with the title of Lord of Badenach in 1424; and in 1427, he himself obtained from King James I. a grant of Badenach for life.—(Registrum Episcopatus Aberdonensis, vol. i., p. 220.) After his death it would seem again to have reverted to the Earl of Ross.—(Miscellany of the Spalding Club, vol. iv., pp. 125, 126.) It was in the crown in 1449-50, when it was made part of the dowry of the Queen, Mary of Gueldres.—(Acts of the Parliaments of Scotland, vol. ii, p. 61.) It finally became the possession of the Earls of Huntly about 1456.]

Litera Comitís de Mare super terris domini de Badyneach.¹—(A.D. 1427.)

Vniuersis ad quorum noticiam presentes litere peruenerint Alexander comes de Mare salutem Noueritis quod excellentissimus princeps et

¹ [From the Registrum Magni Sigilli, lib. ii., no. 72, MS. Gen. Reg. House, Edin.]

Alexander, earl of Marr, was named one of the conservators, on the part of the King of Scots, of the truce concluded with King Henry VI of England, on the fifteenth of December, 1430.—(Poedera, t. x., p. 491.) In the following year he was defeated by Donald Balloch of the Isles, at Invetloch in Lochaber.—(Jobannis de Fordun Scotichronicon, lib. xvi., cap. xvii.) It was, doubtless, on the occasion of this insurrection that he was appointed the King's Lieutenant in the North—an office which had been held by his father, the Wolf of Badenach.—(Family of Rose of Kilravock, pp. 128, 129; Registrum Episcopatus Aberdonensis, vol. i., p. 124; Registrum Magni Sigilli, p. 126, no. i.) The Earl of Marr appears as a witness to charters granted by King James I. to the University of St. Andrews, at Perth, in March, 1432.—(Reg. Mag. Sig., lib. ii., nn. 118, 119.) He was present with the Bishop of Dunkeld in the churchyard of Tippermuir in May, 1433.—(Registrum Episcopatus Brechinensis, vol. i., p. 59.) His death, on the twenty-sixth of July, 1435, is commemorated in most of the contemporary chronicles. Thus the continuator of John of Fordun: "Anno Domini mcccxxxv. circa Festum Sancti Petri ad Vincula, obiit Dominus Alexander Stewart comes de Marria, bastardus filius Domini Alexandri Stewart comitis de Buchania, filii Domini Roberti secundi Regis. Ille fuit vir magni conquestus, qui in iuuentute erat multum indomitus, et ductor Caternanorum. Sed postea ad se reuersus, et in virum alterum mutatus, placenter trans montes quasi totum aquilonem gubernabat. Homo magnarum opum et ingentium expensarum, clari nominis, et famosus in diversis regionibus habebatur. Cujus industriose probitati adscripta est victoria facta apud Legez pro parte Johannis ducis Burgundiae; et similiter apud Harlaw de insularis sibi attribuitur praeconium triumphale. Potens enim erat valde in rebus animatis et mobilibus. Quibus omnibus, utpote bastardi, successit Rex."—(Johannis de Fordun Scotichronicon, lib. xvi., cap. xxv.)

So, also, the nameless author of the Chronicon Jacobi primi Regis Scottorum: "Anno Domini m cccc xxxv. obiit Alexander Steuwart, comes de Mar, qui in bellis de Legis et Arlaw strenue se habuit, et in multis aliis conflictibus: et quia bastardus erat sic successit Rex de facto, licet de jure, secundam quosdam, Domini de Erskyne et de Lyle jure hereditario debuissent successisse."—(Life and Death of King James I. of Scotland, pp. 14, 15.)

So, again, the Chronicle of Forthingall: "Obitus Alexandri comitis de Mar et Garviacht anno Domini m^o cccc. xxxv. et sepultus in Innernes xxvj. Julii, qui fuit locumtenens Domini nostri Regis in tempore suo."—(The Black Book of Taymouth, p. 112.)

According to another anonymous chronicler, he died within his earldom of Marr: "Stewart, Alexander, de Marria comes, filius Domini Alexandri comitis Buchquhanie, filii Domini Roberti secundi Scottorum Regis, primæque etate efferus, indomitus, ac Caternanorum dux, postea mitis, iustus, patrie rector et dives conqueror extitit, anno Domini m^o liii^o xxxv, circa Festum Sancti Petri quod dicitur ad Vincula, obiit in Marr"—(Extracta e Variis Chronicis Scocie, p. 234.)

On the anniversary of his death, a mass was said yearly for his soul's repose at the altar of St. Katharine, in the cathedral church of St. Mary and St. Machar at Aberdeen: "Septimo

dominus noster metuendissimus Domini Jacobus Dei gracia Rex Scotorum concessit nobis omnes et singulas terras domini sui de Badyneach cum pertinencijs pro toto tempore vite nostre duntaxat possidendas . Quare obligamus nos heredes nostros executores et assignatos quod post obitum nostrum prefatas terras domini de Badyneach cum pertinencijs libere et quiete ab omni clameo per heredes executores aut assignatos nostros prefatos in posterum fiendo dimitemus et dimittent prefato domino nostro Regi heredibus successoribus suis aut assignatis statim realiter et cum effectu sub omni pena quam incurrere possimus aut poterunt erga prefati domini nostri Regis regiam maiestatem In cuius rei testimonium sigillum nostrum presentibus est appensum apud Edynburgh decimo die mensis Januarij anno Domini millesimo quadringentesimo vicesimo sexto .

The endentur mad betuex Schir Robert of Erskyn lorde of that Ilk and Schir Thomas of Erskyn his sonne and ayr on the tapart and Schir

Kalendas Augusti obitus magnifici ac potentis domini Domini Alexandri Stewart comitis de Marr et de Garwyach ac locum tenentis Domini Regis Scotorum."—(Registrum Episcopatus Aberdonensis, vol. II, p. 202.) He owed this commemoration to the bounty of Master John of Clat, canon of Brechin and Aberdeen, and prebendary of Cloveth.

The traditions regarding the victor of Harlaw, which lingered in the north, were committed to Latin, not quite a century after his death, by the first Principal of King's College, in a passage which is thus translated by the Archdeacon of Murray: "In the same year, deceisit Alexander Stewart, erle of Mar. This Alexander was ane bastart sou of Alexander erle of Buchquhan, quhill was son to King Robert the Secound. He was ane man of singular virtew, in his tender yeris, and was at the sege of Leodium, quhen it was tane be Phillip duke of Burgundie. And for the gret glorie that he wan at the said jorney, he was marryit on ane lady, namit Jane, countes of Holland. Nochtbeles, he was put fra hir; uncertane quhethir it come be the said Countes, becaus scho had ane othir husband, or becaus the inhabitantis desirit nocht to be mingit with uncouth blude. Within sehort time efter, he returnit in Scotland, and send his servandis in Holland, desiring the proffet of his land. And becaus he gat nocht bot repuls thair of, he held continewall weris on the Hollandaris, quhill thay war constrainit to pleis him for all the proffettis bygone, and take peace with scottis for ane hundreth yeris. This Erle of Mar was ane richt industrius and civill man; for he brocht out of Ungary in Scotland, sindry gret hors and meris, to spreid the entre be thair generatioun. Thus was the entre, within tew yeris efter, fillit ful of gret hors; howbeit, afore his time, was nocht bot small naggis in this realme. This wise Erle, for his wisdom, was maid Lieut-nannd of al the North of Scotland. He was buryit in Dukeld. Efter his deith, al his landis, riches, and conques, war confisat in the Kingis hands, becaus he was gottin of unlauchfull bed."—(Bellenden's Cronykis of Scotland, book xvii, chap. vi.; vol. II., pp. 507, 508, edit. 1821.)

The seal of "Alexander Stewart, earl of Mar and Garioch," is figured and described in H. Laing's Catalogue of Ancient Scottish Seals, plate xiii, fig. 4, and p. 132.]

Alexander of Forbes knicht lorde of that Ilk on the tothir part.¹ —
(A.D. 1435.)

This endentur mad at Streueling the xvij day of Nouember the yer of our Lord a thousand four hundreth thretti and fywe yer betuen an honorabil

¹ [From a transcript in the General Register House.

Sir Robert Douglas, writing with the Marr charters before him, says that "Robert, lord Erskine, in 1435, claimed the earldom of Marr, lordship of Garrioch, etc., to which, after the death of Isabel, countess of Marr, and of Earl Alexander, her husband, he had right, and was become undoubted heir, being only son of (1.) Thomas, lord Erskine, by Dame Janet Keith, his spouse, who was only child of (2.) Sir Edward Keith, by Christian Menteith, his spouse, who was daughter and heiress of (3.) Sir John Menteith, lord of Arran, Strathgartnie and Knapdale, by his spouse, Lady Elyne, daughter of Gratney, earl of Marr, and sister of Donald, earl of Marr. The first two articles were fully proven by witnesses, then alive, who swore thereto. Lady Elyne's marriage with Sir John Menteith was proved by an infestment from King David II., of the lands of Strathgartnie, to Sir John Menteith and Elyne, daughter of Gratney, earl of Marr, his spouse. And as a farther proof of Christian Menteith's being married to Sir Edward Keith, he produced a charter from Sir John Menteith, lord of Arran, etc., in favours of Sir Edward Keith and Christian Menteith, his dearest daughter, and their heirs, of the lands of Pirchook and Ludcairn. He further shewed that Thomas, lord Erskine, his father, and Dame Janet Keith, his mother, had, with his consent, conveyed the hail said lands and barony of Pirchook and Ludcairn, in favours of Duncan of Wemyss, son of Sir John of Wemyss, and Elizabeth Erskine, his spouse, their daughter, in free marriage to them, their heirs, etc. In consequence of these proofs, he was, upon the twenty-second of April, 1438, served heir to Lady Isabel Douglas, countess of Marr etc. [in one half of the earldom of Marr,] before the sheriff of Aberdeen, and an inquest of the most honourable gentlemen in the county, whose seals are thereto appended, viz., Sir Alexander Forbes, sheriff depnte of Aberdeen, Alexander of Irvine, John of Forbes, Gilbert of Hay, William of Forbes, knights; Andrew Keith of Invergie, John of Ogistonn, John Thane, Alexander of Meldrum, John of Fyvie, Walter Barclay, Gilbert Menzies, John Vaus, William of Cadow, Andrew of Buchan, Thomas of Allardice, Thomas of Twinam, William Reid, James of Sken, James Cumin, Gilbert of Sanquhar, and John Mouat. [In October, 1438, he was served heir to the Countess Isabel in the other half of the earldom of Marr.] There is a precept for infesting Robert, lord Erskine, as heir to Isabel, countess of Marr [in one half of the earldom of Marr, to which he was served heir in April, 1438,] sealed and dated November, 1438; and an instrument of sasine [of half of the earldom] following thereon, dated the twenty-first of November the same year, [given by Sir Alexander of Forbes of that Ilk, knight, sheriff depute, before John Forbes of Burkis, John Ross of Auchlossin, Duncan Forbes of Auchyn-towyll, and other witnesses.] After which, Lord Erskine took the title of Earl of Marr, Lord of Garrioch, etc., and granted many charters of lands belonging thereto. Notwithstanding that Robert, lord Erskine, was acknowledged as Earl of Marr, and acted as such, yet he was never entirely in peaceable possession of that earldom; for King James II.'s council got an act passed in his first parliament, declaring that whatsoever lands his Majesty's father died possessed of, or had claimed, should remain with the King during his minority."—(Douglas' Peerage of Scotland, p. 466.) Cf. Lord Hailes' Additional Sutherland Case, chap. v., sectt 11, 12; Miscellany of the Spalding Club, vol. v., pp. 273-281; Acts of the Parliaments of Scotland, vol. ii., p. 31.]

and nichti lord Schir Robert of Erskyn lord of that Ilke and Schir Thomas of Erskyn the sun and the ayr of the sad Schir Robert on the tapart and a worthi lord Alexander of Forbes knicht lord of that Ilk on the tothir part proportis and beris witnes in itself that the sad Schir Alexander of Forbes sal do al his bisines and diligent cure to help and to furthir bath with his avis and consale the forsad lord Schir Robert of Erskin and his sun and ayr forsad til al thar rychtis of the Erldomis of Marr and Garuioch with the pertenance and bring tham thar to in als fer as his gudli power may streke and nothir spar for cost na trauale And for his helpe his consale his bisines and diligent cure don thar to the forsad Schir Robert and Schir Thomas oblisith thaim and thair ayris to gif to the sad Alexander and his ayris heritabli the lordschep of Achindor with the pertenance / the donacioun of the Kyrk / the Buk / and the Cabrach with the halfdawach in fre forest annexit to the sad lordschep of Auchindor lyand within the Erldome of Marr in the schirradome of Abirden and charter the forsad Schir Alexander in fee and heritag thar of and possess hym in the sad landis with'n forty dais next eftir that the sad Schir Robert or Schir Thomas an or bath sal recouir and gett the sad Erldom of Marr And the sad Schir Alexander and his ayris sal hald the forsad landis of the sad lord Schir Robert and his ayris in fre blanchferme And giff the sad Schir Robert and Schir Thomas may haff na resone to gif the landis of Achindor with the pertenance as is befor spokin the forsad Schir Robert sal mak to the sad Schir Alexander and til his ayris a hundreth merkis worth of land liand to gidder to be haldin of him and his ayris in fre blanchferme liand within the sad schirradom of Abirden in the Erldome of Marr or in Garuioch . . .

Appoyntement betwex my Lorde of Mar and his sonn and the Lorde of Forbes and his sonnys. ¹—(*circa* A.D. 1439.)

It is to remembyr that it is appoyntyt and accordyte betwex my Lorde of Mar Sir Robert and his sonn Sir Thomas master of Mar one a pairt and Sir Alisauder of Forbes and his sonnys of the tother pairt in this maner That is to say that the sayde Lorde of Forbes has submittyt hyme and his

¹ [From the original in the charter room at Castle Forbes.]

sonys forsayde and his mene to my Lorde of Mar forsayde ande to his consale wpon al wnkendnes wrangkis ande iniurris don be him or his sonnys to my sayde Lorde of Mar or to his sonn forsayde ande to refovrme at thar ordenance that thai halfe defawlttyt Ande rycht swa the sayde Lorde Erle ande his sonn forsayde sale refovrme at the sycht of the sayde consale of al wnkendnes wrangkis ande iniurris don be thame to the sayde Lorde of Forbes or his sonys forsayde Ande thir ar the personys sal be consallowrris to my Lorde of Marr in al thir materis In the fyrste Sir Jhon of Cokbwrne Thomas of Wemys Wilzame Sympyll Jamys of Skene Wilzame of Mwrroy Alene of Erskyne Jhon of Dromownde Jhon . . . son ande Patryke of Galbratht And apon the fulfyllne of the indentur made of befortyme betwex the sayde Lorde of Marr ande the Lorde of Forbes the sayde Lorde of Marr sale take ande to be of his consale thir personys Sir Jhon of Forbes Jhon the Ross Jhon of Mar ande Thome Dawysoun wytht qwhat four of thir fornemmyt at hym likis and be the sycht of tham al appoyntmentis contenynt in thar indenturis beande wvfulfyllt sale be reformyt ande fulfyllt ande gif that be made mar to lay that fra hym Ande al thir materis Gode wilande sale be endyt betwex the day of this byle makkyne and Yole nexte folowande appon four dayis warnenyng quhen my Lordis consale cummys til hyme bwte frawde or gyle In witnes of the quhilkis the sellis of the sayde Lorde of Marr ande his sonn Sir Thomas ar to pute wytht the sele of the sayde Lorde of Forbes.

Item Jhon of Hadyngtoun is cummyne and we of cunsale thyngkis that we wil hafe hyme witht ws of consale.

Carta Comitum de Marr concessa Domino Alexandro de Forbes de eodem militi super dimidia parte domini de Strathdee. ¹ —(A.D. 1439.)

Omnibus hanc cartam visuris vel auditoris Robertus comes de Mar et dominus de Erskyne salutem in Domino sempiternam Sciatis nos dedisse . . . dilecto et speciali amico nostro Domino Alexandro de Forbes de eodem militi pro suo servicio nobis gratanter et multipliciter impenso totam et integram mediam partem nostram totius domini de Strathdee cum pertinen-

¹ [From a transcript in the General Register House.]

tibus jacentem in comitatu meo de Mar infra vicecomitatum de Abredein nos jure hereditario contingentem Tenendam et habendam eidem Domino Alexandro et heredibus suis ac suis assignatis de nobis et heredibus nostris Comitibus de Marr in feodo et hereditate in perpetuum . . . in forestis et silvis . . . bondis hondagiis et eorum sequelis cum aucupationibus venationibus et piscationibus cum curiis eschaetis et curiarum tam actionum criminalium quam civilium exitibus cum fabrilibus et brasinis cum petariis et turbariis cum bludewitis et merchetis mulierum . . . Faciendo inde domino Regi nostro . . . forinsecum servicium quantum pertinet ad dictam mediam partem terrarum dominij supradicti Et reddendo inde etiam annuatim . . . nobis et heredibus nostris Comitibus de Marr apud castrum nostrum de Kyndrumy duos denarios nomine albe ferme in Festo Penthecostes si petantur . . . In ejus rei testimonium presenti carte nostre sigillum nostrum apponi fecimus apud burghum de Abirdein vicesimo sexto die mensis Junij anno gratie millesimo quadringentesimo trecesimo [nono] / His testibus reverendo in Christo patre ac domino Domino Henrico auspiciatione divin aepiscopo Aberdonensi / venerabili patre Arthuro permissione divina abbate monasterij de Deer / Dominis Waltero Steuart domino de Stratboune Roberto de Levyingstoune domino de Drumry Johanne de Erskyne de Kynnoulle Johanne de Cokburne militibus / Magistris Johanne Stenart preposito ecclesie collegiate de Methuen Waltero Steuart archidiacono Dumblanensi Johanne Broune de Kenet Waltero Kay scutiferis nostris et Johanne de Hadingtounc burghensi de Perth cum multis aliis .

Receptio Comitibus de Marre in liberum burgensem et confratrem gilde burgi de Abirdene. ¹ —(A.D. 1439.)

Item xxviii. die mensis Decembris anno Domini [millesimo quadringentesimo] xxxix^{mo} per prepositum et balliuos ac commune concilium receptus fuit nobilis dominus et potens Dominus Robertus de Erskyn comes de Marr ac dominus de Erskyn in liberum burgensem et confratrem gilde prestito solito juramento exceptis illis de scot et lot wak et ward pro v. solidis .

¹ [From Extracts from the Council Register of the Burgh of Aberdeen, 1395-1570, p. 394.]

Endentoure betuex oure Souereyne Lord the King and Schir Robert lord of Erskyne ¹—(A.D. 1440.)

This endentoure made at Striuelyne the tend day of the monethe of August the yer of grace a thousand foure hundrethe and fourty / pro- portis and beris wites that it is accordit be way of amiable composicioun betuex oure Souereyne Lord the King and his counsaile vnderwritin on the taapart / and ane noble lord Schir Robert lord of Erskyne withe deliuerance of his counsaile on the tothire part in maner and fourme as effir folowis / that is to say / That for the gude and the quiete of the land oure forsaid Souereyne Lord will withe avice of his said counsaile gerre deliuer the castel of Kildrummy to the said Lord of Erskyne richt furthe in al gudely haste as the Kingis castell to be kepit be the said Lord of Erskyne to the Kingis behuve and age and than to be deliuerit to the King but obstacle / The quhilke done the said Lord of Erskyne or his airis sal cum befor the King and the thre estatis and thare propone and schaw for him his clamys richtis process and his entree be vertu of his process / The quhilkis sene and considerit sal be jugeit and admittit als ferre as thai arre of force and of valu to stand in sik effecte as the thre estatis thinkis that thai acht to doo / And quhare thai be fundin to be refourmyt the King sall gerre his chapell be opin and the law redy / but stopyng to the said Lord to perseu his richt als ferre as law will / al thingis twicheyng the said materies and clames standand remanand and cessand in the menetyne but preiudice of outhir partie in sik termes and plite as thai stand in now / And forthir layre it is accordit that al the froytis and reuenowes belangand half the erledome of Marre the quhilke the said Lord of Erskyne clamys as his propre sal remayne withe the said Lord on

¹ [From a transcript in the General Register House.

Sir Robert Douglas writes that, in the Marr charter chest, 'there is a protest taken by Robert Lord Erskine, in the presence of the King and Council, in Stirling Castle, on the ninth of August, 1442, complaining upon the Chancellor for refusing to retour him to the lordship of Garrioch, and put him in possession of the castle of Kildrummy, protesting that he might and should be free to intromit, at his own hand, with the hail lands of Marr and Garrioch, etc. And, accordingly, he immediately after besieged and took the castle of Kildrummy, wherupon the King seized the castle of Alloa.'—(Peerage of Scotland, p. 467) Cf. Miscellany of the Spalding Club, vol. v, p. 275.]

to the ische of the said terme and than to be countable give the castell beis jugetit til the King allowand til him a sufficient fee for the keynyng of the said castell / And attoure it is accordit that quahatsmeuer tynie the said Lord of Erskyne be frely enterit in the castell of Kildrummy forsaid be the deliuerance of the said counsaile the said Lord sal treuly but ony obstacle deliuer the castel of Dunbertane frely at the avice of the King and the thre estatis / he havand til his warandice for him and his airis the Kingis lettres vnder his grete sele of discharge / togidder with lettres of quyteclame and remissioun for him his son and al his men of al thingis done fra the day of his entre in the said castoll of Dunbertane to the day of the making of thir presentis letres . And til al and sindry thir forsaid condiciounes and appoyntmentis lelely and trewly to be kepit and fulfillit to the partie of this endentoure remanyng with the said Lord of Erskyne oure Souereyne Lord the King has gert affix his priue seel / and the said Lorde of Erskyne is oblist for him and his airis be al thaire landis possessiones and gudes had and to be had / and in witnessing tharof to the partie of this endentoure remanyng with our Souereyne Lord the King the said Lord of Erskyne has gert set his seel at day place and yere befor writtin / And thir arre the names of thaim beand in the forsaid counsaile present depute be the hale generale counsaile apon this and othiris diners materies that is for to say Johne and Michael bischopis of Glasgw and Dunblane / Thomas and David abbotis of Pastlete and Cambuskynethe / Duncane lord Cambell Alexander lord of Montgomerye David the Haya of Locherward . Alexander Levynstoun of Kalendare Johne of Ruthven of that Ilke Johne Sibbalde of Balgony Robert of Levynstoun of Drumry Johne of Dunbarr of Cumnok Johne of Ogilby of Luntrethin Alexander Ramsay of Dalwolsy Androu Stewart of Albanie Robert of Crichtoun of Sanchare Johne of Cokburne Walter of Ogilby Williame of Cranstoun Gilbert of Setoun and Jamys of Hammyltoun knychtis Johne Simple of Eliotstoun Williame of Cokburne of Ormistoun Robert of Connynghamme and Robert Stewart of Bute squiaris James of Parklee Laucelate of Abirnethy Johne of Drunfress Williame Bully David of Galbraithe and Maister Johne of Cadion commissaris of borowes .

Endenture betwex Robert the Lyile of Duchale and Schir Alexander of Forbes of that Ylk knyght. ¹—(A.D. 1444.)

This endenture maide at Perth the xxvi day of the moneth of Marche the yheir of our Lorde a thousande four hundretht forty and four yheir betwene honorabile and worthi men Robert the Lyile of Duchale on the ta part ande Schir Alexander of Forbes of that Ylk knyght on the tothyr part proportis and beris vitnes in the selfe in fourme and effect as eftir folowis / that is to say / It is accordit at the forsaide Robert the Lyil has geffyn and sale gyff to the forsaide Schir Alexander herettably ale and baille his part of the landis of Stradee and Kyndrocht with his part of the eastale of the samyn landis with all thar pertinence / to be haldyn of the said Robert in blanche ferme / and gyff hyme charter and possession als son as it likes the saide Schir Alexander efter at the saide Robert sal recover possession of halfe the landis of Mar liande in the schirrefdome of Aberden / Ande in like cas the forsaide Schir Alexander has geffyn and sal gyffe to the said Robert heretabile ale and haile his landis of Cluny and Qubitefeild with thar pertenece liande in Strathern and Anguss / and giff hyme charter and possession of thaim / to be haldyn of the Erle of Angus in blanche ferme / als son as it likis the said Robert eftir that he sale giffe to the [saide] Schir Alexander charter and possession of the landis of Stradee as is before wryttyn bute fraude or gyle / Item it is accordit that gyffe it sale happyn in ony tyme to cum that our Soverane Lorde the Kyng recover or take the forsaide landis of Mar fra the saide Robert or fra his ayris it sale be lefule to the saide Schir Alexander and to his ayris to have regress and free entra to his landis of Cluny and Whitefeilde with the pertinence bute fraude or gyle or onv impedymnt be law or pleide be fraude or gyle / swa that the saide Schir Alexander and his ayris content the Kyng or ells the said Robert or his ayris of als mykyle maile as he sall lake of the landis of Stradee forsaide mar than the saide landis of Cluny and Qubitefeilde sale gyffe to the saide Robert or to his ayris as is forsaide / Item it is accordyt that the forsaide Robert sale resyng in the Kyngs handis the saide landis of Stradee quhat tyme that the said Schir Alexander sale get consent of the Kyng

¹ [From Macfarlane's Collection of Charters, MS. Adv. Bibl., (31. 3. 25.) Edinb.]

tharto and frathinfurthit to be haldyn of the Kyng in barony / Item it is accordyt that in cass it sal happyn / as Gode forbeide / the forsaide Robert or the forsaide Schir Alexander ane or baith to deces in the meintyme before the endyng and fulfilling of thir forwrytyn appoyntmentis that thar ayrie sale fullile and keipe all thir fornemyt appoyntmentis but fraude or gylle / Ande to all and syndry thir conditionis to be lelely and trewly kepit bute ony fraude or gylle batht the parteis forsaide has geffyn thar bodily atht the Haly Ewangele tweebit / Ande for the mar sourtie and evydence the selis of the saide Robert and Schir Alexander to thir endenturis enterchangeably ar to pute the day the yher and the place befor vrytyn.

Decretum Parliamenti pro Ada Crab vidua. ¹ —(A.D. 1445.)

Jacobus Dei gracia Rex Scotorum carissimo consanguineo nostro Roberto domino de Erskyne militi salutem Sciatis quod inspeximus et diligenter examinavimus quoddam actum siue decretum instantis nostri parliamenti factum per auditores causarum et querelarum per dictum parliamentum specialiter deputatos Cuius tenor sequitur et est talis DIE SECUNDO mensis Julij anno Domini millesimo quadringentesimo quadragesimo quinto in parlamento apud Edinburghe per venerabiles et discretos viros videlicet Willelmum de Cupro Walterum Insule Sancti Columbe abbates . Willelmum priorem de Vrquharde Johannem Skrimgeoure constabularium de Dunde Andream Ogilby de Inchemartyne Johannem de Dunbar de Cumnok milites Johannem de Lummysdene de Glegernach Jacobum Parkle Thomam de Cranstoun et Thomam Bervic ad audiendum decidendum et determinandum causas querelarum commissarios specialiter deputatos conclusum extitit et decretum quod precipiatur per literas Regias sub alba cera sigillatas Roberto domino de Erskin militi quod faciat justicie complementum teneri et obseruari Ade Crab vidue de terris de le Quyltis de Cromar quas terras eadem Ada de dicto Domino Roberto tenere clamat in capite tanquam de domino suo superiore Et quas terras Alexander de Canera burgensis burgi de Abirdene ab ipsa Ada detinet minus iuste vt asseritur Ita quod pro dicti Domini Roberti defectu justa querimonia amplius minime audiatur

[From the Acts of the Parliaments of Scotland, vol. ii., p. 60.]

Datum et extractum de registro per me Johannem de Scheues clericum rotulorum et registri excellentissimi principis et domini nostri Domini Jacobi Dei gracia Scotorum Regis illustrissimi sub sigillo quo vtor in officio officialatus Sanctiandree ac subscriptione mea manuali die mense anno et loco suprascriptis QUARE vobis precipimus et mandamus quatenus justicie complementum teneri et obseruari faciatis Ade Crab latrice presencium de terris de Quyltis de le Cromar prout in acto suprascripto continetur ac omnia et singula in dicto acto contenta inuiolabiliter obseruari curretis sub omni pena que competit in hac parte et hoc nullatenus omittatis Datum sub testimonio magni sigilli nostri apud Edinburghe sexto die mensis Julij anno regni nostri nono.

The Kingis lettres for deliuering the castel of Kildrumy.¹—(A.D. 1447.)

James be the grace of God King of Scottis . Til oure luvidis cosingis Robert lorde of Erskyn and Thomas youre sone and al vtheris oure liegis and subditis beand within the castel of Kildrumy or of yhoure behalue havand power tharof greting . Foralsmikle as for the gude of peec and tranquillite of oure realme and justice to be haldin in the north partis of oure said realme quhare grete rupture and transgressiounis has bene in

¹ [From a transcript in the General Register House.

Sir Robert Douglas writes that, in the Marr charter chest, 'there is an indenture, which bears date the twentieth of June, 1448, entered into between the King and Council on the one part, and Robert lord Erskine on the other, by which Lord Erskine obliges himself to deliver up the castle of Kildrummy betwixt and the third July next, to any the King should appoint, to be kept by them till the King's majority, and then to be delivered up to either of them who should be found to have right to it, at the sight of the three estates, and to account to the King at his majority for the one half of the earldom of Marr. And the King and Council on their part obliged themselves that so soon as the castle of Kildrummy should be delivered up to those appointed by the King, his Majesty should deliver up to Lord Erskine his castle of Alloa, and all the furniture and warlike stores found therein. This indenture is sealed by the King's privy seal, and the seals of William, bishop of Glasgow, and of James of Livingston, then keepers of the King's person; and the lords of Graeme and Gray bind themselves as cautioners for the King and Council's fulfilling their part of the indentures; and on the part of Lord Erskine, his seal, and the seal of his son and heir, Sir Thomas Erskine, are affixed; and Sir Henry Douglas of Lochleven, Thomas of Wemyss, and William Auchterlony or Kelly bind themselves as cautioners for the father and son's performing their part of the indentures.'—(Peerage of Scotland, p. 467.)]

tym bigane and for reformacion tharof / we adress vs God willing sudanly to visy the said partis . And for our purviaunce to be made in the said partis we haue chargit to pas befor oure cummyng oure luidis Dauid Murray of Tulibarlyn knicht and Robert of Levingstoune our comptrolloure with full power vndre oure patent lettres til ask and ressaue the castell of Kildrumy as the appoyntment be the evidentis made tharupone betuix vs and yhou oure cosingis forsaidis proportis . And the maer sudanly becaus it is a place conuenient of souerte and vthirwayis for oure purviaunce to be made at this tym . Oure wil is and straitly we charge you oure cosingis forsaidis and al and sindre vtheris being withiu the hous of Kildrumy forsaid or having powere tharof as is abufe writtin and ilkane of you . that thir oure letres sene but obstacle assone or delay like as the said appoyntmentis proportis [yhe] deliuer the said hous to the said Dauid and Robert yhe hauing thir oure lettres for yhoure warand vndre the hiest paynnis of rebellious forffature and vtheris ye may commit and inrin again oure maieste . The quhilkis gife yhe inrin we think God willing til execute agains yhou and ilkane of you forsaid with al rigore as efferis . Gevin vndre oure priue seel at Striuelyne the xij day of Maij and of oure regne the xj there .

Deposiciones testium de consanguinitate Domini Roberti de Erskyn domino Comiti de Marr dicto Gartnay. ¹—(A.D. 1447.)

In nomine Domini Amen per hoc presens publicum instrumentum cunctis pateat euidenter quod anno eiusdem millesimo quadringe[n]tesimo quadragesimo septimo mensis vero Octobris die sexto Indictione decima pontificatus sanctissimi in Christo patris et domini nostri Domini Nicholai diuina prouidencia pape quinti anno primo In mei notarii publici et testium infrascriptorum presencia personaliter constitutus nobilis vir Andreas de Keth de Inverwgy etatis octoginta annorum uel eocirca qui quidem Andreas per litteras reuerendi in Christo patris ac domini Domini Ingerami Dei et Apostolice sedis gratia episcopi Aberdonensis legitime sub pena excommunicacionis monitus ad perhibendum fidele

¹ [From a transcript in the General Register House.]

testimonium ueritati in causa computacionis parentele nobilis viri Domini Roberti de Erskyne comitis de Marr silicet in quoto gradu dictus Robertus attingebat Domino Comiti de Marr dicto Gartnay juratus tactis Sacrosanctis Dei Ewangeliis et diligenter per me notarium infrascriptum de speciali mandato mihi litteratorie per dictum reuerendum in Christo patrem facto examinatus dicit in suo iuramento quod dictus Comes Gartnay de Marr genuit Donaldum comitem de Marr et duas filias et idem Donaldus genuit Thomam comitem de Marr et Margaretam Qui quidem Thomas obiit sine liberis et dicta Margareta desponsata fuit Willelmo comiti de Dowglass qui genuit ex ea Jacobum et Ysabellam qui sine liberis decesserunt et sic cessauit generacio Donaldi comitis antedicti Cuius quidem Donaldi sorores germane antedictae filie dicti Gartnay Comitis desponsate fuerunt vna cum Roberto de Broyss Rege que sine liberis decessit et alia soror desponsata fuit cum Domino Johanne de Menteth qui genuit ex ea duas filias quarum seniore desponsauit Dominus Edwardus de Keth qui genuit ex ea Jonetam que nupta cum Domino Thoma de Erskyn qui genuit ex ea Dominum Robertum de Erskyn comitem de Marr sepedictum / Et consequenter Ingeramus de Wenton de Andat tanquam secundus testis consimiliter de precepto predicti reuerendi in Christo patris virtute monicionis antedictae juratus et diligenter examinatus concordat cum dicto Andrea in omnibus et per omnia et addit quod bene auderet exponere personam suam in duello cum quocunque contrarium asserente dumodo ad hoc fuerit sibi legitimus consors De et super quibus omnibus et singulis Valterus de Erskyne procuratorio [nomine] prefati Domini Roberti a me notario publico infrascripto sibi fieri petiit publicum instrumentum Acta fuerunt hec primo apud Inuerwgy et secundo apud Andat sub anno mense die indictione et pontificatu prenotatis presentibus apud Inuerwgy Jacobo de Skyne de eodem Thoma Fraser de Corntoun Alexandro Scot Johanne Murray et Johanne Jacobi et apud Andat Ranaldo Chyne de Crechynalade Johanne Malysoun Johanne Ade et Johanne Jacobi testibus ad premissa vocatis specialiter et rogatis .

Et Ego Laurencius Duncani presbyter Aberdonensis diocesis
magister in artibus publicus auctoritate Imperiali notarius [etc.
in forma communi.

Protestacio pro Domino Roberto domino de Erskyne in materia et questione comitatus de Mar et castri de Kyndrummy. ¹—(A.D. 1449.)

In Dei nomine Amen Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quadringentesimo quadregesimo nono die quarto mensis Aprilis . . . in serenissimj principis supremique domini nostri Domini Jacobi Scotorum Regis excellentissimi triumque regni sui statuum in pretorio burgi de Strinelie in consilio generali congregatorum et sedencium meique notarij publici presencia comparuit nobilis vir Dominus Thomas de Erskyn primogenitus et heres Domini Roberti domini de Erskyn militis cum suo prelocutore Johanne de Haddingtoun burgensi de Perth in materia et questione comitatus de Mar et castri de Kyndrummy et post diuersas altercaciones hincinde factas tandem idem Dominus Thomas nomine et ex parte dicti Domini Roberti patris suj et nomine proprio optulit se subiturum et in omiibus perimpleturum ad arbitrium et deliberacionem dictorum trium statuum indenturas et euidencias inter dictum supremum dominum nostrum Regem et consules suos ab vna et ipsos Dominos Thomam et Robertum partibus ab alia super terris comitatus de Mar et castro de Kyndrummy antedictis alias confectas secundum series et tenores earundem indenturarum et euidenciarum Remotis primitus abiude quibuscunque personis de iure suspectis videlicet prelati et burgorum commissariis qui ut asseruit et allegauit Johannes de Hadingtoun prelocutor antedictus in questione feodi et hereditatis iudicare non deberent aut deliberare / ac firmis terrarum dicti comitatus de termino Festi Sancti Martini in yemi vltimo elapso per intromissores Regis iniuste et contra tenores dictarum indenturarum ut asseruit leuatis et perceptis sibi et patri suo antedicto reseruandis et reseruatis Protestando solempniter idem Dominus Thomas quod hiis forsam non perimpletis protelacio eorundem sibi et patri suo aut successoribus suis non cederet in preiudicium dampnum aut dispendium quodcunque quoad feodum et hereditatem suam temporibus quibuscunque futuris Super quibus omnibus et singulis dictus Dominus Thomas a me notario publica infrascripto sibi publicum fieri peccit instrumentum . . . Presentibus reuerendis in Christo patribus ac magnificis

¹ [From the Acts of the Parliaments of Scotland, vol. ii., pp. 60, 61.]

honorabilibus et prouidis dominis et viris Willelmo Johanne Roberto Georgio et Willelmo Glasguensi Morauensi Dunblanensi Ergadiensi et Cathanensi episcopis Willelmo Willelmo et Alexandro de Douglas Orchadie Craufurdie comitibus Willelmo de Cranstoun Gilberto Menyheis Jacobo Parkle et Adam Cosoure de Edinburghe Abirdene Lythqw et Strincline burgorum commissariis testibus cum multis aliis ad premissa vocatis specialiter et rogatis .

Et ego Johannes de Atheray presbiter Dunblanensis diocesis publicus auctoritate Imperiali notarius [*etc. in forma communi.*]

Protestacio Domini Thome de Erskin filii et heredis Domini Roberti de Erskin militis de eodem pro justicia eidem patri suo fienda de comitatu de Mar. ¹—(A.D. 1450.)

In Dei nomine Amen . Per hoc presens publicum instrumentum eunctis pateat euidenter / quod anno ab incarnatione eiusdem millesimo quadringentesimo quadragésimo nono . mensis vero Januarij die vicesima sexta . . . In presencia excellentissimj principis et dominj . Dominj Jacobi secundi Regis Scotorum illustrissimj in suo parlamento die confeccionis presentis instrumentj tento apud Edynburghe pro tribunali sedentis meique notarij publici ac testium subscriptorum personaliter constitutus nobilis et prepotens vir / Dominus Thomas de Erskin filius primogenitus et apparens heres prepotentis dominj . Dominj Roberti de Erskin militis de eodem . nomine et ex parte patris sui predicti cum omni humilitate peccit justiciam seu remedium eidem patri suo fieri / de comitatu de Mar cum pertinenciis patri suo jure hereditario pertinente / et ut ipse asseruit per dominum nostrum Regem ab eodem minus juste detento . Vnde potens Dominus Willelmus dominus Creehtoun ac cancellarius Scocie de mandato Dominj Regis sibi respondit / quod per quoddam actum Concilij Generalis per tres regni status editum / existit decretum / quod predictus Dominus Rex omnibus terris et dominiis de quibus genitor eiusdem obiit vestitus et saisitus gaudere debuit vsque ad etatem suam legitimam / et priuilegio illius acti

¹ [From the Acts of the Parliaments of Scotland, vol. ii., pp. 61, 62.]

adherere et gaudere voluit dominus noster Rex supradictus . Et medio tempore ad videndum jura et evidencias dicti Dominj de Erskin quibus sibi jus ad predictum comitatum vendicare nititur / vncum juribus ipsius dominj nostri Regis quibus asseruit et asserit dictum comitatum ad ipsum pertinere per suum Secretum Concilium quando commode poterit / seipsum obtulit promptum et paratum . Qua responsione sic facta . predictus Dominus Thomas de Erskin nomine et ex parte quibus supra . solempniter fuit protestatus / quod cursus temporis siue justicie exhibicionis dilatio vsque ad etatem Regis legitimam dicto Domino de Erskin patri suo nec suis heredibus quantum ad suum feudum et hereditatem minime redundaret in preiudicium / dampnum / seu grauamen temporibus profuturis . Super quibus omnibus predictus Dominus Thomas nomine quo supra sibi fieri peciit presens publicum instrumentum . Acta fuerunt hec apud Edynburghe in pretorio eiusdem sub anno die mense . . . quibus supra . Presentibus ibidem reuerendis in Christo patribus Jacobo . Willelmo . et Johanne Sancti Andree Glasguensi et Dunkeldensi episcopis . magnificis et potentibus dominis Willelmo . Georgio . et Alexandro de Douglas . Angus . et de Huntle comitibus cum aliis dominis trium regni statuum testibus ad premissa vocatis specialiter et rogatis .

Et ego David Kay presbiter Sanctiandree diocesis publicus auctoritate Imperiali notarius [*etc. in forma communi.*]

Carta confirmacionis Comitis de Marre et Garuiauch super dimidietate terrarum de Vesthale in comitatu de Garuiauch. ¹—(A.D. 1451.)

Robertus comes de Marre et Garuiach ac dominus de Irskyne . . . Sciatis

¹ [From the Registrum Episcopatus Aberdonensis, vol. 1., pp. 258, 259.

In July, 1454, Edward Ramsay of the Westhall resigned his lands of the Westhall, in the carldom of the Garioch, in the hands of the King, who immediately bestowed them upon Ingeram, bishop of Aberdeen, by a charter which describes them as lying in the King's carldom of the Garioch, 'iacentes in comitatu nostro de Garuiach.'—(Registrum Episcopatus Aberdonensis, vol. i., pp. 260, 261.)

Crawford quotes a charter of the year 1444, by which 'Robertus comes de Mar ac dominus Erskine' grants the lands of Garseadane in Dunbartonshire to Patrick Galbraith.—(Peerage of Scotland, p. 300, note c.)

nos vidisse . . . cartam Johannis Maluil de Heruystone de dimedietate terrarum de Vesthale cum pertinencijs iacente in comitatu de Garuiauch infra vicecomitatum de Aberden . . . Edwardo Ramsay [de Vesthail] factam . . . Quam quidem cartam . . . confirmamus . Apud Allua septimo die mensis Septembris anno Domini millesimo quadringentesimo quinquagesimo primo coram lijs testibus videlicet Domino Henrico Douglas de Louchlewyn · Domino Willelmo de Menteth de Kerss militibus · Willelmo Murrefe de Polmaiss · Nicholao Irskyne · Roberto Cunnyngbame · Thoma Irskyne · et Domino Johanne Athra notario publico cum multis alijs .

Supplicacio Domini Thome domini Erskyne pro justicia sibi facienda penes terras comitatum de Mar. et de Garviach. ¹ —(A.D. 1453.)

In Dei nomine Amen . Per hoc presens [publicum instrumentum cunctis pateat euidenter] quod anno ab incarnatione Dominica · m · cece · quinquagesimo secundo mensis Marcij die xxj. . . In pretorio burgi de Edinburght in Concilio Generali ibidem tento per excellentissimum principem ac dominum nostrum metuendissimum Dominum Jacobum Regem illustrissimum · eidem Domino Regi coram tribus regni sui statibus ibidem congregatis · nobilis et potens dominus Thomas dominus Erskine quandam supplicacionem papiro scriptam per quam supplicacionem humiliter requisivit dominum nostrum Regem pro justitia sibi facienda penes terras comitatum de Mar et de Garviach humiliter presentavit · qua supplicacione audita et intellecta nobilis et potens dominus Willelmus dominus Creichtoune cancellarius Scocie asseruit dicto Domino Erskyne quatenus noster Rex proponit Deo duce infra breve post Festum Penthecostes proxime futurum in partibus borealibus sui regni existens et ipso supremo domino nostro Rege ibidem existente justitiam eidem Domino Erskyne super quindecim dierum premonitionem faciendam fieri prout incumbit . . .

¹ [From the Acts of the Parliaments of Scotland, vol. ii., p. 75.]

Remissio Regis Alexandro comiti de Huntle domino Gordoune et de Badyenach et Georgeo de Setoune militi filio et heredi ipsius. ¹ — (A.D. 1456.)

Jacobus Dei gratia Rex Scotorum omnibus probis hominibus suis ad quos presentes littere peruenerint salutem Sciatis quod remisimus carissimo consanguineo nostro Alexandro comiti de Huntle domino Gordoune et de Badyenach et Georgeo de Setoune militi filio suo et heredi apparenti latoribus presentium rancorem animi nostri sectam regiam et omnem actionem quem et quas erga ipsos seu eorum alterum . . . habemus . . . pro depredationibus per ipsos factis in terris de Marr et rapinis bonorum consanguinei nostri Thome domini Erskin et pro uniuersis aliis et singulis depredationibus rapinis incendiis homicidiis et aliis actionibus seu transgressionibus quibuscunque per dictos Alexandrum et Georgeum seu eorum alterum usque in diem confectionis presentium commissis . . . proditoria traditione in nostram personam regiam duntaxat excepta / dummodo partibus conquerentibus et dampna passis taliter satisfaciant quod nullam super hoc de cetero iustam querimoniam audiamus Et supradictos Alexandrum et Georgeum et eorum alterum sub firma pace et protectione nostra iuste suscipientes firmiter inhibemus ne quis eis aut eorum alteri occasione dictarum depredationum et rapinarum aut aliarum actionum . . . quarumcunque . . . molestiam . . . inferre presumat iniuste super nostram plenariam forisfacturam / aut mortem eis vel eorum alteri inferat sub pena amissionis vite et membrorum In cuius rei testimonium has litteras nostras pro toto tempore vite dictorum Alexandri et Georgei et eorum alterius duraturas sub magno sigillo nostro sibi fieri fecimus patentes apud Aberdenc septimo die mensis Martii anno Domini millesimo quadringentesimo quinquagesimo quinto et regni nostri vicesimo .

James R .

¹ [Abridged from the original in the charter room at Gordon Castle.]

Nota pro Rege de terris de Soynahard. ¹ —(A.D. 1455-6.)

[Terras] de Soynahard Dauid Scrimgeoure tenet vt dicit hereditarie per cartam infeodacionis quondam Domini Regis vltimo defuncti qui sibi illas contulit per resignacionem quondam Domini Alexandri asserti comitis de Marr eciam vltimo defuncti qui solum habuit liberum tenementum dicti comitatus . Eo quod idem Dominus Alexander prius habens dictum comitatum ex infeodacione quondam Regis Roberti tercii per resignacionem quondam Eufamie [I. Isabelle] comitisse de Mar in manibus dicti Regis Roberti factam dicto Domino Alexandro heredibus suis et suis assignatis de eodem comitatu . Qui quidem Dominus Alexander tunc comes de Marr dictum comitatum in manibus quondam Roberti ducis Albanie tunc regni Scocie gubernatoris / Domino quondam Rege vltimo defuncto in Anglia pro tempore existente / virtute resignacionis et infeodacionis predictarum pure et simpliciter resignauit . Deinde prefatus Dux Albanie eundem comitatum quondam Domino Thome Stewart filio naturali eiusdem quondam Domini Alexandri comitis virtute dicte resignacionis in manibus suis facte / assignato dicti quondam Domini Alexandri comitis tanquam gubernator dicti regni contulit et eundem quondam Dominum Thomam per cartam suam infeodauit hereditarie de eodem . Qui quidem quondam Dominus Thomas sic vt premittitur in dicto comitatu infeodatus et saisitus in feodo eiusdem obiit patre superstito et in libero tenemento eiusdem remanente / Postmodum vero ipso filio suo Domino Thoma in feodo dicti comitatus decedente / et dicto quondam Domino Alexandro olim Comite in libero tenemento eiusdem duntaxat remanente / idem Dominus Alexander easdem terras de Soynahard in manibus dicti quondam Domini Regis defuncti vltimo resignauit / licet male / quia feodum dicti comitatus non habuit / aliquas terras dicti comitatus resignare non valuit / et per consequens nec resignacio ant infeodacio supradicte minime valuerunt . quia nemo dat quod non habet . In signum preterea non juris dicti Dauid Skrimgeoure quondam Comitissa Buchanie et sponsa dicti quondam Domini Thome et tunc sponsa Domini Willelmi comitis Orchadie nunc superstitis / defunctis prius dicto Domino Rege Jacobo / Domino Alexandro

¹ [From the Comptotum Domini Alexandri Yhouug camerarii Domini Regis inter aquas de Dee et Spcy (31. Iulii 1455—12. Octobris 1456.) in Rot. Scacc. Regum Sectorum, no. 223¹/₂, M.S. Gen. Register House, Edinburgh]

et Domino Thoma supradictis in capella Domini Regis moderni breue super terra dicti comitatus de Marr obtinendo illi in curia vicecomitatus de Aberdene tunc inibi per Jacobum Skene de eodem deputatum in dicto officio deseruiri procurauit . In qua curia per nobiles patrie et inquisitionem diligentem / racionabilis tercia dicti comitatus de Marr et per illorum decretum sibi fuerat facta et eciam realiter assignata . Virtute cuius / dictus Comes Orchadie racione prefate dicte quondam sponse sue / eandem terciam quondam Domino Alexandro de Setoun de Gordoune militi assedauit pro certo precio inter eosdem desuper conuento . Pro cuius precii prefate tercie non solucone Willelmus Sinclare ex parte dicti Comitis Orchadie quondam Willelmum Setoun de Echt / fratrem dicti quondam Domini Alexandri Setoun / prope Setoun cepit / et ab eo tricenta et quadraginta dimidia auri ob eandem causam abstulit in loco supradicto .

Declaracio Comitatus de Mar. ¹—(A.D. 1457.)

Uniuersis presentes literas inspecturis Johannes dominus Lindesey de Byris

¹ [From the original in the Marr charter chest.

Sir Robert Douglas, quoting records, says that "in the year 1457, the King brought a reduction against Sir Thomas, now Lord Erskine (his father being then dead) of his father Lord Erskine's service to Isabel, countess of Marr. The heads of the reduction are (i.) That Lord Erskine ought not to have been served heir, because there were no witnesses who could swear to his being come of Elyne of Marr, who was long since dead; (ii.) Because the said service was contrary to the Act of Parliament anent the King's keeping possession of all lands or rights his Majesty's father was in possession of, or had claimed, at the time of his decease; (iii.) Because Isabel, countess of Marr, was not the person who died last vested and seised in that earldom, but Alexander Stewart and Thomas his natural son, to both whom the King was heir; (iv.) Because the King himself was nearest heir to Isabel, countess of Marr, as being descended from Isabel of Marr, King Robert Bruce's first queen, mother of Princess Marjory; and Isabel of Marr, being eldest daughter of Gratney, earl of Marr, ought to be preferred to the descendants of Elyne, her second sister, in the earldom of Marr, which was an indivisible subject. Upon these grounds an assize of error met at Aberdeen, where the King himself was present, and they by their verdict, dated the fifteenth of May, 1457, reduced the service of Robert lord Erskine; and found that the King only had right to the earldom of Marr, lordship of Garrioch, etc. This reduction was confirmed in parliament on the fifth of November, 1457. But against all these proceedings, Thomas lord Erskine entered his protest; and he and his posterity always continued to assert their right to the earldom of Marr, and to complain of the violence with which, they said, it was wrested from them."—(Peerage of Scotland, p. 467.) Cf. Miscellany of the Spalding Club, vol. v., pp. 275, 276, 280; Lord Hailes' Additional Sutherland Case, chap. v., sect. 12, pp. 50-52.]

justiciarius domini nostrj Regis ex parte boreali aque de Forth generaliter constitutus et Walterus Lindsay de Kinblathmonth vicecomes hac vice de Abirdene nomine tutorio magnifici domini Daud comitis de Crawturde salutem in omnium salvatore Vestre vniuersitati notum facinus per presentes quod die confectionis presentium literarum in pretorio burgi de Abirdene in itinere justiciarie ibidem tento in presentia excellentissimi principis ac domini nostri metuendissimi Domini Jacobi Regis Scotorum illustrissimi supremi domini nostri ac plurimorum prelatorum magnatum procerum baronum nobilium et libere tenentium in magno numero congregatorum Jacobus Skene de eodem Johannes Mowat de Loseragie Andreas Buchan Thomas Allirdes de eodem Ranaldus Chene de eodem Walterus Berclay de Tolly et Johannes Scrogs senior legitime et peremptorie summoniti virtute literarum summonitionis capelle regie ad certum diem dicti itineris ad comparendum coram domino nostro Rege et suis consulibus ad respondendum super eorum errore et injusta determinatione et responsione ejusdam brevis inquisitionis capelle regie impetrati per quondam nobilem dominum Robertum dominum Erskin et pro minus justa deliberatione retornati dicte inquisitionis penes dimidietatem terrarum comitatus de Marr cum pertinentiis jacentium infra vicecomitatum de Aberdeen de mandato domini nostri Regis vocati ad comparandum personaliter comparuerunt Quibus comparentibus personaliter comparuit nobilis dominus Thomas dominus Erskin pro suo interesse post nonnulla per ipsum Thomam allegata et in scriptis ostensa pro defensione erroris dictarum personarum coram supremo domino nostro Rege prefato et subscriptis dominis videlicet reuerendis in Christo patribus ac dominis Georgio episcopo B.echinensi cancellario Scotie Johanne episcopo Moraviensi ac magnificis et potentibus dominis videlicet Alexandro comite de Huntlie domino de Badenach Willelmo comite de Erroll connestabulario Scotie Willielmo domino Keith regni Scotie marescallo Georgio domino Leslie Roberto domino Fleyming et me dicto Domino Johanne de Lindsay de Byris Dominis Johanne Ogilvie de Lintrethin Waltero Ogilvie de Deskfurde Willelmo Leslie de Balchanne Willelmo Craunstoun de Corsbie et Waltero Stewart de Strathoun militibus Willielmo de Moravia de Tulibardin et Niniano Spot computorum rotulatore supremi domini nostri Regis Dicte persone super dicta inquisitione existentes in camera predicti pretorii singulatim examinati et tactis Dei Evangelii jurati penes respon-

sionem dicti erroris prefate inquisitionis impetrata per dictum quondam Robertum dominum Erskin et deliberationem retornati desuper datam deposuerunt modo et forma prout sequitur Primo videlicet dictus JOANNES SKROGS SENIOR juratus quia antiquior inter ceteros interrogatus primo per se vtrum fuit super responsione dicte inquisitionis et deliberatione retornati ejusdem vel non Respondit quod sic fuit et super deliberationem dicti retornati Interrogatus etiam vtrum aliquam habuit notitiam de quondam Issobella comitissa de Marr ratione cujus dictus quondam Robertus dominus Erskine prosequutus fuit demidietatem dicti comitatus cum pertinentiis Respondit quod de se non habuit notitiam Interrogatus etiam in quo gradu consanguinitatis dictus quondam Robertus dicte quondam Isobelle attigit Respondit quod non novit tempore deliberationis dicti retornati nec vnquam de post in quo gradu consanguinitatis dictus quondam Robertus dicte quondam Isobelle attigit nec quod consanguinei fuerunt quoquo modo Interrogatus si aliqui personarum super dicta inquisitione existentes contra tenorem dictj retornatj determinarunt et responderunt et si sic quot persone sic fecerant Respondit quod quinque persone quorum Gilbertus Menzies et Johannes Vaus duo fuerunt qui deliberarunt contra dictam literam retornati et quod de tribus personis dictorum quinque dictus deponens non bene recordatur Insuper asseruit dictus Johannes Skrogs suo juramento quod quondam Dominus Alexander Forbes vicecomitis de Aberden tunc tempore deputatus seruiuit dictum breue et quod habuit terras de Strathdie de dicto Domino Erskine et quod publica vox fuit quod easdem habuit terras pro suis suportatione et iuuamine pro deservicione dicti brevis Et dixit dictus Joannes Skrogs quod per blandia verba et ficta mendacia sibi et dictis personis secum super dictam inquisitionem existentibus eiis per Johannem Hadingtoun et ceteros proloquutores dicti Domini Erskine et alios sibi pertinentes facta seducti fuerunt asserendo se bene et luculenter nunc scire quod attentis literis et juribus domini nostri Regis tunc sibi cognitis ipse et cetera persone super dictam inquisitionem erraverunt et injuste dictam literam retornati deliberarunt penes demidietatem dictarum terrarum comitatus de Marr propter quod dictus Joannes Skrogs humillime imploravit dictum supremum dominum nostrum Regem ponendo se in voluntate ejusdem domini nostri Regis vt sibi remittere dignaretur prefatam culpam prefati erroris per ipsum commissam JACOBUS SKENE DE EODEM vt dictum est juratus interrogatus de articulis precedentibus

respondit conformiter sicut dictus Johannes Skrogs et dixit quod bene novit quod supremus dominus noster Jacobus Rex Scotorum vltimo defunctus fuit in possessione dicti comitatus de Marr post decessum quondam Alexandri comitis de Mar et quod supremus dominus noster post sui decessum recepit integras firmas redditus et proficua ejusdem comitatus Et dixit dictus Jacobus Skene suo juramento quod si cognouisset cartas literas et jura dicti supremi domini nostri Regis die quo fuit super dicta inquisitione sicut nunc noscit pro quacunque mundi re non deliberasset contra jus Regis sicut fecit et addidit quod bene scit quod ipse et cetera persone alias super dicta inquisitione existentes errauerunt et iniuste deliberarunt propter quod se posuit in misericordia domini Regis et petiit gratiam et veniam ab eo ANDREAS BUCHAN etiam juratus et interrogatus de premissis conformiter in omnibus dixit sicut Jacobus Skene et quod bene sciuit quod quondam Thomas Stewart comes de Garuiache obiit sasitus et vestitus vt de feodo de dicto comitatu de Mar Et quod Elizabetha comitissa de Buchan sponsa sua habuit tertiam partem terrarum ejusdem comitatus de Marr per decessum suum RANALDUS CHENE juratus deposuit conformiter sicut dictus Andreas Buchan. WALTERUS BERCLAY DE TOLLY juratus et interrogatus ut supra respondit sicut dicti Jacobus Skene et Andreas Buchan et vltra ea per eos dicta addidit suo juramento quod presens fuit cum quondam Alexandro domino Gordoun et sibi seruitor eo tempore quando ipse Dominus Gordoun personaliter tradidit statum possessionem et sasinam hereditariam dicto Thome Stewart de dictis terris comitatus de Marr et quod vltra hoc presens fuit super assisa tertie dicte sponse prefati Thome Stewart quando seruita fuit de sua tertia dictarum terrarum comitatus de Marr.

Quibus personis supradictis ad longum examinatis modo et forma vt premissum est dictus dominus noster Rex vna cum dictis dominis de dicta camera pretorii ad magnam domum eiusdem reaccessit pro iusticia dicto Domino Erskine de suo clameo dictarum terrarum dicti comitatus de Marr facienda Ideo eodem Domino Erskine vocato pro suo pretenso interesse et comparente in dicto pretorio coram dicto domino nostro Rege et prelati magnatibus proceribus baronibus et quam pluribus dominis et libere tenentibus dicti vicecomitatus de Abredeine et diuersorum aliorum vicecomitatuum in uagno numero congregatis dictus Dominus Cancel-

larius dixit dicto Domino Erskine quod considerato quod ipse sepiissime in parliamentis concilijs generalibus et publicis congregationibus postulavit justiciam a Domino Rege et brevia inquisitionis capelle regie sibi dari et seruari quid nunc ultra hoc petiit et desideravit de dictis terris comitatus de Marr Et dictus Dominus Erskine respondit quod nihil plus quam breve inquisitionis et executionis et deseruicionem ejusdem sicut alias quam pluries petiit et desideravit Ad quod prefatus Dominus Cancellarius recitando dixit Ego tanquam Cancellarius domini nostri Regis hic presentis nomine et ex parte eju-dem concedo vobis dictum breve inquisitionis et executionem ac justicie complementum ejusdem vobis fieri de dictis terris ita quod de domino nostro Rege nec de me tanquam Cancellario suo justam causam querimonij in defectu executionis justicie super premissis non habeatis in futurum super quibus peto instrumentum a vobis Thoma Broun clerico notario publico Tunc vero dictus Dominus Erskine recessit ad se ausandum vtrum vellet tunc habere breve seruitum vel non et mature ausatus reintrando personaliter manu sua propria presentavit breve inquisitionis capelle regie alias per ipsum impetratum pro executione eiusdem absque vltiori prorogatione facienda Tunc vero cum consensu dicti Domini Erskine subscripti expressati et specificati in litera retornati dicte inquisitionis dicto die deseruite presentibus affixa electi fuerunt super dictam inquisitionem Quibus personis tactis Sacrosanctis Dei Evangelijs ut moris est iuratis dictus Dominus Erskine vna cum Archibaldo Stewart et Alexandro Grahame prolocutoribus suis petiit dictum breve inquisitionis publice perlegi Quo perlecto asseruit dictus Dominus Erskine dictum quondam Robertum dominum Erskine patrem suum obiisse vltimo vestitum et sasitum vt de feodo ad pacem et fidem domini nostri Regis de dicta dimidietate comitatus de Marr Et quod ipse Thomas est legitimus et propinquior heres dicti quondam Roberti patris sui de dictis terris cum pertinencijs Et quod est legitime etatis Et quod dicte terre in manibus domini nostri Regis existunt legitime per mortem dicti quondam Roberti patris sui in defectu ipsius Thome jus suum hucusque minime prosequentis per spatium quatuor annorum vel eo circa Ad que predicta dictus Dominus Cancellarius nomine dicti domini nostri Regis respondit quod contrarium premissorum per dictum Dominum Erskine et suos prolocutores recitatorum penes responsionem dicti brevis est verum asserendo dictum Dominum Erskine non obiisse vestitum neque sasitum de

dicta dimidietate comitatus de Marr cum pertinentiis quia asseruit dictum dominum nostrum Regem tempore obitus dicti Domini Erskin fuisse vestitum in dictis terris in vera legitima et pacifica possessione earundem terrarum per decessum quondam illustrissimi principis domini nostri Regis ultimo defuncti genitoris sui Secundario ad secundum punctum inquisitionis dixit quod quamquam dictus Thomas est legitimus et propinquior heres dicti quondam Roberti patris sui non tamen ad dictas terras heres unquam fuit Et quantum ad punctum inquisitionis in cuius manibus nunc existunt dixit quod verum est indubitanter quod dicte terre sunt in manibus domini nostri Regis tanquam de sua proprietate et hereditate et non in defectu dicti heredis cum ipse Dominus Erskin heres non est nec esse potest ad dictas terras Nam dixit quod attento quod dominus noster Rex ultimo defunctus die obitus sui obiit vestitus et in vera legitima et pacifica possessione dictarum terrarum ut de sua hereditate et proprietate dominus noster Rex modernus eandem accepit investituram et veram et legitimum possessionem dictarum terrarum tempore quo sibi coronam regiam et sceptrum recepit cum qua possessione quam genitor suus habuit asseruit dictus Dominus Cancellarius dominum nostrum Regem de iure remanere debere sic quod dictum breue pro prefato Domino Erskin in nullo serui possit Et ultra hoc dixit quod dictus Dominus Erskin in nullo gradu consanguinitatis Isabelle comitisse de Mar attinet Nam dixit quod non scitur per quemcumque viventem quod dictus quondam Robertus fuit consanguineus dicte Issobelle ratione cuius idem quondam Robertus vendicabat jus ad dimidietatem dicti comitatus Dixit etiam dictus Dominus Cancellarius quod per breue inquisitionis dictus Thomas dominus Erskin obtinere nunquam possit dictas terras nec habere introitum legitimum in eisdem in casu quo ipse propinquissimus fuisset in consanguinitate dicte quondam Isabelle quia post decessum ejusdem Isabelle Thomas Stewart comes Buchanie obiit vestitus et sasitus ut de feodo ad pacem et fidem domini nostri Regis de dictis terris comitatus de Marr cum pertinentiis Ad quod fortificandum dixit quod sponsa ipsius Thome post sui decessum optinuit tertiam partem dictarum terrarum comitatus de Marr Et quantum ad deseruionem brevis inquisitionis alias deliberati pro dicto quondam Domino Erskin asseruit illud Dominus Cancellarius prefatus nullius esse roboris seu vigoris propter causas predictas Et quod processus dicte

inquisitionis et prosecutio ejusdem nullius debet esse vigoris quia dictum breue inquisitionis seruitum non fuit ex quadraginta dierum premonitione et quia contra inhibitiones domini nostri Regis et literarum suarum in plena curia Dominus Alexander Forbes vicecomitis de Abredene deputatus dictum breue seruiuit et differre noluit literis regiis Ac etiam quia dominus noster Rex nec consules sui pro tempore premuniti fuerunt de die limitato pro deseruitione dicti breuis ita quod potuisset suos habuisse prolocutores et aduocatos ad defendendum ius suum Et quod in casu quo omnia predicta facta fuissent juxta desiderium dicti Domini Erskin sicut recitata sunt per eundem que tamen facta non fuerant inanis et nullius virtutis seu vigoris fuit prosecutio dicte inquisitionis pro et ex eo quod in tenera etate domini nostri Regis actum et statutum fuit per tres regni Scotie status quod dominus noster Rex modernus remaneret cum vniuersis et singulis terris redditibus et possessionibus de quibus quondam supremus dominus noster Rex vltimo defunctus obiit vestitus vsque ad dicti domini nostri Regis etatem legitimam juxta ius commune Nam asseruit quod nullus baro eici nec implicari debet de sua hereditate vsque suam etatem legitimam et quod multo minus dominus noster Rex repelli debet a sua hereditate quia peioris conditionis esse non debet Dominus Rex quam minimus baro regni sui Propter que et plura alia per dictum Dominum Cancellarium nostri Regis recitata et ostensa idem Dominus Cancellarius asseruit dictum Dominum Erskin nullum jus habere ad dictas terras comitatus de Marr vel aliquam partem earumdem Tunc vero produxit dictus Dominus Erskin ad ostendendum pretensum ius suum dictarum terrarum quandam cartam dicte quondam Issabelle de dictis terris confectam post diuersas rationes et obligationes per ipsum ostensas Quibus auditis et intellectis publice produxit dictus Dominus Cancellarius pro parte Domini Regis quandam cartam tallie dicte quondam Issabelle in sua pura viduitate factam pergameno suoque sigillo sigillatam de data precedente datam alterius carte supradicte factam Domino quondam Alexandro comiti de Mar marito suo et heredibus de corpore suo legitime procreatis seu procreandis quibus forte deficientibus veris et legitimis heredibus dicti Alexandri quibuscumque Virtute cuius carte declarauit dictus Dominus Cancellarius dominum nostrum Regem verum heredem ac legitimum possessorem dictarum terrarum attento quod dictus quondam Alexander comes de Marr obiit bastardus et quod obiit vestitus et sasitus ut de

feodo de dicto comitatu de Mar cum pertinentijs cui Alexandro dominus noster Rex heres legitimus fuit ratione bastardie Quibus omnibus supra dictis auditis et ad plenum intellectis dicte persone electe super dicta inquisitione accesserunt ad inuicem pro responsione et determinatione dicte inquisitionis Que persone post longam communicationem et maturam deliberationem inter eosdem habitam deliberarunt et determinarunt secundum tenorem literę retornati presentibus affixe In quorum omnium et singulorum fidem et testimonium premissorum sigilla nostra vna cum sigillis quorundam dominorum in dicto itinere in prefato pretorio existentium tempore quo premissa facta fuerunt et cum subscriptionibus notariorum subscriptorum presentibus sunt appensa quinto die mensis Novembris anno Domini millesimo quadringentesimo quinquagesimo septimo .

Et ego Thomas Broun clericus Sancti Andree diocesis publicus autoritate Apostolica notarius premissis omnibus et singulis dum sic ut premittitur fierent dicerentur et agerentur una cum dictis dominis aliisque baronibus et libere tenentibus in dicto itinere congregatis presens personaliter interfui eaque dici vidi et audiui ideoque presentes literas meis signo et subscripcione manuali signavi requisitus in fidem et testimonium premissorum .

Et ego Joannes Layng clericus Sancti Andree diocesis publicus [*etc.*]

Et ego Joannes Taillefeir clericus Sancti Andree diocesis publicus [*etc.*]

Hęc inquisitio facta apud Abredein in pretorio ejusdem coram Waltero Lindsay de Kinblathmont vicecomitis de Abredein deputato quinto die mensis Novembris anno Domini millesimo quadringentesimo quinquagesimo septimo per hos subscriptos videlicet Willelmum comitem de Errolle Dominum Alexandrum dominum Montgomerie Johannem dominum Lindsay de Byris Georgium dominum Lesly Robertum dominum Fleming Dominos Willelmum Lesly de Balwhan Alexandrum Hooine de eodem Walterum Stewart de Strathdoun Johannem Ogilvie de Luntrethen Walterum Ogilvie de Deskfuird milites Walterum Berklay de Tollie Alexandrum Fraser de Phillorth Alexandrum de Dunbar Jacobum Skeen de eodem Andream Buchan Alexandrum Menzies Ronaldum Chein Recardum Vaus David Dempster de Vchterles Joannem Skrogis Thomam Allardes Qui jurati dicunt quod quondam Robertus dominus Erskin pater Thome domini Erskine non obiit vestitus nec sasitus ut de feodo de

demidictate terrarum comitatus de Mar cum pertinenciis jacencium infra vicecomitatum de Abredein per ipsum prosecuta Et quod diete terre sunt in manibus domini nostri Regis legitime per mortem quondam serenissimi principis Jacobi Scotorum Regis ultimo defuncti genitoris supremi domini nostri a tempore obitus predicti quondam serenissimi principis domini nostri supremi In cujus rei testimonium sigillum dicti vicecomitis deputati vna cum sigillis quorundam qui diete inquisitioni intererant huic retornato breni capelle intus clauso est appensum anno die mense et loco predictis .

Carta Alexandri ducis Albanie. ¹ —(*ut videtur* A.D. 1482.)

Jacobus Dei gracia Rex Scotorum . . . Cum ad benevolencie officium spectare dinoscitur ut hiis plurimum tribuamus a quibus plurimum diligimur nullusque fit humanitatis actus referenda gracia magis necessarius Scimus enim ad regiam spectare dignitatem cum beneficio prouocati fuerimus agros imitari fertiles qui multo plus afferunt quam acceperunt Etenim si in eos quos speramus nobis profuturos non dubitamus beneficia conferre liberaliores in eos esse debemus qui jam profuerunt Hinc est quod nos alta mente considerantes fidem legalitatem amorem benevolentiam fraternam caritatem pietatem cordialeque seruicium et virtutis obsequium que frater noster carissimus Alexander Albanie dux comes Marchie dominus Vallis Annandie et Mannie noster generalis locum tenens magnus regni nostri admirallus ac gardianus orientalium et occidentalium marehiarum eiusdem versus Angliam nobis jam dudum prouide prestitit nostram de carceribus ex castro nostro de Edinburgh liberando personam ac nostram in hoc vitam regiamque nostram preseruans dignitatem suam nobilem personam grauibz vite exponendo periculis dictum castrum de Edinburgh obsedendo ex quo insultu nostra jam persona grata libertate congaudet ob fraternam dilectionem amorem et benevolentiam quas erga dictum nostrum fratrem Alexandrum Albanie ducem gerimus ex magnj consilij nostri deliberacione dedimus . . . hereditarie eidem fratri nostro Alexandro duci Albanie omnes et singulas

¹ [Abridged from the Registrum Magni Sigilli, lib. x., no. 32. MS., Gen. Reg. House, Edin.]

The date of the charter has not been completed in the record, but it appears among the charters of the year 1482.]

terras et comitatus de Mar et Garviauche cum pertinenciis ac cum omnibus terris et dominiis eisdem comitatibus pertinentibus seu pertinere valentibus jacentes infra vicecomitatum de Abirdene . Ac cum castro nostro de Kildrummy et ceteris fortaliciis dictis comitatibus pertinentibus et cum superioritatibus tenencium et tenandiarum eorundem Tenendas et habendas . . . in liberam regalitatem et forestam cum feodis forisfacturis cum capella pro perpetuo dicto Alexandro duçj Albanie et heredibus suis quibuscunque de corpore suo legitime procreatis seu procreandis de nobis et successoribus nostris Regibus Scocie in feodo et hereditate imperpetuum . . . cum itineribus justiciarie et camerarie . . . liberis forestis et varennis cum juribus patronatus et aduocacionibus ecclesiarum et capellaniarum cum dicto castro de Kildrummy et ceteris castris fortaliciis domibus et mansionibus dicti comitatus cum minoris auri et argentj plumbi stannj et ceterorum metallorum ac carbonum lapidum et calcis cum wrak waire et waif necnon cum furca fossa sok sak thole theme infangtheif outfangtheif peyt et gallouce . . . sine obstaculo impedimento vel contradictione aut reuocacione nostra aut successorum nostrorum qualitercunque infuturum Reddendo inde annuatim . . . vniam rosam rubeam in Festo Natiuitatis Beati Johannis Baptiste apud dictum castrum de Kildrummy nomine albefirme si petatur tantum . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendis in Cristo patribus Johanne episcopo Glasguensi cancellario Jacobo episcopo Dunkeldensi Andrea electo Morauensi Johanne comite Atholie Jacobo comite Buchanie magno camerario nostro venerabili in Cristo patre Archibaldo abbate monasterii nostri Sancte Crucis de Edinburgh dilectis consanguineis nostris Thoma domino Erskin Willelmo domino Borthwik Magistris Archibaldo Quhitelaw archidiacono Laudonie secretario nostro et Patricio Leich canonico Glasguensi clerico nostrorum rotulorum et registri Apud Edinburghe

Carta Johanni Stewart Regis filio tertio genito super terris et comitatibus de Mar et Garviauch. ¹ —(AD. 1486.)

•**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos ob filialem dilectionem anorem et beneuolenciam quas gerimus erga Johannem Stewart nostrum terciogenitum filium cordialiter dilectum dedisse . . . eidem Johannj omnes et singulas terras et comitatus de Mar et Garviauche cum pertinentiis ac cum omnibus terris et dominiis eisdem comitatibus pertinentibus seu juste pertinere valentibus infra vicecomitatum nostrum de Abirdene Ac cum castro de Kildrumy et omnibus aliis castris et fortaliciis dictis comitatibus spectantibus vnacum superioritatibus tenencium et tenandriarum eorundem Tenendas et habendas . . . dicto Johanni et heredibus suis masculis de corpore suo legitime procreandis de nobis et successoribus nostris Regibus Scoeie in feodo et hereditate imperpetuum Quibus Johanne et heredibus suis masculis deficientibus nobis et successoribus nostris Regibus Scoeie libere reuertendas . . . cum libera foresta warena cum juribus et aduocacionibus ecclesiarum et capellaniarum ac cum dicto castro de Kildrumy et ceteris castris fortaliciis domibus et mansionibus dictorum comitatum cum vrait ware et wathe cum furca fossa sok sak thol theme infangtheif outfangtheif pit et gallous cum tenentibus tenandriis et liberetenenciis seruiciis aueragiis et cariagiis ac cum omnibus aliis libertatibus . . . Reddendo inde . . . nobis et successoribus nostris Regibus Scoeie wardas releuia et maritagia dictarum terrarum comitatum et dominiorum ac castrorum fortalicioium tenencium et tenandriarum . . . cum contigerint In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendissimo in Christo patre Willelmo archiepiscopo Sancti-andree reuerendis in Christo patribus Roberto episcopo Glasguensi Georgeo episcopo Dunkeldensi Willelmo episcopo Abirdouensi dilectis consanguineis nostris Colino comite de Ergile domino Campbell et Lorne cancellario nostro David comite de Craufurd domino Lindesay nostro magno camerario Andrea domino Avandale Willelmo domino Borthwik magistro hospicij nostri dilectis clericis nostris Magistris David Levingstoun preposito de Lincloudane nostri secreti sigilli custode Archibaldo

[Abridged from the Registrum Magni Sigilli. lib. xv. no. 53. MS. Gen. Reg. House, Edin.]

Quhitelaw archidiacono Laudonie secretario nostro et Domino Alexandro Scot rectore de Wigtoun clerico nostrorum rotulorum et registrij Apud Edinburgh secundo die mensis Marcij anno Domini millesimo quadringentesimo octuagesimo quinto et regni nostri vicesimo sexto .

Lettres of Tak and Balyery to Schir Alexander Gordoun of Megmar knycht of the landis of Strathde and Cromar, ¹—(A.D. 1504.)

A lettre of tak to Alexander Gordoun of Megmar knycht of the landis of Strathde and Cromar liand within the schirefdome of Aberdene / his enteray beginnand at the Feist of Witsounday nixt to cum efter the date of the said tak / and thareftir to endure for fiue yeris to him his assignais and subtennandis with all proffittis custumis mertis woddis fischingis courte plante herezeld bludewite and merchete and with al vther pertinence pertenyng tharto / he payand tharfor yerlie the penny male of the saidis landis alanerly for al vther seruice etc. Providing that he sal nocht hew nor sell na grene wod of the said woddis as he wil ansuere to the King tharapoun
De data xvij. Marcij anno Domini j^m v^o iii^o et regno Regis xvj.

Per subscripcionem Regis .

A lettre of baleyery maid to the said Schir Alexander of the said landis for the said termes of five yeris with courtis to hald trespassouris to punys / unmerciamentis vnlawis and eschetis to rais til his avne vse and proffit in communi forma balliatus *De data predicta .*

Per subscripcionem Regis .

Lettre of chamerlanery maid to William Forbes of Tolleys of the landis and lordschippis of Marr and Gareauch ²—(A.D. 1505.)

A lettre of chamerlanery maid to William Forbes of Tolleys of the landis and lordschippis of Mar and Gareauche with power to rais and inbring the malis and proffetis of the saidis landis to the King and to make compt

¹ [From the Registrum Secreti Sigilli, vol. ii, fol. 142, 143. MS. Gen. Reg. House, Edin.]

² [From the Registrum Secreti Sigilli, vol. ii, fol. 147. MS. Gen. Reg. House, Edin.]

tharof and to hauld chamerlane courtis / and to endure for the Kingis will and quhil the samyn be specialie reuokit be him. *De data apud Edinburgh quarto Februarij anno regni Regis xvij^o.*

Per signaturam Regis.

Lettre of bailyery to William Forbes of Tolleis of the landis and boundis of Mar and Gareauch. ¹—(A.D. 1506.)

A lettre maid to William Forbes of Tolleis makand hym bailye within the landis and boundis of Mar and Gareauch quhilk he has in tak of the Kingis hienes etc. he makand yerely compt in the Chekker of the eschaetis tharof etc. to endure for thre yeris and furthir endurand the Kingis will etc. of the date at Edinburgh the xvij day of Julij the yer of God j^m v^e vj yeris and of his regnne the xix. yere .

Subscriptum per Regem.

Carta coniuncte infeodacionis Alexandri Elphinstoun et Elizabeth Berlay eius sponse. ²—(A.D. 1507.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos pro bono gratuitoque seruicio nobis et carissime consorti nostre Regine per dilectos familiares seruitores nostros Alexandrum Elphinstoun filium et apparentem heredem dilecti nostri Johannis Elphinstoune de eodem militis et Elizabeth Berlay eius sponsam etiam seruitricem dicte carissime consortis nostre impenso et per ipsos et heredes inter ipsos legitime procreandos imposterum impendendo Etiam ex eo quod dicta Elizabeth jam in Scotiam et nostram legiam deuenit in firmo proposito pro omnibus diebus vite sue infra regnum reuauendi et ab eodem non remouere Necnon pro singularibus fauoribus quos nos et prefata carissima consors nostra erga ipsos gerimus dedimus . . . hereditarie dictis Alexandro et Elizabeth eius sponse ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis predictis . . . omnes et singulas terras nostras subscriptas videlicet terras nostras de Inuernochty

¹ [From the Registrum Secreti Sigilli, vol. iii., fol. 67, MS. Gen. Reg. House, Edin.]

² [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 376, MS. Gen. Reg. House, Edin.]

Ballebege cum molendino prato siluis et *le glennys* de Glencochty Inuernechty Ledmakey Culquhony Culquhary in Strathdone Mekell Mygve Ester Mygve Tulliprany Blalok et Correcreif in Cromar cum omnibus suis pertinentiis jacentes in comitatu nostro de Mar infra vicecomitatum nostrum de Abirdene Necnon omnes et singulas terras nostras de Duncainstoune Glandirstoune cum molendino Rochmyreall et Tullefourre cum omnibus et singulis suis pertinentiis jacentes in dominio nostro de Garviauche et infra vicecomitatum nostrum predictum Quasquidem omnes et singulas terras . . . nos pro nobis et successoribus nostris pro causis et rationibus suprascriptis creauimus . . . in vnam meram et liberam baroniam unicipandam perpetuis futuris temporibus baroniam de Inuernochty Tenendas et habendas . . . dictis Alexandro et Elizabeth eius sponse ac eorum alteri diucius viuenti . . . et heredibus inter ipsos legitime procreandis quibus deficientibus nobis et successoribus nostris reuersuras de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate et libera baronia imperpetuum . . . cum curijs et earum exitibus herezeldis bludewitis et merchetis mulierum cum furca fossa sok sak tholl theme infangtheif outfangtheiff pitt et gailouss . . . Reddendo inde annuatim . . . tres sectas ad tria placita capitalia vicecomitatus nostri de Abirdene ac wardam et releuium dictarum terrarum et baronie cum suis pertinentiis et maritagium cum contigerint Insuper volumus . . . quod vna saisina capienda . . . apud capitale et principale messuagium dictarum terrarum et baronie de Inuernochty sufficiens erit temporibus affuturis . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh octauo die mensis Augusti anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .

Carta coniuncte infeodacionis Alexandri Elphinstoun et Elizabeth Berlay eius sponse. ¹—(A.D. 1507.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilectis nostris familiaribus Alexandro Elphinstoun filio et apparenti heredi dilecti nostri Johannis Elphinstoune de eodem militis et Elizabeth Berlay

¹ [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 427., MS. Gen. Reg. Hons. Edin.]

eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione omnes et singulas terras et baroniam de Inuernochty Dallebege cum prato siluis et *le glennys* de Glennochy Inuernethy Ledmakey Culquhony et Culquhry cum suis pertinenciis iacentes in dominio de Strathdone et infra vicecomitatum nostrum de Abirdene que fuerunt dictorum Alexandri et Elizabeth . . . et quas ipsi . . . in manibus nostris personaliter per fustem et baculus apud Edinburgh sursum reddiderunt . . . Ac etiam omnes et singulas terras de Skaleter cum foresta de Corgarf terras de Fenelost Bo'quham / Bahabooth in Glenbouchat / Bahabooth in Kelbethok / Ballintamore Tuleskeuch / Surmeil / Culbalauch cum foresta de Baddynyone et Kiltalauch Estir Clova cum Corrykeyzane / Contelauche cum Braidschaw / Auchmyllane cum oriente dimedietate de Glenlos Kinlunc et nouo molendino cum *le glennys* siluis et lucis videlicet *le schawis* dictis terris spectantibus cum suis pertinenciis iacentes in dominio et vicecomitatu predicto in excambium et permutacionem pro omnibus et singulis terris de Mckle Mygve Ester Mygve Tulliprony Blalok et Corcrereif cum suis pertinentiis iacentibus in Cromar ac pro terris de Duncanstoun Glanderstoun cum molendino Ruchmureall et Tullefoure cum suis pertinenciis in dominio nostro de Garvianche et infra vicecomitatum nostrum predictum que etiam fuerunt dictorum Alexandri et Elizabeth . . . et cum dictis terris de Inuernochty . . . nunc per ipsos sursum reddite nobiscum remansure in excambio . . . pro dictis alijs terris nunc eis per nos datis / quas vniimus . . . dictæ baronie de Inuernochty esse libertatis et priuilegii eiusdem . . . Tenendas et habendas . . . dictis Alexandro et Elizabeth ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus nobis et successoribus nostris reuersuras de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate ac libera baronia et dictas forestas siluas et lucos videlicet *le schawis* et *glennys* in libera foresta imperpetuum . . . cum curiis et earum exitibus herezeldis bludewitis et merchetis mulierum cum furca fossa sok sak tholl theme infangtheif pitt et galhuis cum vert waith et venesoun . . . Reddendo inde annuatim . . . vnam sectam ad placitum capitale vicecomitatus nostri de Abirdene annuatim tenendum post Festum Sancti Michaelis infra burgum nostrum de Abirdene necnon wardam et releuium dictarum terrarum et baronie cum pertinentiis et maritagium cum contigerint . . . In cuius rei testimonium presenti carte nostre

magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo die mensis Decembris anno Domini millesimo quingentesimo septimo et regni nostri vicesimo . . .

Carta Alexandri Elphinstoune de Inuernochty et Elizabeth Berlay eius sponse. ¹ —(A.D. 1508.)

¶ Jacobus Dei gracia Rex Scotorum . . . Sciatis nos post nostram legitimam et perfectam etatem eciam et omnes nostras generales et speciales reuocaciones necnon post dissolucionem et relaxacionem annexacionis nostre integre proprietatis et terrarum per assedacionem earundem in feodifirma in nostro plauo parlamento factam cum consensu et assensu ac deliberacione trium regni nostri statuum ibidem congregatorum dedisse . . . dilectis familiaribus nostris Alexandro Elphinstoun de Inuernochty et Elizabeth Berlay eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis subscriptis omnes et singulas terras nostras dominicales de Kildrummy le New Wester Clova Auld Auchindore Drumnahufe Dosky Cukishill molendinum de Kildrummy Auchiuene Corryhill Qwiltis Ardquhonquhare Culispik Inuerburquhare Wester Inuerburquhare Estir Ergeithe Culquheich Discory molendinum eiusdem Pettinlauche Glencoy et le Newtoun cum suis pertinenciis jacentes in comitatu de Mar et infra vicecomitatum nostrum de Abirdene Quequidem terre et molendina . . . nunc extendunt in rentali nostro ad summam octuaginta duarum librarum octodecim solidorum vsualis monete regni nostri sex martarum allocando quinque solidos pro quolibet marta duodecim bollarum et duarum firлотarum aucnarum annuatim Ac eciam dedimus . . . prefatis Alexandro et Elizabeth ac heredibus suis subscriptis custodiam castri nostri de Kildrummy cum turribus fortalicio et ortis eiusdem cum suis pertinenciis vnacum aduocacione et donacione capellanie de Dene . . . Tenendas et habendas . . . dictis Alexandro et Elizabeth Berlay eius sponse ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus nobis et successoribus nostris reuersuras de nobis et successoribus nostris Scotorum Regibus in feodifirma et hereditate

¹ [Abridged from the Registrum Magni Sigilli, lib. xv., no. 14, MS Gen. Reg. House, Edin.]

imperpetuum . . . cum potestate constabularios janitores vigiles *le garibouris* et carcerum custodes ac omnes alios officarios pro custodia dicti castri necessarius faciendi . . . cum propugnaculis et vectibus ferreis seu bellicis prout eis visum fuerit expediens . . . Reddendo inde annuatim . . . dictam summam octuaginta duarum librarum octodecim solidorum cum sex martis allocando quinque solidos pro qualibet marta duodecim bollis et duarum firliotarum auenarum prout nunc extendunt in dicto nostro rentali . . . et insuper . . . in augmentatione dicte feodifirme annuatim . . . quadraginta marcas monete predicte . . . necnon ad introitum heredis . . . duplicationem dicte feodifirme Et pro custodia dicti castri cum turribus fortalicio et ortis eiusdem cum suis pertinentiis vnacum donacione dicte capellanie vnacum rosam rubeam apud dictum castrum in Festo Natiuitatis Sancti Johannis Baptiste nuncupato *Mydsummir* nomine albefirme si petatur tantum . . . Insuper volumus . . . quod vna sasina . . . apud dictas terras nostras dominicales de Kildrummy capienda sufficiet . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimonono die mensis Julii anno Domini millesimo quingentesimo octauo et regni nostri vicesimo primo .

Transsumptum cuiusdam evidencie continentis processum et retornatum super clameo quondam Thome domini Erskin super dimedietate comitatus de Mar.¹ —(A.D. 1509.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos et Concilij nostri Dominos diligenter inspexisse et mature considerasse quandam evidenciam in nostro registro inventam continentem quemdam processum sub subscripcionibus manualibus trium notariorum signatum ac sigillis quondam Johannis domini Lindesay de Byris justiciarij generalis ex parte boreali aque de Forth et Walteri Lindesay de Kinblathmont vicecomitis de Abirdene pro tempore et certorum aliorum dominorum proutne ad confectionem dicti processus existentium sigillatum vnacum quodam retornato sigillato sigillis predicti Vicecomitis et dominorum existentium super inquisitionem predicti retornati super petitione et clameo quondam Thome domini Erskin super dimidietate comitatus de Mar / ad hos finem et effectum quod predicte

¹ [From the Miscellany of the Spalding Club, vol. v., pp. 264-272.]

evidencie et processus deducantur in publicam formam tanquam justum et verum exemplar eorumdem ad ipsos interesse habentes et ad quorumcunque noticiam debeant publicari . Propterea nos cum avisamento dictorum nostri Concilij Dominorum per publicum mandatum super januas Pretorij nostri le Edinburgh prius affixum et debite executum intervallo quindecim dierum interveniente ordinavimus summonere et monere omnes interesse habentes in et ad predictas evidenciam et processum ad videndum et audiendum easdem certis die et loco coram nobis et nostri Concilij Dominis cum debita intimacione ut moris est transumi exemplari et in publicam transumpti formam poni debere ipsis vocandis existentibus vocatis et minime comparentibus nos in pena contumacie ipsorum sic existentium summonitorum monitorum et minime comparentium decernimus deliberamus et declaramus predictas evidenciam et processum sanas integras non raras non cancellatas nec in aliqua sui parte suspectas exemplari publicari et transumi ac easdem appensione nostri magni sigilli corroborari ac pro certis causis animam nostrum moventibus cum dilecto familiari nostro Alexandro Elphinstoun de Invernochty et heredibus suis imperpetuum remansuras in supplementum et corroboracionem jurium sui infeofamenti sibi Alexandro et heredibus suis super terris et baronia de Invernochty jaentibus infra comitatum nostrum de Mar confecti . Quarum quidem evidencie et processus per nos legitime recognitarum et in hoc nostro transumpto insertarum tenores sequuntur in hunc modum . **UNIVERSIS** presentes literis inspecturis Johannes dominus Lindesay de Byris justiciarius domini nostrj Regis ex parte boreali aque de Forth [*etc. ut supra pp. 205-213.*] In cujus rei testimonium sigillum dicti Vicecomitis deputati vna cum sigillis quorundam qui dicte inquisitioni intererant huic retornato breui capelle intus clauso est appensum anno die mense et loco predictis . **CUIQUEDEM** transumpto exemplari et transcripto in omnibus clausulis punctis et articulis ut predictum est volumus et pro nobis et successoribus nostris precipimus et mandamus quod talis et tanta illesa inuiolata et indubitata fides in iudicio et extra iudicium in omnibus locis detur et adhibeatur sicut dictis principalibus processui et retornato ac si producti et publicati erant daretur et adhiberetur . In cujus transumpti fidem et testimonium prefatas evidenciam processum retornatum et subscripciones notariorum in se ut premittitur continentis magnum sigillum nostrum huic transumpto apponi fecimus . Testibus reverendis in Christo patribus Willelmo episcopo Aberdonensi

nostri secreti sigilli custode Jacobo postulado Glasguensi thesaurario nostro dilectis consanguineis nostris Alexandro comite de Huntlie domino Gordoun et Badyenach Archibaldo comite de Ergile domino Campbele et Lorn magistro hospicii nostri Matheo comite de Levenax domino Derralie Alexandro domino Hume camerario nostro Andrea domino Gray justiciario nostro et dilecto clerico nostro Magistro Gawino Dunbar archidiacono Sancti Andree nostrorum rotulorum et registri clerico Apud Edinburgi decimo quinto die mensis Maii anno Domini millesimo quingentesimo nono et regni nostri vicesimo primo .

Carta Alexandri Elphinstoun de eodem et eius sponse. ¹ —(A.D. 1509.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos pro bono fidei et gratuito seruicio nobis per dilectos nostros familiares Alexandrum Elphinstoun de eodem et Elizabeth Berlay eius sponsam impenso / dedimus . . . hereditarie predictis Alexandro et Elizabeth et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis subscriptis Totam et integram nostram villam et burgum in baronia de Kildrummy cum firmis burgalibus annuis redditibus et rodīs burgalibus earundem cum suis pertinenciis iacentem infra comitatum de Mar et vicecomitatum de Abirdene Tenendam et habendam . . . predictis Alexandro et Elizabeth Berlay eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis sen procreandis quibus forte deficientibus nobis et successoribus nostris reuersuram de nobis et successoribus nostris Regibus Scocie in feodo et hereditate imperpetuum . . . cum potestate tenentes burgenses et inhabitantes predictam villam et burgum in baronia per suas cartas sasinas et infeofamenta infeodandi . . . Soluendo inde annuatim summam quadraginta trium solidorum et quatuor denariorum vsualis monete regni nostri prout rentale nostrum in se proportat Et ultra hanc summam / summam trium solidorum et quatuor denariorum monete predicte in augmentacionem prefati nostri rentalis annuatim . . . nomine feodifirme tantum . . . Et insuper dedimus . . . prefatis Alex-

[From the General Register House.]

andro Elizabeth eius sponse et heredibus suis totum jus clameum et juris titulum que nos predecessores aut successores nostri habuerint . . . in et ad predictam villam et burgum in baronia de Kildrummy cum firmis burgalibus annuis redditibus et rodibus burgalibus earundem ratione bastardie nonintroitus seu alias quouismodo . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Willelmo episcopo Abirdonensi nostri secreti sigilli custode dilectis consanguineis nostris Alexandro comite de Huntlie domino Baidyenne Archibaldo comite de Ergile domino Campbele et Lorne magistro hospicii nostri Matheo comite de Levinax domino Dernlie Alexandro domino Hume magno camerario nostro Andrea domino Gray iusticiario nostro et dilecto clerico nostro Magistro Gavino Dunbar archidiacono Sancti Andree nostrorum rotulorum registri ac consilii clerico Apud Edinburgh vndecimo die mensis Septembris anno Domini millesimo quingentesimo nono Et regni nostri vicesimosecundo .

Carta Alexandri domini Elphinstoune et eius sponse. ¹—(A.D. 1510.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia prius dedimus . . . in feodifirma dilectis nostris familiaribus Alexandro Elphinstoune de eodem et Elizabeth Berlay eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus nobis et successoribus nostris reuersuras omnes et singulas terras nostras dominicales de Kildrummy le New Wester Clovay Aulde Auchindore Drumnahufe Dosky Cukishill molendinum de Kildrummy Auchinvene Corrihill Quytlis Ardquhonquhare Culispue Inuerburquhare Wester Inuerburquhare Estir Argeith Culquheich Discory molendinum earundem Pettinlach Glencoy et le Newtoun cum pertinenciis vnacum custodia castri nostri de Kildrummy / cum turribus fortaliciis et ortis eiusdem cum suis pertinenciis cum aduocacione et donacione capellanie de Den jacentes in comitatu nostro de Mar infra vicecomitatum nostrum de Abirdene de nobis et successoribus nostris Regibus Scocie tenendas Reddendo inde annuatim summam octuaginta

¹ [From the General Register House.]

duarum librarum et octodecim solidorum vsualis monete regni nostri sex martas allocando quinque solidos pro qualibet marta duodecim bollas et duas ferlotas auenarum ad quas prefate terre et molendina cum suis pertinentiis in nostro rentali annuatim extendunt Neenon reddendo vltra prefatam summam in augmentacionem predictæ feodifirme et rentalis quadraginta marcas monete predictæ prout carta nostra sub nostro magno sigillo et sasina inde secuta eis desuper confecte plenius proportant Et nos nunc in memoria habentes bonum et fidele seruicium nobis per dictum Alexandrum et Elizabeith eius sponsam impensum et quod pro bonis causis et considerationibus per nos intellectis et nos ad hoc mouentibus creauimus et fecimus dictum Alexandrum dominum nostri parlamenti tempore baptizationis carissimi filii nostri Arthuri principis Scocie ac Insularum eiusdem etc. Igitur et pro speciali fauore quem gerinius erga predictum Alexandrum et Elizabeith eius sponsam ac pro honorabili sustentacione eorundem et suorum heredum dedimus . . . predictis Alexandro nunc domino Elphinstoune consanguineo nostro et Elizabeith Berlay eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis masculis omnes et singulas prenomatas terras dominicales de Kildrummy le New Wester Clovay Auld Auchindore Drumnahufe Dosky Cukishill molendinum de Kildrummy Auchinvene Corrihill Quyltis Ardquhøqubare Culispect Inuerburquhar Wester Inuerburquhar Estir Argeith Culquheigh Discoy molendinum earundem Pettinlauch Glencoy et le Newtoun cum suis pertinentiis vnacum dicto castro de Kildrummy turribus fortaliciis et ortis eiusdem cum suis pertinentiis ac aduocacione et donacione dicte capellanie de Dene libere absque aliquibus feodifirma summis monete martis aut victualibus nobis aut successoribus nostris per ipsos et heredes suos aliquo tempore futuro reddendis Et quasquidem omnes et singulas predictas terras molendina et castrum cum donacione dicte capellanie et suis pertinentiis . . . incorporamus predicti Alexandri baronie de Inuernochty et fore libertatis preuilegii et modi tenendi eiusdem baronie perpetuis futuris temporibus Ac volumus . . . quod . . . sasine apud capitale messuagium dicte baronie de Inuernochty perpetuis futuris temporibus capiende sufficient . . . Tenendas et habendas omnes et singulas predictas terras . . . dictis Alexandro domino Elphinstoune Elizabeth Berlay eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis masculis

inter ipsos legitime procreatis seu procreandis quibus deficientibus nobis et successoribus nostris iterum reuertendas de nobis et successoribus nostris regibus Scocie in feodo et hereditate imperpetuum . . . cum potestate faciendi et substituendi sub eisdem constabularios janitores excubitores peruigiles carcerum custodes et omnes alios officarios pro dicto castro necessarios Et ad edificandum dictum castrum cum muris propugnaculis foueis et guerrarum portis vectibus *le drawbriggis* et aliis munitionibus necessariis prout eis videbiter expediens . . . Pro quibusquidem omnibus et singulis terris . . . volumus quod . . . seruicium warde et relenii ac secte debite et reddite nobis et successoribus nostris in euria vicecomitatus de Abirdene pro predicta baronia de Inuernochty sufficient . . . saluo nobis et successoribus nostris seruicio sequenti tantum videlicet quod predicti Alexander Elizabeth eius sponsa et eorum alter diucius viuens et heredes sui masculi predicti inuenient et sustinebunt nobis et successoribus nostris centum homines suffultos cum lanceis ad faciendum seruicium nobis in nostris guerris et exercitibus contra nostros inimicos si quos tempore futuro fieri contigerint In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Willelmo episcopo Abirdonensi nostri secreti sigilli custode dilectis consanguineis nostris Alexandro comite de Huntlie domino Baidynoch Archibaldo comite de Ergile domino Campbell et Lorne magistro hospicii nostri Matheo comite de Levinax domino Dernley Alexandro domino Hume magno camerario nostro venerabili in Christo patre Georgeo abbate de Aberbrothok thesaurario nostro et dilecto clerico nostro Magistro Gavino Dunbar archidiacono Sanetiandree nostrorum rotulorum registri et consilii clerico Apud Striueling decimo quarto die mensis Januarii anno Domini millesimo quingentesimo nono Et regni nostri vicesimo secundo .

Carta Alexandri domini Elphinstoun. ¹—(AD. 1513.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia . . . dedimus per prius dilectis consanguineis nostris Alexandro domino Elphinstoune et

¹ [Abridged from the Registrum Magni Sigilli, lib. xviii., no. 191, MS. Gen. Reg. House, Edinburgh.]

Elizabeth Berlay eius sponse . . . omnes et singulas terras et baroniam de Inuernochty Balbegy cum molendino prato et *le glennys* de Glennochty Inuernethy Ledmakey Culquhony et Culquhary cum pertinentiis jacentes in dominio de Strathdone et infra vicecomitatum nostrum de Abirdene Ac omnes et singulas terras de Skalater cum foresta de Corgarf terras de Fennelost Balquhan Balnaboith in Glenbuchat Balnaboith in Kilbethok Ballintamor Tuleskeuch Surmeill Culbalach cum foresta de Baddinyone et Kilbaloeh Estir Clova cum Correkyuyean Contelauch cum Braidschaw Auchmyllane cum orientali dimedietate de Glenlose Kinlune et molendinum nuncupatum *le New Mylne* cum *le glennys* siluis et virgultis videlicet *le schawis* prefatis terris spectantibus jacentes infra dominium et vicecomitatum antedictum . . . Neenon terras dominicales de Kildrummy *le New Wester Clova* Auld Auchindore Drumnahufe Dosky Cukishill molendinum de Kildrummy Auchinvare Corryhill Quiltis Ardquhonquhare Tulispik Inuerburquhare Wester / Inuerburquhare Ester / Argaitth Culquoich Discory cum molendino earundem Pettinlauch Glencoy et le Newtounne cum pertinentiis vnacum castro de Kildrummy cum turribus fortalijs et ortis eiusdem et suis pertinentiis et cum jure patronatus aduocacione et donacione capellanie de Den jacentes infra vicecomitatum nostrum de Abirdene antedictum . . . tenendas de nobis pro seruicio de dicta baronia debito et insuper ad sustentandum centum viros lancea suffultos ad deseruiendum nobis in nostris guerris temporibus affuturis . . . Quequidem omnes et singule terre et baronia suprascripte . . . fuerunt dictorum Alexandri et Elizabeth hereditarie . . . et quas et que . . . in manibus nostris . . . simpliciter resignarunt . . . Et nos in memoriam habentes quod quondam Alexander Elplinstoune de eodem miles predecessor prefati consanguinei nostri in campo bellico apud Piperdene commisso per Anglicos in seruicio predecessorum nostrorum pro tempore existentium et in defensione regni occisus fuit per cuius decessum principalis hereditas et terre sue ad heredes suos femineas et non masculos deuenerunt In cuiusquidem quondam Alexandri per Anglicos vt premittitur occisi seruicij memoria et in parte recompensacionis dicto consanguineo nostro Alexandro domino Elplinstoune et pro ipsius bono fideli et gratuito seruicio nobis a iuuentute sua et introitu ipsius ad seruicium nostrum impenso et indies per ipsum continuato Neenon in contentatione dotis pro matrimonio per ipsum contracto cum

dicta Elizabeth Berlay nunc eius sponsa quam ipsum in coniugem ducere causauimus ipsamque in seruiicio cum carissima consorte nostra Regina infra regnum nostrum extra natale solum ipsius morari fecimus Nos igitur et pro nonnullis alijs bonis et racionabilibus causis et considerationibus ad hoc nos mouentibus ex nostris certa sciencia motu proprio libera voluntate et plenaria deliberacione dedimus . . . et de nouo confirmauimus . . . dictis Alexandro et Elizabeth Berlay eius sponse et ipsorum alteri diucius uinenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis omnes et singulas predictas terras et baroniam . . . vnacum castro de Kildrummy turribus fortalieijs et ortis eiusdem cum iure patronatus aduocacione et donacione capellanie antedicte cum omnibus suis pertinencijs Ac creamus . . . omnes easdem terras et baroniam . . . in vnā integram et liberam baroniam nuncupandam baroniam de Kildrummy pro perpetuo in futurum Ordinantes dictum castrum de Kildrummy fore capitale messuagium dicte baronie Apud quod . . . vna sasina capienda . . . sufficiet et stabit pro omnibus et singulis supradictis terris . . . Et nos eciam pro causis et considerationibus prenotatis alijsque ad hoc nos mouentibus damus . . . dictis Alexandro et Elizabeth et eorum heredibus prescriptis totum nostrum jus patronatus aduocacionem et donacionem ecclesie de Inuernochty que est quidem canonicatus et prebenda infra ecclesiam cathedralem Aberdonensem cum omnibus libertatibus et priuilegijs eidem spectantibus . . . Tenendas et habendas . . . dictis Alexandro et Elizabeth eius sponse et eorum alteri diucius uiuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus nobis et successoribus nostris reuersuras de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate ac libera baronia imperpetuum . . . Cum curijs et earum exitibus herezeldis bludewitis et merehetis mulierum . . . Cum furca fossa sok sak thole theme infangtheif outfangtheif pitt et gallouss Cum libera foresta curijs forestarum americiamentis et eschactis earundem vert et wensoune wrak ware and waith Cum tenentibus tenendrijs et libere tenentium serueijs Ac cum omnibus alijs et singulis libertatibus . . . sine aliquo impedimento seu reuocacione nostri aut successorum nostrorum quorumcunque quouismodo inde faciendū in futurum Reddendo inde annuatim . . . pro omnibus et singulis terris et baronia suprascriptis . . . vnā sectam ad placitum

capitale curie vicecomitatus nostri de Abirdene tenendum infra dictum nostrum burgum proximo post Festum Sancti Michaelis Cum warda releuo et maritagio cum contigerint tantum Et libere sine aliquo seruicio lancearum curiarum sectarum alijsve seruicijs exactione questione seu demanda quibuscunque . . . de quibus exoneramus dictos Alexandrum et Elizabeth heredesque suos et tenentes Necnon vicecomitem nostrum de Abirdene et deputatos suos omnesque alios officarios nostros presentes et futuros de omni uocacione exactione et amerciatione ipsorum pro eisdem seruicijs vel exactionibus et de officijs suis in hac parte Salua nobis dicta vnica secta tenore presencium imperpetuum In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh duodecimo die mensis Augusti anno Domini millesimo quingentesimo decimotercio et regni nostri vicesimo sexto .

Protestatioun for Maister Robert Elphinstoune persoun of Kincardin aganis Schir Williame Elphinstoune persoun of Clatt tutour of law to the Lord Elphinstoune. ¹—(16. Junij 1518.)

In presens of the Lordis of Counsaile comperit Mastir Robert Elphinstoune persoun of Kincardin cousing to the Lord Elphinstoune now in tender age And schaw that quhair Schir Williame Elphinstoune persoun of Clatt tutour of law to the said Lord Elphinstoune has lying furth and nocht fundin cautione of the said office sen the decess of his fader in Floddoun quhill the x day of Junij instant quhilk as I vndirstand he did for dissaite sa far as is in him in gret hurt and skaith to the said Lord Quharefor the said Master Robert in name of his said eme Lord Elphinstoune protestit solempnitlie that quhat the said tutour dois anent his heretage takis aireschip or movable gere or beis done be the Lordis herintill aganis the said Lord bot that he may haue regres thairto at his perfit age and remeid thairof as law will and siclik of his movable geir aireschip and malis be the space bigane to the entres of the said tutour .

[From the Acta Dominorum Concilii, vol. xxxi., fol. 10, MS. Gen. Reg. House.]

Decreit for the Lord Elphinstoune. ¹ —(2. March 1529.)

Aneit the summondis raisit at the instance of Alexander lord Elphinstoune agains Johnne lord Forbes / for the wrangwiss postponyng and deferring to deliuer to him the arschip gudis vndirwrittin / pertenyng to the said Alexander as nerrest and lauchfull aire to vmquhile Alexander lord Elphinstoune his fadir / and eftir his decess intromettit with be the said Johnne lord Forbes and vtheris in his name of his causing . . . eftir that he had dispousit and maryit Elizabeth Berlay modir to the said Alexander / that is to say in the first Ane new govne of blak velvett conteneand xvj. eluis lynit with funzeis price lxxx. ßi Ane double of crammesy satyne price x. ßi Ane hogtounne of blak velvett price xx. ßi And of vther gudis as at mare lenthe is contenit in the summondis tharpoune . . . The Lordis of Counsale decretis and deliueris that the said Johnne lord Forbes has done wrang in postponyng and deferring to the said Alexander lord Elphinstoune thir areschip gudis vndirwrittin and tharfor sall deliuer to him the samin as eftir followis / that is to say Ane govne of blak velvuss lynit with funzeis Ane doublate of crammesy satyne Ane hogtounne of blak velvett Ane paire of hois of scarlett Ane losin serk seuit with gold Ane bonat with ane targat of gold Ane furnist bedd with lite of camp with ruif courtingis schetis coddis blancatis of fusteane fedder bedd bowsteris verdour bedd with all furnissing Ane meite burd coverit with singill dornewek werk and the covering of the burd of wolfin worsett with xij. seruiotis of dornik ane wesching towell of dornik with basyne and laware of siluir Ane dosane of siluir spvnys Ane siluir saltfatt Ane siluir peece Ane siluir goblett Ane chalice of siluir Ane chessable of blak velvus browderit and corsit with gold with stoile ab and fannale and vthir furnissing Ane antepend befor the altar of blak velvus bordourit with gold crucifix and ymagery with towellis frontale mess buk corporall and vthir furnissing Ane cowp of siluir double ourgilt with ane covir Qubilk arship gudis aboune writin per-

¹ [Abridged from the *Acta Dominorum Conellii*, vol. xxxix., fol. 127, MS, Gen. Reg. House.

'Ane table of the Trinite of fyue pictouris,' and 'thre lynkis of gold of his faderis grete chenze,' have been written in the list of heirship goods, but afterwards deleted.]

tenis to the said Alexander lord Elphinstoune as aire to the said vmquhill Alexander lord Elphinstoune his fadir . . .

Protestatioun for Lord Elphinstoune. ¹—(16. December 1532.)

In presens of the Lordis of Counsale comperit Alexander lord Elphinstoune and gair in this writing vnderwrittin And protestit efter the forme and tenour of the samin The quhilk protestatioun the said Lordis admittit off the quhilk writing the tennour followis MY LORDIS of our Souerane Lordis Counsale I Alexander lord Elphinstoune beand within aige and within yeris of restitutioun *ad integrum* exponis and declaris to your Lordschippis how be fragilite negligens and imperfectioun of knawlege I hes maid sindry and diuerss contractis writingis and giftis of sindry thingis concernyng the proffetis of my heretage and vther materis concernyng my honour and wele without consent or autorite of my curatouris interponit thairto into the tyme of my less aige And in speciale anent ane writing making of the promiss of ane lettre of bailyerie to George Meldrum of Five of my landis and barony of Kildrymme be the quhilkis I may be gretlie hurt dampnagit and scathit The quhilkis contractis writingis and all vtheris hurtand or may hurt me my landis and heretage I expreslie now reuokis cassis and adnullis And protestis solemnitlie quhat euer I haue done in tymes bigane I be nocht hurt thairthrow and for remeid of restitutioun *ad integrum* and all vthir remedis I may haue be the commoun law and that your Lordschippis will interpose your autorite hereto and caus this my suplicatioun and protestatioun to be interit in the bukis of Consale on my expensis and your Lordschippis ansuer I humelie besekis.

Decreit of the Lords of Council and Sessioun aganis the Shireff of Abirdene. ²—(21. March 1538-9.)

Anent the summondis raisit at the instance of our Souerane Lord and

¹ [From the Acta Dominorum Concilii et Sessiois, vol. ii., fol. 30, MS. Gen. Reg. House, Edin.]

² [Abridged from the Acta Dominorum Concilii et Sessiois, vol. xi., fol. 251.]

Vmfra Rollok aganis James erle of Murray schireff principale of Abirdene George Bard of Ordinluffis Maister Alexander Ogiluy in Glassauch and William Rolland his pretendit schireff deputis Henry Forbes of Thanistoun Gilbert Menzeis of Findone Thomas Reid of Colistoun Maister Andro Tulydef of Rannistoun Henry Oldeny of Mynness Johnne Pawtoun of Petmeddene Johnne Knox of that ilk William Blakhall of that ilk Alexander Chalmer of Balnacrag William Spens of Boddume William King of Bowrty Johnne Forbes of Tuligowny vthirwayis being vpoun the inquest in the actioun and caus content in the lettres directt to the said schireff and his deputis impetrat be Johnne Elphinstoun and the said Johnne for his interest that is to say the said Johnne Elphinstoun to bring with him and produce befor the Lordis of Counsale the saidis lettres purchest be him togidder with the pretendit rolment and decrete that followit thairupoun gevin be the saidis schireff deputis vpoun the pretendit deliuerance of the saidis personis of inquest fyndand and deliuerand that the said Johnne Elphinstoun had assedatioune of Alexander lord Elphynstoun of the keeping of his castell of Kildrummy and office of bailliery of his landis and barony thairof with the manis and pendiculis of the samin and wes violentlie and wranguslie cicetit spulyeit and put tharfra be the said Vmfra Rollok the xxij. day of Junij the yeir of God j^m v^c xxxv. yeris and ordaining the said Johnne to be restorit agane to the keiping of the said houssis and castle office of balliery . . . The Lordis of Counsale retretis . . . and adnullis the said pretendit rolment and decrete that followit thairupoun gevin be the said schireff deputis vpoun the pretendit deliuerance of the saidis personis of inquest in the said mater. Becaus the said pretendit deputis at the geving of the said pretendit deliuerance put the said mater to the knowlege of xij personis of inquest in evin novmer but ane odman to deliuer with thame howbeit be the law and consuetude of the realme all inquestis aucht and suld be chosin in od novmer quharethow the said pretendit rolment of court gevin but just novmer of inquest is null in the self lik as wes clerly vnderstand to the saidis Lordis. And tharfor decernis the said pretendit rolment to haue bene fra the begyning and to be in all tymes to come with all that followit thairupoun of nane avale force nor effect for the causis forsaidis. And that lettres be directt hereupoun as efteris .

Carta confirmacionis Margarete Drummond. ¹—(A.D. 1546.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam donationis et vitalis redditus factam per consanguineum nostrum Alexandrum dominum Elphinstoune ac baronem baronie de Kildrummy . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Alexander dominus Elphinstoune ac baro baronie de Kildrummy salutem in Domino sempiternam Noueritis me interno cordis affectu et amore quos gero erga dilectam meam Margaretam Drummond filiam legitime genitam inter Johannem Drummond de Inuerpeffray et nobilem dominam Margaretam Stewart dominam Gordoune eius charissimam sponsam in sua pura virginitate intuitu matrimonii in facie sancte matris ecclesie cum dilecto meo filio et herede apparente Roberto Elphinstoune contrahendi et non alias neque alio modo dedisse . . . dicte Margarete virgini in vitali reddito pro toto tempore vite sue et predicto Roberto filio meo et heredibus subscriptis hereditarie omnes et singulas terras meas et molendinum subscriptas cum pertinentiis videlicet terras de Corgarf terras de Scellatar terras de Inuernety terras de Fynlelosk terras de Boquhorn terras de Now terras de Colloquary terras de Inuernothy terras de Colquhoni terras de Ballobeꝝ et molendinum earundem cum suis pertinentiis jacentes in dicta mea baronia de Kildrummy infra vicecomitatum de Abirdene et hoc pro suis gratuitis seruiciis auxiliis consiliis fauoribus benemeritis michi per ipsos multipliciter impensis Tenendas et habendas . . . prefate Margarete Drummond virgini in sua virginitate in vitali reddito pro toto tempore vite sue et dicto Roberto Elphinstoune filio meo et heredibus inter ipsum et dicam Margaretam legitime procreandis quibus forte deficientibus veris et propinquioribus heredibus dicti Roberti Elphinstoune quibuscunque a me de suprema domina nostra Regina et successoribus suis in feodo et hereditate imperpetuum . . . cum curiis placitis et earum exitibus amerciamentis herezeldis bludewitis et mulierum merchetis . . . Reddendo inde annuatim . . . dicte supreme domine nostre Regine et successoribus suis omnia jura et seruicia ante presentem donationem

¹ [Abridged from the Registrum Magni Sigilli, lib. xxix., no. 407., MS. Gen. Reg. House, Edinburgh.]

debita et consueta . . . In cuius rei testimonium sigillum meum huic presenti carte mee manuali mea subscriptione subscripte est appensum Apud Striuelin² tertio die mensis Septembris anno Domini millesimo quingentesimo quadagesimo sexto Coram hiis testibus reuerendo in Christo patre Willelmo episcopo Dunblanensi et nobili ac potenti domino Georgio comite de Huntlie domino Gordoune et Badgynnocht ac cancellario Scotie Johanne comite de Athole domino de Balvany Alexandro domino de Lovet Alexandro electo Cathanensi Hugone Campbell de Lowdoune Georgio Gordoune de Scheves Magistro Willelmo Gordoune rectore de Duthell et Domino Willelmo Litstar presbitero ac notarii publicis cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . Insuper . . . ordinamus quod prefata donatio . . . prenominarum terrarum dietis personis facta nulla erit ruptio nec infractio vnionis prefate integre baronie de Kildrummy confecte cui dicte terre perprius annexate fuerunt sed volumus quod eodem cum huiusmodi baronia tanquam partibus et pendiculis eiusdem vt prius remanebunt In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Sanctumandream sexto die mensis Septembris anno Domini millesimo quingentesimo quadagesimo sexto et regni nostri quarto .

Carta Johannis domini Erskin. ¹—(A.D. 1565.)

Maria Dei gracia Regina Scotorum Omnibus probis hominibus totius terre sue clericis et laicis salutem Sciatis quod nobis post nostram

¹ [From the Registrum Magni Sigilli, lib. xxxii., no. 501, MS. Gen. Reg. House, Edinburgh.]

Sir Robert Douglas writes that "in the reign of Queen Mary, John, lord Erskine, obtained leave to have it determined by an inquest whether he was nearest heir to Isabel, countess of Marr or not, and laid before the inquest the proofs of his propinquity and showed that there was nothing in the four reasons of reduction at the instance of the King in 1457, (i.) Because it was never before heard of, or pretended, that the proof of propinquity to one's ancestors by undoubted records, was not as valid as that by witnesses, which in many cases by lapse of time was rendered impossible: that if this was to be established as a rule, the King would be found to have right to one half of the lands of Scotland, as well as to the earldom of Marr; (ii.) That as to the second reason, the Act of Parliament anent the King's keeping possession during his minority, that could be no reason for reducing the service of Robert lord Erskine to Isabel, countess of Marr, but only for not giving him possession till the King's majority; (iii.) That as to the third reason, that Isabel, countess of Marr, did not die last vested and seised, but Earl Alexander her husband, and Thomas his natural son, it was of no weight, because that Alex-

legitimam et perfectam etatem viginti vnus annorum completam intellectum est quod quondam Issobella Dowglas comitissa de Mar hereditaria proprietaria pro tempore comitatus de Mar ac dominij et regalitatis de Gareache infeofamentum confecit quondam Alexandro Stewart in libero matrimonio inter illum et ipsam contrahendo de totis et integris dictis comitatu dominio et regalitate Tenendis ipsis eorumque alteri diucius viuenti et heredibus inter ipsos procreatis quibus deficientibus heredibus dicte Issobelle quibuscumque de nostris nobilissimis progenitoribus optime memorie Qui confirmationem desuper concesserunt Prout in dictis infeofamento et confirmatione respectue late continetur Et quod postea dicti Alexander et Issobella absque legitimis heredibus inter ipsos procreatis obierunt Quibus sic decedentibus quondam Robertus dominus Erskin per debitum ordinem legitimus et propinquior heres dicte quondam Issobelle de prefatis comitatu dominio et regalitate retornatus fuit Sic quod dilectus noster consanguineus Johannes nunc Dominus Erskin qui retornatus est legitimus et propinquior heres dicto quondam Roberto domino Erskin heredi dicte quondam Issobelle indubitatum hereditarium jus dictorum comitatus dominij et regalitatis habet non obstante quod sui predecessores ab eisdem detenti erant et a possessione eorundem partim occasione iurgiorum pro tempore occurrentium et partim iniusta refutatione et impedimento per obstinatos et perciales gubernatores et officarios factis rationabiles supplicationes et petitiones per dicti nostri consanguinei pre-

ander was only seised of that estate in right of liferent, failing issue of the marriage, as appeared by the charter of the said Countess Isabel and Earl Alexander, dated 9th December, 1404, and which is confirmed by King Robert's charter of confirmation of 21st January, 1404-5, by which it undeniably appears that the charter of resignation by Isabel, countess of Marr, of 12th August, 1404, was altered both by the parties concerned, and by their sovereign lord the King; and therefore the resignation and charter that followed thereon, of 28th May 1426, in favour of the said Alexander, and Thomas his natural son (who died before him without issue) was null and void; (iv) That as to the fourth reason, that Isabel of Marr, queen to King Robert Bruce, was daughter to Gratney, earl of Marr, and eldest sister to Elyne, who married Sir John Menteith it was well known that Isabel of Marr, queen to King Robert Bruce was sister to Gratney, earl of Marr, and not his daughter, but daughter to Donald, earl of Marr, his father, which was fully proved by Gratney, earl of Marr, being always styled, in King Robert's charters, his brother but never his father. The inquest accordingly found by their retour, dated 5th May, 1555, that Lord Erskine was the nearest heir to Robert, earl of Marr and Garioch, lord Erskine, etc., which Robert was nearest heir to Isabel countess of Marr, and to Gratney earl of Marr, her great grandfather And in 1562 he was restored to the earldom of Marr, *per modum iustitie*, which was ratified in Parliament, 4th June, 1563.—(Peerage of Scotland, pp. 467, 468.) Cf. Lord Hailes' Additional Sutherland Case, chap. v., sect. 12, pp. 51, 52.]

decessores factas refutantes ipsis frequens et intente introitum ad hereditariam possessionem earundem petentibus et desiderantibus Quibus premissis per nos nunc diligenter consideratis et auisatis nos non solum ob eadem et ob bonum fidele et gratuitum seruicium tam nostris predecessoribus per dictum nostrum consanguineum et suos predecessores factum presertim per dicti nostri consanguinei quondam patrem et seipsum nostris quondam charissimis patri et matri nobilissime memorie Ac per ipsum nobis a decessu dicte quondam nostre charissime matris Sed etiam conscientia mote vt nobis decet legitimos heredes ad suas iustas hereditates restituere dedimus concessimus ac tenore presentis carte nostre damus et concedimus dicto nostro consanguineo Johanni domino Erskin suis heredibus et assignatis hereditarie Totum et integrum dictum comitatum de Mar continentem terras subsequentes videlicet Strathdone Bramar Crowmar et Strathde cum omnibus et singulis aliis terris eiusdem ex antiquo eidem pertinentibus Necnon omnes et singulas terras dicti domini et regalitatis de Gareach Cum omnibus et singulis castris turribus fortaliciis maneriebus siluis molendinis piscariis partibus pendiculis feudifirme firmis annexis connexis tenentibus tenandriis libere tenencium seruiciis aduocatione donacione et iure patronatus ecclesiarum capellaniarum et beneficiorum ac pertinentiis quibuscunque dictorum comitatus domini et regalitatis respective ipsis ex antiquo et eorum alicui respective pertinentibus jacentem infra vicecomitatum nostrum de Abirdene Insuper pro bono fidei et gratuito seruicio nobis et predecessoribus nostris per dictum nostrum consanguineum et suos predecessores vt premissum est impensis damus concedimus et disponimus dicto nostro consanguineo suis heredibus et assignatis Totum et integrum predictum comitatum dominium et regalitatem respective cum terris superius specificatis dicti comitatus Ac cum omnibus aliis terris castris turribus fortaliciis maneriebus siluis molendinis piscariis partibus pendiculis feudifirme firmis annexis connexis lic outsettis tenentibus tenandriis liberetentium seruiciis aduocatione donacione et iure patronatus ecclesiarum capellaniarum et beneficiorum ac pertinentiis quibuscunque dictorum comitatus domini et regalitatis respective Ac totum jus clameum interesse titulum et iuris clameum proprietatem et possessionem tam petitorium quam possessorium que et quas nostri predecessores aut successores habuimus habemus seu habere vel clamare poterimus aut poterint ad easdem aut aliquam earundem partem aut ad firmas proficua et deuoria earundem ratione

eschacte forisfacture recognitionis vltimi heredis totius aut maioris partis alienationis purpresture disclamationis bastardie warde seu nonintroitus ex annis et terminis preteritis aut ob quamcunque aliam actionem seu causam retroactam Renunciando quieteclamando et exouerando eisdem dicto nostro consanguineo suis heredibus et assignatis Cum pacto de non petendo Ac cum supplemento omnium defectuum tam non nominatorum quam nominatorum quos tanquam pro expressis in carta nostra habere volumus Et similiter . . . ordinamus quod vnica saisina nunc per dictum nostrum consanguineum et per suos heredes omni tempore affuturo apud maneriem de Megwyne intra dictum comitatum et apud castrum de Dunnydure intra dictum dominium capienda stabit et sufficiens erit sasina pro dictis comitatu dominio et regalitate respectiue . . . Tenendum et habendum totum et integrum dictum comitatum . . . prefato nostro consanguineo Johanni domino Erskyn suis heredibus et assignatis de nobis et successoribus nostris in libero comitatu feodo et hereditate imperpetuum . . . Cum curiis et earum exitibus herezeldis et mulierum merchetis Cum furca fossa sok sak thole theme infangtheiff outfangtheiff pit et gallouss Cum liberis forestis et potestate forestatus curias tenendi et amerchiamenta earundem leuandi Ac cum plena potestate et libertate regalitatis in dicto dominio de Gareach et priuelegiis eidem spectantibus . . . Reddendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Perth vicesimo tercio die mensis Junii anno Domini millesimo quingentesimo sexagesimo quinto et regni nostri vicesimo tercio .

Ratificatioun of the Erledome of Marr etc. ¹—(19. April 1567.)

Our Souerane Lady vnderstanding that of befoir vppone perfite knowlege had be hir Hienes be certificatioun of euidentis and vthirwys that ane noble and michtie lord Johnne erle of Mar lord Erskyn etc. was lauchfullie discendit of the ancient heretouris of the said erledome and had the vndowbtit heretable richt thairof and of the regalitie of Gareach Our said Souerane vppone that consideratioune and tor gud and thankfull seruice

¹ [From the Acts of the Parliaments of Scotland, vol. ii., p. 549.]

done be him and his predecessouris to hir Hienes and hir Grace predecessouris disponit efter hir Maiesteis lauchfull aige of xxj. yeiris compleit to the said Erle his airis and assignais the foirsaid erledome of Mar and regalitie of Gareach propertie and tenandrie few males and pertinentis thair of be infestment maid to him vnder hir gret seill thairupone . . . Thairfoir oure said Souerane . . . haif now with awys and consent of the thre estaitis of this realme in this present Parliament ratifiit appreit and confirmit . . . the saidis infestmentis and giftes . . . and will and ordinis that the said Erle his airis and assignais sall bruke and jois the said erledome propirtie and tenandrie with the few males and dewetiis thair of . . . perpetuallie in tyme cuming . . . And forthir our said Souerane and thre estaitis of Parliament foirsaid hes interponit and interponis thair auctorite thairto to be extendit in the maist ample forme with extensioune of all clauss neidfull and that lettrez be direct to mak publicatioun heirof gif neid beis in forme as effeiris.

Carta Alexandri Elphingstoun junioris. ¹ —(A.D. 1593.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis . . . nos . . . dedi[sse] . . . dilecto nostro Alexandro Elphingstoun filio seniori legitimo Alexandri magistri de Elphingstoun heredibus suis et assignatis hereditarie totas et integras terras de *lie Kirktown* de Kildrymmy cum suis pertinentiis jacentes infra diocesim de Abirdene et nostrum vicecomitatum eiusdem Et duas pecias terre extendentes ad seminationem duarum peccarum ordeii aut eo circa jacentes infra terras burgales de Kildrymmie inter terras Joannis Forbes de Toweis ex boreali et australi et palludem vulgo *Burrovemyre* nuncupatam et nostram viam communem ex orientali et occidentali partibus infra dictum nostrum vicecomitatum de Abirdene . . . Quequidem terre cum domibus edificijs et suis pertinentijs perprius vicario pensionario ecclesie parochialis de Kildrummy pertinuerunt . . . Tenendas . . . de nobis et successoribus nostris in feudifirma et hereditate imperpetuum . . . Soluendo inde annuatim . . . nobis et successoribus nostris summam trium librarum tanquam deuoriam antiquam . . . et summam quinque solidorum sex

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxix., no. 156, Ms. Gen. Reg. House, Edinburgh.]

denariorum in augmentationem rentalis earundem . . . necnon heredes et assignati dicti Alexandri duplicando dictam integram deuoriam primo anno eorum introitus ad prefatas terras prout vsus est feudifirme In cuius rej testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halyrudchous decimo quinto die mensis Decembris anno Domini millesimo quingentesimo nonagesimo tertio Et regni nostri anno vicesimo septimo .

Carta Alexandri magistri de Elphingstoun. ¹ —(A.D. 1594.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Alexandro Elphingstoun filio legitimo seniori Alexandri magistri de Elphingstoun . . . totam et integram villam et burgum de Kyldrymmy cum firmis burgalibus annuis redditibus terris et rodīs burgalibus eiusdem cum *lie Borrouchauch* ¹ Auchinvany et Gallowhillock partibus et pendiculis dictarum terrarum burgalium cum turre fortalicio manerie et omnibus alijs pendiculis et pertinentijs suis quibuscunque jacentem in comitatu de Mar infra vicecomitatum nostrum de Abirdene . . . Que quidem villa et burgus in baronia . . . perprius dicto Alexandro magistro de Elphingstoun hereditarie pertinuit et quam . . . ipse . . . in manibus nostris . . . simpliciter . . . resignauit . . . in fauorem dicti Alexandri eius filij pro hac nostra noua carta et infeodacione . . . Insuper nos pro bono fideli et gratuito seruitio per dictum Alexandrum magistrum de Elphingstoun impenso de uouo fecimus . . . et creauimus . . . dictam villam et burgum in baronia de Kildrymmy in vnum liberum burgum baronie omni tempore futuro burgum de Kyldrymmy nuncupandum Cum speciali et plenaria potestate dicto Alexandro et heredibus suis masculis prescriptis balliuos thesaurarium decanum gilde consules burgenses officarios seriandos et alios officarios necessarios infra dictum burgum pro huiusmodi regimine et gubernacione faciendi eligendi . . . remouendi . . . Cum plenaria potestate ac speciali burgensibus dicti burgi ad libertatem eiusdem per prefatum Alexandrum et suos heredes masculos . . . debite electis . . . et admissis ad *lie pak*

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxix., no. 199, MS. Gen. Reg. House, Edinburgh.]

peill et infra dictum burgum emendi et vendendi vinum ceram pannum laneum et lineum latum et strictum omnesque alias mercantias et stapule bona vulgo *lie stapill guddis* Ac cum potestate prefato Alexandro Elphingstoun et heredibus suis masculis infra dictum burgum pistores brasiatores carnifices piscatores piscium venditores allutarios seiscoros fullones textores fabros carpentarios laneos calciareos et omnes alios artifices necessarios ad liberi burgi libertatem spectantes et pertinentes . . . admittendi . . . Neenon cum potestate . . . edificandi . . . in prefato burgo imperpetuum pretorium crucem foralem et forum hepdomadatin die Sabbathie vnacum tribus libris nundinis ter in anno videlicet vnam nundinam ad diem Sancti Barnabe vndecimo die mensis Junii alteram ad Vincula Petri primo die mensis Augusti et tertiam nundinam ad Festum Omnium Sanctorum primo die mensis Nouembris Cum privilegio cuiuscunque nundine forum tenendi pro spatio quatuor dierum Ac custumas earundem pro dicti burgi intertinentamento sustentatione et reparatione colligendi . . . Et preterea cum speciali potestate dicto Alexandro Elphingstoun et heredibus suis masculis . . . curias burgales infra dictum burgum et libertatem eiusdem hepdomadatin die Mercurij . . . tenendi . . . ac clericos seriandos adiudicatores et omnes officarios et curie membra necessaria creandi . . . Cum pot gallous infangtheif et outfangtheif Et generaliter omnia alia faciendi . . . que in premissis et circa ea necessaria fuerint Tenendam . . . dicto Alexandro Elphingstoun et heredibus suis masculis de corpore suo legitime procreandis quibus deficientibus dicto Alexandro magistro de Elphingstoun et heredibus suis masculis de corpore suo legitime procreandis quibus deficientibus dicto Alexandro magistro de Elphingstoun et heredibus masculis suis propinquioribus et legitimis quibuscunque de nobis et successoribus nostris in libero burgo baronie et libera hereditate imperpetuum . . . Reddendo inde annuatim . . . nobis et successoribus nostris summam quadraginta sex solidorum et octo denariorum vsualis monete regni nostri . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halyrudhous vicesimo quinto die mensis Januarij anno Domini millesimo quingentesimo nonagesimo tertio Et regi nostri vicesimo septimo .

Act in favour of the Erle of Mar.¹—(29. July 1587.)

ANent the supplicatioun gevin in and presentit to our Souerane Lord and thre estaittis in this present Parliament be Johne erle of Mar lord Erskin etc. makand mentioun that quhair vnuquhile Dame Issobell Dowglas countes of Mar wer heretablie infest the tyme of hir deceis in all and hail the erldome of Mar lordschip and regalitie of Gareauch baldin immediatlie of our Souerane Lordis predicessouris as hir infestment at mair lenth proportis Lyk as efter hir deceis vnuquhile Robert erle of Mar lord Erskin the said Johne erle of Maris predicessour wes lauchfullie seruit and retourit air to the said vnuquhile Issobell of the said erldome of Mar lordschip and regalitie of Gareanche To quhome likwayes vnuquhile Johnne erle of Mar the said complenaris fader wes lauchfullie retourit air Swa nixt he as air to his said vnuquhile fader quha wes air to the said vnuquhile Robert erle of Mar lord Erskine his predicessour and sua air be progres to the said vnuquhile Dame Issobell Douglas countesse of Mar hes the vndowtit heretable rycht to the said erldome of Mar and lordschip and regalitie of Gareauch albeit his predicessouris hes bene wranguslie debarrit frome the possessioun of the saidis landis erldome and lordschip pairtlie be the occasioun of the trubles occurrand and interveneand and pairtlie be the iniquitie of tyme and staying of the ordiner course of justice to thame be the partiall dailing of sic personis as had the government of our Souerane Lordis predicessouris and realme and thair officiaris for the tyme / Notwithstanding the humble supplicationis and frequent interpellationis maid be the said Johne erle of Maris predicessouris alsweill in Parliament as in Counsall for the possessioun of the saidis landis as salbe sufficientlie verefeit be authentick writtis and euidentis The quhilk being aduisitlie considerit be our Souerane Lordis derrest mother efter hir perfite aige and hir Hienes movit of conscience as become of hir princelie dewetie to restoir the lauchfull airis vnto thair just heretage and possessioun efter mature deliberatioun diligent tryall and inquisition tane of the premissis gaif grantit and disponit heretablie to vnuquhile Johnne erle of Mar lord Erskin the said complenaris fader to vnuquhile Johnne erle of Mar with the landis of the lordschip and regalitie of

¹ [From the Acts of the Parliaments of Scotland, vol. liii., pp. 475, 476.]

Gareauche with thair pertinentis annexis connexis and vtheris specificit in the charter grantit be his Hienes derrest moder vnder the grite seill to him thairupoun And seing for the said Erlis better securitie and that his Hienes derrest moderis gude intentioun may tak the better effect toward the possessioun of the saidis landis necessar it is that he be seruit air to his predicessouris quha deit last vest and seisit in the said erldome lordschip and regalitie And that ane sufficient rycht and actioun be establishit in his persone and his airis for recovering of the saidis landis and possessioun thairof notwithstanding the diurnitie and lenth of tyme that hes intervenit Considering that be the lawes and custume of the realme the richt of blood nor yit ony heretable title fallis vnder prescripitioun nor is tane away be quhatsumeuir lenth of tyme or laik of possessioun And thairfoir desirand his Maiestie and estaittis in respect of the premiss to take tryell of the richtis and infetmentis quhilkis the said vmquhile Dame Issobell Dowglas countesse of Mar had of the said erldome of Mar lordschip and regalitie of Gareauche And sielyk to tak triall gif the said vmquhile Robert erle of Mar lord Erskin his predicessour was dewly seruit and retourit air to the said vmquhile Dame Issobell of the said erldome regalitie and lordschip and that vmquhile Johnne erle of Mar the complenaris fader wes seruit and retourit air to the said vmquhile Robert erle of Mar And that his Hienes derrest mother haveing consideratioun of the saidis richtis gaif and dispoit the said erldom of Mar lordschip and regalitie of Gareauche to the said vmquhile Johnne erle of Mar his fader The quhilkis richtis beand tryit be his Maiestie and estaittis of Parliament to be lauchfull valide and sufficient that the samyn mycht be ratifeit approvin and confermit in this present Parliament and the samyn declairit to haif als grite strenth force and effect in the said complenaris persoun as the samyn had or mycht have in the persoun of the said vmquhile Dame Issobell Dowglas or vmquhile Robert erle of Mar lord Erskin hir air and the said Erle of Mar complener to haif full richt thairby as air be progres to his saidis predicessouris to all and haill the saidis landis quhairin the saidis vmquhile Dame Issobell Dowglas countesse of Mar or vmquhile Robert erle of Mar hir air deit vest seisit and retourit Notwithstanding the lenth and diurnitie of tyme quhilk hes intervenit sensyne during the quhilk space he and his predicessouris be the iniquite of the tyme hes bene wranguslie debarrit from the saidis landis and possessioun thairof and to declair be ane Act of Parliament that his richt to

the said erldome lordschip and regalitie and actioun for recovering thair of and possessioun of the samin hes not nor sall not prescrive be the course of the said tyme bot that the said Erle and his airis hes and salhaue als guid richt entres title and actioun in and to the saidis erldome lordschip and regalitie as gif he wer immediat air to the said Dame Issobell Dowglas or to vmquhile Robert erle of Mar lord Erskin hir air or had persewit for the samyn within yeir and day efter thair deceis Notwithstanding onie exceptioun of prescriptioun or laik of possessioun that may be allegeit in the contrair without prejudice alwayes of all vther lauchfull defenss competent to the pairties haveand interes as at mair lenth is contenit in the said supplicatioun Qubilk being hard sene and considerit be his Hienes and estaittis of Parliament and efter diligent tryall and consideratioun had be thame of the richtis and infestmentis quhilkis the said vmquhile Dame Issobell Dowglas had of the said erldom of Mar lordschip and regalitie of Gareache and of the retouris grantit to the said vmquhile Robert erle of Mar and Johnne erle of Mar of the samyn *successiue* and infestmentis grantit to the said Erles fader of the samin erldome and lordschip and of all vtheris writtis abouewrittin mentionat in the said supplicatioun and productit be the said complenair for verefeing of the contentis thair of and thair thairwith being ryplie aduisit oure said Souerane Lord and thre estaittis of Parliament findand the richtis abouespecificit to be lauchfull valide and sufficient to preif and verifie the pointis of the said supplicatioun ratifeis and appreis and confermis the samin And decernis and declairis the foirsaidis richtis to haue als grite force strenth and effect in the persoun of the said Johnne erle of Mar as the samin had or mycht haif in the persone of the said vmquhile Dame Issobell Dowglas or vmquhile Robert erle of Mar lord Erskin hir air and he to have full richt thairby as air be progres to his saidis predicessouris to all and hail the saidis landis quhairin the said vmquhile Dame Issobell Dowglas countesse or vmquhile Robert erle of Mar hir air deit vest saisit and retourit Notwithstanding the length and diuturnitie of tyme quhilk hes intervenit sensyne during the quhilk space the said Erle and his predicessouris be the iniquitie of the tyme hes bene wranguslie debarrit from the saidis landis and possessioun thair of And als decernis and declairis that the said complenairis richt to the said erldome lordschip and regalitie and actioun for recovering thair of and possession of the samin hes not nor sall not prescrive be the course of the said tyme bot

that he and his airis hes and salhaif als gude richt interes title and actioun in and to the saidis erldome lordschip and regalitie as gif the said Erle wer immediat air to the said Dame Issobell Dowglas or to vmquhile Robert erle of Mar lord Erskin hir air or had persewit for the samin within yeir and day efter thair deceeis Notwithstanding ony exceptioun of prescriptioun or laik of possessioun that may be alledgeit in the contrair But preiudice alwayes of all vther lauchfull defens competent to the pairties haveand interes .

Protestatioun of the Laird of Pettaro. ¹ —(29. July 1587.)

The samen day in presence of our Souerane Lord and his thre estaittis of Parliament compeirit Johnne Wischart of Pittaro heretable fewar and immediat tennent to our said Souerane Lord of the landis of Straithdie and Bra of Mar liand within the schirefdome of Abirdene and maist humble lamentit vnto his Maiestie and estaittis foirsaidis That Johnne erle of Mar lord Erskin had procurit a priuilege in this Parliament that na lang prescriptioun suld be proponit contrair him and his pretendit richt of the landis of the erldome of Mar quhairof he allegis the saidis landis of Straithdie and Bra of Mar to be pairt and pertinentis quhilk the said Johnne Wischart of Pittarro allegit wes verie dischargeable to the commoun law and lawis of the realme specialie the samin being propertie to our Souerane Lord and his predicessouris of a lang tyme bipast and his Hienes Aduocat and Comptrol-lair for his interest nather being callit tharto nather yit the said Johnne Wischart of Pittarro haveing speciale interes being certifiert of the samin that he mycht have proponit his allegeances and rychtis competent to him be the law for sustening of his richt And becaus he wes not wairnit to the effect foirsaid nor yit wes now sufferrit to propone aganis the said article quhairupoun the foirsaid priuilege wes grantit at the voitiug thairof / he solemnitlie protestit for remeid and that he mycht be hard to propone his rychtis ressonis and defens quhensoeuir he and his successouris suld happin to be callit vpoun thair richt of the foirsaidis landis of Straithdie and Braa of Mar And als that he mycht be hard to vse his remeid competent befor the estaittis in the nixt Parliament or vtherwys quhen opportunitie of

¹ [From the Acts of the Parliaments of Scotland, vol. iii., p. 476.]

tyme suld be offerrit And thairvpoun the said Johne Wischert of Pittarreskit instrumentis.

Protestatioun of Maister James Elphinstoun of Inuernauchty for the Lord Elphinstoun his fader. ¹—(29. July 1587.)

The quhilk day in presence of oure Souerane Lord and his thre estaittis of Parliament comperit persounallie Maister James Elphinstoun of Inuernauchtie in name and behalff of Robert lord Elphinstoun his fader and protestit solemnntlie that the Act of Parliament past this present day in favour of Johnne erle of Mar lord Erskin anent the erldome of Mar and lordschip and regalitie of Gareauch suld be na hurte nor preiudice to the said Lord Elphinstoun anent his richt and title of the landis and lordschip of Kildrumie and that he nicht be hard to propone his ressonis and defenss quhensaeuir he or his successouris suld happin to be callit vpoun thair richt of the foirsaidis landis and lordschip or ony part thairof And thairvpoun askit actis and instrumentis.

Protestatioun of the Erle of Huntlie for him selff and his freindis. ²—(29. July 1587.)

The quhilk day in presence of our Souerane Lord and his thre estaittis of Parliament comperit persounally George erle of Huntly lord Gordone and Badyenauche lieutenant in the north and protestit solemnntlie that the Act of Parliament past this present day in favour of Johnne erle of Mar lord Erskin anent the erldome of Mar lordschip and regalitie of Gareauche suld be na hurte nor preiudice to the said Erle and his freindis anent thair richtis and titles of qubatsumeuer landis and possessionis within the said erldome and regalitie And that thai nicht be hard to propone thair ressonis and defenss quhensoeuer thai or thair successouris salhappin to be callit vpoun thair richtis of thair saidis landis and possessionis or onie part thairof And thairvpoun askit actis and instrumentis.

¹ [From the Acts of the Parliaments of Scotland, vol. iii., p. 477.]

² [From the Acts of the Parliaments of Scotland, vol. iii., p. 477.]

Erle of Mar *contra* Lord Elphingstoun. ¹—(A.D. 1624.)

Apud Edinburgh vicesimo tertio Julij [1624]. The quhilk day in the actioun and cause of reducioun persewit at the instance of Johne erle of Mar lord Erskyne etc. heretour of the erldome of Mar and lordschipe of Gareoch quhair of the lordschipe of Kildrymmie is proper part and pertinentis and as air seruit and retonrit to vmqubile Dame Issobell Dowglas countes of Mar quha is declairit be Act of Parliament tó haue beine lauchfullie infest in the said erldome and lordschipe And at the instance of Johne lord Erskyne quha is heretable infest and seaseit in all and hail the saidis landis lordschipe and baronie of Kildrymmie At the least quhome the said Erle is obleist to infest theirintill and cessioner and assignay in and to the said actioun of reducioun aganis Alexander lord Elphingstoun Alexander lord Kildrymmie maister of Elphingstoun his sone Dame Elizabeth Drummond lady Kildrymmie his spous TUICHEING the productioun and reducioun off the pretendit chartour and infestment maid and grantit be vmqubile King James the Fourt his Maiesties darrest foirgrandschir to vmqubile Alexander lord Elphingstoun grandschir to the said Alexander now Lord Elphingstoun off all and hail the landis and baronie of Kildrymmie with diuerse vtheris pretendit chartouris infestmentis preceptis instrumentis of seaseing and all vtheris wryttis particularlie libellit all maid and grantit sen the date of infestment maid and grantit be King Robert the Thrid King of Scotland to the said vmqubile Dame Issobell Dowglas countes of Mar quhilk is of the date the tuentie ane day of Januar the yeir of God j^m four hundreth and four yeres off the saidis landis and erldome of Mar and lordschipe of Gareoch quhair of the saidis landis and lordschipe of Kildrymmie with the Castell of Kildrymmie and vtheris conteinit in the said Lord Elphingstounes and his prediessouris infestmentis of the samyne ar proper partis and pertinentis Off quhatsumeuer dates tennour or contentis the saidis pretendit infestmentis chartouris and vtheris wryttis speciallie and generallie libellit callit for to be produceit beis As at mar

[From the Register of Acts and Decrets of the Lords of Council and Session, vol. 383, foll. 294-296, MS. Gen. Reg. House, Edin.]

Cf. Mr. Riddell's Remarks on Scotch Peerage Law, pp. 45-55. Sir Thomas Hope's 'Information of the House of Erskine's right to Kildrumie, being a part of the Earldome of Mar' is printed in the Miscellany of the Spalding Club, vol. v., pp. 273-281.]

lenthe is contenit in the proces depending thairvpoune THE SAIDIS Johne erle of Mar and Johne lord Erskyne his sone perseweris being baith personallie present with Maisteris Thomas Hope and Andro Aytoun thair preloquitouris Quha in the said proces haueing produceit ane chartour and donacioun maid and grantit be the said Dame Issobell Dowglas countes of Mar vndir hir seall of the said erldome of Mar and lordschip of Gareoche, and vtheris landis thairin contenit to the quhilk sche haid richt vpoune hir father and mother syde to Alexander Stewart sone to the Erle of Buchane in frie mariage with the said Dame Issobell and to the aires betuix them quhilkis failyeing to hir lauchfull aires *ex vtraque parte* and quhilk chartour is dated the nynt day of December j^m four hundrethe and four yeires Togidder with ane chartour of confirmatioun and donatioun grantit be King Robert the Thrid in the fyftene yeir of his reigne quhairby he confermis the said chartour maid and grantit be the said Dame Issobell off the saidis landis and erldome of Mar and lordschipe of Gareoche and vtheris thairin contenit to the said Dame Issobell and Alexander in conjuncties And to the aires to be gottin betuix them quhilkis failyeing to returne to the said Dame Issobell hir lauchfull aires of the saidis landis AND THE SAIDIS Alexander lord Elphingstoun and Alexander lord Kyldrinnie maister of Elphingstoun his sone being baith alsua personallie present with Maisteris Thomas Nicolsone eldir and Lues Stewart thair preloquitouris quha also compeirit as procuratouris for the said Dame Elizabeth Drummond spous to the said Alexander maister of Elphingstoun AND ALLEDGEIT that the said Erle of Mar persewer cannot be hard to quarrell that chartour produceit for the pairt of the saidis defenderis and grantit be Issobell Dowglas daittit the tuelff day of August j^m four hundreth and four yeires quhairby sche disponit to the said Alexander Stewart and the aires to be gottin betuix him and hir quhilkis failyeing to hir aires quhatsumeer of the said erldome of Mar and lordschipe of Gareoche with the vtheris landis thairin mentionat Nather that infestment and taillie vndir the great seall off the date in Maij j^m four hundreth and tuentie sex yeires grantit be King James the First to Alexander Stewart and Thomas Stewart his sone and thair aires thairin mentionat vpoun the resignatioun of the said Alexander of the erldome of Mar and lordschipe of Gareoche Becaus na persone can querrell any infestment but he that may succeid to the landis gif the infestment sould fall Bot suth it is that the Erle of Mar cannot succeid to the said erldome of

Mar and lordschipe of Garechoe becaus the infetment produceit be himself for his tytle daitit the nynt day of December j^m four hundrethe and four yeires beares to the aires to be gottin betuix the saidis Alexander and Dame Issobell quhilkis failyeing to hir aires *ex vtraque parte* quhilk the Erle of Mar is not nor cannot be And tharefore he not being *heres ex vtraque parte* quha onlie may suceeid he cannot quarrell the foirsaidis infetmentis maid to the saidis Alexander and Thomas To THE QUHILK it wes ausuerit be the said Maister Thomas Hope proeutor for the said persewer that he hes gude enteres to reduce all infetmentis that may hinder him to atteine to the possessionne of the foirsaidis landis and speciallie that chartour of the late the tuelff day of August j^m four hundrethe and four yeires and that the said persewer hes nawayes libellit vponne that originall chartour beand the aires *ex vtraque parte* bot vponne the foirsaid chartour grantit be King Robert beand failyeing of aires gottin betuix Alexander and Dame Issobell to hir lauchfull aires of the saidis landis conteinit in the said chartour lyikas the said Erle of Mar is air seruit and retourit to the said Dame Issobell Dowglas To THE QUHILK it wes duplyit be the saidis Maisteris Thomas Nicolsoune and Lues Stewart for the pairt of the saidis defendeiris that thair foirsaid allegeaunce standis relevant notwithstanding of the said ansuer in respect that the aires conteinit in that chartour grantit be King Robert the Thrid being ane confirmatioun of the said vther chartour grantit be the said Dame Issobell can be na vther aires bot the aires conteinit in the said chartour conferneit To THE QUHILK it wes triplyit be the said Maister Thomas Hope for the pairt of the said persewer That this chartour grantit be King Robert the Thrid is not ane simple and naked confirmatioun but conteanes also ane donatioun grantit to Dame Issobell and Alexander hir spous and the aires to be gottin betuix them quhilkis failyeing to the said Dame Issobell hir aires of the saidis landis quhilk cleires manifestlie the designatioun of hir lauchfull aires and these wordis in the first chartour *heredibus ex vtraque parte* ar onlie wordis relative to these that preceidis *ex parte patris et ex parte matris* and cannot be confoundit that the landis sall pertene to the airis of the said Dame Issobell attingent to hir both of hir father and mother syde nor yit that the ane half of the landis disponit sould cum to the aires on the father syd and the vther half to the aires on the mother syde Bot that the same mon be vndirstude *respectiue singula singulis videlicet* That the landis that may fall

to the mother sall perteine to hir aires on the mother syde and the landis that perteanes to the father may [perteane] to the aires on the father syde And sua the aires ar weill distinguischet in King Robert his chartour beairand *legitimis heredibus dicte Issobelle terrarum antedictarum* And the said Dame Issobell haucing takin the said chartour with that quality the benefite of the infestment mon cum to hir aires on hir mother syde onlie *videlicet* the Erle of Mar quha is air *ex linea materna* in maner deduceit in his summondis To THE QUHILK it was quadruplyit be the said Maister Thomas Nicolsons for the pairt of the said defender that the wordis *ex vtraque parte* ar not *verba relativa* bot *dispositiva* and man be onlie takin as they stand without ony interpretatioun being in themselfis most cleir And gif ony interpretatioun may be of the aires the principall chartour designeing the aires of successioun to be aires *ex vtraque parte* sould rewill the chartour of confirmatioun thairof quhilk can be of na vther nature nor the principall chartour confermeit seing the confirmatioun hes na wordis dispositive in it nor the wordis *Insuper damus* and thairfore is na originall or mixt chartour bot ane confirmatioun and sould be rewillit and na farder extendit anent the aires of successioun bot to the chartour confirmeit THE QUHILKIS alledgiance ansuer duply triply and quadruply aboue writtin being hard seine and considerit be the saidis Lordis and they thairwith being ryplie advyseit THE LORDIS OF COUNSALL be sentence interloquitour findis and declaires the clause wndirwrittin contenit in the chartour maid be Dame Issobell Dowglas to Alexander sone to Alexander erle of Buchane daittit the nynt day of December j^m four hundrethe and four yeeres *Tenen. et haben. predicto Alexandro et heredibus inter ipsum et nos procreandis quibus forte deficientebus heredibus nostris legitimis ex vtraque parte* to import and meane cleirlye that Dame Issobell Dowglas granter of the said chartour ordaneit the landis quhilkis fallis to hir vpon her father syde in caise of her deceise without children of hir awne bodie sould perteane to hir narrest and richteous air vpon her father syde and that the landis quhilk fell to hir be hir mother sould in caise foirsaid perteane to hir narrest and richteous aires vpon her mother syde Vpon the pronuntiatioun of quhilk interloquitour the said Maister Thomas Hope procurator for the saidis perseweris askit instrumentis .

Letter from King Charles I. to the Lords of Session.¹—(A.D. 1626.)

Right trusty and welbeloued counsellour and right trusty welbeloued Wee etc. Whereas wee are informed that our late deare father of worthie memorie did wreit vnto yow for giving licence to the Lord and Maister of Elphingstone to make choice of an advocat to supplie the place of ours in the action persued by the Earle of Marr and the Lord Erskin his sone against them Wherevpon they made choice of Maister James Oliphant advocat who now maketh some scrupule to compear in that case alleadging that seing it hath pleased God to call to his mercie our said deare father he hath no warrant from vs to that effect And wee being no lesse willing then our said father was to contribute all things that may tend to the speedie advancement of justice Our pleasure is that ye in our name requyre the said Maister James to compear in that cause as our advocat as he hath formerlie done For the which and his former proceedings therein these presents shalbe vnto him a sufficient warrant Whitehall the 9 of Marche 1626.

Letter from King Charles I. to the Lords of Session.¹—(A.D. 1626.)

Right etc. Whereas out of the earnest desyre that wee haue alwise had for the furthering of justice and to avoyed delays wee were weell pleased that yow should requyre Maister James Oliphant to compeare as our advocat in the cause depending betuixt the Erle of Marr and the Lord Elphingstone as he had formerlie doen Yet calling to mynd how our late deare father (in reguarde of his owen interest) did wreit vnto yow heirtofore that he might be acquainted with all the progresse of that action and that yow should see the Marquise of Hamiltoun and the Earles of Angus Niddisdale and Annandale sufficientlie secured from anie harme that might come to them by the successe of the said action And therefore our pleasure is as was formerlie intended by our said late deare father that before the said action be anie further hard the said Marquise and Earles may be secured conforme

¹ [From Secretary Sir William Alexander's Register of Royal Letters, 1626-1631. MS. Gen. Reg. House, Edin.]

to the former letter And likewise that yow acquieint vs with what is doen before onie decreet be pronouced therein nor that yow suffer no decree nor interloquitour to passe herein nor in no other action depending before yow that may preiudge our revocation till yow heare further from vs For doeing whereof these presents shalbe your warrant And so wee etc. Whitehall 17 March 1626.

King Charles I. to the Lords of Session. ¹—(A.D. 1626.)

Right trusty and weelbeloued counsellour and trusty and weelbeloued Wee greete etc. Whereas we were pleased (according as our late deare father formerlie intended) to requyre you that the Marquise of Hamilton the Earles of Angus Nithisdale and Annandale should be sufficientlie secured from anie harme that might come vnto them by the successe of the action depending before yow betwene the Earle of Mar and the Lord Elphingstone And that yow should not suffer any decreit or interloquitur to passe therein that might preiudge vs in our revocation But since being informed that the said Erle of Mar is willing to satisfie our pleasure in these demandes by making a lawfull renunciation to the said Earles of Nithisdale and Annandale agreeable in all points to the lettre directed by our said late deare father in favours of the said Marquise and Earle of Angus as also that the said Erle of Mar hath made declaration in judgement that no interloquitur or decreit that shall happen to be given in the said action shall preiudge vs in our said revocation Therefore out of the earnest desire that wee haue alwise had for the furthering of justice and avoyding delays our pleasure is (notwithstanding anie former direction concerneing the same) that with all convenient expedition after the perfecting of the said renunciation or any other wrett that may lauchfullie secure the said Earles of Nithisdale and Annandale yow proceede to putt a final end to the said action as you shall find the equitie thereof in justice to requyre Which earnestly recommending wnto your care wee bid etc. Whythall the 5 of May 1626.

¹[From Secretary Sir William Alexander's Register of Royal letters, 1626-1631. MS. Gen. Reg. House, Edin.]

Erle of Mar *contra* Lord Elphingstoun. ¹—(A.D. 1626.)

Apud Edinburgh primo Julij 1626 . Sederunt Domini Sessionis Cancellarius / Forresterseat / Kilsyth / Reidhous / Inuerteill / Durie / Inuerpeffer / Chesteris / Newhall / Balmanno / Kilcreneht / Lawriestoun / Newabay / Prestoingrainge . In the actioun and caus persewit at the instance of Johne erle of Mar lord Erskeine etc. quha is heretable infest be our Souerane Lordis vmquhill darrest father of worthie memorie King James the Sext in all and hail the erldome of Mar and lordschipe of Garrioche Off the quhilk erldome and lordschipe the landis and lordschipe of Kildrynnie with the castell of Kildrynnie and vtheris eftir specifeit ar propper pairtis and pertinentis And quha is air seruit and retourit to vmquhill Johne erle of Mar his father quha hes chartour of the said hail erldome and lordschipe as air of bluid to vmquhill Dame Issobell Dowglas countes of Mar his predecessour be vmquhill Queine Marie our said Souerane Lords darrest gnddame of worthie memorie ratefeit in Parliament Quhilk vmquhill Dame Issobell Dowglas countes of Mar was alledgit maker and granter of the infestmentis and richtis efterspecifeit and als was heretable infest in the said erldome of Mar castell of Kildrynnie and lordschipe of Garrioche with tennentis tennendreis and service of frie tennentis of the saidis erldome and lordschipe with the advocatioun donatioun and richt of patronage of the kirkis thairof And als at the instance of the said Johne erle of Mar as air seruit and retourit to the said vmquhill Dame Issobell Dowglas and as air to the said vmquhill Johne erle of Mar his father quha was air to vmquhill Robert erle of Mar his foirgrandsiris father Quhilk vmquhill Robert erle of Mar was seruit and retourit air to the said vmquhill Dame Issobell Dowglas countes of Mar Lykas be speciall Act of Parliament maid be our said Souerane Lordis vmquhill darrest father and his Maiesteis thrie estatis in the moneth of Julij the yeir of God j^m v^o fourscoir sevin yeires it is fundin and declarit that the said vmquhill Dame Issobell Dowglas countes of Mar was lauchfullie infest in the said erldome and lordschipe And that the said vmquhill Robert erle of Mar lord Erskeine to quhom the said Johne erle of Mar is air be progres as said is

¹ [From the Register of Acts and Decrees, vol. 394, foll. 216-238, MS Gen. Reg. House, Edin.]

was seruit and retourit air to the said vmquhill Dame Issobell Dowglas countes of Mar And that the said Johne now erle of Mar as narrest and vndoubtit air of blud to hir hes guid and indoubtit richt to all landis and heretages quhairin scho deid infest And als the said Johne erle of Mar as air immediatlic or be progres to the said vmquhill Robert erle of Mar in quhais prejudice the decreit reductive and sentence negative efterspeifeit ar gevin and prouidit and thairby the said Johne erle of Mar haveing guid and indoubtit richt actioun and intres to persew the actioun of reduction and declaratour efermentionat And siclyk at the instance of Johne lord Erskeine quha is heretable infest and seasit be the said Johne erle of Mar his father in all and haill the saidis landis and barronie of Kildrymmie and vtheris particular landis mylnis fisching's and vtheris efterspeifeit Att the leist quhome the said Johne erle of Mar his father is obleist to infest thairin and quhome he hes maid cessioner and assigney in and to all actioun of reduction and improbatoun competent to him for reduceing and impreivinge of quhatsumevir infestmentis richtis and titillis of the saidis landis barronie and vtheris efterspeifeit AGANES Alexander lord Elphingstoun Alexander lord Kildrymmie master of Elphingstoun his sone Dame Elizabeth Drummond lady Kildrymmie his spous pretendit heretable proprietaris conjunct-fearis or lyferenteris *respective* of the saidis landis and barronie of Kildrymmie castell of Kildrymmie and vtheris efterspeifeit contenit in the infestmentis maid to thame and thair predecessouris efermentionat And the said Alexander lord Elphingstoun as air at the leist appeirand air to his saidis predecessouris efterspeifeit to quhome the infestmentis and richtis efermentionat ar maid and grantit And the saidis Alexander lord Elphingstoun and Alexander lord Kildrymmie his sone as successouris *in rem* and be progres in the richt of the saidis landis and lordschipe of Kildrymmie and vtheris foirsaidis to vmquhill Alexander erle of Mar and Thomas Stewart styllit Erle of Buchane his sone to quhome the pretendit infestmentis efterspeifeit was maid and grantit be the said vmquhill Dame Issobell Dowglas countes of Mar and be vmquhill King James the First our Souerane Lordis predecessour of worthie memorie *respective* Sir Archibald Naper of Merchingstoun knycht our said Souerane Lordis thesaurer and comptroller depute Sir Williame Oliphant of Newtoun knycht his Majesteis advocat and Maister James Oliphant of Mwrehous his Heines advocat depute in the actioun and caus efer speifeit as representinge his Majestie for his

Heines entres in sa far as his Majestie hes or may pretend richt to the saidis landis and lordschipe of Kildrymmie and vtheris efterspecificit as being ane pairt of the erldome of Mar and lordschipe of Garrioche and that as apperand air of bluid to the said vmquhill Alexander erle of Mar or to the said vmquhill Thomas Stewart stylit Erle of Buchane his sone or as air of blude to ony vtheris his Majesteis predecessouris and as haveing or pretending rycht to the saidis landis and lordschipe of Kildrymmie and vtheris efterspecificit as air of provision to the said vmquhill Alexander erle of Mar and his said vmquhill sone or ather of thame or as haveing rycht thairto be bastardrie last air or vtherwaves quhatsumeir Sir Johne Hammiltoun of Magdalandis knycht clerk of registre and Johne Scott of Scottistarvet kyncht directour of the chancerie as representing our said Souerane Lord for his Majesteis interes foirsaid in sa far as his Heines or ony of his Majesteis predecessouris hes or may pretend richtis and titillis quhatsumeir maid to his Heines or to his Majesteis predecessouris foirsaidis be the said vmquhill Dame Issobell Dowglas countes of Mar or be the said Johne erle of Mar lord Erskeine and Garrioche etc. or his predecessouris efterspecificit or in sa far as ony decreittis and sentences was gevin and pronuncit in favouris of our said Souerane Lordis predecessouris Off and concerninge the saidis landis lordschipe and vtheris foirsaidis aganes the said vmquhill Dame Issobell Dowglas countes of Mar or aganes vmquhill Robert erle of Mar lord Erskeine or vmquhill Thomas lord Erskeine his sone as aires at the leist apperand aires to the said vmquhill Dame Issobell Dowglas countes of Mar And the said Clerk of Registre as presumeit to be havear of the foirsaidis baill richtis titlis decreittis sentences and vtheris aboue specificit maid to his Majesteis predecessouris foirsaidis obtenit at thair instance or conceavit in thair favouris Johne Gordoun of the Craige of Auchindor George Gordoun of Torpersie Margaret Ogilvie his spous Johne Forbes of Brux Patrik Forbes of Balquhainey George Forbes of Skellatour Alexander Forbes of New George Elphingstoun of Bellibeg Sir Adame Gordoun of Park Maister James Elphingstoun of Barnes James Reid of Newmylnes Alexander Gordoun of Blelock and all vtheris haveing or pretending to have entres in the matter vnderwrittin TUCHINGE the exhibition bringinge and production with thame befor the Lordis of Counsall off the pretendit chartour and infestment maid and grantit be vmquhill King James the Fourt our Souerane Lordis darrest foigrandsir of worthie

memorie to vñquhill Alexander lord Elphingstoun grandsir to the said Alexander now lord Elphingstoun of all and haill the landis and barronie of Kildrymmie with the tour and fortalice thair of advocatioun and donatioun of the kirkis of the samyne of the dait the day of the yeir of God j^m v^e yeires Ane vther pretendit chartour and infestment maid and grantit be our said Souerane Lordis vñquhill darrest foirgrandsir of worthie memorie to the said vñquhill Alexander lord Elphingstoun of the landis of Inuernochtie Glennochtie Ledmakie Culquhony Culquhory Meikle and Litle Migvie Tulliperne Blalak Duncanstoun Glengarstoun Rochinvirell Tilliphour Bellibeg the forrest of Corgurthe Finlos Balmabothie Balquhonie Glenbuchat Kilbethok Belthomar Tulliskeithe Tulloalliche Badynyon Kilwalloche Clova Coriknuan Comptelache Braidsehaw Aschmillan Glenlos Kinkelunie with the pertinentis off the dait the day of the yeir of God j^m yeires Quhilkis particular landis ar propper pairtis and pertinentis of the saidis landis and barronie of Kildrymmie att the leist of the said erldome of Mar and lordschipe of Garrioche quhair of the said barronie of Kildrymmie and particular landis foirsaidis ar propper pairtis and pertinentis Togidder with the preceptis and instrumentis of seising following thairvpoun Togidder alsua with all and sindrie vtheris pretendit infestmentis chartouris instrumentis of seising takis assedatiounis rentallis and vtheris pretendit richtis titlis and securiteis quhatsumeuir maid and grantit to the saidis defenderis or to ony of thame Or to vñquhill Robert lord Elphingstoun father to the said Alexander now lord Elphingstoun Or to vñquhill Alexander lord Elphingstoun his guidesir Or to the said vñquhill Alexander lord Elphingstoun his grandsir Or to vñquhill Sir Johne Elphingstoun of Pettindreiche knycht his foirgrandsir Or to ony vtheris thair predecessouris to quhome they may succed *jure sanguinis* Be our Souerane Lordis vñquhill darrest father his Majesteis vñquhill darrest guddame Marie Queine of Scotland vñquhill King James the Fyft of worthie memorie his Majesteis darrest grandsir Or be the said vñquhill King James the Fourt of worthie memorie his Heines darrest foirgrandsir Or be vñquhill King James the Thrid of worthie memorie our Souerane Lordis darrest foirgrandsiris father Or be vñquhill King James the Secund of worthie memorie his Majesteis darrest foirgrandsiris guidesir Or be vñquhill King James the First of worthie memorie his Heines

darrest foirgrandsiris grandsir Or be vmquhill King Robert the Thrid of worthie memorie his Majesteis foirgrandsiris foirgrandsir And siclyk the saidis defenderis and the saidis thesaurer and comptroller depute advocattis and clerk of registre for our Souerane Lordis interes to have brocht with thame exhibite and producit befor the saidis Lordis of Counsall the pretendit chartour and infestment alledgit maid and grantit be the said vmquhill Dame Issobell Dowglas countes of Mar to the said vmquhill Alexander erle of Mar his aires and assigneyis eftermentonat quhairby the said vmquhill Dame Issobell is alledgit in hir puire vidowitie to have gevin grantit and disponit to the said vmquhill Alexander erle of Mar styllit in the said pretendit infestment Alexander Stewart eldest sone to Alexander Stewart erle of Buchane in respect of mariage to have bene solempnizit betuix the said vmquhill Dame Issobell and him All and hail the said erldome of Mar and lordschipe of Garriochie with certane vtheris landis mentionat in the said chartour to be haldin to the said Alexander erle of Mar and the aires lauchfullie to be gottin betuix him and the said vmquhill Dame Issobell quhilkis failyeinge to his aires and assigneyis quhatsumeuir Siclyk and als frielie as the said vmquhill Dame Issobell or hir predecessouris erles of Mar held the samyne of before For payment to our Souerane Lordis predecessouris Kingis of Scotland of service vseit and wount Quhilk is of the dait the tuelff day of August j^m four hundrethe and four yeires And quhilk chartour was alledgit vsit and producit be vmquhill King James the Secund our Souerane Lordis foirgrandsiris guid-sir of worthie memorie and be vmquhill George bischope of Brechine his chancellor aganst the said vmquhill Thomas lord Erskeine sone to the said vmquhill Robert erle of Mar in the pretendit service negative efterspecifeit And quhilk pretendit chartour is extant in our Souerane Lordis registre as registrat be speciall command of the said vmquhill King James the Thrid our Souerane Lordis foirgrandsiris father of worthie memorie vpouu the sexteine day of Apryll the yeir of God j^m four hundrethe thriescoir sextene yeres Togidder with the pretendit confirmation of the said pretendit chartour grantit be vmquhill King Robert the Thrid or be vmquhill King James the First our Souerane Lordis predecessouris of worthie memorie With all vtheris chartouris and infestmentis alledgit maid and grantit be our Souerane Lordis prediecessouris foirsaidis King Robert the Thrid and King James the First to the saidis vmquhill Alexander erle of Mar and Thomas Stewart

his sone of the said erledome and lordschipe ather originall or vpoun the resignatioun of the said vmquhill Dame Issobell Dowglas or of the said vmquhill Alexander erle of Mar And speciallic the pretendit chartour vnder the great seill maid and grantit be the said vmquhill King James the First of worthie memorie our Souerane Lordis foirgrandsiris grandsir beiring that he gave grantit and disponit the said erledome of Mar and lordschipe of Garrioche to the said vmquhill Alexander erle of Mar in lyfrent and to the said vmquhill Thomas Stewart his sone and to the aires mail lauchfullie to be gottin of his bodie in fie quhilkis failyeinge to returne to the said vmquhill King James the First our Souerane Lordis foirgrandsiris grandsir Quhilk chartour beires that the saidis landis erldome and lordschipe pertenet heretablie of befoir to the said vmquhill Alexander erle of Mar and the said vmquhill Thomas his sone and war resignit be thame in the handis of our said Souerane Lordis foirgrandsiris gransir King James the First And quhilk chartour is of the dait the tuentie aucht day of Maij the yeir of God j^m four hundreth tuentie sex yeres And siclyk to have brocht and producit with thame befoir the saidis Lordis of Counsall the pretendit decreit and doome of justice court or lettres patentis and testimoniall alledgit gevin furthe be vmquhill Johne lord Lyndsay of the Byres justice for the tyme vpoun the north syde of the watter of Forthe and be vmquhill Walter Lyndsay of Kilbraehmont as schireff of the schirefdome of Abirdeine for the tyme in name of vmquhill Dauid erle of Crawford and his tutouris schireff principall of the schirefdome of Abirdene beiring that vpoun the fyft day of November the yeir of God j^m four hundreth fyftie sevin yeires within the brucht of Abirdeine in the justice air baldin within the said brucht in presens of vmquhill our said Souerane Lordis foirgrandsiris guidisir King James the Secund of worthie memorie and of vtheris lordis prelattis and barrones comperit James Skene of that Ilk James Mowat of Leseragie Andro Buchane Thomas Allardes of that Ilk Ronald Cheyne of that Ilk Walter Barelay of Towie and Johne Skrogis elder as they quha war summondit be vertew of ane summondit furthe of our Souerane Lordis chappell to compeir at ane certane day of the said justice air befoir our said Souerane Lordis vmquhill darrest foirgrandsiris guidisir King James the Secund and his counsall to answer vpoun the erronious and vnjust serveing and retouring of ane breiff raisit furthe of our Souerane Lordis chaneellarie be vmquhill Robert lord Erskene for

serveinge of him as narrest and lauchfull air of the landis and erldome of Mar And siclyk beiringe that at the said day compeirit Thomas lord Erskene in presens of our Souerane Lordis vmquhill darrest foirgrandsiris guidsir and of his counsall thairin exprest And that the saidis persones being vpon the said inqueist was partiueclarlie examinat and deponit contrair to the said service and grantit that they had committit error in serueinge of the said vmquhill Robert lord Erskene to the said erldome of Mar and half of the samyne And that thairfoir they come in the will of our Souerane Lordis vmquhill darrest foirgrandsiris guidsir and askit him pardoun thairfor And als beiring that the said vmquhill Thomas lord Erskene being personallie present was interrogat and askit be the said vmquhill George bishope of Brechine chancellor to our Souerane Lordis vmquhill darrest foirgrandsiris guidsir that seing the said lord Erskene had oft and dyuers tymes of befoir in Parliamentis conuentiounis and generall counsallis cravit justice to be done to him be our said vmquhill Souerane Lordis darrest foirgrandsiris guidsir in his right to the said erldome of Mar and to have breives of inqueist direct furthe of the said chancellarie for serueinge of him thairin that the said lord Erskene sould now give ansuer gif he wald haue breives direct to him for that effect Lykas the said Lord Chancellor for him self and in name and beha'ff of our Souerane Lordis said vmquhill darrest foirgrandsiris guidsir spak and pronuncit thir wordis oppinlie in the audience of the said vmquhill Thomas lord Erskene *I as Chancellor and in our Souerane Lordis name giff and offer to yow Thomas lord Erskene ane breiff of inqueist with the executioun of justice to be done to yow thairin vpon the saidis landis and erldome of Mar sua that ye have na just cause to complene of his Majestie nor of me his Chancellor for refuseing and denyng of justice* Quhairvpon the said Lord Chancellor askit instrumentis in the handis of Thomas Broun nottar And that the said vmquhill Thomas lord Erskene haveinge removit to advyse gif he wald than presentlie tak and accept ane breif returnit againe in court and being ryplie advysit tuik and acceptit in his awin handis the said breif for executioun thairof to be done without farder continuatioun And als beiringe that certane persones of inqueist war ehosin be consent of the said Thomas lord Erskene to pas vpon the serueinge of the said brief of inqueist quha war solemnlie suorne And that the said vmquhile Thomas lord Erskene compeirand personallie with

his proentouris desyrit the said breif of inqueist to be publicklic red And thairefter affirmet that vniquhile Robert lord Erskene his father died last vest and seasit in the half of the said erldome of Mar and that he is narrest and lauchfull air to his said vniquhile father in the samyne and that he is of lauchfull aige and that the samyn landis war in our Souerane Lordis said vniquhill foigrandsiris guidisiris handis be the deceis of the said vniquhill Robert lord Erskene his father in default of the said vniquhile Thomas lord Erskene his sones not perseweinge of his richt and that be the space of four yeires preceedinge And it was ansuerit thairto be the said vniquhill Lord Chancellor in name of our Souerane Lordis said vniquhill darrest foigrandsiris guidisir that the contrair of the said clame was trew *videlicet* That the said vniquhill Robert lord Erskene died not last vest and seasit in the saidis landis becaus the said vniquhill King James the Secunl our Souerane Lordis foigrandsiris guidisir was in possession thairof be the deceis of the said vniquhill King James the First of worthie memorie his father Nixt that albeit the said Thomas lord Erskene be air to the said vniquhill Robert lord Erskene his father yett he could not be air to him of the saidis landis and erldome and the samyne landis war in the handis of our Souerane Lordis vniquhill darrest foigrandsiris guidisir not be the deceis of the said Robert lord Erskene bot as his propertie and heretage becaus the said vniquhill King James the First his father diet in the possession thairof and that thairfoir the said vniquhill King James the Secund his sone receuit seising and investure thairof be ressaveinge of the crown of the kingdome Thridlie that the said Lord Erskene did not tuiche the said vniquhill Dame Issobell Dowglas countes of Mar in ony degrie of consanguinitie and that thair is nane leivand that can compt and rackin the samyne Fourtlic giveand he war narrest air to the said vniquhill Dame Issobell yett he cannot be seruit air to hir in the saidis landis and erldome becaus efter hir deceis vniquhill Thomas Stewart erle of Buchane was infest thairin Lykas efter his deceis the Countes of Buchane was seruit to ane terce of the said erldome Fyftlie the service and retour of the said vniquhill Robert lord Erskene to the said vniquhill Dame Issobell Dowglas was null becaus the samyne was not seruit vpoun fourtie dayes space and becaus vniquhill Alexander Forbes schireff of Abirdene befoir quhom the samyne was seruit procedit thairin notwithstanding of the

discharge and prohibitioun maid to him in plaine court be virtew of lettres direct at the instance of our Souerane Lordis said vnuquhill darrest foirgrandsiris guidsir of worthie memorie And als his Majesteis said vnuquhill darrest foirgrandsiris guidsir was not adverteisit of the dyett to the effect he micht have had his richtis and counsall present to oppone aganes the samyne And geving all thes thingis had bene lauchfullie done yitt the said service was null becaus he ane speciall Act of Parliament maid be the thrie esteatis of this realme it was statute and ordanit That the said vnuquhill King James the Secund our Souerane Lordis foirgrandsiris guidsir sould remaine in possession of the haill landis quhairin King James the First his father diet last in possessioun to his perfyte aige Quhilk Act was according to the common law and practise of this realme quhairby na barroun dureing his minoritie may be compellit to dispute vpoun his heretage And thairfoir meikle less micht the said vnuquhill King James the Secund our Souerane Lordis foirgrandsiris guidsir be repellit fra his heretage dureinge his minoritie And als beiringe that thairefter the said vnuquhill Thomas lord Erskene producit ane chartour of the saidis landis and erldome of Mar grantit to the said vnuquhill Dame Issobell Dowglas his predecessour Quhilk being oppinlie red the said Lord Chancellor producit for the pairt of our Souerane Lordis said vnuquhill darrest foirgrandsiris guidsir ane chartour tailyie maid be the said vnuquhill Dame Issobell Dowglas countes of Mar in hir puire vidowitie to the said vnuquhill Alexander erle of Mar hir husband and the aires to be gottin of his bodie quhilkis failyeing to his aires quhatsumeuer off the saidis landis and erldome Quhilk chartour was anterior to the vther And that our Souerane Lordis said vnuquhill foirgrandsiris guidsir was narrest and lauchfull air to the said vnuquhill Alexander in respect he died bastard And last beiring that the saidis persones of inqueist haveing hard and considerit the foirsaidis haill allegatiounis efter lang and mature deliberatioun gaif furth decreit and sentence according to the letter of retour thairefter subjoyned And that in faythe and witness of the premiss the seallis of the saidis judges and schireff togidder with the seallis of sum of the Lordis that war present at the said justice air togidder with the subscriptionis of the nottaris publieit Johne Layng Thomas Broun and John Tailyefeir war appendit of the dait the said fyft day of November j^m four hundrethe fyftie sevin yeires

Togidder with the pretendit service thairto subjoynd of the dait the said fyft day of November the samyne yeir beiring that the persones followinge *videlicet* Williame erle of Erroll Alexander lord Montgomerie Johne lord Lyndsay of the Byres George lord Leslie Robert lord Flemynge Sir Williame Leslie of Balwhan Alexander Home of that Ilk Walter Stewart of Strathoun Johne Ogilvie of Lintrethin Walter Ogilvie of Deskfuird knychtis Walter Barclay of Towie Alexander Fraser of Philorthe Alexander of Dumbar James Skene of that Ilk Andro Buchane Alexander Menyeis Robert Cheyne Richard Vaus David Dempstere of Vehterles Johne Skrogis and Thomas Allardes in ane schireff court baldin within the tolhuithe of the brught of Abirdene befor the said Walter Lyndsay of Kilbrachmont schireff depute of the said schirefdome vpoun the said fyft day of November j^m foure hundrethe fyftie sevin yeires being sworne Fand that the said vmquhill Robert lord Erskene father to the said vmquhill Thomas lord Erskene died not last vest and seasit in the said erldome of Mar or halff of the samyne And that the saidis landis war in the handis of our Souerane Lordis said vmquhill foirgrandsiris guidsir be deceis of his said vmquhill father King James the First And in faythe and witnes tharof that the seill of the said schireff depute togidder with the seillis of ane certane number of the said inqueist war appendit to the said service Or of quhatsumeir vther dait or daittis the said pretendit service decreit or testimoniall be of Togidder with the pretendit retour give ony be following vpoun the said pretendit service of the dait foirsaid or of quhatsumeir vther dait or daittis the samyne be of And als tuitcheinge the bringing exhibitioun and production be the saidis defenderis befor the saidis Lordis of Counsall off all and sundrie the pretendit infetmentis chartouris Actis of Parliament inhibitionis and vtheris writtis and titillis vseit and productit in the said pretendit service negative and proces thairof abouespecefeit for the part of our Souerane Lordis said vmquhill foirgrandsiris guidsir King James the Secund And siclyk the said haill defenderis and his Majesteis thesaurer and comptroller depute advocattis and clerk of registre for his Heines enteres to haue brocht exhibite and productit with thame befor the saidis Lordis of Counsall all and quhatsumeir vtheris pretendit infetmentis chartouris preceptis instrumentis of seising confirmatiounis renuntiatiounis and vtheris pretendit richtis titlis and securiteis quhatsumever alledgit

maid and grantit be the said Johne erle of Mar lord Erskene etc. or be the said vmquhill Johne erle of Mar his father or be vmquhill John lord Erskene his guidsir or be vmquhill Robert lord Erskene his grandsir or be vmquhill Thomas lord Erskene his foirgrandsir or be the said vmquhill Alexander lord Erskene his foirgrandsiris father or be the said vmquhill Robert erle of Mar lord Erskene his foirgrandsiris guidsir or be the said vmquhill Dame Issobell Dowglas countes of Mar to the said vmquhill Alexander erle of Mar or to the said vmquhill Thomas Stewart stylit erle of Buchane his sone or to our Souerane Lord or to ony of his Majesteis predicessouris foirsaidis Kingis of Scotland sen the dait of the infeftment maid and grantit be our Souerane Lords predecessour King Robert the Thrid King of Scotland to the said vmquhill Dame Issobell Dowglas countes of Mar quhilk is of the dait the tventie ane day of Januar the yeir of God j^m four hundrethe and four yeires off the saidis landis and erldome of Mar and lordschipe of Garriochie quhair of the saidis landis and lordschipe of Kildrymmie with the castell of Kildrymmie and vtheris landis abouespecifeit contentit in the pretendit infeftmentis grantit to the said Alexander lord Elphingstoun and his predecessouris ar propper partis and pertinentis off quhatsumever daittis tennour or contentis the saidis pretendit infeftmentis chartouris and vtheris writtis speciallie and generallie abouespecifeit callit for to be producit be of TO HAVE BENE seine and considderit be the saidis Lordis of Counsall and to have hard and seine the saidis hail pretendit chartouris infeftmentis confirmatiounis decreitits testimoniallis services retoures and vtheris generallie and particularlie abouespecifeit callit for to be producit as said is And speciallie the saidis pretendit chartouris and infeftmentis grantit to the said vmquhill Alexander erle of Mar and to the said vmquhill Thomas Stewart his sone of the daittis tennouris and contentis foirsaidis to bene reducit retreitit rescindit cassit adnullit decernit and declarit to haue bene fra the beginninge and to be now and in all tyme cumming null and of nane avall force nor effect with all that hes followit or may follow thairvpoun And that in sa far as the samyne may be extendit to the saidis landis and lordschipe of Kildrymmie castell of Kildrymmie and the haill vther particular landis abouespecifeit contentit in the infeftmentis foirsaidis grantit to the saidis Alexander lord Elphingstoun Alexander lord Kildrymmie his sone and thair predecessouris aboue mentionat And als to have hard and seine it

bene fund and declarit that notwithstanding thair of the vndoubtit heretable richt of the saidis landis and lordschipe of Kildrymmie with the castell of Kildrymmie and haill vtheris landis abouespecifeit contenit in the said Lordis Elphingstoun and Lord Kildrymmie his sone and thair predeicessouris infetmentis quhilkis ar propper partis and pertinentis of the said erldome of Mar and lordschipe of Garriochie remanit in the persone of the said vmquhill Dame Issobell Dowglas countes of Mar And consequentlie to have hard and seine it bene fund and declarit that our Souerane Lordis said vmquhill foirgrandsiris grandsir King James the First of worthie memorie be the deceis of the said vmquhill Alexander erle of Mar or of the said vmquhill Thomas Stewart his sone acqyrit na richt of propertie of the saidis landis and lordschipe of Kildrymmie castell of Kildrymmie and vtheris abouespecifeit bot onlie ane simple and nakit possessioun vpoun ane pretendit richt or title of last air or bastardrie of the said vmquhill Alexander erle of Mar or vpoun the pretendit title of the provisioun of tailye contenit in the infetmentis grantit to the said vmquhill Thomas Stewart And that efter the deceis of the said vmquhill King James the First our Souerane Lordis foirgrandsiris grandsir the possessioun apprehendit or continuit be the said King James the Secund of worthie memorie our Souerane Lordis foirgrandsiris guidesir be his coronacioun or be ordinance and Act of Parliament ordaineing his Majesteis said vmquhill darrest foirgrandsiris guidesir King James the Secund to remaine and continew in the possessioun of all landis and heretages quhilik the said vmquhill King James the First his father had in possessioun the tyme of his deceis till his lauchfull aige was of the nature and qualitie of the said possessioun apprehendit be the said vmquhill King James the First his father And sua ane nakit and simple possessioun without all richt of propertie Quhilik being sua fund and declarit and the foirsaidis pretendit infetmentis reducit as said is the saidis haill defenderis and our Souerane Lordis thesaurer and comptrollar depute advocattis and clerk of registre for his Majesteis intres to have hard and sene the said pretendit service negative Quhairby it is alledgit to be fund that the said vmquhill Robert erle of Mar diet not last vest and seisit in the said erldome of Mar and lordschipe of Garriochie bot that the samyne war lauchfullie in the handis of our Souerane Lordis said vmquhill darrest foirgrandsiris guidesir King James the Secund be the deceis of the said vmquhill King James the First his father and continuallie fra

the tyme tharof as haveing na vther ground nor fundament bot the saidis-pretendit infeftmentis grantit to the said vñquhill Alexander erle of Mar and the said vñquhill Thomas Stewart his sone with the pretendit possessioun apprehendit be the said vñquhill King James the First our Souerane Lordis foigrandsiris grandsir or efter his deceis be the said vñquhill King James the Secund his Majesteis foigrandsiris guidisir of worthie memorie with the said pretendit Act of Parliament maid for continuatioun of his possessioun to his perfyte aige Decernit and declarit to be null and of nane availl with all that hes followit or may follow thairvpoun and to fall *in consequentiã* For the ressones and caussis following

IN THE FIRST becaus all the saidis pretendit infeftmentis charteris preceptis instrumentis of seising and vtheris richtis and securiteis abouespecifeit callit for to be producit and speciallie the saidis infeftmentis maid and grantit to the said Alexander lord Elphingstoun and the said Alexander lord Kildrymmie his sone and to thair predicessouris abouespecifeit of the saidis landis and lordschipe of Kildrymmie castell of Kildrymmie and remanent landis and vtheris abouementionat contenit in the pretendit infeftmentis foirsaidis maid to thame as said is war maid and grantit be our said vñquhill Souerane Lorde of worthie memorie King James the Sext and his Majesties predicessouris foirsaidis and speciallie be the said vñquhill King James the Fourt our Souerane Lordis darrest foigrandsir quba had na power to grant the samyne In sa far as it is of veritie that lang befor the dait of the saidis pretendit infeftmentis oure said vñquhill Souerane Lord King James the Sext and his Majesteis predecessouris war denudit of the heretable richt and propertie of the saidis landis and erldone of Mar and lordschipe of Garreoche with the said castell of Kildrymmie and donacioun of the kirkis of the samyne qubairof the saidis landis and lordschipe of Kildrymmie with the remanent particular landis and vtheris aboue specifeit contenit in the saidis pretendit infeftmentis grantit to the said Alexander lord Elphingstoun and his said sone and thair saidis predicessouris ar propper pairtis and pertinentis in favouris of the said vñquhill Dame Issobell Dowglas countes of Mar and of the said vñquhill Alexander erle of Mar hir spous and of the langest leiver of thame tua and of the aires to have bene gottin betuix thame quhilis failyeing to the said vñquhill Dame Issobell Dowglas hir aires as the infeftment maid to thame be the said vñquhill King Robert the Thrid our Souerane Lordis predecessour

of worthie memorie vnder his Majesteis great seall off the dait the said tuentie ane day of Januar the said yeir of God j^m four hundrethe and four yeires at mair lenth proportis Lykas the said vmquhill Robert erle of Mar (to quhome the said Johne erle of Mar is air be progres) was seruit and retourit air to the said vmquhill Dame Issobell Dowglas countes of Mar In the quhilk retour it is fund that the said vmquhill Dame Issobell diet last vest and seasit as of fie in the said erldome and lordschip Lykas be our Souerane Lordis vmquhill darrest fatheris speciall Act of Parliament maid be his vmquhill Majestie and his Heines esteatis in the moneth of Julij the yeir of God j^m v^e fourscoir sevin yeires forsaid it is fundin and declarit that the said vmquhill Dame Issobell Dowglas countes of Mar was lauchfullie infest in the said erldome of Mar and lordschipe of Garrioche And that the said vmquhill Robert erle of Mar was seruit and retourit air to hir in the said erldome and lordschipe And that the said Johne now erle of Mar is richteous and vndoubtit air of bluid to the said vmquhill Dame Issobell Dowglas in all landis and heretages quharin scho diet infest Lykas the said Johne erle of Mar is seruit and retourit as air to the said vmquhill Dame Issobell in the moneth of _____ the yeir of God j^m v^e fourscoir aucht yeires And thairfoir all the saidis pretendit infestmentis chartouris preceptis instrumentis and seisingis and vtheris richtis foirsaidis aucht and sould be reducit retreitit rescindit cassit annullit decernit and declarit to have bene fra the beginning and to be now and in all tyme cuming null and of nane avail force nor effect with all that hes followit or may follow thairvpoun SECUNDLIE the said pretendit infestment alledgit maid and grantit be the said vmquhill Dame Issobell Dowglas countes of Mar to the said Alexander erle of Mar and his aires quhatsumeuir daitit the said tuelff day of August the said yeir of God j^m four hundrethe and four yeires togidder with the said pretendit infestment grantit be our said Souerane Lordis said vmquhill darrest forgrandsiris grandsir King James the First to the said vmquhill Alexander erle of Mar in lyfrent and to the said vmquhill Thomas Stewart his sone and to the aires maill to be gottin of his bodie in fie quhilkis failyeing to returne to our Souerane Lordis said foirgrandsiris grandsir King James the First and his successouris off the said erldome of Mar and lordschip of Garrioche aucht and sould be reducit retreitit and rescindit with all that hes followit or may follow thairvpoun in sa far as the samyne may be extendit to the saidis landis and lordschip of Kildrymmie

castell of Kildrymmie and remanent landis foirsaidis contenit in the saidis pretendit infetmentis grantit to the said Alexander lord Elphingstoun and his said sone and thair predicessouris And als it aucht and sould be fund and declarit that notwithstanding thair of the vndoubtit heretabill richt of the saidis landis and lordschipe of Kildrymmie with the castell of Kildrymmie and baill vtheris landis abouenameit contenit in the said Lord Elphingstoun and his said sone and thair saidis predecessouris infetmentis quhilkis ar propper partits and pertinentis of the said erldome of Mar and lordschipe of Garrioche remanit in the persone of the said vmquhill Dame Issobell Dowglas countes of Mar And consequentlie that our Souerane Lordis said vmquhill foirgrandsiris grandsir King James the First of worthie memorie be the deceis of the said vmquhill Alexander erle of Mar or of the said vmquhill Thomas Stewart his sone acqyrit na rycht of propertie to the saidis landis and lordschipe of Kildrymmie castel of Kildrymmie and vtheris abouespecifeit bot onlie ane simple and nakit possessioun vpoun ane pretendit richt or title of last air or bastardric of the said vmquhill Alexander erle of Mar or vpoun the pretendit title of provision of tailye contenit in the saidis pretendit infetmentis grantit to the said vmquhill Thomas Stewart and that efter the deceis of the said vmquhill King James the First our Souerane Lordis said foirgrandsiris grandsir the possessioun apprehendit or continuit be the said vmquhill King James the Secund his Majesteis foirgrandsiris guidisir be his coronatioun or be ordinance and Act of Parliament ordering his Heines said vmquhill darrest foirgrandsiris guidisir King James the Secund to remaine and continew in all landis and heretages quhilk the said vmquhill King James the First his father had in his possessioun the tyme of his deceis to his lauchfull age was of the nature and qualitie of the possessioun apprehendit be the said vmquhill King James the First his father and sua ane simple and nakit possessioun without all richt of propertie Quhilk being sua declarit and the foirsaidis pretendit infetmentis reducit as said is the said pretendit service negative quhairby it is fund that the saidis landis erldome and lordschipe was lauchfullie in the handis of our Souerane Lordis said darrest foirgrandsiris guidisir King James the Secund be the deceis of the said vmquhill King James the First his father as haveing na vther ground nor fundament bot the saidis pretendit infetmentis grantit to the said vmquhill Alexander erle of Mar and the said vmquhill Thomas Stewart his sone with the pretendit possessioun

apprehendit be the said vmquhill King James the First our Souerane Lordis foirgrandsiris grandsir or efter his deceis be the said King James the Secund his sone our said Souerane Lordis foirgrandsiris guidsir of worthie memorie with the pretendit Act of Parliament maid for continiatioun of his possessioun to his perfyte aige aucht and sould be decernit and declarit to have bene and to be now and in all tyme coming null and of nane avaiill force nor effect with all that hes followit or may follow thairvpoun and to fall *in consequentiam* BECAUS the said pretendit infestment grantit be the said vmquhill Dame Issobell Dowglas countes of Mar to the said vmquhill Alexander erle of Mar and his aires quhatsumeuer vpoun the said tuelff day of August j^m four hundreth and four yeires was maid and grantit to be haldin als frielic as the said vmquhill Dame Issobell countes of Mar or hir predecessouris Erles of Mar held the samyne of befoir for payment to our Souerane Lordis predecessouris Kingis of Scotland of service vsit and wount And was never confirmet be our said Souerane Lordis predecessour King Robert the Thrid quha was than ringinge King for the tyme And sua remanet ane imperfyte richt and infestment being gevin to be baldin of our said Souerane Lordis predecessour and never confermit And was ane richt of that nature and qualitie quhilk nicht have bene renuncit and dischargit be the said vmquhill Alexander erle of Mar without any resignatioun to have bene maid of the samyne in the handis of the said King Robert the Thrid of worthie memorie in favouris of the said vmquhill Dame Issobell and without ony new infestment to follow thairvpoun in hir favouris Lykas it is of veritie that the said vmquhill Alexander erle of Mar vpon the nynt day of September at the leist December the said yeir of God j^m four hundrethe and four yeires not onlie renuncit the saidis landis and erldome of Mar and lordschipe of Garrioche in favouris of the said vmquhill Dame Issobell Dowglas countes of Mar bot also acceptit from hir ane new richt of the samyne for all the dayes of his lyf tyme allanerlie Lykas it is offerit to be provin be authentick instrumentis that the said vmquhill Alexander Stewart vpoun the said nynt day of September j^m four hundrethe and four yeires compeirit personallie in presens of ane reverend father in God Alexander bischope of Ross Sir Andro Leslie lord of Syde Walter Ogilvie of Carbarie Williame of Chalmeris Richard of Lovell and Thomas of Gray and in presens of Williame Cryme nottar publict And thair being standing at the yett of the said castell of Kildrymmie presentit and delyverit to

the said vmquhill Dame Issobell Dowglas countes of Mar being thair also personallie present the said haill castell of Kildrymmie with the haill chartouris and evidentis perteing to the said vmquhill Countes with hir haill jewallis being within the said castell of Kildrymmie And than delyverit to hir the keyis of the said castell into hir handis sua that scho nicht frielie dispone vpoun hir haill landis and vpoun the said castell of Kildrymmie and all thingis being thairin and vpoun hir awin bodie and persone at hir plesour And that immediatlie thairefter the said vmquhill Dame Issobell haveing ressaut the said castell of Kildrymmie and being at hir awin fredome and libertie electit and cheisit the said vmquhill Alexander erle of Mar in husband to hir And gave him in frie mariage the said castell of Kildrymmie with the pertinentis with the said erldome of Mar and lordschipe of Garrioche and certane vtheris landis perteneing to hir To be haldin to the said vmquhill Alexander and the said vmquhill Dame Issobell and the langest leiver of tham tua and the aires to be procerat betuix thame quhilkis failyeing to the lauchfull aires of the said vmquhill Dame Issobell Quhairvpoun the said vmquhill Alexander erle of Mar callit in the said renunciatioun Alexander Stewart sone to ane noble lord Alexander erle of Buchane askit instrumentis in the handis of the said Williame Cryme nottar publict Lykas in farder corroboratioun thair of the seallis of the said vmquhill Dame Issobell and of the said Alexander bischepe of Ross Walter Ogilvie and Williame of Chalmeris ar appendit to the said instrument Quhairby it is evident that the said former richt maid to the said vmquhill Alexander erle of Mar in the said monethe of August j^m four hundrethe and four yeires is not onlie renuceit bot also ane new richt acceptit be him of the said erldome and lordschipe to him and hir dureinge all the dayes of thair lyftymes and to the aires to be gottin betuix thame quhilkis failyeing to the aires of the said vmquhill Dame Issobell Lykas alsua it is of veritie that our Souerane Lordis vmquhill predecessour King Robert the Third be his chartour and infestment vnder the great seill confirmet the donatioun maid be the said vmquhill Dame Issobell Dowglas countes of Mar to the said Alexander Stewart sone to the said vmquhill Alexander erle of Buchane in fre mariage with the said vmquhill Dame Issobell of the said erldome of Mar with the castell of Kildrymmie and lordschipe of Garrioche and certane vtheris landis perteneing to the said vmquhill Dame Issobell alsweill in hir fatheris as motheris syde To be

haldin to thame and the langest leiver of thame tua and to the aires to be gottin betuix thame quhilkis failyeing to the aires of the said vmquhill Dame Issobell of the saidis landis Payand the said vmquhill Dame Issobell and the said vmquhill Alexander and the langest leiver of thame tua and the aires to be gottin betuix thame quhilkis failyeing the lauchfull aires of the said vmquhill Dame Issobell to our said Souerane Lordis vmquhill predecessour King Robert the Thrid and his successouris service vsit and wont As in the said infestment of the dait the said tuentie ane day of Januar the said yeir of God j^m four hundrethe and four yeires and of the regne of his Majesteis predecessour King Robert the Thrid the fyfthe yeir at mair lenth is contenit AND SICLYK the said infestment grantit be the said vmquhill King James the First our Souerane Lordis foirgrandsiris grandsir to the said vmquhill Alexander erle of Mar in lyfrent and to the said vmquhill Thomas Stewart his sone and the airis mail to be gottin of his bodie in fie quhilkis failyeinge to returne to the said vmquhill King James the First aucht and sould be rescindit and declarit null becaus the said pretendit infestment proceidis vpoun the resignatioun of the said vmquhill Alexander erle of Mar and of the said vmquhill Thomas Stewart quha had na power to resigne the samyne in the handis of our Souerane Lordis said foirgrandsiris grandsir King James the First in respect they nor ather of thame had na heretable richt of the said erldome and lordschipe standing in thair persones the tyme of the said resignatioun nor at na tyme of befor And in sa far as the said resignatioun may depend vpoun the said pretendit infestment maid be the said vmquhill Dame Issobell Dowglas to the said vmquhill Alexander erle of Mar and his aires quhatsumeuer or in sa far as the saidis infestmentis war grantit efter the moneth of Januar j^m four hundrethe and four yeires the samyne was and is null for the caussis foirsaidis quhilkis ar heir haldin as repetit And thairfor the saidis tua pretendit infestmentis ane thair of maid be the said vmquhill Dame Issobell Dowglas to the said vmquhill Alexander erle of Mar and his aires quhatsumeuer and the vther maid be our said Souerane Lordis vmquhill darrest foirgrandsiris grandsir King James the First to the said vmquhill Alexander in lyfrent and to the said vmquhill Thomas Stewart his sone and to the aires mail to be gottin of his bodie quhilkis failyeinge to returne to our said Souerane Lordis vmquhill foirgrandsiris grandsir King James the First as haveing na vther grou.d bot the pretendit resignatioun of the said

vmquhill Alexander erle of Mar and of the said vmquhill Thomas Stewart his sone quha had na heretable richt of the samyne standing in thair persones aucht and sould be retreitit and rescindit with all that hes followit or may follow thairvpoun And albeit efter the deceis of the said vmquhill Alexander erle of Mar and of the said vmquhill Thomas Stewart his sone quha deceist without aires maill lauchfullie gottin of his bodie our said Souerane Lordis vmquhill foirgrandsiris grandsir King James the First vpoun the pretext of the said prouisioun and tailye contenit in the said pretendit infetment or vpoun pretext of quhatsumeuer vther richt title or cullour of richt quhilk he nicht pretend to the said erldome and lordschipe as last air or be bastardrie of the said vmquhill Alexander erle of Mar did apprehend the possessioun of the said erldome and lordschipe and continewit thairin to the tyme of his deceis Yett be the said pretendit possessioun thair was na lauchfull nor just richt of propertie acqyrit in the persone of the said vmquhill King James the First bot the samyne was allanerlie ane cullorit richt in respect of the saidis pretendit infetmentis particularlie abouespeceifit than standing vnreducit or declarit null Lykas alsua the said pretendit possessioun apprehendit be our said Souerane Lordis vmquhill darrest foirgrandsiris grandsir King James the First indurit allanerlie for the space of ane yeir and ane half or tua yeir at the farrest in respect the said vmquhill Alexander erle of Mar diet in the moneth of the yeir of God j^m four hundrethe threttie sex yeires or thairby Lykas efter the deceis of the said vmquhill King James the First quhilk was in the monethe of the yeir of God j^m four hundrethe threttie sevin yeires the said vmquhill King James the Secund our Souerane Lordis foirgrandsiris guidsir being than minor be him selff and his governouris continewit in the lyk and semblable possessioun of the said erldome and lordschipe apprehendit be his said vmquhile father quha had na vther pretext or cullour bot the said pretendit infetment and richt quhilk was standing vnreducit as said is Lykas to continew the said possessioun and to ade ane farder strenthe and force thairto for excludeing of the said vmquhill Robert erle of Mar fra his just richt and title of the said erldome and lordschipe thair was ane pretendit Act of Parliament maid in the minoritie of the said King James the Secund quhairby it was statute and ordanit that the said vmquhill King James the Secund our said Souerane Lordis foirgrandsiris guidsir sould continew in the possessioun of all landis and heretages quhairin his said

vmquhill father died in possessioun vnto his lauchfull and perfyte aige Quhilk Act of Parliament is alledgit vsit be the said vmquhill George bischope of Brechine than chancellor to our said Souerane Lordis darrest foirgrandsiris guidsir King James the Secuud aganes the said vmquhill Thomas lord Erskene in the breiue and service negative befoir and efter specifeit Be the quhilk Act of Parliament it is cleir and euident that our said Souerane Lordis vmquhill predecessouris King James the First and King James the Secuud had na lauchfull and vndoubtit richt of propertie to the said erldome and lordschipe bot onlie the saidis pretendit richtis and infementis than standing vneducit cled with possessioun abouespecifeit and collourit with the said pretendit Act of Parliament for continiatioun of the samyne possessioun And in sa far as it may appeir that thair was ane pretendit service negative led and deducit befoir the said schireff of Abirdeine in the moneth of November the yeir of God j^m four hundrethe fyftie sevin yeires finding that the said vmquhill Robert erle of Mar died not last vest and seasit in the said erldome of Mar and lordschipe of Garrioche and that the samyne erldome and lordschipe was in the handis of the said vmquhill King James the Secuud our Souerane Lordis foirgrandsiris guidsir lauchfullie be the deceis of the said vmquhill King James the First his father and continiallie fra the dait of his deceis The said pretendit service negative is null and fallis *in consequentiam* Becaus the samyne hes na vther ground nor fundament quhairvpoun to subsist bot allanerlie the saidis pretendit infementis togidder with the possessioun apprehendit be our said Souerane Lordis vmquhill darrest foirgrandsiris grandsir King James the First and his Majesteis vmquhill darrest forgrandsiris guidsir King James the Secuud and Act of Parliament foirsaid Lykas in the proces quhairvpoun the said pretendit service dependis or followis thair is na vther ground richt nor title alledgit vsit and producit for the pairt of our said Souerane Lordis darrest foirgrandsiris guidsir King James the Secuud quhilk nicht establische ony richt of propertie or possessioun in the persone of his Majesteis vmquhill darrest foirgrandsiris guidsir or in the persone of his Heines vmquhill King James the First our Souerane Lordis darrest foirgrandsiris grandsir bot allanerlie the saidis pretendit infementis possessioun and Act of Parliament aboue specifeit Quhilkis haill groundis ar for the ressones and caussis foirsaidis null and of nane availl in the selff And thairfoir the said pretendit service must fall *in consequentiam* with all that

hes followit or may follow thairvpoun THRIDLIE the said pretendit decret or testimoniall in sa far as the samyne may be extendit to the nullitie or reductioun of the retour of the said vmquhill Robert erle of Mar and in sa far as the samyne may prejudge the said Johne erle of Mar in his richt of the said lordschipe of Kildrymmie with the castell of Kildrymmie and remanent landis abouespecifeit contenit in the infestmentis abouewrittin maid to the saidis Alexander lord Elphingstoun Alexander lord Kildrymmie his sone and thair predecessouris abouespecifeit aucht and sould be retreitit rescindit and declarit null with all that hes followit or may follow thairvpoun And notwithstanding thairof it aucht and sould be fund and declarit that the said retour standis and remains ane valide and effectuell retour in the self vnreducit or annullit Becaus be speciall Act of Parliament maid by our Souerane Lordis vmquhill darrest fater and esteatis in the monethe of Julij the said yeir of God j^m v^c four-scoir sevin yeires it is fund and declarit that the said vmquhill Dame Issobell Dowglas was lauchfullie infest in the said erldome of Mar and lordschipe of Garriochie And that the said vmquhill Robert erle of Mar was seruit and retourit air to hir in the said erldome and lordschipe And that the said Johne now erle of Mar was air be progres to the said vmquhill Dame Issobell and as richteous air of bluid to hir had and hes guid and vndoubtit richt to the said erldome of Mar and lordschipe of Garriochie And thairfoir the said pretendit decret or testimoniall in sa far as the samyne may be extendit to the nullitie or reductioun of the retour of the said vmquhill Robert erle of Mar and in sa far as the samyne may prejudge the said Johne now erle of Mar in his richt of the said lordschipe of Kildrymmie with the castell of Kildrymmie and remanent landis abouespecifeit contenit in the infestmentis abouewrittin maid to the saidis Alexander lord Elphingstoun Alexander lord Kildrymmie his sone and to thair predicessouris abouespecifeit aucht and sould be retreitit and rescindit with all that hes followit or may follow thairvpoun And that notwithstanding thairof it aucht and sould be fund and declarit be decret of the saidis Lordis of Counsall that the said retour of the said vmquhill Robert erle of Mar standis and remains ane valide and effectuell retour in the self vnreducit or annullit And that the vndoubtit heretable richt of the saidis landis and lordschipe of Kildrymmie and vtheris foirsaidis pertent to the said vmquhill Dame Issobell Dowglas countes of Mar and to the said vmquhill Robert erle of Mar as seruit and retourit air

to hir and consequentlie to the said Johne now erle of Mar as air seruit and retourit immediatlie and be progres *respective* to the said vniquhill Dame Issobell Dowglas and to the said vniquhill Robert erle of Mar As at inair lentlie is containit in the principall summondis raisit in the said matter actis lettres and hail proces led and deducit thairintill THE SAID JOHNE ERLE OF MAR and Johne lord Erskine his sone perseweris compeirand baith personallie and with Maisteris Thomas Hoipe Andro Aytoun and Thomas Nicolsonne thair preloquitouris The said Alexander lord Kildrymmie being personallie present with Maister Lues Stewart his preloquitour quha also compeirit as procutour for the said Alexander lord Elphingstoun Dame Elizabeth Drummond lady Kildrymmie spous to the said Alexander lord Kildrymmie And the said Maister James Oliphant advocat depute to our Souerane Lord be his Majesteis speciall warrand and directioun compeirand personallie for his Majesteis entres in the said matter Quha also compeirit as procutour for the saidis Sir Archibald Nepar of Merchangstoun knycht our Souerane Lordis thesaurer and comptroller depute Sir Williame Oliphant of Newtoun knycht his Majesteis advocat Sir Johne Hammiltoun of Magdelandis knycht clerk of registre Sir Johne Scott of Scottistarvet knycht directour of our Souerane Lordis chancellarie And the saidis Johne Gordoun of the Craig of Auchindour George Gordoun of Terpersie Margaret Ogilvie his spous Johne Forbes of Brux Patrick Forbes of Balquhanie George Forbes of Skellatour Alexander Forbes of New George Elphingstoun of Bellibeg Maister James Elphingstoun of Barnes James Reid of Newmylne Alexander Gordoun of Blalok Sir Adame Gordoune and all vtheris haveand or pretendand to have entres in the said matter being all lauchfullie summondit to this actionn oftymes callit and not compeirit THAIRFTER the said Maister Thomas Hope procutour for the saidis perseweris for instructing of the perseweris interes lybellit first secund and thrid ressones of the samyne abouewrittin producit the writtis and evidentis following and declarit that he vseit the samyne also for preiving and verefeing of the thrie ressones of his summondis *videlicet* The lettres patentis vnder the great seill grantit be King Robert the Thrid the yeir of his regne quhairby the said King Robert faythfullie promittit that he sould not confirme nor ressave ony alienaciounis or resignatiounis to be maid be Dame Issobell Dowglas countes of Mar of the erldome of Mar and lordschipe of Garriochie in prejudice of the aires of Sir Thomas Erskene

knycht quha war to succed thairto and give ony sould be grantit the samyne to be null Ane renuntiatioun vnder forme of instrument with thrie seallis appendit thairto of the dait the nynt day of September 1404 yeires quhairby vñquhill Alexander Stewart sone to the Erle of Buchane compeirand at the castell of Kildrymmie in presens of ane number of noble men and of Alexander bischope of Ross delyverit to the said Dame Issobell Dowglas hir castell of Kildrymmie with the hail writtis and evidentis being within the castell to the effect scho nicht dispone vpoun the said castell and hir hail landis with hir persone at hir plesour and immediatlie thairefter acceptit fra the said Dame Issobell ane donacioun of the said castell with the erldome of Mar lordschipe of Garrioche and certane vther landis and barroneis specifeit thairin to the said vñquhill Alexander Stewart in frie marriage with the said Dame Issobell and to the aires to be gottin betuix thame / quhilkis failyeinge to returne to the lauchfull aires of the said vñquhill Dame Issobell reserveand to the saidis Dame Issobell and Alexander thair lyfrentis of the samyne quhairvpoun the said Alexander Stewart took instrumentis in the handis of Williame Creyne notter publict Togidder with the authentik double of the foirsaid instrument transmitt befor the Lordis of Counsall vpoun the day of yeires Togidder with ane instrument of the dait the nynt day of December 1404 vnder the band of the said Williame Creyne nottar agreing in tennour with the said former instrument in all poyntis except that it wantis the seillis Togidder also with the chartour and donatioun conforme to the said instrument maid and grantit be the said Dame Issobell Dowglas countes of Mar vnder hir seall of the said erldome of Mar and lordschipe of Garrioche and vtheris landis thairin contenit to the quhilkis scho had richt vpoun hir fatheris and motheris syde to the said vñquhill Alexander Stewart in frie mariage with the said Dame Issobell and to the aires to be gottin betuix thame quhilkis failyeing to hir lauchfull aires *ub vtraque parte* daitit the nynt day of December 1404 yeires And als ane chartour of confirmatioun and donatioun grantit be King Robert the Thrid in the fyfteine yeir of his regne daitit the tuentie ane day of Januar 1404 yeires quhairby he confirms the said chartour maid and grantit be the said Dame Issobell of the saidis landis and erldome of Mar lordschipe of Garrioche and vtheris thairin mentionat to the said Dame Issobell and Alexander in conjunct fie quhilkis failyeinge to returne to the said Dame Issobellis lauchfull aires of

the saidis landis Ane retour of Robert lord Erskene as air to Dame Issobell Dowglas of the half of the erldome of Mar daitit the tuentie day of Apryll 1438 yeires with the instrument of seising following thairvpoun daitit the tuentie ane day of November 1438 yeires Ane vther retour of the said Robert lord Erskene to the vther half of the said erldome of Mar and lordschipe of Garrioche daittit in October 1438 yeires Ane instrument vnder the note of Richard Kedy nottar daitit the second day of Maij 1442 yeires beireing that the said Robert erle of Mar compeirit in presens of counsall being met at Stirling and complenit of the Lord Creichtoun chancellor for deteneing of his retour and not geving him preceptis thairvpoun Ane instrument takin be Thomas lord Erskene in name of Robert erle of Mar his father in plaine Parliament desyreing justice to be done to him for the erldome of Mar [and lordschipe of Garreoche] perteneinge to his father in heretage and quhilk war vnjustlie detenit be the King to quhilk Williame lord Creichtoun chancellor ansuerit that thair was ane Act of Parliament ordaneing the King to bruik all the landis quhilk war in possessioun of King James the First quhill he war of perfyte yeires daittit the tuentie sevint day of Januar 1449 yeires nottar thairto David Kay Ane vther instrument taine be Thomas lord Erskene in Parliament vpoun ane supplicatioun gevin in be him to King James the Secund and thrie estecatis desyreinge justice to be done to him for the erldome of Mar and lordschipe of Garreoche to the quhilk Williame lord Creichtoun chancellor ansuerit that the King was to be in the northe and he sould have justice done to him vpoun fyfteine dayes warninge daitit the tuentie ane day of Marche 1452 yeires nottar thairto Thomas Broune Ane infestment vnder the great seall grantit be Queine Marie of the erldome of Mar in favouris of vmquhill Johne erle of Mar regent daitit the tuentie thrid day of Junij 1565 yeires Ane Act of Parliament ratefend the said infestment daitit the sextene day of Apryll 1567 yeires Ane Act of Parliament maid in favouris of the said Johne erle of Mar daitit the tuentie nynt day of Julij 1587 yeires Ane retour of the said Johne now erle of Mar as air to the said vmquhill Dame Issobell Dowglas serveing him generall air to hir of the dait the tuentie day of March 1588 yeires Ane vther retour of the said Johne erle of Mar serveinge him in speciall as air to the said vmquhill Dame Issobell Dowglas in that pairt of the erldome of Mar callit Stradie and Braymar of the dait the said tuentie day of March 1588

yeires with the instrument of seising following thairvpoun vnder the signe and subscriptioun of Johne Muschet notter publict of the dait the sevint day of November 1589 yeires Item ane instrument of seising of the erldome of Mar grantit to Johne now erle of Mar as air to vmquhill Johne erle of Mar his father of the dait the tent day of Apryll 1573 yeires Ane new infestment of the erldome of Mar *etc.* to Johne now erle of Mar with the gift *de novo damus* from his Majesteis vmquhill darrest father daitit 1621 yeires with the precept and instrument of seisiog following thairvpoun Ane dispositioun of the dait the tuentie fourt day of Januar 1622 yeires maid be the said Johne erle of Mar to the said Johne lord Erskene his sone of the foirsaidis landis and barronie of Kildryumie with the vther landis thairinspecifeit lyand within the erldome of Mar and lordschipe of Garreoché Ane act of interloquitour betuix the Erle of Mar and the Laird of Cors daitit the tuentie aucht day of Januar 1593 yeires Ane vther interloquitour betuix the Erle of Mar and the Bischope of Abirdeine daitit the tuentie thrid day of Junii 1621 yeires Ane decret of reductioun obtenit be the Erle of Mar aganes the Bischop of Abirdeine of the samyne daitt Ane act of interloquitour vpoun the objectionis maid aganes the probatioun and writtis productit be the Erle of Mar aganes the said Bischope of Abirdeine for preivinge of his ressonne of reductioun and reply of the daitt the tuentie ane day of Junii 1621 yeires AND SICLYK the said Maister Thomas Hoipe procurator for the saidis perseweris productit the writtis and evidendis following for satisfeing ane pairt of the production in the said caus *videlicet* The chartour grantit be the said vmquhill Dame Issobell Dowglas countes of Mar to the said vmquhill Alexander Stewart and his aires of the said erldome of Mar and lordschipe of Garreoché to be haldin of the King extractit furthe of the Register of the Great Seill vnder the signe and subscriptioun of vmquhill Maister James M^egill clerk of registre quhilk chartour is of the dait the tuelff day of August j^m four hundrethe and four yeires Ane chartour grantit be King James the First to the said vmquhill Alexander erle of Mar in lyfrent and to the said vmquhill Thomas erle of Mar his sone in fie of the said erldome of Mar and lordschipe of Garreoché extractit furthe of the Register of the Great Seill vnder the note and subscriptioun of Sir Johne Hamiltoun of Magdelandis knycht clerk of registre of the dait the tuentie aucht day of Maij j^m four hundrethe tuentie sex yeires Ane Act of Parliament in favouris of King James the Secund auent

the continuatioun of his possessioun of the landis bruikit be his vmquhill father to his perfyte aige of tuentie ane yeires compleit extractit furthe of the Buikis of Parliament vnder the not and subscripitioun of the said Sir Johne Hammiltoun of Magdalandis knycht clerk of registre. Ane extract of the proces of reduetioun of the retour of Robert erle of Mar quhairby he was seruit air to the said vmquhill Dame Issobell Dowglas contening also the service negative of the said vmquhill Thomas lord Erskene of the dait the fyft day of November 1457 yeires. AND VPOUN the productioun of the saidis writtis and evidentis the said Maister Thomas Hope proctor for the saidis perseweris askit instrumentis. AND STCLYK the said Maister Lues Stewart proctor for the saidis defenderis for satisfeing of the productioun in the said caus askit instrumentis on the productioun be him of befoir of the hail writtis and evidentis vnderwrittin *videlicet* Ane chartour grantit be King James the Fourt to Alexander Elphingstoun sone and apperand air to vmquhill Sir Johne Elphingstoun of that ilk knycht of the landis of Inuernochtie Bellibeg with the mylne the glenis of Glenochtie Inuernochtie Ledmaky Culquhonie Culquharrie in Straithoun Meikle Migvie Ester Migvie Tulipronie Blalok and Curriereif in Cromar with thair pertinentis lyand in the erledome of Mar and schirefdome of Abirdeine and als the landis of Duncanstoun Glanderstoun with the mylne Rochnaverall Tullifour lyand within the lordschipe of Garreoche and schirefdome foirsaid of the dait at Edinbrught the aucht day of August 1507 yeires. Ane precept direct furthe of our Souerane Lordis chancellarie for geving of seising conforme to the said chartour and of the dait thair of. Ane instrument of seising following thairvpoun of the dait the tuentie thrid day of August 1507 yeires James Strauchin nottar thairto. Ane instrument of resignatioun maid be the said Alexander Elphingstoun and his spous in the Kingis Majesteis handis for resigneing of the foirsaidis landis daitit the tent day of December 1507 yeires Johne Humble notter. Ane vther chartour grantit to the said Alexander Elphingstoun be the said vmquhill King James the Fourt off the landis and barronie of Inuernochtie Bellibeg with the mylne medow and woodis the glenis of Glenochtie Inuernochtie Ledmaky Culquhonie and Culquharie lyand in the lordschipe of Straithoune and schirefdome foirsaid and of the landis of Skellatour with the forrest of Corgarf the landis of Fynnlost Balquhanie Beloabothe in Glenbuket Belnabothe in Kinbethok Ballantimoir Tulliskeith Sumeill Culwallache the forrest of

Badinyeone Kilwallache Eister Clova Currikeane and Contillauche with Braidshaw Auchmillane with the eister half of Glenlos Kinclune and New Mylne with the pertinentis in excambioun of the landis of Meikle Migvie Eister Migvie Tulipronic Blalock and Curriereif lyand in Cromar and for the landis of Duncanstoun Glanderstoun Rothnaverrall and Tullifour lyand in the lordschipe of Garriochie of the dait the tent day of December 1507 yeires. Ane precept direct furthe of the said chancellarie thairvpoun of the dait foirsaid of the said chartour. Ane instrument of seising following thairvpoun of the dait the tuentie day of December 1507 yeires vnder the signe and subscriptioun of Johne Daidsonne notter. Ane chartour grantit to Alexander Elphingstoun of Inuernochtie of the Maynes of Kildrymmie with the New Wester Clova Auld Auchindoir Drumnahow Doskie Cuikishill the mylne of Kildrymmie Auchinveine Corriehill Cultis Arduncar Cullispick Inuerbuchet Wester Inuerbuchet Eister Inuerbuchet Ardgeythe Culquheiche Descorie with the mylne thairof Pitlauchlithe Glencoy and Newtown lyand in the schirefdome of Abirdene quihk chartour is of the dait the nynteine day of Julii 1508 yeires. Ane vther chartour grantit be King James the Fourt to the said Alexander Elphingstoun than stylit of that ilk knycht of the toun and brucht of Kildrymmie with the burrow meallis and burrow rudis lyand as said is off the dait the ellevint day of September 1509 yeires. Ane seising following thairvpoun of the dait the sevint day of Februar ^{j^m} fyve hundrethe and nyne yeires James Strauchin notter. Ane vther chartour grantit be the said King James the Fourt to the said Alexander lord Elphingstoun of the saidis landis of the Maynes of Kildrymmie the New Wester Clova Auld Auchindoir Drumnahowe Doskie Cuikishill the mylne of Kildrymmie Auchinweine Corrihill Cultis Arduncar Cullispeck Inuerbuchet Wester and Eister Clova Ardgeythe Culquheiche Descorie with the mylne Pittauliche Glencoy and Newtown with the castell of Kildrymmie toures and fortalices thairof advocatioun and donatioun of the chaplanrie of Den all vnitit to the barronie of Inuernochtie daitit at Stirling the fourtene day of Januar 1509 yeres. Item the precept of seising direct furthe of our Souerane Lordis chancellarie following thairvpoun of the dait of the foirsaid chartour. Item the instrument of seising following thairvpoun of the dait the sevint day of Februar 1509 yeires vnder the signe and subscriptioun of James Strauchen notter. Item ane procuratorie of resignatioun maid be Dame Elizabeth Barley lady Elphingstoun

of the landis and barronie of Inuernoctie castell of Kildrymmie *etc.* in his Majesteis handis daitit the ellevint day of August 1512 yeres Item ane vther chartour grantit to the said Alexander lord Elphingstoun of all the foirsaidis landis vnitit annexit and incorporat in ane barronie to be callit in all tyme thairefter The barronie of Kildrymmie of the dait at Edinbrucht the tuelff day of August 1513 yeires This chartour makis mentioun of Alexander Elphingstoun that was slaine at Piperden Item ane precept direct furthe of the chancellarie to give seasing conforme to the said chartour Item ane instrument of seising following thairvpoun of the dait the tuentie sext day of August 1513 yeires vnder the signe and subscription of James Strauchin nottar Item ane seising of the foirsaidis haill landis grantit to vmquhill Alexander lord Elphingstoun as air to the said vmquhill Alexander lord Elphingstoune his father of the dait the fourt day of September 1514 yeires James Strauchin nottar thairto Item ane vther seasing of the burrow landis of Kildrymmie grantit to the said vmquhill Alexander lord Elphingstoun as air to the said vmquhill Alexander lord Elphingstoun his father of the dait the said fourt day of September 1514 yeires James Strauchin notter tharto Robert lord Elphingstoun his retour of the barronie of Kildrymmie as air to the said vmquhill Alexander lord Elphingstoun his father daitit the tuentie day of October 1548 yeires Item ane instrument of seising grantit to the said Robert lord Elphingstoun as air to his father off the haill landis and barronie of Kildrymmie with the pertinentis abouespecifeit off the dait the thretteine day of November 1548 yeres vnder the signe and subscription of Maister William Skene notter quhilk seising is transumet befor the schireff of Abirdene at the instance of the said Robert lord Elphingstoun the tuentie fourt day of Apryll 1585 yeires vnder the subscription of Alexander Fraser schireff clerk of the samyne court and schirefdome Item Robert lord Elphingstounes seising as air to his father of the brucht and barronie of Kildrymmie of the dait the threttene day of Julij 1577 yeires Williame Bruce and Johne Sinclair notteris thairto Item ane procuratorie of resignatioan maid and grantit be Robert lord Elphingstoun for resigninge of his haill landis and barroneis of Elphingstoun and Kildrymmie in his Majesteis handis in favouris of Alexander than master and now lord Elphingstoun his sone daitit at Kildrymmie the tuentie fourt day of Maij 1577 yeires Item the instrument of resignatioon following thairvpoun of

the dait the sexteine day of December 1586 yeires vnder the signe and subscription of Maister George and Andro Abircrombeis Item his Majesteis chartour following thairvpoun of the dait the sexteine day of December 1586 yeires vnder the great seill Item the precept of seising following thairvpoun vnder the testimonie of the great seill daitit the day and yeir foirsaidis of the landis and barronie of Kildrymmie and brucht and barronie thairof Item the instrument of seising of the said barronie of Kildrymmie and brucht thairof daitit the fyfteine day of Marche 1586 yeires vnder the signe and subscription of Andro Abircrombie notter Item ane procuratorie of resignatioun maid be Alexander now lord Elphingstoun in favouris of Alexander maister of Elphingstoun his sone of the brucht and barronie of Kildrymmie daitit the tuentie ane day of Junij 1592 yeires with the instrument of resignatioun on the bak thairof daitit the tuentie fourt day of Januar 1593 yeres vnder the signe of James Fraser noter Ane precept direct furthe of the chancellarie to give seising to Alexander now maister of Elphingstoun of the said brucht of Kildrymmie daitit the tuentie fyft day of Januar 1593 yeires Ane instrument of seising following thairvpoun of the dait the nynteine day of November 1594 yeires Adame Gordoun notar thairto Ane procuratorie of resignatioun grantit be vmquhill Robert lord Elphingstoun to Alexander than maister now lord Elphingstoun and Alexander now maister of Elphingstoun for resigninge of the landis and barronie of Elphingstoun with the pertinentis togidder with the landis and barronie of Kildrymmie with thair pertinentis and chaplanrie of Den *etc.* in his Majesteis handis in thair awin favouris daitit at Elphingstoun and Edinbrught the tuentie and tuentie fyft dayes of Februar 1601 yeres Ane chartour grantit be his Majestie tharvpoun vpoun the foirsaidis landis and barroneis of Elphingstoun and Kildrymmie daitit the tuentie sext day of Marche 1601 yeres Ane precept of seising following thairvpoun of the dait the tuentie sext day of Marche 1601 yeres Ane instrument of seising following thairvpoun of the dait the fourtene day of November 1601 yeres vnder the signe and subscription of Alexander Watsons and Maister Arthure Andersons notteris registrat in the Secretaris Registre within the schirefdome of Abirdene the last day of November 1601 yeres Maister Andro Clerk clerk thairof Ane procuratorie of resignatioun of the foirsaidis hail landis and barronie grantit be Alexander lord Elphingstoun and Alexander maister of Elphingstoun his sone for new infestment to be gevin of the

samyne to the said Alexander maister of Elphingstoun and Dame Elizabeth Drummond his spous and thair aires thairin specefeit reservand the said Alexander lord Elphingstoun his lyfrent of the samyne of the dait at Mwres the auchteine day of December 1607 yeres and at Halyrudhous the twelff day of Apryll 1608 yeres. Ane instrument of resignatioun following thairvpoun of the dait the fourteine day of Apryll 1608 yeires vnder the signe and subscriptioun of James Ramsay. Ane instrument and chartour grantit thairvpoun vnder the great seall of the dait the fyft day of Julij 1608 yeires. Ane precept following thairvpoun of the dait of the said chartour. Ane instrument of seising following thairvpoun of the dait the tuentie day of December 1608 yeires vnder the signe and subscriptioun of Alexander Midiltoun nottar registrat in the Secretares Registre of the schirefdome of Abirdene the last day of December 1608 yeres. James Mowat clerk of the said registre. AND VPON the production of the foirsaidis haill writtis and evidentis abouewrittin product as said is the said Maister Thomas Hope procutor for the saidis perseweris askit instrumentis and declarit that he repeatit the saidis writtis product be the saidis defenderis *in quantum* for preiving and verefeinge of his ressones of reductioun. THAIR-
EFTER all the foirsaidis pairteis compeirand as said is richtis ressones allegatiounis with the foirsaidis haill writtis and evidentis abouewrittin vtheris writtis and probatiounis product and repeatit for the saidis perseweris for preiving of the poyntis of thair said summondis and thrie ressones of reductioun abouespecifeit answeires and triplyis vnderwrittin maid in fortificatioun of the foirsaid secund ressonne of reductioun being at lenthe red hard sene and considerit be the saidis Lordis and thay thairwith being ryplie advysit (efter that the foirsaidis pairteis and thair procutouris had be ordinance of the Lordis of Counsall gevin in thair haill defenssis answeires duplyis triplyis and quadruplyis in writt and that they war hard to ressonne thairvpoun diverss tymes *visa voce* in thair haill presence). THE LORDIS OF COUNSALL reduceis reitritis rescindis cassis and annullis the foirsaidis haill pretendit chartouris infeftmentis confirmatiounes decreitit testimoniallis services retoures and vtheris generallic and particularlic abouespecifeit callit for to be product as said is. And speciallic the saidis pretendit chartouris and infeftmentis grantit to the said vmqubill Alexander erle of Mar and to the said vmqubill Thomas Stewart his sone off the daittis tennouris and contentis foirsaidis. AND DECERNIS AND DECLAIRES the samyne to have bene fra the beginninge and to be now

and in all tyme cuminge null and of nane avail force nor effect with all that hes followit or may follow thairvpoun and that in sa far as the samyne mey be extendit to the landis and lordschipe of Kildrymmie castell of Kildrymmie and the haill vtheris particular landis abouespecifeit contenit in the infestmentis foirsaidis grantit to the said Alexander lord Elphingstoun Alexander lord Kildrymmie his sone and thair predecessouris aboue mentionat and to the said Alexander master of Elphingstoun his spous AND ALS FINDIS AND DECLAIRES that notwithstanding thairof the indoubtit heretable richt of the saidis landis and lordschipe of Kildrymmie with the castell of Kildrymmie and haill vtheris landis abouespecifeit contenit in the saidis Lord Elphingstoun and Lord Kildrymmie his sone his spous and thair foirsaidis predecessouris infestmentis quhilkis ar proper pairtis and pertinentis of the said erldome of Mar and lordschipe of Garrioche remanet in the persone of the said vmquhill Dame Issobell Dowglas countes of Mar AND CONSEQUENTLIE FINDIS AND DECLAIRES that the said vmquhill King James the First of worthie memorie be the deceis of the said vmquhill Alexander erle of Mar or of the said vmquhill Thomas Stewart his sone acqyrit na richt of propertie of the saidis landis and lordschipe of Kildrymmie castell of Kildrymmie and vtheris abouespecifeit bot onlie anc simple and nakit possessioun vpoun anc pretendit richt or title of last aire or bastardrie of the said vmquhill Alexander erle of Mar or vpoun the pretendit richt and title of the pretendit prouisioun of tailye contenit in the infestmentis grantit to the said vmquhill Thomas Stewart and that efter the deceis of the said vmquhill King James the First the possessioun apprehendit or continewit be the said King James the Secund of worthie memorie be his coronatioun or be ordinance and Act of Parliaunet ordeininge the said King James the Secund to remaine and continew in possessioun of all landis and heretages quhilkis the said vmquhill King James the First his father had in his possessioun the tyme of his deceis till his lauchfull aige wes of the nature and qualitie of the samyne possessioun apprehendit be the said vmquhill King James the First his father and sua anc simple and nakit possessioun without all richt of propertie AND THAIRFOIRE THE SAIDIS LORDIS OF COUNSALL DECERNES AND DECLAIRES the said pretendit service negative quhairby it is alledgit to be fund that the said vmquhill Robert erle of Mar died not last vest and seasit in the said erldome of Mar and lordschipe of Garreoche bot that the samyne was lauchfullie in

the handis of vmquhill King James the Secund be deceis of the said vmquhill King James the First his father and continiallie fra the tyme thairof as haveing no vther ground nor fundament bot the saidis pretendit infefmentis grantit to the said vmquhill Alexander erle of Mar and the said vmquhill Thomas Stewart his sone with the pretendit possessioun apprehendit be the said King James the First or efter his deceis be the said vmquhill King James the Secund of worthie memorie with the said pretendit Act of Parliament maid for continiatioun of his possessioun to his perfyt age TO BE NULL AND OF NANE AVAILL with all that hes followit or may follow thairvpoun and to fall *in consequentiam* AND THAT IN RESPECT of the first ressonne of reducioun abouewrittin foundit vpon the said infefment grantit be King Robert the Thrid to the said vmquhill Dame Issobell Dowglas and the said Alexander Stewart hir spous in conjunct fie and the aires to be gottin betuix thame quhilkis failyeing to the aires of the said vmquhill Dame Issobell and foundit vpon the Act of Parliament maid in favouris of the said persewer *in anno* 1587 yeires and vtheris Actis of Parliament retoures and writtis productit and repeitit for the pairt of the saidis perseweris for preiving thairof Quhilk first ressonne of reducioun the saidis Lordis findis relevant and sufficientlie provin be the foirsaidis writtis notwithstanding of all the exceptionis duplyis and quadruplyis proponit for the pairt of the saidis defenderis in the contrair Quhilkis the saidis Lordis repellit AND ALS IN RESPECT of the foirsaid thrid ressonne of reducioun groundit on the samyne Act of Parliament 1587 yeires Quhilk thrid ressonne the saidis Lordis findis relevant to infer the conclusioun thairof and sufficientlie provin be the foirsaid Act of Parliament and vtheris writtis thairin mentionat notwithstanding of the haill defenssis duplyis and quadruplyis proponit for the pairt of the saidis defenderis in the contrair AND ALS BECAUS it was alledgit be the said Maister Lues Stewart for the pairt of the said Alexander lord Elphingstoun Alexander lord Kildrymmie and Dame Elizabeth Drummond his spous aganst the secund ressonne quhilk is foundit vpon the invaliditie of the chartour maid be the said Dame Issobell Dowglas to the said Alexander Stewart hir spous and his aires quhatsumener in the moneth of August 1404 And first aganst that pairt tharof beirand the said chartour not to be confirmet it being gevin to be haldin of the King That that pairt of the ressonne is nawayes relevant Nather is it

necessar to alledge aney confirmation becaus efter sua lang ane tyme the Kingis Majestie is not bund to instruct quhether the said chartour was confirmet Speciallie in respect the Kingis Majestie and his progenitouris be vertew thair of hes peaciablie bruikit the said erldome continiallie sen the dait thair of quhairby he hes preseryvit ane full and sufficient richt in the persones of his most noble progenitouris And sua he neilis not to produce aney vther (2) Becaus the Kingis Majestie in effect hes confirmet the samyne be ressaveinge of ane resignatioun from the said Alexander of the said erldome in favouris of the said Alexander himself in lyfrent and the said Thomas Stewart his sone in fie and the aires to be gottin of thame quhilkis failyeand to returne to the King him self quhilk is mair nor oney confirmatioun in respect of the tailyie tharin contentit and that be vertew thair of the Kingis Majestie and his maist noble progenitouris hes bruikit the said erldome *vt supra* (3) Becaus this exceptioun was compitent in the tyme of the said service negative quhair the said infestment was producit and was omittit and sua the samyne being ane decretit *in foro contradictorio* the persewer can never be hard now to oppone the samyne (4) The said persewer can never be hard to alledge non confirmatioun becaus he behaves him self as air to the said Dame Issobell Dowglas maker of the said infestment And sua quhether confirmet or vnconfirmet he man warrand the samyne Att the leist cannot have place to querrell it Item quhair it is contenit in the said ressonne that the said vmquhill Alexander Stewart his chartour not being confirmet nicht be reducit but resignatioun in the Kingis handis Lykas vpoun the nyut of December 1404 he renuncit the samyne It was alledgit first that pairt of the ressonne is not relevant becaus albeit the said chartour was not confirmet yett seing it is confest that the said Alexander was infest his infestment cannot be takin away be ane nakit renunciatioun bot behovit to be resignit in the Kingis handis of quhom he was ordenit be the said chartour to hald the said erldome (2) The said perseweris can never be hard now to alledge the said renunciatioun becaus the samyne was compitent at the tyme of the said service negative quhilk iff it had bene valide wald have bene ane sufficient reply to have stayit the said negative service and to have takin away the said vmquhill Alexander his chartour And sua the samyne being omittit and the said decretit gevin *in foro contradictorio* the said persewer can never be hard to vse the

samyne Speciallie seing the Kingis Majestie and his most noble progenitouris hes bene in peaciabie possessioun thair of continiallie sen syne as said is (3) The renunciatioun is null becaus the samyne is alledgit to have bene maid in Dame Issobell Dowglas handis quha was not superior seing the chartour beires to be haldin of the King (4) Geveand scho had bene superior yett it is not done *habili modo* becaus na procuratorie of resignatioun nor na instrument was takin be him nor never seillit nor subscryuit be him bot onlie seillit be Dame Issobell Dowglas hir self quhilk can nawayes work aganes the Kingis Majestie as successour to the said Alexander (5) It is onlie done vnder forme of instrument not befor any ordinar judge bot ane pretendit privat notter (6) It beires na resignatioun of the landis contenit in the chartour nor renunciatioun of this infestment quhilk is quarrellit bot onlie that he delyverit to hir the hall and castell of Kildrymmie and keyis of the castell sua that scho nicht frelie dispone vpoun hir self hir landis and castell and all that was thairin Quhilk is na resignatioun of landis quhilk man be maid *in forma specifica* and conteine the haill landis quhilkis ar contenit in the chartour quhilk sould be resignit Item quhair as in the said ressonne it is contenit that the said vmquhill Alexander Stewart acceptit ane new chartour of the said erldome to him self and the aires to be gottin betuix him and the said Dame Issobell quhilkis failyeinge to the said Dame Issobellis aires The saidis perseweris can never be hard to alledge the samyne nather is thair any deid of acceptatioun qualefeit in the said ressonne Nather is the said persewer able to schaw ony deid done be the said vmquhill Alexander quhairby his acceptatioun thair of nicht be inferrit Bot be the contrair the said pretendit chartour alledgit acceptit remanet continiallie in the said Dame Issobellis awin handis seillit be hir self confirmet be hir self and never vsit be the said vmquhill Alexander Bot be the contrair it was offerit to be provin that the said vmquhill Alexander adherit to his former chartour and possess be virtew thair of dureing all the dayes of his lyftyme And as proprietair of the said erldome resignit the samyne in the Kingis handis for new infestment to be gevin to him self in lyfrent and to Thomas Stewart his sone in fie and the aires to be gottin of his bodie Quhilkis failyeinge to returne to the King Be virtew quhair of the said Thomas and the Kingis Majesteis noble progenitouris and vtheris havcand thair richtis hes peaciablie

bruikit the said erledome continuallie sensyne Last the said persewer can never be hard to alledge his acceptatioun of anc new infetment in the persone of the said Alexander Becaus the samyne was compitent be way of reply in the said service negative quhair it aucht to have bene opponit That the King could not cleith him selff with the said first chartour maid to the said vmquhill Alexander Stewart and thairby stayet the said vmquhill Thomas lord Erskenes service Becaus the said vmquhill Alexander Stewart had renuncit the said first chartour and acceptit ane vther quhilk wald have bene ane peremptour reply to have taine away the exceptioun fundit vpoun the said first chartour And sua the samyne being omittit at the said tyme and the said decreit or service negative being gevin *in foro contradictorio* the said persewer can never be hard now to propone the samyne Item quhair it is contenit in the said resson that the King had na richt bot ane cullorit richt depending vpoun the said possessioun of the landis quhairin King James the First died in possessioun and vpoun the Act of Parliament maid in King James the Secund his minoritie anent the mantening of him in possessioun of the landis quhair of King James the First died in possessioun and that the samyne Act was alledgit in the service negative It was alledgit that that pairt of the resson is na wayes relevant to tak away the Kingis richt quhilk pairt of the resson is onlie ane negative beiring the King to have na richt vnto the quhilk the Kingis Maiestie *affirmative* oppones the said Alexander Stewartis chartour gevin be Dame Issobell Dowglas Item the said Alexander his chartour tailyie quhilk is the ground of the Kingis richt and continiall possession And as to the Act of Parliament anent the reteneinge of the Kingis possessioun the samyne could be na ground to have manteinet the King (at the tyme of the said service negative quhilk was *in anno* 1457) in his possessioun nor could the samyne have excludit vmquhill Thomas lord Erskenes richtis becaus the said Act is onlie extendit in King James the Secundis favour dureing his minoritie And trew it is that the tyme of the said service the said King James the Secund was sevintenc [*i. tucntie sevin*] yeires of aige sua that the said Act and all benefit compitent to him thairby was expyrit Bot be the contrair the said service was sustenit in respect of the said Alexander Stewartis chartour tailyie and first infetment In regaird of the quhilkis haill premissis not onlie is the said originall chartour maid and

grantit be the said Dame Issobell to the said Alexander Stewart irreducible bot also the said service negative depending thairvpoun man stand in full force and effect Last quhair it is alledgit that the retour and service negative aucht to be reducit and sould fall *in consequentiam* in respect the samyne hes na vther warrant bot the said chartour maid be the said Dame Issobell Dowglas to the said Alexander Stewart and the said chartour tailyie maid be the said Alexander Stewart to the said Thomas Stewart his sone and his aires quhilkis failyeing to King James the First and sua the samyne being takin away be the ressones foirsaidis the said service man fall *in consequentiam* It is exceptit aganst that pairt of the said ressonc that the samyne contenes na relevant cans quhairfoir the said retour or service sould fall or be reduceit Nather can the Kingis Maiestie be now compellit to ressonc vpoun the caussis and groundis of ane decret gevin in his predecessouris favouris the samyne being cled with nyne scoir yeires possessionn and perpetuall taciturnitie of the partie aganis quhom the samyne is gevin quhilk being joyned togidder makis the said decret and service negative altogidder to be irreducible (2) Becaus the said decret and service negative is gevin *in foro contradictorio parte comparente* and proponcand all his exceptionis and sua the samyne is now irreducible (3) Becaus the samyne is prescryvit be the Act of Prescriptioun maid anent services and retoures the samyne not being persewit *debito tempore* speciallie in respect the samyne is gevin *in foro contradictorio* and cled with perpetuall possessionn as said is *Igitur etc.* TO THE QUHILK IT WAS ANSUEKIT be the said Maister Thomas Hoipe for the pairt of the saidis perseweris To the first defence and first member thairof beiring that na confirmatioun was necessar That the samyne is sua direct contrair to all law and practise that it neidis na ansuer And as to the secund member thairof beiring that the King in effect confirmet the samyne be ressaveing of resignatioun *etc.* It is ansuerit that that member is nawayes relevant except it war alledgit that the said chartour was confirmet ather *expresse* or *tacite* befor the monethe of Januar 1404 quhilk is the dait of the chartour of confirmatioun and infestment maid be King Robert the Thrid to the said vmquhill Dame Issobell Dowglas and Alexander Stewart and thair aires to be gottin betuix tham quhilkis failyeing to hir aires And quhair it was alledgit in the thrid member of the said defence that this nullitie of not confirmatioun was compitent be way of ex-

ceptioun the tyme of the negative service It was ansuerit that it was nawayes compitent becaus the tyme of the negative service not onlic the said infestment was standing cled with possessioun bot also the said vther infestment of tailyie grantit be King James the First to Alexander Stewart and Thomas his sone vpoun thair awin resignatioun bering ane prouisioun to returne to the crown failyeing of aires of his bodye quhilk being cled with maney yeres possessioun could not be annullit be way of exceptioun And as to the fourt member of the said defence beiring that the said persewer cannot alledge want of confirmatioun becaus he is air to the said Dame Issobell It was ansuerit that he querrellis not the samyne vpoun that ground onlie bot also that the said chartour was renuncit be Alexander Stewart and ane new chartour acceptit be him contrair thairto and the said persewer as air to the said Dame Issobell may verie weill quarrell the samyne vpoun that ressonne Secundlie it was ansuerit to the secund defence proponit aganst the secund ressonne and to the first member thairof That the samyne aucht to be repellit in respect of the ressonne and thair was na resignatioun nather necessar nor possible becaus Alexander Stewart was never the Kingis vassall nor the King his superiour the tyme of the renunciatioun And as to the secund member of the secund defence it was ansuerit that the said renunciatioun was not compitent aganst the said service negative First becaus it could not be proponit aganes King James the Secund quha pretendit richt to the erldome of Mar as singular successor be bastardrie Nixt becaus efter the dait of the said renunciatioun thair was ane infestment grantit be King James the First to the said Alexander Stewart and his sone vpoun thair awin resignatioun quhilk with the said anterior infestment stude cled with possessioun and could not be tane away bot be way of reductioun And as to the thrid fourt and fyft memberis of the said defence the samyne aucht to be repellit becaus albeit the said Dame Issobell Dowglas was not superior yett scho was maker and gever of the said chartour and sua maist capable of ane renunciatioun and thair could be na procuratorie nor instrument of resignatioun vsit becaus it was not betuix the vassall and the superior And ane renunciatioun maid vnder forme of instrument in presens of ane publict notter and witnessis the tyme of the said renunciatioun was als formall lauchfull and authentik than as now subscrip-tioun and seall And it ncidit not to be done befor ane judge becaus thair was nather law nor custome to vrge the samyne And as to the last

member of the said defence beiring that the said renunciatioun contenes not the landis mentionat in the said chartour *in forma specifica* It was anserit thairto that the samyne aucht to be repellit in respect of the renunciatioun quhilk beires expreslie that the said Alexander Stewart delyverit to the said Dame Issobell Dowglas the castell of Kildrymmie with the hail chartouris and evidentis thairof to the effect scho nicht dispone vpoun hir hail landis and the said castell of Kildrymmie at hir plesour Vnder the quhilk generalitie hir landis of the erldome of Mar ar includit quhilk is cleir and evident be the claus immediatlie subjoyued beiring that the said Dame Issobell gave to the said Alexander in frie mariage with hir and to hir aires thairin contenit the said castell of Kildrymmie and erldome of Mar and the rest of the landis thairin mentionat Quhairvpoun the said Alexander Stewart askit instrumentis THRIDLIE as to the thrid defence proponit aganst the said secund ressonne the samyne aucht to be repellit in respect of the ressonne and instrument of renunciatioun producit quhilk beires that not onlie the said Alexander Stewart gave and delyverit to the said Dame Issobell hir hail landis with the castell of Kildrymmie to be vsit at hir plesour bot also askit instrumentis vpoun the new gift and donatioun maid to him with the said Dame Issobell in frie mariage and to hir aires thairin contenit quhilk preives evidentlie the acceptatioun of the said new richt And the chartour product is *idem actus* with the said renunciatioun being maid the samyne day and aggreinge in tennour and substance thairwith and in effect is grantit for fulfilling of the said renunciatioun and new gift thairin contenit Lykas also the said new gift and donatioun is confirmet be King Robert the Thrid vnder his seall within the space of fourtie dayes efter the dait thairof quhilk makes the samyne publict And being confirmet efter the mariage was celebrat betuix the said Alexander Stewart and the said Dame Issobell it man be presumet that the samyne was confirmet be him his auctorite and credit being hir husband and in great credit with the King and to quhome he was attingent neir in blud in the first and secund degrie of consanguinitie And sua proves also his acceptatioun of the said new gift and donatioun And quhair it is alledgit in the defence that the said vmquhill Alexander Stewart never vsit the said chartour bot adherit to his first chartour be resigninge the landis in the Kingis handis *etc.* The samyne aucht nawayes to be respectit becaus he did that quhilk he nicht not doe haveing renuncit the said first chartour and acceptit ane

secund and new richt in maner foirsaid Lykas the infestment gevin to the said Alexander be King James the First vpoun his awin resignatioun is cravet to be reduceit in respect he had na power to resigne And quhair it was alledgit in the last member of the said defence That the said persewer cannot be hard to alledge the acceptatioun of ane new infestment becaus it was compitent be way of reply in the service negative and being than omittit cannot now be vsit as ane ressonne of reductioun It was answerit thairto that the samyne was nawayes competent be way of reply in respect the said first infestment togidder with the infestment grantit to the said Alexander Stewart his sone vpoun his awin resignatioun was standing cled with possessioun continuallie fra the dait thairof quhilk is aboue threttic yeres Quhilkis infestmentis could not be annullit be way of exceptioun or reply bot onlie be way of reductioun FERDLIE quhair as it was alledgit in the first defence aganst that pairt of the secund ressonne beiring that the King had na richt bot ane cullorit richt *etc.* That that pairt of the ressonne is nawayes relevant becaus the samyne is onlie ane negative To the quhilk the defenderis oppones *affirmative* the tua chartouris craveit to be reduceit It was ansuerit that is na guid defence becaus it is *petitio principij* Becaus the chartouris opponed ar craveit to be reduceit And quhair it was farther alledgit That the Act of Parliament anent the Kingis possessioun could not be opponit the tyme of the said service becaus it was maid onlie to indure dureinge the minoritie of King James the Secund quha was than minour It was ansuerit that the said alledgance is contrair to the proces quhilk beires that the samyne was opponet *de facto* And the said persewer is not obleist to menteine the relevancie and lauchfulnes of all that was opponit in the said service FYETLIE as to the fyft and last defence proponit aganes the secund ressonne quhilk is writtin in the end of the hail defenssis bot appointit be ane marginall not to be takin in in this place beireinge that the retour and service negative cannot fall *in consequentiam* in respect the said ressonne contenis na relevant caus quhairfoir the said service sould fall *in consequentiam* And that the Kingis Majestie cannot be compellit to ressonne vpoun the caussis and groundis of ane decreit gevin in his predecessouris favouris cled with nyne scoir yeires possessioun and perpetuall taciturnitie of the pairtie It was ansuerit thairto first that this exceptioun is contrair to the rewlis of logick becaus it denyis the conclusioun quhilk of necessitie

man follow iff the proposition and assumption of the ressonne be relevant and provin But sua it is that notwithstanding of all the prior defenssis proponit aganes the said secund ressonne the samyne standis relevant and provin And thairfor the conclusion must follow necessarlie And quhairas it was alledgit that the Kingis Majestie efter sa lang ane tyme cannot be compellit to schaw the caus and the ground of his decret It was ansuerit first that thair is no prescriptioun in heretabill richtis Nixt that his Majesteis name and interes is wranguslie pretendit in this caice Becaus his Majestie and vmquhill Queine Marie of worthie memorie his mother be the tua Actis of Parliament produceit lying in proces hes renuncit all richt to the said erldome of Mar in favouris of the perseweris vmquhill father and hes acknawledgit the vndoubtit richt thairof to stand in the persone of the said persewer reserveing all vther defenssis to the parteis haveing interes

(3) The defenderis can not be hard to pretend his Majesteis privilegde becaus of the law *Princeps in re privata utitur jure privatj* And thairfor if the ressonne of redutioun be relevant of the law as it is baith relevant and provin for the caussis foirsaidis the conclusion of necessitie man follow except the defenderis in his Majesteis name or thair awin name will propone ane relevant defence to exclude the samyne And this cannot be ane relevant defence of the law to alledge That efter sa lang ane tyme they cannot be compellit to ressonne And quhair it is farder alledgit that the said service negative is gevin *parte comparente* and als is prescryvit and sua irreducible It is answerit that the said alledgance might have sum apperance if the service negative wer craveit to be reducit *principaliter* Bot heir it is not craveit to be reducit *principaliter* bot *in consequentiam* and sua the prescriptioun cannot be opponet

TO THE QUHILK IT WAS DUPLYT be the said Maister Lues Stewart procoutour for the saidis Alexander lord Elphingstoun Lord Kildrymmie and his said spous to the answeires maid to the defenssis proponit aganst the secund ressonne of redutioun quhilk is conceavit aganes the validitie of vmquhill Alexander Stewartis infestment And first to the first pairt beirand that the samyne neidit na confirmatioun to be product be the Kingis Majestie quhilk is onlie ansuerit with this general That it is aganes all law and practique and na farder To the quhilk it is duplyet That as the said exceptioun is conceavit it is nather aganes law nor practique bot agreable with guid ressonne For it is not simple said That ane chartour to be haldin of the King neidis na confirma-

tion Bot in thes termes That quhensoever ane chartour is ordeanit to be haldin of the King quhen the King succeidis to thes landis he neidis not to instruct aney confirmatioun *quia eo ipso confirmat Dominus Rex quod possessionem apprehendat* And nixt efter sa lang ane tyme the King can not be vrget to instruct quhair the said chartour was confirmet And to vrge that the King sould confirme the said chartour it is aganst all law ressonne and practique And quhair it is ansuerit to the secund member of the exceptioun beirand the King *tacite* to have confirmet the said chartour That the samyne is not relevant except he had confirmet it befor Dame Issobell Dowglas confirmatioun in Januar 1404 To this it is duplyit That the exceptioun standis relevant as it is conceavit becaus the former chartour being cled with perpetualt possessioun quhilk includit the Kingis richt his declaratioun of his will is sufficient *quocumque tempore* speciallie aganst the said vmquhill Dame Issobell Dowglas pretendit chartour and confirmatioun quhilk is null in the self for the caussis foirsaidis And in speciall becaus the chartour confirmet wantis witnessis And becaus never did aney seising follow thairvpoun quhairas be the contrair Alexander Stewart was seait be vertew of the first chartour in sa far as he and vtheris haveand richt fra him hes bene in peaciabill possessioun of the landis thairin contenit be the space of ellevin scoir yeires or thairby quhilk suppleis the seising of the said first chartour quhairas the said Dame Issobell Dowglas chartour wantis baith witnessis seasing and possessioun And quhair it is answeirit to the thrid member of the said exceptioun beirand the nullitie of the chartour for non confirmatioun was not competent the tyme of the service negative It is duplyit the contrair is of veritie for the exceptioun of not confirmatioun of ane chartour beirand to be haldin of the superior is ane sufficient exceptioun to clyde the said chartour albeit it be cled with possessioun And quhair it is ansuerit to the last and strongest member of the said exceptioun (beirand the persewer can never be hard to quarrell the said chartour gevin be the said Dame Issobell Dowglas to the said Alexander Stewart becaus he behaves him self as air to hir and man warrand the samyne) That he quarrellis it not *ex hoc capite solo etc.* It is duplyit be the defender that he can never be hard to quarrell it *ex hoc capite* becaus he man warrand it And thairfor the defenderis man be assoyleit from that part of the ressonne And as to the said Alexander Stewartis renunciatioun of the said chartour The samyne salbe ansuerit *et*

infra SECUNDLIE it is duplyit to the ansueris maid to the exceptioun maid aganst the secund member of the said secund ressonne of reductioun (quhilk exceptioun is proponit aganst the said vmquhill Alexander Stewart his pretendit renunciatioun of the said erldome) And first to the first ansuer beirand thair was na necessitie of resignatioun in the Kingis handis *etc.* That the exceptioun standis verie relevant notwithstanding of the ansuer becaus all resignatiounis or renunciatiounis man be maid in the lauchfull superioris handis vtherwayes they ar null Bot the said pretendit renunciatioun or resignatioun alledgit maid be vmquhill Alexander Stewart in Dame Issobell Dowglas handis was not in the handis of the lauchfull superior becaus scho was not superior to him *nec in spe nec in re* nather had he aney chartour to be haldin of her Bot be the contrair to be haldin of the King quha was superior be virtew of the said chartour *saltem in spe* albeit it war grantit that the samyne was not confirmet And thairfor the said renunciatioun as not being made in the Kingis handis is null Item to the secund ansuer maid to the secund member of the exceptioun (beirand the said exceptioun of renunciatioun to have bene competent the tyme of the service negative and omittit) That the samyne was not competent first becaus the King pretendit richt be way of bastardrie (2) becaus thair was ane chartour tailye gevin be the said Alexander quhilk was cled with possessioun To this it is duplyit that the exceptioun of renunciatioun or reply wald have bene verie competent in baith the caissis foirsaidis notwithstanding of oney possessioun For iff Robert or Thomas lord Erskenes wald have cravit to have bene seruit air to vmquhill Dame Issobell Dowglas in aney landis quhairin scho died vest and seasit and iff Alexander Stewart or aney haveand richt fra him wald have compeirit and stayit the said service be production of the said chartour maid be the said Dame Issobell to the said Alexander Stewart it wald have bene ane verie competent reply to have alledgit the renunciatioun of the said chartour and productet the samyne quhilk wald have stayit the said service Bot the samyne was nather alledgit nor product in respect it was not ather *in rerum natura* or of the insufficiencie thair of And quhair it is answeirit to the thrid fourt and fyft memberis of the said exceptioun that it neidit not to be maid in the superioris handis nor it requyrit na procuratorie nor instrument of resignatioun and it was formall aneuche in thes dayes to have bene done befor ane nottar and nocht befor ane judge It is duplyit That the contrair is of veritie for all resignatiounis or renun-

ciatiounis of landis man be maid in thes personis handis quha ar superioris as is confessit be the persewer in his ansuer. And sua seing the said Dame Issobell was not superior but onlie disponer of the landis as is confessit it followis verie weil that na valide renunciatioun nor resignatioun could have bene maid in hir handis be the said Alexander Stewart And quhair it is contenit in the ansuer That ane renunciatioun may be maid befor ane nottar vnder forme of instrument in thes dayes als lauchfull as giff the samyne war subscrivit or done befor ane judge The defenderis alledges the samyne to be ane paradox becaus albeit it might be grantit that ane slendar and vnformall richt wald be mentenit efter sa money hundreth yeires for manteneing of aney man in possessioun of his landis efter sa lang ane space yett it is against all ressonne that ane informall richt sall now be mentenit to denude the King and his vassallis of thair lauchfull richtis cled with ellevin scoir yeires possessioun And quhair the persewer alledges that thair is nather law nor custome at that tyme to vrge the samyne The defender turnes over the argument and sayis That of all law and custome quhilk now is or hes bene in manes memorie all sic renunciatiounis or resignatiounis of landis man be maid formalie and subscrivit be the pairtie or befor ane judge Ergo it man be presumet the forme to have bene sua auld for menteneinge the defenderis richt and possessioun rather than thair was na sic forme as the persewer wald alledge thairby to big vp ane new richt quhilk hes not bene hard of thes ellevin scoir yeires bygane And quhair it is answeirit to the last pairt of the said exceptioun quhilk is foundit aganes the vnlauchfulnes of the renunciatioun in substance / quhairvnto it is ansuerit that it beires delyverie of the castell of Kildrymmie with hir chartouris and evidentis etc. It is duplyit that the exceptioun standis relevant notwithstanding of the ansuer for the chartour maid be Dame Issobell Dowglas to Alexander Stewart is ane formall chartour of alienatioun and dispositioun of the erldome of Mar lordschipe of Garreochie and maney vther landis particularlie sett down in the chartour and makis na mentioun nather of castellis keyis nor chartouris Sua that quhatsumever is gevin in the said chartour man ather be lauchfullie and particularlie resignit and renuncit be the said Alexander or ellis the samyne man remaine still with him and vtheris haveand richt from him Bot trew it is that the said pretendit renunciatioun beires onlie that the said Alexander delyverit the castell of Kildrymmie and the keyis of the castell with hir writtis to the said Dame

Issobell to the effect scho nicht dispone thairvpoun at hir plesour Qubilk can never infer the renunciatioun of the erldome of Mar as the persewer wald affirme For vnder the name of the castell of Kildrymmie cannot be comprehendit the erldome of Mar and lordschipe of Garreochie *quia in minore non inest majus sed e contra* And as to that word of the renunciatioun to the effect scho nicht dispone vpoun hir landis etc. That can never be extendit to the erldome of Mar and vtheris landis contenit in the said Alexanderis chartour becaus they war not hir landis at that tyme bot the said Alexanderis and not resignit And quhair it is alledgit in the said ansuer that the samyne is maid cleir be the subsequent dispositioun of the erldome of Mar contenit in the instrument To that it is duplyt that it is ane verie evill consequent *hoc modo* Dame Issobell Dowglas gave bak the erldome of Mar to Alexander Stewart *Ergo* Alexander Stewart had formarlie renunciit the samyne / *Non sequitur* / for nather ressaut he it nor is the said instrument productit be him nor oney haveing richt fra him bot be the contrair retenit his former richt as salbe heirefter schawin THRIDLIE it is duplyt to the thrid ansuer maid to the thrid defence (quhilk is conceavit aganst the said secund chartour That Alexander Stewart never acceptit the samyne nor vseit the said chartour bot adheret to his former chartour) That the said defence and qualificatioun thairof is maist relevant notwithstanding of oney answer maid to the samyne And first quhairas the said ansuer is foundit vpoun the said pretendit instrument of renunciatioun quhairby the said Alexander Stewart is alledgit to have gevin over the erldome of Mar That meittis not the exceptioun quhilk is proponit aganst that pairt of the ressonne beirand the said Alexander Stewart to have acceptit the secund chartour from the said Dame Issobell Aganst the quhilk instrument of renunciatioun thair is sufficient exceptioun proponit of befoir And quhair it is answeirit that the taking of instrumentis be the said Alexander vpoun the said Dame Issobellis new donatioun is aneuche to preife ane sufficient acceptatioun It is duplyt that the contrair is of veritie for the ressonne beires that he acceptit ane new chartour quhilk cannot be verefeit be the said instrument nather contenes the said instrument aney chartour in respect all chartouris man have thair substantiall claussis *videlicet* the landis and vtheris quhilkis ar disponit / the persones name disponer / of quhome to be haldin / and for quhat dewtie to be payit / and befoir quhat witnessis / quhilkis ar not in the instrument Nather is ane instrument alledgit taine

in ane notteris handis of sufficient validitie to tak away ane former chartour cled with perpetuall possessioun be the space of tua hundrethe yeires or thairby And quhair the perseweris wald supplie the samyne acceptatioun be the said pretendit new chartour product and be the Kingis confirmatioun thairof It is duplyit that the said ansuer is nathing bot *petitio principij* for the exceptioun beires not onlie negativelie that vmqhill Alexander Stewart never acceptit the said chartour nor confirmet the samyne bot positie infallable ground preving the contrair *videlicet* that Dame Issobell maid the chartour hir self (2) keipit it hir self (3) confirmet it hir self (4) the said Alexander never vsit it (5) never tuik seising thairvpoun (6) never possesit be virtew thairof (7) vseit contrair deidis preiving cleirlye that he adherit to his former chartour *videlicet* That as proprietar he resignit the landis in the Kingis handis for new infestment to him self and Thomas his sone and failyeand of thair aires to the King / quhilk infestment is cled with tua hundrethe yeires possessioun Thir deidis ar so violent and pregnant aganes the persewer as he can mak na ansuer thairto bot presumptiounes *videlicet* That it is presumet that Alexander Stewart being of blud to the King hes confirmet the chartour him self as give Alexander Stewart wald prejudge himself Bot be the contrair it is presumeit that all hes bene done and forget be the said Dame Issobell hir self and the confirmatioun quyetlie convoyed thruche by the Kingis knowledge as is notourlie knawin to be done be daylie experience And quhair it is affirmet that the chartour and instrument are *vincus actus* as done vpoun ane day That is mere cavillatioun becaus all that is done vpoun ane day will not be *vincus actus* nather is the chartour relative to the instrument Item the instrument hes witnessis / the chartour nane / Item the instrument is vitiat in the dait and that laitlie as appeires be ocular inspectioun / Bot to tak away all subterfuge iff the instrument had bene trew and valide and that the said Alexander hes reallie renuncit the said chartour and had delyverit all writtis and evidendis as is contenit in the said pretendit instrument It is demandit be the defenderis quhy the said Alexander delyverit not the former chartour quhilk is alledgit to be renuncit / and quhy the samyne was not cuttit and cancellat iff he acceptit ane new ane quhilk he wald willinglie have done iff the said renunciatioun and acceptatioun had bene of veritie Bot thes ressones ar so cleir aganst the said renunciatioun pretendit new chartour and acceptatioun thairof that the samyne neidis na farder inlairing And

quhair it is answeirit that the said ressonne of acceptatioun of ane new chartour was not competent to have bene proponit in the service negative It is duplyit that it was verie competent and Alexander his possessioun wald have bene ascryvit to the posteriour chartour and sua neidit na reductioun FORTHE it is duplyit to the ansuer maid to the fourt exceptioun quhilk is maid aganst that part of the ressonne beirand that the King had na richt bot ane cullorit richt and ane Act of Parliament that the samyne is nawayes *petitio principij* bot ane valide affirmatioun opponit to ane infirme negative quhilk is this *videlicet* That the King had ane richt proceeding fra Alexander Stewart And farder of our law the King / as King / hes richt to all landis within this realme *tanquam dominus proprietarius* except the samyne be lauchfullie disponit to ane vther Attour the King had richt to the ane halff of the said erlome *jure sanguinis* as is said in the former duplyis And quhair it is ansuerit that it is *petitio principij* becaus thir chartouris ar craveit to be reduceit It is duplyit That it is not *petitio principij* becaus they cannot be reductit for the ressonnes foirsaidis And quhair it is ansuerit that the Act of Parliament anent King James the Secund his possessioun wes opponit in the said service negative and sua wald infer the defence to be contrair to the said service It is duplyit The contrair is of veritie And the persewer of purpois makis him to miskenne the exceptioun For the exceptioun beires not that the Act of Parliament was not opponit in the service bot it beires that the samyne could be na ground to mentene the King at the tyme of the service For seing the said Act of Parliament did onlie menteine the King in the possessioun of the landis quhairin his father died in possessioun dureing his minoritie And that at the tyme of the said service King James the Secund was major Then it followis that the said Act of Parliament was expyrit and could not menteine his possessioun and iff the said Act of Parliament was opponit be the Kingis advocat or ony vther in his name Then it was the part of Thomas lord Erskene and his preloquitouris to have replyit vpon the expyreing thair of And if they omittit ane lauchfull reply and thairby sufferrit ane decret to be gevin *in foro contradictorio* lett it be imputt to tham self FIFTE it is duplyit to the first ansuer quhilk is proponit aganst the last exceptioun gevin in aganst the last part of the secund ressonne quhilk ansuer beires the first part of the said exceptioun to be ivill logick becaus it denyis the conclusioun quhilk man of necessitie follow if the propositioun and

assumptioun be trew It is duplyit that the exceptioun is verie relevant and conceavit in guid termes of law and aggreable with guid logick For the exceptioun denyis not the conclusioun quhilk is mistakin be the said persewer him self For the conclusioun of the ressonne is onlic ane reduccion of vmqhill Alexander Stewartis first infestment quhairvpoun this sequell is inferrit That consequentlie the service negative sould be reducit becaus it hes na vther ground Aganst the quhilk it was verie pertinentlie exceptit That geveand all war trew yett the decreit and service negative can not fall *in consequentiam* becaus the Kingis Majestie can not be compellit to ressonne vpoun the caussis and groundis of ane decreit gevin in his predecessouris favouris *in foro contradictorio* eled with nynescoir yeires possessioun and perpetuall taciturnitie of the pairtie aganst quhom the samyne is gevin quhilk is verie guid logick in forme if the substance be guid as it is / And quhair it is ansuerit to the said pairt of the exceptioun that thair is na prescription in heretabill richtis It is duplyit that the pairtie being considerit quho is the Kingis Majestie he cannot be compellit efter sa lang ane tyme to produce or alledge the warrandis of his richtis quhilk remaines not in his awin handis as is notour Nixt the said decreit and service negative is ane decreit and thairfoir fallis vnder prescription In the quhilk point the Lordis hes to advert to the danger of the cuntrie and baill esteatis thairof iff this preparative salbe sustenit / That the successouris of aney persone that hes obtainit ane decreit sum tua or thrie hundrethe yeires since salbe compellit to dispute vpoun the validitie and invaliditie of the said decreit or groundis thairof the samyne being gevin *in foro contradictorio* and never quarrellit be the pairtie (2) Quhair it is ansuerit that his Majesteis name and interes is wranguslie pretendit in this caice becaus his Majestie and Queine Marie our Souerane Lordis guddame be tua Actis of Parliament hes gevin over thair richt of the said erldome in favouris of the perseweris vmqhill father *etc.* To this it is duplyit That his Majesteis name is verie justlie pretendit in this caice becaus it concernes his Majesteis honour and proffeit to menteine thes deidis quhilkis his predecessouris hes formalie done to the defenderis for ane privat caus and quhilk his Majestie is bund to warrand as said is Nather can thes Actis of Parliament sua oft repetit be obrudit to his Majestie seing be the samyne baith the fame and guid name of his maist noble progenitoris is hurt and his Majesteis self interest in his honour conscience and proffeit as is duplyit of befoir at great lenth

And the Kingis Majesteis name man onlie be pretendit in the mentinence and defence of the said decreit and sentence negative and na vther names becaus the samyne was onlie gevin at the instance of vñquhill King James the Secund quhom his Majestie representis and na subject in this realme had enteres in the said matter at that tyme bot the King And quhair it is answeirit that *Princeps in re privata vitur jure privati* And that the defender cannot thairfoir be hard to vse his Majesteis priviledge becaus he hes nane It is duplyit The answer meittis not the exceptioun for in this caiee *Princeps agit partes rej pro suo patrimonio* quhilk was the erldome of Mar And for defence of the guid name of his maist noble progenitouris to vindicat thame from the vnjust imputatioun of oppressioun And to menteine the giftis and dispositionis quhilk they have maid *ex causa onerosa* And albeit *Princeps in re privata vitur jure privati* yett he will not be restranit to the strait priviledges quhairvnto ane privat persone wald be astrictit *videlicet* to produce groundis of decreittis of sic antiquitie And quhair it is formarlie ansuerit that thair is na prescriptioun of heretabill richtis That answeir meittis not the questioun For albeit it war grantit that thair wer na prescriptioun of heretable richtis yett decreittis and sentences man prescrvye efter sa lang ane tyme And quhair it is ansuerit in the end of the said ansuer that the decreit and service negative cannot prescrvye becaus the samyne is not cravit to be reduct *principaliter* bot *in consequentiam* To this it is duplyit The contrair is of veritie For the same being ane decreit gevin *in foro contradictorio* and ane service negative *parte comparente* cannot be callit in questioun *principaliter multo minus in consequentiam* for that war ane way to elude all prescriptionis To THE QUHILK IT WAS TRIPLYIT be the said Maister Thomas Hoipe procuratour for the saidis perseweris as followis In the first As to the first duply aganst the secund ressonne the persewer repeittis his reply with this eik That the objectionis maid be the defenderis aganes the said secund ressonne of reductioun mvst not be discust severallie bot conjunctlie in respect the said ressonne is lybellit *conjunctim* and foundit vpoun thir heidis *conjunctim videlicet* not confirmatioun of the chartour maid to Alexander Stewart and his aires / renuntiatioun thairof be him / acceptatiounn of ane vther chartour quhilk resolves in the aires of the said Dame Issobell / and confirmatioun and infetment of the said chartour be King Robert the Thrid in Januar 1404 And quhair it is alledgit in the thrid member of the said first duply

that the alledgance of not confirmatioun of ane chartour to be haldin of the superiour is receaveable be way of exceptioun albeit it be cled with possessioun The defender craftelie omitis that pairt of the reply quhilk beires that Alexander Stewart and Thomas his sone had ane infestment grantit be King James the First standing cled with possessioun aganes the quhilk the exceptioun of not confirmatioun was not proponable Item as to the secund duply The persewer repeittis his reply togidder with the triply maid to the former duply becaus they ar coincident Item as to the thrid duply The persewer repeittis his reply with the said former eik That the persewer vseis all conjunctlie And quhair it is alledgit about the end of the said thrid duply that the instrument is vitiat in the dait It is ansuerit that thair is tua instrumentis productit ane with seallis and the vther without seillis and the persewer dois not vnderstand quhilk o' the tua the defender affirmes to be vitiat for thair is no appeirance of vitiatioun in nather of thame Bot the ane is daitit in September and the vther in December 1404 quhilk baith daittis ar posterior to the dait of the first chartour quhilk is in August preceeding And geving thair war aney vitiatioun quhilk is not grantit yett it is not *inter substantialia* except it war schawin that the vitiatioun is fra ane dait preceeding the chartour renuncit to ane dait posterior to the samyne And the persewer haveing productit tua instrumentis quhilk both and everie ane of thame is sufficient to prove that pairt of his ressonne the defender man impugne both or ellis the ressonne standis provin And it is in the optioun of the persewer to vse baith the instrumentis or to tak vp ane of thame at his plesour And quhair it is demandit at the end of the said duply quhy the said former chartour quhilk is alledgit to be renuncit wes not cuttit and cancellit gif he acceptit ane new ane It is ansuerit that the persewer never saw the said principall chartour and that quhilk is productit is allanerlie ane extract thair of And geving it war yet extant it war ane verie waik argument to mak it to be guid becaus it is extant speciallie seing Alexander Stewart being husband to Dame Issobell had the hail richtis in his power and nicht ather keip or cancellat the samyne at his plesour Fourtlie as to the fourt duply The persewer repeittis his reply with this eik That geving Thomas lord Erskene had replyed vpoun the expyreing of King James the Secund his minoritie yett the said negative service could not have bene stayit be the said ansuer in respect of the richtis and infestmentis standing in the Kingis persone cled with possessioun

quhilk is the trew caus of the foirsaid service negative And quhilkis richtis wes not onlie the said chartour tailyie maid to Alexander Stewart and his aires bot also the infestment maid to the said Alexander and Thomas his sone vnder the Kingis great seill baith standing cled with possessioun Fyftlie as to the fyft duply the said persewer repeittis his reply And quhair it is vrgit that the preparative wald be dangerous giff pairteis efter tua or thrie hundrethe yeires sould be compellit to dispute vpoun the validitie or invaliditie of decreittis gevin *in foro contradictorio* It is answeirit that it wer ane far more dangerous preparative giff decreittis gevin *in iudicio possessorio* in respect of infestmentis standing sould becum irreduceable be prescriptioun of tyme And that ane decreit gevin in ane possessour judgment sould exclude the petitour And in this caice the persewer quarrellis not the saidis decreittis immediatlie vpoun the defect of oney intrinsick forme or solemnitie requisit to ane sentence quhilk war hard to be drawin in questioun efter so long ane tyme bot persewes reductioun of the richtis and infestmentis quhilkis war the caus of the givinge of the said sentence in the said possessour judgment quhilk beinge reducit the saidis pretendit decreittis fallis *in consequentiam* And quhair it is alledgit in the end of the said duply That giff the saidis decreittis can not be reducit *principaliter multo minus in consequentiam* It is ane assertioun direct repugnant both to law and practique for thair was ane law of prescriptioun quhilk makis services and retoures efter thrie yeires irreduceable *principaliter et immediate* Bot thair is na law quhilk makis the samyne irreduceable *in consequentiam* TO THE QUHILK IT WAS QUADRUPLYIT be the said Maister Lues Stewart for the pairt of the saidis defenderis as followis In the first quhair it is triplyit that the objectionis maid aganst the second ressonne must be discussit *conjunctim* The defender quadruplyes that his defenssis man be discussit as he propones thame and not as the persewer pleissis And as to the second pairt foundit vpoun the defenderis ommission *etc.* It is quadruplyit that the defender hes omittit nothings bot his duply standis relevant Item quhair it is triplyit to the thrid duply that the persewer vseis all conjunctlie *etc.* It is quadruplyit that albeit he vse thame conjunctlie yet the defender may object aganst everie ane of thame and sua caus thame all fall And quhair it is triplyit aganst the vitiatioun of the instrument that it is not substantiall and that the persewer may tak vp the samyne It is quadruplyit that *vitium in data est vitium in substantialibus*

And give the persewer will tak vp the samyne he sall have ane ansuer Fourtie to the reply maid aganst the fourt duply (beirand the caus of the service negative to have bene Alexander Stewartis chartour cled with possessioun) It is quadruplyit the samyne meittis not the duply nor the exceptioun Nather can the persewer be hard to alledge it becaus the lybell beires that the King had na richt bot ane collorit richt and his Act of Parliament To this it is ansuerit That that pairt of the ressonne is fals / seing the Act of Parliament gaife the King onlie richt to bruk dureinge his minoritie And the King was major at that tyme of the service and sua the Act of Parliament died Nather in the said service is thair aney mentioun maid of Alexander and Thomas Stewartis possessioun Bot the samyne dippis baithe vpoun the affirmative and negative *videlicet* That the King had richt and that Robert lord Erskene had na richt Fyftlie quhair in the fyft triply the preparative is aggredegit *etc.* The defenderis referris the samyne to the Lordis to consider thair of *in omni iudicio* quhether *petitorium* or *possessorium* and giff the decreit wes onlie gevin *in iudicio possessorio* than the persewer and his predecessouris micht the mair caselie have intendit his reductioun in tyme And quhair in the end it is alledgit the saidis retoures may be reduceit *per consequentiam* The contrair is of veritie seing they ar gevin *in foro contradictorio* efter the taciturnitie of the partie be the space of sua money hundrethe yeires quha hes acknowlegit the richt of the landis to have bene in the Kingis Majesteis person be acceptatioun of ane new richt of ane pairt thair of fra him and his predecessouris THE QUHILKIS haill defenessis answeires duplyis triplyis and quadruplyis immediatlie aboue writtin proponit *hinc inde* vpoun the foirsaid secund ressonne of reductioun with the haill writtis quhairvpoun the samyne is foundit being all at lenth the red hard sene and considerit be the saidis Lordis and thay thairwith being ryplie advysit The saidis Lordis findis the foirsaid secund ressonne of reductioun as it is in ane conjoynd ressonne with the foirsaidis ansueris and triplyis groundit vpoun the Actis of Parliament interloquitouris and haill writtis produceit lyand in proces to be relevant and sufficientlie provin notwithstanding of all the saidis defenessis duplyis and quadruplyis proponit for the part of the saidis defenderis in the contrair Quhillis the saidis Lordis hes repellit Lykas was cleirlye vnderstand to thame And thairfor they reduceit decernit and declarit in maner aboue-writtin and ordanes lettres to be direct vpoun the premissis in forme as effeires.

King Charles I. to the Earl of Mar. ¹—(A.D. 1626.)

Right etc. Whereas wee were formerlie pleased to wrett vnto the Lordis of Session that the Marquise of Hamilton and the Earles of Angues Nithsdale and Annandale might be secured from anie harme that might arrise vnto them by the action depending before the said Lords betuixt yow and the Lord Elphingstone ere it were discerned Seeing wee heare now that you haue obtained your decreet Our pleasure is that yow secure the said Earell of Angus in so farre as doeth concerne him that he haue no cause to complaine In doeing whereof yow shall doe ws a speciall pleasure And so wee bid yow fairewell Theobaldes the 18 of July 1626.

King Charles I. to his Advocat. ¹—(A.D. 1627.)

Trustie etc. Haueing beene humbly petitioned in name of Sir Johne Lesly of Wardes barronett showeing that by an action intended against him by the Earle of Marr his landis of Garrooch are lykly to be cvicted against him / whereby (if the said Earle prevaill) wee shall not only loose the superioritie of onè who is our vassall but also a yearlie few duetie / and be exceedingly damnified / wee being bound for warrandice of the said landis by our Royall predicesors deeds according to the petition which wee haue send you herewith inclosed . Our pleasure is that you consider of the said petition / and by all other meanes that yow informe your selfe of the estate hereof and if you find our interest to be such as is pretended / that you compeare for the same with the said petitioner whensoever the said action is persued for defence of the said cause least any inconvenient should come by the issue thereof vnto vs . Oatlandis the second of July 1627.

King Charles I. to his Advocat. ¹—(A.D. 1627.)

Trustie and weelbeloued etc. Whereas in the persute intended by our

¹ [From Secretary Sir William Alexander's Register of Royal Letters, 1626-1631. MS., Gen. Reg. House, Edinb.]

right trustie the Erle of Marr aganis his wassalles in Marr and Garioch Wee war informed in name of the Laird of Wardes of our particulare interest tharein which by our former lettre wee hade recommended vnto your care when it should appeare vnto you to be such as was affermed Bot by your lettre vnto ws heaving found that you could perceave noe such meater Wee hane thought good heirby to signifie vnto you that it is noe way our intentione that the pretending of our interest should any wayis be a meanis to delay the said Erle in the ordinarie course off justice but that he may haue all laughfull expeditione in the said actione according to the lawes of that our kingdome And as you did write vnto ws we doubt not bot that you wilbe carefull iff any thing heirefter shall occur that may concern ws in the said particulare or in any vther according to your charge We bid you fareweel Hamptoune Court the thrid of October 1627.

Retornatus Joannis Marrie comitis.¹—(A.D. 1628.)

1. **H**ec inquisitio facta fuit in villa de Clakmannane apud locum curialem vicecomitatus de Clakmannane solitum et vsitatum vigesimo secundo die mensis Januarii anno Domini millesimo sexcentesimo vigesimo octavo coram honorabili viro Domino Willielmo Menteith de Kers milite vicecomite principali dicti vicecomitatus Magistro Alexandro Menteith de Maner Roberto Maistertoun de Parkmylne et Thoma Youngar incola dicte ville vicecomitibus deputatis dicti vicecomitatus per dictum vicecomitem principalem eiusdem specialiter constitutis per hos probos et fideles homines patrie subsequentes videlicet Joannem comitem de Perth Dominum Drummond et Stobhall Hugonem dominum Semple Dominum Quintigernum Murray magistrum de Stormonth Dominum Archibaldum Stirling de Keir militem Dominum Robertum Bruce de Clakmannane militem Laurentium Mersar de Muklure Joannem Haldane de Glennagies Dominum Jacobum Chisholme de Cromlix militem Dominum Joannem Murray de Touchedene militem Dominum Robertum Halkat de Pitfirrane militem Willielmum Semple de Fulwode Joannem Brisbeane de Bishop-toun Dominum Joannem Prestoun de Valeyfield militem Joannem Hen-

¹ [From the Inquisitionum Retornatarum Registrum, vol. x, ff. 27, 28. MS. Gen. Reg. Hous., Edinburgh.]

dersoun de Foirdall et Georgium Bruice de Carnok . Qui iurati dicunt quod quondam Donaldus Marrie comes avus quondam Gratnei Marrie comitis proavus quondam Helene de Mar filie dicti Gratnei que fuit proavia quondam Roberti comitis de Mar domini Erskene etc. qui quondam Robertus fuit avus quondam Alexandri domini Erskene abavi Joannis nunc Marrie comitis latoris presentium obiit ad pacem et fidem quondam supremi domini nostri Alexandri Regis Scotorum bone memorie Tertii et quod dictus Joannes nunc Marrie comes est legitimus et propinquior heres dicti quondam Donaldi Marrie comitis avi dicti quondam Gartnei proavi quondam Helene de Mar proavie dicti quondam Roberti comitis de Mar domini Erskene etc. avi dicti quondam Alexandri domini Erskene abavi dicti Joannis nunc Marrie comitis . et quod est legitime etatis . In cuius rei testimonium sigilla quorundam eorum qui dicte inquisitioni intererant faciende vnacum brevi regio intus clauso et sigillo officii dicti vicecomitatus de Clakmannane dorso presentium affixo presentibus sunt appensa die mense et anno prenomatis .

Extractum de Libro Causarum predicti vicecomitatus per me Patricium Morisoun notarium publicum ac scribam eiusdem testantibus his meis signo et subscriptione manualibus .

Sic subscribitur J. Morisone .

2. Alia inquisitio facta dictis die et loco coram dictis iudicibus et per prefatas inquisitionis personas Qui iurati dicunt quod quondam Donaldus Marrie comes frater quondam Helene de Mar que fuit proavia quondam Roberti comitis de Mar domini Erskene etc. qui fuit avus quondam Alexandri domini Erskene abavi Joannis nunc Marrie comitis domini Erskene etc. latoris presentium obiit ad pacem et fidem quondam supremi domini nostri Davidis Scotorum Regis eius nominis bone memorie Secundi . et quod dictus Joannes nunc Marrie comes est legitimus et propinquior heres eiusdem quondam Donaldi Marrie comitis fratris dicte quondam Helene de Mar proavie dicti quondam Roberti Marrie comitis domini Erskene avi dicti quondam Alexandri domini Erskene abavi dicti Joannis nunc Marrie comitis . et quod est legitime etatis . In cuius rei etc. vt in precedenti retornatu solo nomine mutato .

3. Alia inquisitio facta dictis die et loco coram dictis iudicibus et per

prefatas inquisitionis personas . Qui jurati dicunt quod quondam Gratneus comes de Mar pater quondam Helene de Mar que fuit proavia quondam Roberti comitis de Mar domini Erskine etc. qui quondam Robertus fuit avus quondam Alexandri domini Erskene abavi Joannis nunc Marrie comitis lateris presentium obiit ad pacem et fidem quondam supremi domini nostri Roberti Scotorum Regis eius nominis bone memorie Primi . et quod dictus Joannes nunc Marrie comes est legitimus et propinquior heres eiusdem quondam Gratnei Marrie comitis patris dicte quondam Helene de Mar proavie dicti quondam Roberti comitis de Mar etc. avi dicti quondam Alexandri domini Erskine abavi dicti Joannis nunc Marrie comitis . et quod est legitime etatis . In cuius rei etc. vt in precedenti retornatu solo nomine mutato .

4. Alia inquisitio facta dictis die et loco coram dictis iudicibus et per prefatas inquisitionis personas . Qui jurati dicunt quod quondam Thomas Marrie comes filius quondam Donaldi Marrie comitis fratris quondam Helene de Mar que fuit proavia quondam Roberti comitis de Mar domini Erskine etc. qui Robertus fuit avus quondam Alexandri domini Erskene abavi Joannis nunc Marrie comitis lateris presentium obiit ad pacem et fidem quondam supremi domini nostri Roberti Scotorum Regis eius nominis bone memorie Secundi et quod dictus Joannes nunc comes Marrie est legitimus et propinquior heres eiusdem quondam Thome Marrie comitis filii fratris dicte quondam Helene de Mar proavie dicti quondam Roberti comitis de Mar domini Erskene avi dicti quondam Alexandri domini Erskine abavi dicti Joannis nunc Marrie comitis . et quod est legitime etatis . In cuius rei etc. vt in precedenti retornatu solo nomine mutato .

5. Alia inquisitio facta dictis die et loco coram dictis iudicibus et per prefatas inquisitionis personas . Qui jurati dicunt quod quondam Margareta comitissa de Mar filia quondam Donaldi secundi Marrie comitis fratris quondam Helene de Mar que quondam Helena fuit proavia quondam Roberti comitis de Mar domini Erskine qui fuit avus quondam Alexandri domini Erskine abavi Joannis nunc comitis de Mar lateris presentium obiit ad pacem et fidem quondam supremi domini nostri Roberti Scotorum Regis eius nominis bone memorie Secundi . et quod

dictus Joannes nunc Marrie comes est legitimus et propinquior heres eiusdem quondam Margarete Marrie comitisse filie dicti quondam Donaldi secundi Marrie comitis fratris dicte quondam Helene de Mar proavie dicti quondam Roberti comitis de Mar domini Erskein etc. avi dicti quondam Alexandri domini Erskein abavi dicti Joannis nunc Marrie comitis et quod est legitime etatis . In cuius rei etc. vt in precedenti retornatu solo nomine mutato .

King Charles I. to the Treasurer Deput. ¹ —(A.D. 1628.)

Right etc. Wee haue been often petitioned in behalff of our wassellis of Marr and Garioch shewing the preiudice that we susteen by giuing way to the actione intended against them and the great losse we shall haue in caice they be overthrouen in the same But now latelie bieng requested for our further assurance in the premissis to committ the tryall of what is past tharein alredie or may heirefter by forther proceeding ensue to the preindiee of our richt and benefeitt vnto a select number of the Senatouris of the Colledge of Justice and tuoe Aduocattis Wee haue thought fitt as we alreadie haue giuen way to the course of justice in the aduerse partie his behoue soe to doe ourselues that richt as to tak notice of our interest from able bot indifferent persones And therefore we will and require you to conueep to your selff our weel beloued cousen the Erle of Lauderdale the Lord Carnegie Sir Robert Spottiswood in our name to charge them like as wee doe require your selff also joyntlie with them vpoun your alledgeance to ws That heving takne tryell of the premissis and vther particulars contined in this enclosed petitione from Maister Andro Aittone and Maister Lues Steuart aduocattis for the Erle of Marr and from Adame Cunninghame and Robert Burnewood for the wassales you report vnto ws vnder your handis what yee in equitie and conscience find to be treuth And for this to return your ansuer to our Master of Requestis that wee bieng acquented tharewith may with the more assurance resolue what wilbe fitting for ws to doe heirefter Bot in the premisses we doe speciallie relye vpon your abilities and affectione to our

¹ [From Secretary Sir William Alexander's Register of Royal Letters, 1626-1631. MS. Gen. Reg. House, Edin.]

service Soe wee require that yee will vse all convenient diligence whareof not doubting wee etc. Whithall the 18 day of Februare 1628.

Minute of contract betuix the Erle of Mar and Schir George Johnestoun of that ilk knicht baronet. ¹ —(A.D. 1628.)

At Edinburgh the ellevint day of July M. vi^e tuentie aucht yeires the minute of contract vnder writtin wes productit be Sir George Johnestoun of that ilk knicht baronet pairtie and registrat in the Buikis of Generall Registre or Sessioun appoyntit for registratioun of saisings reuersiounes and vtheris writtis in the 24 buik thairof and in the leiffis following conforme to the Act of Parliament maid thairanent in Junii 1617 quhairof the tennour followis ARTICLES agreit vpoun betuixt ane noble Erle John erle of Mar and John lord Erskine his sone on the ane pairt and Sir George Johnestoun of that ilk, knicht baronet, on the vther pairt, as followis: *Imprimis*, forsamekill as the said Sir George Johnestoun is heretabillie infest haldin of his Maiestie in all and hail the landis and vtheris efter speeefeit, as his infestmentis beiris, *videlicet*, in all and hail the landis of Johnestoun and mill thairof, the landis of Caskieben, maner place orchairdis yairdis and milne thairof, the landis of Inglistoun, the landis of Isnakieben, Peddeismilne with the milne thairof, New Place, Fawallis, Legget, aucht pairt landis of Ardoyne, the schadow half landis of Crimond and milne thairof, the landis of Boyndis and Porttirstoun with the milne thairof, the landis of Sebbie, Lochtulloche, Bendache, Beggisley, Caismilne, milllandis and walkmilne of the same, Craig, Cors-

¹ [From the General Register of Seisins, vol. 24. MS., Gen. Reg. House, Edinb.]

A case between the same parties, on the same subject, was decided in the Court of Session on the twenty-first of February, 1628:

"The Earl of Mar, against the Laird of Caskieben:—Caskieben raised brieves to serve himself heir to Dame Isobell Douglass, countess of Marr and Garioch, before the Sheriff of Aberdeen. The Earl of Marr, alleging him to be served heir to her already, and by act of Parliament found to be nearest of blood to her, obtains summons for advocating the service before the Lords, to hear and see Caskieben ordained to serve his brieves before unsuspected judges, to be appointed before the Lords, and to hear and see all the brieves raised, or to be raised by him, for the same effect, and all judges discharged in the meantime. At the calling of the summons, Caskieben is absent. The Lords discharge him, and all others, to serve any brieves, except before such judges as the Lords shall appoint."—[Supplement of the Dictionary of Decisions of the Court of Session, vol. i., pp. 267, 268.]

hill, Boiggosies, Standing Stanes, Sleipie Hillok, Woodland, Boiginjose, and Overtoun of Dyce; and hes laitlie conqueist and acyurit fra Johne Leslie of Pitcapill, and Johne Leslie fiar thairof, the soney halff landis of Crimond and sonny halff milnes thairoff, to be haldin of his Maiestie, conforme to the infestmentis grantit to him thairvpoun; and sicklyk, he is heretabillie infest in the landis of Muirtoun, walkmilne and pertinentis thairof, now haldin of oure Souerane Lord, in default of William Setoun of Meldrum, immediate superiour to him thairof for the tyme, refusсанд to enter him thairto; and als he is heretabillie infest in the kirklandis of Montkegy, haldin of Lundoris, and sicklyk, in certane commoun and borrow landis and aikeris of Inuerurie, haldin of the sail burgh in frie burgage, with all and sundrie thair houssis, biggingis, yairdis, orchairdis, milnes, multouris, knaifsehipis, tennentis, tennandreis, seruice of frie tennentis, annexis, connexis, and pertinentis, all lyand within the schiref-dome of Abirdein; and that the said nobill Erle and his said sone hes actionn of reductioun, and improbatioun persewit at thair instance againis the said Sir George: Thairfoir, and for removeing of all questioun betuix the saidis pairties, the said nobill Erle and his said sone ar content to ratifie the richtis and infestmentis of the landis aboue writtin, maid to the said Sir George, to be haldin be the said Sir George and his airis of the Kingis Maiestie, quhairof the said nobill Erle and his said sone sall denude thameselff *omni habili modo* in favouris of the said Sir George and his aires, except the saidis landis of Muirtoun, to be haldin of the said nobill Erle and his successouris in fewferme for payment of the quadruple of the retourit dewtie; and the nonpayment sall be no caus of nullitie, and quhensoevir the said nobill Erle and his said sone or ony of thame sall evict the saidis landis of Muirtoun fra the said Williame Setoun of Meldrum, present superiour thairof to the said Sir George, and the said nobill Erle and his said sone to renunce in favouris of the said Sir George and his foirsaidis, all vther richt quhilk they haif or pretend to the hail foirnamet landis pertaining to the said Sir George, except the superioritie of the saidis landis of Muirtoun, quhilk ar to be haldin of the said nobill Erle in maner foirsaid: *Item*, becaus the said Sir George raisit breives for serveing of him, narrest air to vmquhill Dame Issobell Douglas, countes of Mar, and als intentit actionn of reductioun againes the said nobill Erle his retouris as air to the said vmquhill Dame Isobell

Douglas, and to hir vmquhill mother, vmquhill guidsir, and vtheris hir predicessouris Erles of Mar; thairfoir the said Sir George sall produce sic progres as he hes quhairby he pretendis himself to be air to the said vmquhill Dame Issobell Douglas, and efter the production thairof sall renunce be sic lafull forme as may stand be the law, all clame, titill, or actioun, quhilk he may have to the said erledome of Mar, and lordschipe of Garioche, as air or appeirand air to the said vmquhile Dame Issobell Douglas, or hir predicessouris, Erles of Mar, in favouris of the said noblis Erle and his sone, and to mak and subseryve renunciatiounes and ratificatiounes in maist ample forme, with warrandice fra his awin deid, and fra the factis and deidis of all and quhatsumevir persounes that may succeed to him, or to vmquhile Sir James Gareoche, and vmquhile Dame Helene of Mar, his alledgit spous, or any ane of thame, exceptand furth of the saidis renunciatiounes and ratificatiounes the haill particuler landis, milnes, and vtheris particulerlie and speciallie aboue specifeit, with thair haill pairtis, pendicles, and pertinentis: Lastlie, baith the saidis pairties haif ordanit thir presentis to be extendit in ample forme: In witnes quhairof baith the saidis pairties haif subscriuit thir presentis with thair handis (writtin be James Dunbar, writter in Edinburgh) at Holyrudbous the first day of Julij, the yeir of God.M. vi^e twentie aucht yeires, befoir thir witnessis, Andro Fraser of Stainniwode, Maister James Aytoun of Grang, Maister Andro Aytoun of Kinglassie, James Dunbar foirsaid, and Maister Alexander Reid, writter in Elinburgh. *Sic subscribitur* Mar; J. Erskine; Androw Fraser, witnes; G. Jonstoun of that Ilk; J. Aittoun, witnes; M. A. Aytoun, witnes; M. Al. Reid, witnes.

King Charles I. to the Lords of the Sessione.¹ —(A.D. 1628.)

Right etc. Whereas we have bene often petitioned by the vassallis of Marr and Garrioch for granting of our concurrence by appointing ane Advocat to compeir with them for our interest in the actione perseued by the Erle of Marr and the Lord Erskyne his sone against them wharein as we wilbe loth to neglect that which may concern our oune interest soe

[From Secretary Sir William Alexander's Register of Royal Letters, 1626-1631, MS. Gen. Reg. House, Edin.]

on the other parte wee are not willing to shew ourselues a partie with one of oure oune subiectis against another before our interest do appeir bot are villing to leaff them both indifferentlie to the ordinarie course of justice Wharefore our plesour is till such time as we shalbe pleased to insist that our interest or right may appeir by such legall meens as we think fitt and that yee shall call before you the Erle of Marr and the Lord Erskine his sone and require them to mak a declaratione in your presens to be insert in the proces or what vther way you shall think fitt That whatsoeuer shalbe the event of that actione perseued by them against the saidis wassallis of Marr and Garioch it shall noeways preiudge ws of any interest we may pretend whensoever the samen shall appeir / This being done and they haveing gottine such satisfacione concerning our interest Oure plesour is that you proceed and minister justice without delay or any respect of persones according to the equitie of the caus and the lawes of that our kingdome And soe etc. Whitehall the 2 day of December 1628.

King Charles I. to the Clerk of Register. ¹—(A.D. 1628.)

Trustie etc. Whareas vpon the humble desire of the wassallis of Marr and Garioch wee did of late signifie our plesour vnto you for accepting of ane petitione they should giue in against our trustie etc. the Erle of Marr in the nixt ensueing parliament And sieing we haue giuen ordour that the said Erle of Marr and Lord Erskine his sone shall secure ws for any thing may concern ws or our interest that wee by noe way be preiudged by the issue of the proces depending betuix them we being in noways willing to shew our selues a partie with one of our subiectis against another Oure pleasure is that you likeways accept of all such thingis as shalbe giuen in by the said Erle of Marr or his said sone for defence of thare right For doing whareof this present shalbe vnto you a sufficient warrand etc. Whitehall the 2 day of December 1628.

¹ [From Secretary Sir Willam Alexander's Register of Royal Letters, 1626-1631, MS. Gen. Reg. House, Edin.]

Carta feudifirme Johanni Forbes de Tolleis ¹—(A.D. 1560.)

Carta feudifirmaria per Dominum Georgium Broun capellanum capelle de Dene infra baroniam de Kildrymme et Robertum dominum Elphinstoun baronem dicte baronie et patronum dicte capelle concessa Joanni Forbes de Tolleis (pro reparatione et conservatione domuum edificiorum hortorum et plantatione arborum aliarumque policiarum etc. necnon pro certis pecuniarum summis persolutis) terrarum de Over Kilbatho Repochquhy et Croft Morrell partium patrimonii capelle de Dene . Reddendo annuatim viginti quinque mercas . Faciendo tres sectas ad tria placita capitalia apud Castrum de Kildrumny annuatim . Inveniundo unum equestrem aptum et idoneum cum armis et necessariis prout tenentes seu coloni vicecomitatus de Abirdene armantur secundum formam proclamationis in quolibet exercitu Regis vel Regine . Dando consilium et auxilium superiori toties quoties contigerit moram trahere infra vicecomitatum de Aberdeen . Recipiendo amicablem et hospitando dictum Dominum vel ejus camerarium ibidem versantem . Eundo ter annuatim ad venationes cum Domino in forestis baronie de Kyldrummy sumptibus suis propriis . Proviso ut non liceat dicto Johanni heredibusque cedere vel abducere aliquas arbores de quibusdam forestis dicte baronie absque superioris licentia . Cum clausula de terris amittendis si contingat dictum Johannem vel heredes suos dictum Dominum vel aliquem in ejus societate aut comitatu armis aggredi vel insidiari aut camerarium Domini colligentem firmas et redditus invadere aut etiam si castrum de Kyldrummie occuparint vel pro captione ejusdem illud invaserint . Addita insuper clausula de non alienando sine licentia superioris . Testibus Roberto Drummond de Carnok Willelmo Forbes de Barnes et aliis . Apud Edinburgh penultimo Augusti j^m v^o lx.

[Noted from the original in the charter room at Castle Forbes.

On the twenty-second day of January, 1561-2, Alexander Forbes, lawful son of the above named John Forbes of Towels, received sasine of the lands of Cowfuarde, Culquhark, and others, in the barony of Kildrummy.—(Original in the charter chest at Cumbernauld.)]

Carta confirmationis Johannis Forbes fratris germani Willelmi Forbes de Towis super carta sibi facta per Johannem Forbes de Burkis etc. ¹ — (A.D. 1496 et A.D. 1497.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos [tanquam] tutorem et gubernatorem predilecti fratris nostri Johannis comitis de Mar etc. quamdam cartam factam per dilectum nostrum Johannem Forbess de Burkis dilecto nostro Johanni Forbess fratri germano Willelmi Forbess de Towis . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Johannes Forbes de Burkis eternam in Domino [salutem] Noueritis me . . . vendidisse . . . honorabili viro Johanni Forbes fratri germano Willelmi Forbes de Towis totam et integram dimedietatem omnium terrarum mearum de Burkis cum suis pertinentiis ac omnes et singulas terras meas de Glencaruy Glenconry et Orde cum suis pertinentiis jacentes in comitatu de Mar infra vicecomitatum de Abirdene pro quadam summa pecunie quam dictus Johannes in tempore confectionis presentis carte mee . . . persoluebat ad sponsalia filiarum mearum perimplenda . . . Tenendas et habendas . . . prefato Johanni heredibus suis et suis assignatis de me et heredibus meis in feodo et hereditate imperpetuum . . . Reseruato tantum liberotenemento earundem terrarum pro toto tempore vite mee Reddendo inde annuatim . . . sex solidos et octo denarios vsualis monete Scocie super solum dictarum terrarum nomine albe firme si petatur tantum . . . In cuius rei testimonium huic presenti carte mee sigillum meum est appensum Apud Abirdene penultimo die mensis Octobris anno Domini j^m iiii^e lxxxv^{to} Coram nobili et potente domino Johanne domino de Forbess Alexandro Chamir de Myrthill Willelmo Forbess de Towis Magistro Alexandro Dauysoun Domino Johanne Joffrasoun vicario de Forbess Domino Thoma Joffrasoun Domino Johanne Striueling notario publico QUAMQUIDEM cartam . . . pro perpetuo . . . confirmamus Saluis nobis et dicto fratri nostro nostrisque et suis successoribus iuribus et seruicijs . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Striueling

¹ [Abridged from the Registrum Magni Sigilli, lib. xiii., no. 250. M.S. Gen. Reg. House, Edin.]

decimo septimo die mensis Maij anno Domini millesimo quadringentesimo nonagesimo septimo et regni nostri nono .

Carta Johannis Forbes super terris de Burchis. ¹ —(A.D. 1505.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . et . . . confrimasse dilecto nostro Johanni Forbes fratri germano Willelmj Forbes de Tolleis omnes et singulas terras de Burchis cum siluis et *le boggis* earundem terras de Westirdrummelochy Newtoun Macharis Halch Glenkervy Glenconry et le Orde cum siluis earundem vncum tenentibus tenandriis liberetenencium seruicijs et molendinis omnium terrarum predictarum cum suis pertinentijs jacentes in comitatu nostro de Mar infra vicecomitatum nostrum de Abirdene Que fuerunt dicti Johannis Forbes dominj feodi earundem hereditarie et de Comitibus de Mar perprius tente et quas idem . . . in manus nostras apud Edinburghe . . . simpliciter resignauit Et quas omnes et singulas terras predictas . . . pro singulari fauore quem habemus eidem Johanni et pro ipsius bono et gratuito seruicio nobis impenso creauimus . . . in vnam liberam baroniam nuncupandam Baroniam de Burchis Et prefatas siluas et *le boggis* in liberam forestam de Glenkervy et Glenconry perpetuis futuris temporibus nuncupandam Tenendas et habendas . . . predicto Johanni Forbes et heredibus suis de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate imperpetuum . . . Cum curiis et earum exitibus herezeldis bludwets et merchetis mulierum Cum furca fossa sok sak tholl theme infangtheif outfangtheif pitt et gallus le vert et venysoune . . . Reddendo inde annuatim dictus Johannes et heredes sui nobis et successoribus nostris Scotorum Regibus tres sectas ad tria placita capitalia curiarum vicecomitis de Abirdene in pretorio de Aberdene tenenda Necnon wardas et releuia dictarum terrarum et baronie cum pertinentiis / et maritagia cum contigerint In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Januarij anno Domini millesimo quingentesimo quarto et regni nostri decimoseptimo .

¹ [Abridged from the Registrum Magui Sigilli, lib xiv, no, 67. MS. Gen. Reg. House Edinb.]

Lettre to the Schiref of Abirdene for Johne Forbes fear of Burchis for his Forest of Glenkervy and Glenconry. ¹—(A.D. 1505.)

A lettre direct to the Schiref of Aberdene and vther schireffis in that part chargeing thame to mak opin proclamatioun at the market corce of Abirdene and vther placis nedefull / that forsamekle as the Kingis hienes has be his infestment mad to Johnne Forbess fear of Burchis annex and creat all the woddis boggis and schawis of his landis of Burchis Drummelloquhy Newtoun Macharis Hauche Glenkervy Glenconry and the Orde in fre forest to be callit the Forest of Glenkervy and Glenconry / Tharefor that thai commande and charge al and sindric his liegis that nane of thame tak apoun hand to distroy or waist the saidis forestis or ony parte of thame be hunting hewing cutting or pastvring of bestis in the samyn vnder all the paine and charge content in the lawis of fre forest and statutis made tharapoun *De data apud Edinburgh ij^o Februarij et regni Regis xvi^o*.

Ex deliberacione Dominorum Consilij etc.

Localitie of the parochin of Kildrumie and Auchindoir. ²—(circa A.D. 1650.)

The Rentall of the vnited parishes of Kildrumie and Auchindoir comptinge the chalder at fourscoir pundis money amountis to feftie chalder ane peck out of viche is allowed be the Committe for Augmentationes thre chalder victuall tuo pairt meall third pairt bear four hundrethe merkis money and feftie merkis for the communione elementis Summa of bothe thrie hundrethe pundis The localitie is contained in the particularis following allowed to Maister Williame Davidsons minister together withe the viccarage.

Item the landis of the Manis of Craige Contlay and Auchinleithe belonging in heretage to Francis Gordone of Craige peyis fyve chalderis four bollis thretein peckis half peck—threttie pundis money.

¹ [From the Registrum Secreti Sigilli, lib. ii., fol. 147. MS. Gen. Reg. House, Edinb.]

² [From the General Register House, Edinburgh.]

Item wodsett to George Gordone of Tillachaudie be the said Francis the Wpper Ord the landis adjacent to the Manis and Milne of Auchindoir Vhytley Boigis and Tollophin peyis thrie chalderis tuelf bollis eght peckis *inde* tuo bollis fyftein peckis half a fourt pairt—in money is tuentie tuo pundis 13 shillingis 9 penneis.

Item wedsett be the said Francis Gordone to Williame Lainge in Borflatt the Longlandis peyis nyne bollis fywe peckis ane fourt pairt ane quarter of ane fourt pairt *inde* nyne peckis half fourt pairt ane quarter—money is thrie pund nyne shillingis 4 penneis.

Item wodsett be him to Patrik Scherar the toune of Creack peyis ane chalder ten bollis ten peckis tuo fourt pairtis *inde* ane boll ten peckis thrie four pairtis—money is nyne pundis 19 shillingis 11 penneis the fourt pairt of a pennie.

Item wodsett be the said Francis to Alexander Gordone of Merdrum the landis of Braland Ryell Wpper and Nether Fuilyement peyis fywe chalder ten peckis tuo four pairtis *inde* four bollis fourtein peckis half fourt pairt—money is threttie pundis four shillingis 8 penneis.

Item wedsett be the said Francis to Maister James Reid in Aberdcine the Newton of Auchindoir peyis ane chalder four bollis *inde* ane boll three peckis fourt pairt half fourt pairt—money is sevin pundis ten shillingis.

Item wodsett be him to Robert Smythe the Nether Ord peyis ane chalder four bollis *inde* ane boll three peckis ane fourt pairt half ane fourt pairt—money is sevin pund ten shillingis.

Item Logie and Edinbanchorie belonginge to Williame Maister of Forbes peyis ane chalder tuelf bollis ten peckis thrie four pairtis *inde* ane boll ellevin peckis thrie four pairtis—money is ellevin pound sevin shillingis eght penneis.

Item Old Auchindoir Govel Croft Doskie Drum Lent Haughe Brigend belonginge to William Gordone of Terpersie peyis four chalder *inde* three bollis fourtein peckis—money is tuentie four pundis.

Item wodset be the said William Gordone to George Ronald Boighead and Vhytley peyis ane chalder fyve bollis three peckis *inde* ane boll four peckis half peck—money is sevin pund sevintein shillingis.

Item Newmilne and Upper Beginge belonginge to wmqhill Maister Robert Reid now to Isabel Gellie in lifrent peyis ane chalder *inde* fyftene peckis half peck—money is sex pundis.

Item wodsett be Johne erll of Mar to Alexander Reid Auchmillen peyis ane chalder victuall *inde* fyftein peckis half peck—money is sex pundis.

Item wodsett be Johne erll of Mar to Maister James Reid the Croft of the Milne of Birkinbrell peyis tuo bollis meill ten peckis thrie four partis *inde* tuo peckis half peck half four part—money is 20 shillingis.

Item the landis belonginge to Johne erll of Mar and Johne lord Erskine within Kildrumie.

Item the Wpper and Nether Manis of Kildrumie Templetone Gibbon and Maris Croftis Milne and Malt Croft Trotres Hill and Knoll Head Croftis peyis nyne chalderis nyne bollis *inde* nyne bollis—money is feftie four pundis sevin shillingis 7 pennies.

Item wodsett be them The Culsche to Alexander Reid peyis ten bollis ten peckis three four partis *inde* ten peckis tuo four partis—money is four pundis.

Item wodsett be them to Alexander Straquhen of Glenkindie Chappel Ronald peyis thre bollis three peckis *inde* three peckis and half four part—money is 23 shillingis 4 penneis.

Item belonginge to Robert Reid in heritage to Agnes Lumsden in lifrent the landis of Midclova peyis ane chalder half chalder *inde* ane boll sevin peckis ane four part—money is nyne pundis.

Item Easter Clova belonginge to Robert Lumisden in heritage to Cristen

Irwinge in lifrent withe Cranstone Stonebriges and Croftis peyis tuo chalder threttein bollis *inde* tuo bollis tuelf peckis four pairt—money is sixtein pundis seventein shillingis 4 penneis.

Item the landis of Brux belonginge to Artheur Forbes in heretage sevin chalder four bollis *inde* sevin bollis ane four pairt—money is 43 pundis 10 shillingis.

Item Williame Gordone of Lesmoir hes in heretage Dryden peyis fywe bollis victuall *inde* four peckis 3 four pairtis—money is 37 shillingis 6 penneis.

THE PARISH OF CUSHNY.¹

Carta Regis Normanno de Lesley.²—(A.D. 1390.)

Robertus Dei gracia Rex Scottorum . . . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse Normanno de Lesley . terras baronie de Balnebrech infra vicecomitatum de Fyff et terras baronie de Lowr et terras de Dunlopy . infra vicecomitatum de Forfar . terras eciam baroniarum de Cusschene et Rothynormane cum pertinentiis infra vicecomitatum de Abyrdene que fuerunt dicti Normanni et quas ipse . . . resignavit in manibus quondam Domini Roberti Regis Scottorum illustris nostri progenitoris . apud Lynlythq in vltimo consilio suo ibidem tento . . . Tenendas . . . eidem Normanno et heredibus suis masculis de corpore suo legitime procreatis seu procreandis . et ipsis forte deficientibus . Georgio de Lesley militi et heredibus suis masculis de corpore suo legitime procreandis et ipsis deficientibus heredibus dicti Normanni legitimis quibuscunque in feodo et hereditate . . . Faciendo inde nobis et heredibus nostris seruicia debita et consueta . Reseruato tamen Andree de Lesley patri dicti Normanni pro toto tempore vite sue libero tenemento terrarum omnium predictarum cum pertinentiis . In cuius rei testimonium

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 593-595.]

² [Abridged from the Registrum Magni Sigilli, p. 187, no. 17.]

presenti carte nostre nostrum precepimus apponi sigillum . Testibus venerabilibus in Christo patribus Waltero et Matheo Sancti Andree et Glasguensis ecclesiarum episcopis . Roberto de Fif et de Meneteth fratre nostro dilecto Archebaldo de Douglas domino Galwidie comitibus . Jacobo de Douglas domino de Dalketh . Thoma de Erskyne consanguineis nostris dilectis militibus et Alexandro de Cokburn de Langton custode magni sigilli nostri . Apud Seonam octodecimo die Augusti tempore coronacionis nostre ibidem celebrate anno regni nostri primo .

Carta Georgij comitis de Rothess. ¹ —(A.D. 1517.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos cum . . . consensu carissimī consanguinei et tutoris nostri Johannis Ducis Albanie etc. regni nostri protectoris et gubernatoris dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Georgio Lesley comiti de Rothes domino Lesly et consanguinee nostre Margarete Creichtoun sponse sue affidate per verba de futuro cum carnali copula inde secuta et ipsorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis subscriptis omnes et singulas terras de Halltaxis Hilltaxis molendinum de Tacis cum pertinenciis terras de Ballinderane terras de Hechame terras de Logy terras dominicales videlicet *le Manys* de Ballinbreich cum pertinenciis molendinum de Ballinbreich cum terris eiusdem quartam partem terrarum dominicalium de Lesly nuncupatam *le Estir Quartir* quartam partem terrarum de Ballingall cum pertinentiis Quequidem terre . . . fuerunt quondam Georgij comitis de Rothes hereditarie per ipsum tente in capite de quondam carissimo patre nostro bone memorie cuius anime propicietur Dens et defectu bonorum mobilium dicti quondam Georgij appreciate fuerunt per vicecomitem nostrum de Fiffe . . . pro summa mille sexaginta

¹ [Abridged from the Registrum Magni Sigilli, lib. xxii, no. 195. MS. Gen. Reg. House Edinburgh]

On the twenty second day of October, 1490, the Lords of Council found that in the service of George, earl of Rothess, to his grandfather, the barony of Ballinbreicht had been returned as of the yearly value of two hundred merks, instead of five hundred merks; the lands of Fethys, as of twenty pounds, instead of eighty merks; the lands of Quisny and Fowlis Mowat, as of forty-eight merks and a half, instead of seventy merks; the lands and barony of Lesly, as of eighty pounds, instead of a hundred and sixty pounds; and the lands of Balmulo, as of ten pounds instead of twenty pounds.—(Acta Dominorum Concilii, p. 154.)

quinque librarum sex solidorum et octo denariorum vsualis monete regni nostri . . . Et postea per eundem quondam carissimum patrem nostrum . . . quondam Andree Bertoune in vitali reddito et Alexandro Bertoune filio suo pro dicta summa in feodo et hereditate vendite fuerunt . . . et pro quarumquidem terrarum . . . suprascriptarum redemptione de manibus dicti Alexandri Bertoune dicta Margareta Creichtoun eidem Alexandro et Roberto Bertoune curatori suo dictam summam persolvebat vnacum ducentis marcis vltra eandem Tenendas igitur et habendas . . . dicto Georgio comiti de Rothes et Margarete Creichtoun eius sponse et ipsorum alteri dincius viuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreatis seu procreandis matrimonio inter ipsos solemnizato et stante legitimo vel per dispensationem si opus fuerit legitimato Et deficientibus heredibus masculis inter ipsos legitime procreatis seu procreandis tunc eo casu dicte Margarete heredibus suis et assignatis prout ipsa instituere voluerit . . . quousque dicta summa prefate Margarete . . . persoluta fuerit Et postea dicto Georgio comiti de Rothes et heredibus suis libere reuersuras Dedimus eciam . . . hereditarie dicto consanguineo nostro Georgio Lesley comiti de Rothes domino Leslie filio quondam Willelmi Leslie necnon heredi dicti quondam Georgii comitis de Rothes patruj suj omnes et singulas terras et baronias subscriptas videlicet terras baroniam et castrum de Ballinbreich cum molendinis piscarijs siluis parcis videlicet *le Parkis* tenentibus tenandrijs liberetenencium seruicijs aduocationibus donationibus iure patronatus ecclesie de Flisk prebende de Abirnethy nuncupate Forevinschip et capellanie de Glenduky et suis pertinentiis Terras et baroniam de Tacis cum molendino annexis tenentibus tenandrijs ac liberetenencium seruicijs earundem et suis pertinentiis Terras de Kennoquhy Drumnard Ochtermuny Lalethin Awdy et Kynmux cum quadraginta solidis annui redditus terrarum de Kennoquhy et quinque marcis annui redditus terrarum de Estir Lathrisk nuncupatarum *le Riggis* cum pertinentiis jacentes infra vicecomitatum nostrum de Fiffe Terras et baroniam de Carny cum molendino earundem et suis pertinentiis cum aduocatione et donacione ecclesie Sancti Modoci jacentes infra vicecomitatum nostrum de Perth Terras et baroniam de Fethus cum pertinentiis jacentes infra vicecomitatum de Forfare Terras et baroniam de Balmane et Wodfeild cum molendinis annexis tenentibus tenandrijs liberetenencium seruicijs earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de

Kincardin Terras et baroniam de Quisny et Fowls Mowete cum molendinis annexis tenentibus tenandrijs liberetenencium seruicijs earundem et suis pertinentijs et denariis inde debitis et consuetis cum jure patronatus aduocatione et donacione ecclesie de Quisny jacentes infra vicecomitatum nostrum de Abirdene Terras et baroniam de Rothes cum castro melendinis piscacionibus super aqua de Spey tenentibus tenandrijs liberetenentium seruicijs siluis liberis forestis dependenciis et *le outsettis* earundem et suis pertinenciis cum jure patronatus aduocatione et donacione ecclesie de Rothes et capellanie infra castrum de Rothes jacentes infra vicecomitatum nostrum de Elgin Terras et baroniam de Rothynormay cum molendinis tenentibus tenandrijs ac libere tenencium seruitijs earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Terras de Kildochlis cum pertinentiis jacentes infra vicecomitatum nostrum de Inuernes Ac tertiam partem terrarum et baronie de Dunlopy cum pertinentijs jacentem infra vicecomitatum de Forfare Quequidem terre et baronie . . . exceptis prememoratis terris per prefatam consanguineam nostram Margaretam Creichtoun vt premittitur redemptis fuerunt dicti quondam Georgij comitis de Rothes hereditarie Et pro alienacione maioris partis ipsarum in manibus prefati quondam carissimi patris nostri recognite fuerunt . . . Et quas omnes et singulas suprascriptas terras baronias et annuos redditus . . . nos sequentes primam mentem prefati quondam carissimi patris nostri iuxta seriem sue signature creamus . . . in vnam liberam baroniam nuncupandam Baroniam de Ballinbreich pro perpetuo in futurum . . . Insuper nos pro gratuito et fideli seruicio per prefatum quondam consanguineum nostrum Georgium comitem de Rothes et Willelhum Lesley qui obiit cum dicto quondam carissimo patre nostro sub vexillo suo in campo bellico commisso apud Brankistoune in Northumbria et prefatum consanguineum nostrum Georgium modernum comitem de Rothes dicto quondam carissimo patri nostro et nobis impenso et impendendo damus eidem Georgio moderno comiti de Rothes et heredibus suis hereditarie totum et integrum jus et clameum . . . que . . . habere poterimus in vel ad supradictas terras et baronias . . . ratione recognitionis alienacionis forisfacture eschaete nonintroitus heredum aut alias quouismodo . . . Tenendas et habendas . . . dicto consanguineo nostro Georgio comiti de Rothes et heredibus suis masculis arma et cognomen de Lesley portantibus et gerentibus in tallia Quibus omnibus deficientibus legitimis et propin-

quioribus heredibus suis quibuscunque de nobis et successoribus nostris Scotorum Regibus in feodo hereditate ac libera baronia imperpetuum . . . Reddendo inde annuatim . . . tres sectas ad tria placita capitalia curie vicecomitatus nostri de Fiffe Cum wardis releuijs et maritagijs eum contigerint tantum Prouiso quod inhabitantes terras et partes dicte baronie extra vicecomitatum nostrum de Fiffe comparcant in itineribus nostre justiciarie vicecomitatum nostrorum vbi indietati fuerunt et vbi dicte terre jacent . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh primo die mensis Aprilis anno Domini millesimo quingentesimo decimoseptimo Et regni nostri quarto .

Carta Georgii comitis de Rothes concessa Roberto Lummsiden super terris de Balnakely. ¹—(A.D. 1472.)

Omnibus hanc cartam visuris . . . Georgeus comes de Rothes ac dominus de Lesly salutem . . . Noveritis nos dedisse . . . et omnino vendidisse . . . dilecto nostro Roberto Lummsiden filio Thome Lummsidene de Condolane totas et integras terras nostras de Balnakely cum pertinentiis jacentes in baronia nostra de Cusny infra vicecomitatum de

¹ [Abridged from the original in the Cusny charter chest, collated with the copy engrossed in a charter of confirmation by Queen Mary, on the twenty-first day of April, 1545, in the Registrum Magni Sigilli, lib. xxix., no. 465. MS. Gen. Reg. House, Edinb.]

King David II., between 1329 and 1371, confirmed a charter by the Earl of Fyfe to Thomas Lumisdaine, of the lands of Drum and Condland in Fife, and of Easter and Wester Maler in Aberdeenshire.—(Robertson's Index to the Missing Charters, p. 58, no. 7.)

On the twenty-fifth day of October, 1507, James Lummysdene, son and heir apparent of Thomas Lummysdene of Condolane, had a charter, from King James IV., of the lands of Condolane and Drum in Fife, and of Midlar in Aberdeenshire.—(Registrum Magni Sigilli, lib. xiv., no. 420. MS. Gen. Reg. House, Edinb.)

On the sixteenth day of January, 1538, there was an action raised before the Lords of Council and Session, "at the instance of Robert Lummsiden of Midlar brother and air to vmqhille Thomas Lummsiden of Midlar the sone and air of vmqhille Robert Lummsiden sone of vmqhille Thomas Lummsiden of Condolane aganis George erle of Rothes air and successour to vmqhille George erle of Rothes his grantschir to heir him be decernit be decret of the Lordis of Counsell to warrand acquet and defend to the said Robert as air and successour foirsaid all and hale the landis of Balnakely with the pertinentis liand within the barony of Quisny within the schirefdome of Abirdene sauld and analyt to the said vmqhille Robert heretably be the said vmqhille George."—(Acta Dominorum Concilii et Sessionis, vol. xi., foll. 79, 80. MS. Gen. Reg. House, Edinb. Cf. fol. 142; vol. xii., fol. 97.)

Abbirdeyn . . . Tenendas . . . prefato Roberto Lumisden heredibus suis et assignatis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . nobis heredibus nostris et nostris assignatis unum denarium usualis monete Scotie . . . nomine albe firme . . . tantum . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre apponi fecimus apud Lesly vicesimo quarto die mensis Marcii anno Domini millesimo quadringentesimo septuagesimo primo .

Instrumentum saisine in favorem Thome Lummsdane. ¹ —(A.D. 1480.)

In Dei nomine Amen . Per hoc presens publicum instrumentum cunctis pateat . . . quod anno incarnationis Dominice millesimo quadringentesimo octuagesimo die vero mensis Aprilis decimo quarto . . . personaliter constitutus prouidus vir Robertus Dunmohoy balliuus . . . nobilis . . . Domini Georgii comitis de Rothas ac baronis baronie de Quisny in presentia mei notarii . . . produxit literam balliuis predicti Domini Comitis sub sigillo suo attentico . . . cuius tenor sequitur . . . GEORGE erle of Rothas lord Lesly and barone of Quisny to Thomas of Lummsdane of the Condelane Jhone Mortimair of Innynteir and Robart of Dalmahoy our balyeis in that part . . . greting Forsamekle as the landis of batht the halfis of Foulismoat witht the myl of that ilk and the landis of Balnakelle with thar pertinens ar in our handis be the decess of Robart of Lummsdane the quhilk landis lysis within our barony of Quisny and the shirradome of Abbirdene Our wil is heirfor . . . that ye . . . pas to the said landis of Foulismoat and Balnakelle and thar that ye gif heritable stait . . . to Thomas of Lummsdane sone and ayir to the said Robart of Lummsdane or to his attornais . . . In witnes of the quhilk thing to this our letter of balyery our seil is tohungin at Ballinbrecht the vii. day of the mwnath of Aprile the yeir of God a thousand four hundreth sewinte and ten yeris . And in the witnyssing of the exe-

¹ [Abridged from the original in the Cushny charter chest.

On the first day of January, 1401-2, the lands of Fowles Mowat, lying in the earldom of Mar, were granted by John Mowat, son and heir of the deceased William Mowat, lord of Fowlesmowat, to Sir George Lesley of Fithkill.—(MS. notes and copies of Lesley charters.)]

cutione of your offeis heng your seil to the secund tail efter ouris. *QUA* littera sic perfecta idem Robertus balliuus . . . accessit ad villam de Balnakelle et ibidem in domo Andree Villhelmi . . . Thome Mortimair actornato Thome Lummysdane . . . contuit possessionem . . . Quo facto idem Robertus accessit ad villam de Foulismoat et ibidem in domibus videlicet quondam Nicolai de Foulis et Ingerani Nicolai binas tradidit possessiones . . . predicto Thome Mortimair actornato . . . et hoc propter diuersitatem duarum cartarum desuper coniectarum. Super quibus omnibus . . . dictus Thomas Mortimair actornatus . . . a me notario publico subscripto petiit publicum instrumentum . . . Acta erant hec primo apud Balnakelle hora quasi decima ante meridiem vel eocirca secundo apud Foulismoat . . . hora quasi quarta post meridiem vel eocirca . . . presentibus ibidem Thoma Lummysdane domino de Condillane Johanne Mortimair de Innynteir Johanne Cultis de Auchtereule Domino Johanne Ramsay capellano Alexandro Mortimair . . . cum diuersis aliis testibus .

Et ego Jacobus Forbes presbiter Abbirdonensis dioeceseos publicus auctoritatibus imperiali ac regali notarius [*etc. in forma communi.*]

Carta Roberti Lumysdene de Maidlare.¹ —(A.D. 1511.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Roberto Lummysdene de Maidlare totas et integras terras de Fowlis Mowat cum molendino earundem terras de Knokreauch et Balchemy ac molendinum earundem cum suis pertinenciis jacentes in baronia de Quysny et infra vicecomitatum nostrum de Abirdene. Quequidem terre de Fowlis Mowat . . . fuerunt dicti Roberti hereditarie tente per eum in capite de consanguineo nostro Georgeo comite de Rothes nostro immediato tenente vt terre annexate baronie de Ballinbreich. Et dicte terre de Knokreauch et Balchemy . . . fuerunt dicti consanguinei nostri hereditarie in proprietate vt vna pars baronie de Quysny annexate vt premittitur baronie de

¹ [Abridged from the Registrum Magni Sigilli, lib. xvii., no. 84. MS. Gen. Reg. House, Edinburgh.]

Ballinbreich de nobis immediate tente per seruicium warde et releuij Et huiusmodi terre . . . in manibus nostris recognite fuerunt ob alienacionem maioris partis earundem absque consensu . . . nostri aut predecessorum nostrorum . . . Et nunc dictus Robertus nostro thesaurario nomine nostro persoluit pro compositione earundem terrarum summan tricentarum mercarum monete regni nostri . . . Tenendas et habendas . . . dicto Roberto Lummysdene et heredibus suis de nobis et successoribus nostris in feodo et hereditate imperpetuum semper et quousque dictus Georgeus comes de Rothes vel heredes sui prefatas terras . . . de manibus nostris vel successorum nostrorum recuperauerit vel recuperauerint et per nos in eisdem infeodatus fuerit vel fuerint Et quousque ipse vel heredes sui dictum Robertum vel heredes suos in predictis terris . . . infeodaverit vel infeodaverint . . . Et deinde tenendas de dicto Georgeo comite de Rothes et heredibus suis baronibus de Ballinbreich et Quysny in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . nobis et successoribus nostris vnam sectam in curia capitali vicecomitatus nostri de Abirdene proximo tenenda post Festum Sancti Michaelis semper et quousque dictus Georgeus comes de Rothes aut sui heredes infeodati fuerint in eisdem baroniis . . . necnon wardis releuijs earundem terrarum ac maritagio cum contigerit In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Julij anno Domini millesimo quingentesimo vndecimo et regni nostri vicesimo quarto .

Carta Roberto Lummysden ejusque sponse.¹ —(A.D. 1527.)

Omnibus hanc cartam visuris . . . Willelmus Mortimer de Cragiuer . . . salutem Noueritis me cum . . . consensu . . . Alexandri Mortimer filii mei et heredis apparentis . . . dedisse . . . et hac presenti carta mea confirmasse omnes et singulas terras meas de le petia terre wulgariter nuncupata *the Litol Hauch* and *Medo* iacentes apud villam de Bawhinti in baronia de Cuschne infra vicecomitatum de Abirden dilecto consanguineo meo Roberto Lummysden de Madlor et Esobelle Forbes eius

¹ [Abridged from the original in the Cushny charter chest.]

sponse et eorum diutius viuenti et heredibus eorum pro quadam certa summa pecunie . . . Tenendas . . . in feodo et hereditate imperpetuum per has metas et diuisas sequentes prout iacent in longitudine et latitudine ascendendo a *le strip* ex parte occidentali descendendo ex parte orientali usque ad pontem de Brighwch in latitudine et ex parte boreali usque ad *le Ley* de Belhinti et ex parte australi usque ad *le Hauch* de Knokreuch . . . [Reddendo] inde annuatim . . . michi heredibus et assignatis unum denarium usualem regni Scotie nomine albe firme . . . tantum . . . In cuius rei testimonium sigillum meum proprium presenti carte est appensum apud ecclesiam de Cuschne unacum mea subscriptione manuali duodecimo die mensis Junii anno Domini millesimo quingentesimo vicesimo septimo coram hiis testibus Alexandro Mortimer Johanne Mortimer Willelmo Nory et Domino Willelmo Forbes et Domino Jacobo Strathachin notario cum aliis multis .

Wellyam Mortimer off Cragyuer .

Carta Jacobi Lummysdane. ¹ —(A.D. 1546.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . dedisse . . . et . . . confirmasse hereditarie dilecto nostro Jacobo Lummysdane filio Thome Lummysden filii et heredis apparentis Roberti Lummysdene de Maidlare et heredibus masculis ac assignatis dicti Jacobi et ipsis deficientibus heredibus masculis et assignatis dicti Roberti quibuscunque Totas et integras terras de Fowlis Mowat Knokreuch Balchymmie et Balnakelie cum molendinis pendiculis et lie outsettis earundem et suis pertinentiis jacentes in baronia de Cusne infra vicecomitatum de Abirdene Quequidem terre . . . dicto Roberto perprius hereditarie pertinuerunt et quas idem . . . in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Jacobo suis heredibus et assignatis antedictis de nobis et nostris successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . jura et seruicia . . . debita et consueta Saluo nichilominus et reseruato liberotenemento siue vitali reddito prefatarum terrarum . . . prefato Roberto pro toto tempore vite sue In

¹ [Abridged from the Registrum Magni Sigilli, lib. *xxix.*, no. 107. MS. Gen. Reg. House, Edinburgh.]

cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo octauo die mensis Augusti anno regni nostri quinto .

Carta confirmacionis Jonete Mortimer filie Johannis Mortimer de Cragywar.¹—(A.D. 1579 et A.D. 1580.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . factam per Joannem Lumisdane de Cuschny probe mulieri Jonete Mortimer filie Joannis Mortimer de Cragywar . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Joannes Lumisdane de Cuschny eternam in Domino salutem Noueritis me . . . dedisse . . . probe domicelle Jonete Mortimer filie honorabilis viri Joannis Mortimer de Cragywar in sua pura virginitate in vitali reddito pro toto tempore vite sue omnes et singlas terras meas dualitatis de Fowlis Mowat vnacum molendino de Fowlis terris molendinariis multuris et sequelis eiusdem cum officio balliuatus et omnimoda jurisdictione earundem demptis et exceptis *lie outsettis* dicte dualitatis de Fowlis Mowat jacentes infra vicecomitatum de Aberdene necnon Joanni Lunmisdane filio meo et heredi apparenti et heredibus masculis inter dictum Joannem filium meum et dictam Jonetam Mortimer legitime procreandis Quibus deficientibus heredibus masculis dicti Joannis filii mei quibuscunque omnes et singulas terras meas de Fowlis Mowat cum *lie outsettis* eiusdem molendinum de Fowlis cum terris molendinariis multuris et sequelis eiusdem terras de Knokreaucht Balnakelye Balchymme cum molendino eiusdem vocato molendino de Cuschny cum terris molendinariis multuris sequelis earundem jacentes infra vicecomitatum antedictum in feodo et hereditate imperpetuum Et hoc pro perimpletione certe partis contractus matrimonialis . . . confecti inter me eum . . . assensu dicti Johannis filii mei et heredis apparentis ex vna et dictum Joannem Mortimer de Cragywar pro se et nomine et ex parte dicte Jonete filie sue partibus ab altera de data apud Aberdein sexto die mensis Junii anno Domini millesimo quingentesimo septuagesimo nono Tenendas et habendas . . . a me heredibus meis et assignatis de supremo domino

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxv., no. 276. MS Gen. Reg. House. Edinburgh.]

nostro Rege et suis successoribus in feodo et hereditate imperpetuum . . . cum curiis et earum exitibus herezeldis bludewitis et mulierum merchetis . . . Reddendo inde annuatim . . . jura et seruicia debita et consueta . . . In cuius rei testimonium huic presenti carte mee manu mea subscripte prout subscribitur sigillum meum est appensum Apud Bellentie vigesimo quinto die mensis Junii anno Domini millesimo quingentesimo septuagesimo nono Coram testibus Jacobo Mortimer aparente de Cragyvar Patricio Boig in Overlochell Arthuro Lummsidane filio Joannis Lummsidane de Cuisnie Alexandro Scott in Knokreaucht et Magistro Jacobo Forbes notario publico QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Halierudehous secundo die mensis Decembris anno Domini millesimo quingentesimo octuagesimo Et regni nostri decimo quarto .

Carta Johannis Lummsidene de Cuschnie etc.¹—(A.D. 1600.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . . et confirmasse . . . dilecto Johanni Lummsidene de Cuschnie heredibus suis masculis et assignatis quibuscunque hereditarie omnes et singulas terras de Fowlis Mowat cum molendino earundem terras de Knokreauch et Balchemye cum molendino earundem et singulis suis pertinenciis jacentes in baronia de Cuschnie et infra vicecomitatum nostrum de Abirdene Necnon omnes et singulas terras de Balnakilyie cum singulis suis pertinentiis jacentes infra baroniam et vicecomitatum antedictum Quequidem . . . terre de Fowlis Mowat . . . de Knokreauch et Balchemye . . . dicto Johanni Lummsidene de Cuschnie perprius hereditarie pertinnerunt de nobis per seruitium warde et releiij immediate tente . . . Et prefate terre de Balnakilyie . . . etiam dicto Joanni Lummsidene perprius hereditarie pertinnerunt de nobis similiter durante vita predilecti nostri consanguinei Andree nunc comitis de Rothes tente . . . Et quas omnes . . . prefatus Joannes Lummsidene de Cuschnie personaliter presens in manibus nostris . . . resignauit . . . pro hac noua infeodatione . . .

¹ [Abridged from the Registrum Magni Sigilli, lib. xlii., no. 204. MS. Gen. Reg. House, Edinb.]

Preterea nos pro bono fidei et gratuito servicio nobis et predicesoribus nostris per prefatum Johannem Lummisden de Cuschnie et suos predicesores prestito . . . de nouo dedimus . . . antedicto Johanni Lummisdene de Cuschnie heredibus suis masculis et assignatis antedictis Totas et integras prenominatas terras de Fowlis Mowatt cum earundem villa molendinaria *lie Mylnetoun* . . . terras de Knokreauche cum illa pendicula et *lie outseat* . . . appellata Netoun de Knokreauch alias Wrak . . . terras de Balchemye . . . molendinumque dictarum terrarum de Knokreauche et Balchemye nunc molendinum de Cuschnie nuncupatum . . . terras de Balnakeilyie cum *lie outsettis* . . . vocatis Brydiswall et Elfhillok . . . Insuper . . . incorporamus totas et integras prenominatas terras . . . in integram et liberam baroniam omni tempore affuturo Baroniam de Cuschnie Lummisdene nuncupandam . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Haliernhdous decimo quinto die mensis Nouembris anno Domini millesimo secentesimo et regni nostri trigesimo quarto .

Service on Fowlismout. ¹ —(A.D. 1680.)

November 24, 1680 . Special service of Margaret Forbes as nearest heir of her father Lieutenant Collonel James Forbes of Fowlls in . . . the lands of Foullismout as well the sunny as the shady half of the same the lands of Milltown of Fowlismout with the mill mill lands inultures sequells and knaveships . . . with the pendicle of the same commonly called Seutriefoord . . . with . . . the manor places houses buildings etc. lying in the barony of . . . by annexation the parish of Leochell and shire of Aberdeen along with the office of baillie within . . . the foresaid lands with all the . . . casualties and privileges whatsoever pertaining by law to the office of baillie within the barony . . . Which whole lands mill mill lands and others above written . . . along with said hereditary office of baillie . . . are held in chief of the noble and potent John duke of Rothes lord chancellor of Scotland in feu farm

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen. MS. in archivis ejusdem.]

and heritage for yearly payment of the sum of nine pounds Scots as the just feu duty of said lands and others at the Feast of St Martin . . .

Carta Duncano de Forbes. ¹—(A.D. 1464.)

Omnibus hanc cartam visuris . . . Willelnus de Lesly de Werderis miles salutem . . . Noueritis me . . . dedisse . . . et omnino vendidisse . . . dilecto consanguineo meo Duncano de Forbes filio Alexandri de Forbes totam et integram dimediam partem terrarum mearum de Corbanchory cum pertinentiis jacentem in baronia de Cusny infra vicecomitatum de Aberdene . . . Tenendam . . . de me heredibus meis et meis assignatis in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . mihi heredibus meis et meis assignatis unum denarium usualis monete Scotie . . . nomine albe firme . . . tantum . . . In cuius rei testimonium huic presenti carte mee sigillum meum est appensum apud burgum de Aberdene vicesimo die mensis Julii anno Domini millesimo quadringentesimo sexagesimo quarto coram hiis testibus Alexandro de Lesly Georgio de Lesly Andrea Glaster de Glak Alexandro de Skene de eodem Thoma de Forbes Dauysoun et Thoma Monypenny cum diuersis aliis .

Carta confirmacionis Duncani Forbes de Drummaleche. ²—(A.D. 1469 et A.D. 1545.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam . . . venditionis factam per Alexandrum Leslie dominum de Bacomy Duncano Forbes de Drummaleche . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Alexander Leslie dominus de Bacomy salutem in Domino sempiternam Noueritis me . . . vendidisse . . . honorabili viro Duncano Forbes de Drummaleche totas et integras terras meas de Corbanchquere cum suis pertinentiis

¹ [Abridged from the original in the Cushny charter chest.]

² [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 22. MS. Gen. Reg. House, Edinburgh.]

jacentes in baronia de Cussne infra vicecomitatum de Aberdene . . . Tenendas et habendas . . . prefato Duncano Forbes heredibus suis et suis assignatis de me et heredibus meis et meis assignatis in feodo et hereditate imperpetuum . . . cum curiis et curiarum exitibus et eschaetis herezeldis bludewitis et merchetis mulierum ariagiis cariagiis et bondagiis ac dietis . . . Faciendo inde domino nostro Regi et heredibus suis . . . seruicium forinsecum de dietis terris cum pertinentiis debitum et consuetum Et reddendo mihi et heredibus meis et meis assignatis annuatim vnum par chirothecarum albarum ad Festum Pasche super solum dictarum terrarum nomine albe firme si petatur Reseruando etiam mihi et heredibus meis et assignatis vnam peciam terre dictarum terrarum de Corbachquere que vocatur Carnomor ad faciendum seruicium domino meo superiori debitum et consuetum . . . In cuius rei testimonium huic presenti carte mee sigillum meum est appensum Apud Aberdene penultimo die mensis Januarii anno Domini millesimo quadringentesimo sexagesimo octauo Testibus honorabilibus viris Henrico Dowglas de Lochlevin milite Magistro Richardo Forbes decano Aberdonensi Domino Henrico de Kingorn canonico Abirdonensi et Morauiansi Alexandro Skene de eodem Domino Andrea Leslie rectore de Rothes Georgio Leslie fratre meo germano Waltero Andree Jacobo Skene Johanne Dog armigeris et Domino Roberto Leis capellano et notario publico cum multis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Maii anno Domini millesimo quingentesimo quadragesimo quinto Et regni nostri tercio .

Carta Georgei Forbes de Auchintoull. ¹—(A.D. 1511.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro Georgio Forbes de Auchintoull omnes et singulas terras de Carneouly Thomquhatly Thomnacoulok et Petberne cum suis pertinentiis jacentes in baronia de Cusehny infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt

[Abridged from the Registrum Magni Sigilli, lib. xvii., no. 30. MS. Gen. Reg. House, Edin.]

dicti Georgeri prius hereditarie per ipsum capitate tante de consanguineo nostro Georgio comite de Rothes vt annexa baronie de Ballinbreich Quequidem terre et baronia de Ballinbreich . . . in manibus nostris recognite fuerunt ob alienacionem maioris partis earundem absque consensu . . . nostri . . . Pro quibusquidem terris de Carnecouly Thomquhatly Thomnacoulok et Petberne predictus Georgius Forbes nobiscum . . . composuit et gratanter pro huiusmodi compositione persoluit summam centum librarum vsualis monete regni nostri . . . Tenendas et habendas . . . dicto Georgio Forbes et heredibus suis de nobis et successoribus nostris in feodo et hereditate imperpetuum semper et quousque dictus Georgius comes de Rothes et heredes sui recuperauerit vel recuperauerint huiusmodi terras et baronias de Ballinbreich et Cuschny . . . Et deinde tenendas de dicto Comite et heredibus suis baronibus de Ballinbreich et Cuschny in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . consimile seruicium sicut . . . prefato Comiti . . . ante prefatam recognitionem prius reddiderunt In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh decimo quinto die mensis Augusti anno Domini millesimo quingentesimo vndecimo et regnj nostri vicesimo quarto .

Protestatioun for instrumentis upon the chartouris of the landis of Auchintoule and Carnecowlie productit befor the Lordis of Counsale.¹—(12. March 1533-4.)

Robert Leslie procuratour for George erle of Rothes askit instrumentis that Maister Thomas Mariorybankis procuratour for the Lard of Auchintoule productit anc charter maid be Thomas Strathachin to Duncan Forbes of the landis of Auchintoule and vtheris of the daite at Abirdene the ferd day of Januarij the yeir of God j^m iij^o and vj yeris .

Maister Henry Spittale forspekar for Johnne lord Forbes beand summonsd at the instance of the Lard of Auchintoule for warandee of his mariage askit instrumentis of the daite of the resignatioun maid be Johannes de

¹ [From the *Acta Dominorum Concilii et Sessionis*, vol. iv., fol. 56. MS. Gen. Reg. House, Edinburgh. Cf. fol. 81.]

Monte Alto in the handis of Andro Lesly superior of the landis of Carn-cowle was of the daite at Bادهچasse the xx day of Junij the yeir of God j^m iij^c and iij yeris .

James Forbes of Auchintowle. ¹—(11. May 1542.)

Anent our Souerane Lordis lettres purchest at the instance of James Forbes of Auchintowle That quhare he is compellit to produce ane char-tour and confirmatioun thairof of the landis of Monenyno and Dridlane befor the Lordis of Counsale quhilk James Innes of Towcheis and Allane Grant allegis is rasis in ane wourd callit *masculis* or *quibuscunque* and geve the samin be rasis the said James knawis nocht bot he gatt and boycht the samin fra Jhone Gordoun of Cusny quha sauld the samin to him rasis in the samin wourdis in grete defraude of the said James And the said Jhone was moder broder to the bernis that suld haif bene airis to the saidis landis and the said Jhone rasis the said wourd *masculis* and swa the said James is innocent of the said rasing and aucht to incur na danger thairthrow lik as at mair lenth is contenit in the said lettres The said James being personalie present The Lordis of Counsale continewis the saidis lettres in the samyn forme force and effect as it is now but preiudice of party on to the xxvij day of Junij nixt to cum with continiatioun of dais And ordanis the said James to haif lettres to summond the witness that war summond of befor and comperit nocht to be summondit agane vnder grete painis for preving of the punctis of the saidis lettres agane the said day and the partyis ar warnit hereof *apud acta* .

Carta confirmationis Alexandri Forbes de Tolleis. ²—(A.D. 1532 et A.D. 1545.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quamdam

¹[From the Acta Dominorum Concilii et Sessionis, vol. xix., fol. 20. MS. Gen. Reg. House, Edinb.]

²[Abrijed from the Registrum Magni Sigill, lib. xxxi, no. 23. MS. Gen. Reg. House. Edinburgh.]

cartam . . . venditionis factam per Jacobum Forbes de Auchintowle ac dominum de Carnecewl et Drumquhat Alexandro Forbes de Tolleis . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Jacobus Forbes de Auchintowle ac dominus de Carnecewl et Drumquhat salutem in Domino sempiternam Noucritis me vendidisse . . . dilecto meo Alexandro Forbes de Tollis omnes et singulas terras meas de Drumquhat cum pertinentiis jacentes in baronia de Cusne infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . dicto Alexandro heredibus suis et assignatis de me heredibus meis dominis de Auchintowll in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . mihi heredibus meis . . . vnum denarium monete currentis nomine albe firme ad Festum Penthecostes tantum si petatur . . . In cuius rei testimonium sigillum meum presentibus est appensum apud Awfurd quinto die mensis Aprilis anno Domini millesimo quingentesimo trigesimo secundo vna cum subscriptione mea manuali Coram his testibus Thoma Strathachin de Lenturkis Roberto Lummsidene de Madler Jacobo Giroch de Kynstair Magistro Matheo Lummsidene et Thoma Dalloquhy notariis cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Maij anno Domini millesimo quingentesimo quadagesimo quinto Et regni nostri tercio .

Preceptum saisine in favorem Villelmi Forbes. ¹ —(A.D. 1533.)

Jacobus Forbes de Auchintoul ac dominus de Carnceowlie et Drumquathie dilectis meis Alexandro Forbes de Tolleis Wilelmo Gerach balliuis meis in hac parte . . . salutem Quia . . . vendidi . . . dilecto meo germano Villelmo Forbes in Carnceowlie omnes et singulas terras meas de Kinhard ac molendinum de Carnceowlie cum toftis et croftis eiusdem et multuris solitis et consuetis cum pertinentiis jacentes in baronia de Cusehne et infra vicecomitatum de Aberden . . . vobis . . . precipio . . . quatenus . . . prefato Villelmo latori presentium . . .

¹ [Abridged from the original in the Cuslmy charter chest.]

sasinam . . . terrarum predictarum . . . cum molendino . . . cum pertinentiis tradatis . . . In cuius rei testimonium sigillum meum presentibus est appensum unacum mea subscriptione manuali apud Aldford vicesimo sexto die mensis Maii anno Domini millesimo quingentesimo xxxiii^o coram testibus videlicet Thoma Strathachin de Lenturk Alexandro Forbes de Tolleis Roberto Lumisden de Madler Magistro Matheo Lumisden Jacobo Gareocht de Kinstair ac Villelmo Gareocht cum diuersis aliis .
Jamis Forbes vytht my hand .

Instrumentum super appellatione Jacobi Forbes de Auchintovil. ¹ —(A.D. 1533.)

Decimo nono Septembris anno [j^m v^o] xxxiiij^o Eodem die personaliter constitutus honorabilis vir Jacobus Forbes de Auchintovil asseruit quandam sententiam latam contra eundem per venerabilem virum Magistrum Arthurum Boetium commissarium Abirdonensem in causa nota per Willelmum Forbes et Thomam Forbes suos germanos requirendo eundem Jacobum esse acitatum in libris dieti commissarii secundum vim formam et effectum cuiusdam obligationis pro varantia octuaginta mercarum terrarum molendini de Carncovlie et Kinhard et occidentalis partis terrarum de Carncovle / ad reuerendum in Christo patrem Willelmum Abirdonensem episcopum et suum bene auisatum consilium et reuerendum in Christo patrem Sanctiandree Archiepiscopum prouocauit appellauit et de remedio juris protestatus est in vberiori forma appellacionis Super quibus petiit instrumentum Acta super solum et fundum terrarum de Colenne de Fatherner hora tercia post meridiem presentibus Alexandro Garrvo Andrea Reche Andrea Roberti Johanne Curre et Dauid Cristisoune etc.

Carta Johannis Gordoun. ² —(A.D. 1511.)

•Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse et

¹ [From the General Register House, Edinburgh.]

[Abridged from the Registrum Magni Sigilli, lib. xvii., no. 83. MS. Gen. Reg. House, Edinb.]

hac presenti carta nostra confirmasse dilecto nostro Johanni Gordoune filio Georgej Gordoune de Quisny totas et integras terras de Conquhonderland et Halhed cum suis pertinentiis jacentes in baronia de Quisny et infra vicecomitatum nostrum de Aberdene Quequidem terre fuerunt consanguinej nostri Georgej comitis de Rothes hereditarie vt vna pars baronie de Quisny annexate baronie de Ballinbreich de nobis immediate tente per seruicium warde et releuij Et huiusmodi terre . . . in manibus nostris recognite fuerunt ob alienationem maioris partis earundem absque consensu . . . nostri . . . Ac dedimus . . . dilecto nostro Roberto Lummysdane de Maidlare nostras litteras promittendo quod si dictus noster consanguineus non intrauerit eundem Robertum aut suos assignatos ad easdem terras de Conquhonderland et Halhed cum pertinentiis secundum formam appunctuamenti inter eosdem facti quod nos eundem Robertum aut suos assignatos in eisdem terris infeodaremus Et prefatus Robertus constituit dictum Johannem Gordoune eius fratrem assignatum ad predictas terras . . . Et nunc dictus Johannes nostro thesaurario . . . persoluit pro compositione dictarum terrarum summam tricentarum mercarum monete regni nostri / dedimus . . . hereditarie eidem Johanni totas et integras predictas terras de Conquhonderland et Halhed cum pertinentiis jacentes in baronia de Quisny . . . Tenendas et habendas . . . dicto Johanni Gordoun et heredibus suis de nobis et successoribus nostris in feodo et hereditate imperpetuum semper et quousque dictus Georgeus comes de Rothes vel heredes sui prefatas terras et baronias de Ballinbreich et Quisny . . . recuperauerit vel recuperauerint . . . Et deinde tenendas de dicto Georgeo comite de Rothes et heredibus suis baronibus de Ballinbreich et Quisny in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Johannes et heredes sui nobis et successoribus nostris vniam sectam in curia nostra capitali vicecomitatus nostri de Abirdene proximo tenenda post Festum Sancti Michaelis semper et quousque dictus Georgeus comes de Rothes vel heredes sui infeodati fuerint in eisdem baronijs . . . necnon wardis releuijs earundem terrarum et maritagio cum contigerint In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh die vicesimo quarto mensis Julij anno Domini millesimo quingentesimo vndecimo et regni nostri vicesimoquarto

Service on Hallhead etc. ¹—(A.D. 1683.)

September 28, 1683 . Special service of John Gordon as nearest heir of his father Patrick Gordon of Halhead in . . . the towns and lands of Conwhinderland and Hallhead with the houses buildings gardens tofts crofts parts pendicles and pertinents thereof lying in the barony of Cuslhy and shire of Aberdene Which whole towns and lands with their pertinents were held of . . . the deceased John duke of Rothes and high chancellor of Scotland in fee and heritage for service of ward and relief with marriage . . . and were turned by the charter after mentioned from simple ward to taxed ward for payment of the taxed [duties] underwritten only videlicet for yearly payment of the sum of ten punds during the time of ward and nonentry only for relief and twenty punds for the marriage of an heir . . . according to the tenor of a charter . . . by the said John duke of Rothes to the said Patrick Gordon of Hallhead given the 20th day of February 1669 . . . Which towns and lands and others are now held of the noble Lady Margaret countess of Rothes and Haddington or Charles earl of Haddington her husband as coming in the room and place of the said John duke of Rothes . . .

Legitimatio Jacobi Forbes burgensis de Abirdene. ²—(A.D. 1574.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis quia ex nostris gratia et fauore specialibus . . . dedimus . . . Jacobo Forbes burgensi burgi nostri de Abirdene bastardo filio naturali quondam Wilelmi Forbes lectoris apud ecclesiam de Cuscheny plenam potestatem . . . quod ipse . . . libere disponere valeat super omnibus . . . suis terris tenementis . . . et bonis . . . non obstante bastardia in qua genitus est . . . ac etiam dictum Jacobum . . . legitimauius et legitimum fecimus . . . In cuius rei testimonium presentibus magnum sigillum nostrum apponi pre-

¹ [Abridged from the Libri Aetorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem.]

² [Abridged from the Registrum Magni Sigilli, lib. xxxiv., no. 417. MS. Gen. Reg. House, Edinburgh.]

cepimus Apud Abirdene primo die mensis Septembris anno Domini millesimo quingentesimo septuagesimo quarto et regni nostri octauo .

THE PARISH OF TOUCH.¹

Carta confirmacionis Willelmi Forbes in Fynzeauch.²—(A.D. 1559 et A.D. 1586.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . venditionis factam . . . per Magistrum Robertum Carnegy rectorem ecclesie parochialis de Touche . . . quondam Willelmo Forbes in Fynzeauch . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Magister Robertus Carnegy rector ecclesie parochialis de Touche salutem in Domino sempiternam Noueritis me cum expressis consensu et assensu nobilis et potentis domini Georgij comitis de Huntlie domini Gordoun et Badyenoch regni Scotie cancellarij dieteque rectorie de Touch patroni dedisse . . . et . . . in feodifirma seu emphiteosi confirmasse . . . dilecto nostro Willelmo Forbes in Finzeauch heredibus suis et assignatis omnes et singulas terras de Kirkton de Touche cum molendino terrisque molendinarijs earundem et singulis suis pertinentiis iacentes infra parochiam de Touche baroniam de Cluny et vicecomitatum de Abirdene predictae rectorie annexatas . . . pro quibusdam magnis pecuniarum summis mihi per prefatum Willelmum in pecunia numerata . . . persolutis et in vsum rei ecclesiastice et precipue in reparationem ac vtilitatem dicte ecclesie parochialis et ornamentum eiusdem totaliter conuersis . . . Tenendas et habendas . . . de me et successoribus meis dicte ecclesie rectoribus in feodifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . mihi et successoribus meis dicte ecclesie rectoribus summam sex librarum tredecim solidorum et quatuor denariorum vsualis

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 595, 596.]

² [Abridged from the Registrum Magni Sigilli, lib. xxxvi, no. 304. MS. Gen. Reg. House, Edinburgh.]

monete regni Scotie tanquam pro firma antiqua . . . solita et consueta vnacum sex solidis et octo denarijs monete prescripte . . . in augmentationem nostri rentalis . . . et tribus sectis ad tria placita capitalia dicti mci patroni baronie de Cluny annuatim et seruitiis dicti Willelmi heredumque suorum et assignatorum in guerris supremi domini nostri Regis et Regine memorate rectorie patrono et successoribus suis faciendis . . . In cuius rei testimonium huic presenti carte mee manu mea subscripte vnacum manuali subscriptione predicti patroni in signum sui consensus sigilla nostra armorum sunt appensa apud Edinburgh die quinto mensis Februarij anno Domini millesimo quingentesimo quinquagesimo octauo Coram his testibus Magistro Thoma Keir Joanne Gordoun Magistro Willelmo Con Alexandro Con de Auchry Magistro Dauide Carnegy Roberto Carnegy de Kynnard milite cum diuersis alijs QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Halyrudhous vndecimo die mensis Nouembris anno Domini millesimo quingentesimo octuagesimo sexto et regni nostri vicesimo .

Service on Kirktoon of Touch. ¹—(A.D. 1705.)

November 2, 1705 . Special service of M^r George Leslie advocate as nearest heir of his father Patrick Leslie of Kineraigie in . . . the towns and lands of Kirktoon of Touch with the mill mill lands astrict multures sucken sequells and knaveships . . . with the houses etc. belonging to said lands . . . lying in the parish of Touch and shire of Aberdeen . . . held of the Queen and her successors as coming in room and place of the late rector of the parish church of Touch . . . in feufarm fee and heritage for yearly payment of ten merks Scots for the old duty thereof with six shillings and eightpence Scots in augmentation of the rental at two usual terms of the year . . .

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen. MS. in archivis ejusdem]

Carta Comitis de Huntlee. ¹—(A.D. 1450.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . et . . . confirmasse dilecto consanguineo nostro Alexandro comiti de Huntlee totum et integrum comitatum de Huntle ac totum dominium de Strathbolgy necnou totas et integras terras de Cluny de Tulehe Obyn Glentanyr et de Glenmuk cum pertinentiis jacentes infra vicecomitatum de Aberdene ac totum et integrum dominium de Gordone cum pertinentiis jacens in vicecomitatu de Roxburghe necnon baroniam de Panbride cum pertinentiis jacentem infra vicecomitatum de Forfare Qui comitatus ac dominia . . . ac . . . terre . . . fuerunt antefati Alexandri comitis hereditarie et quem comitatum dominia et terras predictas . . . dictus Alexander . . . in manibus nostris . . . simpliciter resignavit . . . Tenendum et habendum predictum comitatum dominium de Strathbolgy necnon terras de Cluny Tulehe Obyn Glentanyr et de Glenmuk in vnam meram et liberam baroniam vocatam Huntlee . . . Quam baroniam de comitatu de Huntlee . . . teneri volumus et baroniam de Panbride ac dominium de Gordoun . . . dicto Alexandro comiti et prolibus heredibus inter ipsum et Elizabeth sponsam suam comitissam de Huntlee procreatis seu procreandis . . . de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh vicesimo nono die mensis Januarii anno Domini m^o cccc^o xlix^o Et regni nostri decimo tercio .

Obligation by James of Forbes to Sir Alexander of Setone of Gordone. ²—
(A.D. 1444.)

Be it made kende til all men be thir present lettres me James of Forbes

¹ [Abridged from the Registrum Magni Sigilli, lib. iv., no. 106. MS. Gen. Reg. House, Edinburgh.]

² [Abridged from the original in the charter room at Gordon Castle

By a charter dated at Aberdeen, on the thirtieth day of September, 1444, Alexander of Seytoun of Gordoun, lord of the barony of Cluny, grants to James of Forbes, son and heir apparent of Sir Alexander of Forbes of that ilk, knight, the lands of Corsindawe, Kebidy,

sone and apperand ayer to my derrest fadir Sir Alexander of Forbes of that Ilke knycht to be oblyst and sykirly be the faith of my body to be bundyn til a rycht mighty lord Sir Alexander of Setone of Gordon my redouttit lord that quhat tyme he makis to me and infettis me with chartir and sesing folowande of the landis underwryttin that is to say Fyndletter Knycragy Tulymar Tulykery Tulyfour and Tulochreoch with thar pertinens lyande in the parochyn of Tulch within the baroney of Cluny or of the landis of Estir Tolmade Westir Tolmade Tornavythythyn Tulyreoch Tulyfour and Tulykery with thar pertinens liand wythin the forsaide baroney in sic maner . . . and effect as I am . . . sesit of the landis of Corssyndawe Kebydy Ordiqubork Achkebydy Ruthynachloch and Tulycarn lyand in the baroney of Cluny within the shirrefidome of Aberdene I sall frely but questione . . . at the will . . . of my said lord upgif and resigne in his handis all the landis of Corssindawe Kebydy Ordiqubork Achkebydy Ruthynachloch and Tulycarn forsaides wyth all rycht and clame . . . and all . . . writtis giffin to me by my said lorde tharapoun . . . In witnes of the quhilk thing my sele is to put at Aberden the ferde day of October the yher of our Lord a thousand four hundreth fourty and four yheris befor thir witnes Patryk Lyon of Knygorn Wat of Ogilyv of Deskfurde knychtis Androw Gray of Foulis Wat of Ogilyv of B.wfort and Gilbert Meignes.

Anent the redemption of Fyndletter Knycragy and Tulochmar. ¹ —(A.D. 1446.)

Til all and sindry that thir presentes lettres sall her or see Alexander of

Orlyqubork, Achkebydy, Ruvynanchlache, and Tulicarne, in the barony of Cluny and shire of Aberdeen —(Registrum Magni Sigilli, lib. xxvi, no. 372. MS. Gen. Reg. House, Edinb.)

By a charter dated at Huntly, on the twentieth of September, 1460, Alexander, earl of Huntly, and lord of Badyenach, grants to Sir James, lord the Forbes, the lands of Tulyreoch, with Tullachwynys, and the lands of Litill Tolmade, Tornavethyne, Drumlansey, and Barglassy, in the barony of Cluny, earldom of Huntly, and shire of Aberdeen.—(Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House, Edinb.)

By a charter dated at Aberdeen, on the eighth day of July, 1468, Alexander, earl of Huntly and lord of Badyenache, grants to William, lord the Forbes, his son in law, the lands of Tulyfour and Tulikery, in the lordship of Tuliche, and in the barony of Cluny.—(Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House, Edinb.)

¹ [Abridged from the original in the charter room at Gordon Castle.]

Lesly son and ayer apperand of Sir Williame of Lesly of the Syde knyecht greting in God ay lestande For quhi that ane noble lorde and nichti my lorde Sir Alexander erle of Huntlie and lord of Gordone has gevin me infestment of the landes of Fyndletter Kyneragy and Tulochmar the quhilkis my fader held in fee of the forsaide Lorde and the quhilk landes the forsaid Sir Williame my fader resignit . . . in the forsaid my Lorde of Huntleis handis and als the said my Lorde has gevin me the landes of Tulyfour and Tulochkery for all the termes of my lif thir forsaid landes liande in Tulch within the barouny of Cluny Wittis me to be oblyst . . . myne ayeris and myne assignais that quhat tyme the forsaid my lord Erle of Huntlie his ayeris or his assignais sal haue payt to me myne ayris and myne assignais twa hundreth and twenty merkis of usuale monee of Scotland than . . . I or myne ayeris sal frely upgif to the forsaid Lorde and his ayeris and his assignais al charteris and euidentis with full resignatione of all rycht and clame of richt that I mine ayeris had has or mycht haue in the forsaide landes or ony part of thaim . . . In witnes of the quhilk thing fothti that I had na sele present of myne awin I haue procurit the sele of ane honorable man Jhon of Fif alderman of Aberdene with instance to thir presentes lettres to be toput in the tolbutth of Aberdene in the presens of Williame of Setone Andrew Glaster Sir Lowrance persone of Tulch and Gilbert Meignes for witnes tane of the said procuratioun the v. day of the moneth of Nouember the yher of grace a thousande four hundreth fourty and sex The forsaide landes to remayne with the forsaide Alexander for all the dais of his fader lyf unredemyt .

Carta confirmacionis Willelmi Forbes de Tolleis super terris de Fynlatir.¹
—(A.D. 1490 et A.D. 1505.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam venditionis et alienacionis factam per dilectum consanguineum et consiliarium nostrum Georgeom quondam comitem de Huntlie dominum Baidyenache

¹ [Abridged from the Registrum Magui Sigilli, lib. xiv., no. 66. MS. Gen. Reg. House, Edinburgh.]

dilecto nostro Willelmo Forbes de Tolleis . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Georgens comes de Huntlie ac dominus de Baidyenache eternam in Domino salutem Noueritis nos . . . vendidisse . . . dilecto consanguineo nostro Willelmo Forbes de Tolleis omnes et singulas terras nostras de Fynlatir cum suis pertinentiis jacentes in dominio nostro de Tulche infra vicecomitatum nostrum de Abbirdene pro quadam certa summa pecunie . . . Tenendas et habendas . . . prefato Willelmo heredibus suis et suis assignatis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . cum curiis earum exitibus et eschactis herezeldis bludewitis et merchetis mulierum bondagiis caragiis et aueragiis . . . cum libera potestate et facultate molendinum infra limites dietarum terrarum construendi et cum multuris earundem . . . Reddendo inde annuatim . . . nobis et heredibus nostri vnum denarium super solum dietarum terrarum ad Festum Pentecostes nomine albefirne si petatur tantum . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre est appensum Apud Abirdene decimotercio die mensis Augusti anno Domini millesimo quadringentesimo nonagesimo Coram nobilibus et famosis viris Alexandro Setoun de Meldrum Patricio Berclay de Garntuly Daud Ogiluy de Tolnad Duncano Thomsoun de Auchinhamperis Georgeo Thomson de Auchintowl Alexandro Strathachin de Ladinturk Magistro Ricardo Strathachin rectore de Esse et Domino Johanne Striueling presbitero ac notario publico cum multis aliis . QUAMQUIDEM cartam . . . pro perpetuo confirmamus Salmis nobis et successoribus nostris iuribus et seruiciis de dictis terris . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precipimus . . . Apud Edinburgh vicesimo quarto die mensis Januarij anno Domini millesimo quingentesimo quarto et regni nostri decimo septimo .

Instrumenta super relaxatione terrarum de Kincragy. ¹—(A.D. 1519 et A.D. 1520.)

Septimo Novembris anno [j^m v^o] xix^o Eodem die personaliter constitutus

¹ [From the General Register House, Edinburgh.]

honorabilis vir Alexander Leslie de Kincragy apud *lie Peir* de Lochteanmor ad habendum presentiam Comitis de Huntlie et ab eo ad petendum terras suas de Kincragy tanquam a domino suo superiore ad plegium sibi dimitti et ad offerendum ei pro relaxatione earundem terrarum per antedictum recognitarum quod de jure domino suo superiori facere tenetur Nichilominus dictus Comes quemdam nuncium misit dicto Alexandro dicendo et allegando dictum Comitem presentiam dicti Alexandri minime pro presenti habere sed dictus nuncius Magister Johannes Irwing asservit dictum dominum Comitem responsum michi notario dare Ego vero notarius accessi ad presentiam personalem dicti domini Comitis petendo ab eodem nomine et ex parte dicti Alexandri terras suas antedictas de Kincragy ad plegium sibi dimitti et homagium nomine dicti Alexandri dicendo eundem sibi facere Quiquidem dominus Comes antedictus antedicto Alexandro curiam apud Clvne tenendam xxvij^o Nouembris instantis assignavit ibidem ad presentandum [et] demonstrandum evidenciis et cartas suas et jura si que habet pro terris antedictis et ad faciendum in dicta assignata curia quod de jure facere tenetur Super quibus hincinde petierunt instrumenta Acta apud Lochteanmor presentibus ibidem Magistro Johanne Irwing Domino Nicholayo Patersoune Magistro Johanne Brovne capellanis Willelmo Gordoun de Auehindoir et Alexandro Irwing .

Vigesimo Januarii anno [j^m v^c] xix^o Eodem die personaliter constitutus Alexander Leslie de Kincragy in curia prepotentis domini Comitis de Huntlie tenta per honorabilem virum Thomam Daulsounne ballium pro tempore apud Clvne ad petendum terras suas antedictas de Kincragy tanquam a domino suo superiore ad plegium sibi dimitti offerendo dicto ballino nomine dicti Comitis homagium quod de dictis terris de jure et consuetudine Scotie facere tenetur quod si secus fecerit sibi et heredibus suis minime preiudicaret in futurum Quiquidem ballius dictam requisitionem et antedictarum terrarum relaxationem et ad plegium dimitti refutavit et recusavit Super quibus et de remedio juris idem Alexander protestatur et petiit instrumentum Acta apud Clvne hora ante meridiem vdecima presentibus Domino Andrea Clark curato Johanne Forbes Johanne Toucht et Willelmo Craufurd .

Lettre to George Leslie sone to Alexander Leslie of Kincragy of the eschete gudis of Jhone Strathauchin in Kincragy. ¹—(A.D. 1548.)

Ane lettre maid to George Leslie sone and apperand air to Alexander Leslie of Kincragy . . . of the gift of all gudis . . . quihilkis pertenit to Jhone Strathauchin in Kincragy and now perteing . . . to our Souerane Lady be resoun of eschete throw the said Jhonis tressonable byding at hame fra hir Hienes oistis raidis and armys following or fra ony of thame that is to say . . . the oist raid and army convenit with hir Tutour on Rosling Mure in the moneth of August the yeir of God j^m v^e xlv. yeris quihilk tharefter past to Birgem for resisting of our auld inymeis of England . . . the first sege of Sanctandris convenit with hir Governour in the moneth of October the yeir of God j^m v^e xlvj. yeris for assegeing and recouering of the castell thair of fra the withhalderis of the samyn aganis hir auctorite togidder with hir Governouris sone being thairin . . . the raid of Langholme convenit with hir said Tutour in the moneth of Julij the yeir of God etc. xlvij. yeris for assegeing of the castell thair of and recouering of the samyn fra our auld inymeis of England than presentlie within the said castell and . . . hir Hienes oist raid and army convenit with the said Lord Governour on Gladismure besyde Hadingtoun the x. day of Julij instant for assegeing of the burght of Hadingtoun and expelling of our saidis auld inymeis furth of the samyn . . . At Lethingtoun the xvij. day of Julij the yeir of God j^m v^e xlvij. yeris .

Per signaturam .

Carta confirmacionis Georgii Leslie de Kincraigie. ²—(A.D. 1549 et A.D. 1594.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quandam cartam . . .

¹ [Abridged from the Registrum Secreti Sigilli, vol. xxii., fol. 20. MS. Gen. Reg. House, Edinb.]

On the eleventh day of August, 1548, the same Jhone Strathauchin in Kincragy obtained a gift of his own eschete goods.—(Id., vol. xxii., fol. 25.)

² [Abridged from the Registrum Magni Sigilli, lib. xxxix., no. 109. MS. Gen. Reg. House, Edinb.]

factam per quondam Georgium comitem de Huntlie . . . quondam Georgio Leslie filio et heredi apparenti quondam Alexandri Leslie de Kincragye . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Georgius comes de Huntlie dominus Gordoun et Badyenoch cancellarius totius regni Scotie ac Locumtenens infra partes boreales eiusdem etc. Noueritis nos dedisse . . . et . . . confirmasse . . . dilecto nostro scrutori Georgio Leslie filio et heredi apparenti Alexandri Leslie de Kincragye omnes et singulas terras de Kincragye cum suis pertinentiis jacentes in dominio de Touch et infra vicecomitatum de Abirdene pro suo fideli seruiicio nobis gratanter impenso Quequidem terre prius fuerunt dicti Alexandri Leslie hereditarie et quas idem Alexander in manibus nostris tanquam in manibus domini superioris earundem . . . simpliciter resignauit Tenendas et habendas . . . dicto Georgio Leslie suis heredibus et assignatis de nobis et successoribus nostris dominis de Huntlie etc. in feodo et hereditate imperpetuum . . . cum curiis et earum exitibus amerchiammentis eschaectis herezeldis bludewitis et mulierum merchetis aueragiis carragiis et bondagiis . . . Saluis nobis et heredibus nostris et assignatis wardis et releuijs et alijs seruiicijs debitis et consuetis Reseruato tamen liberotenenemento et vsu fructu . . . dicto Alexandro Leslie patri prefati Georgii pro toto tempore vite sue . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre manu nostra subscripte est appensum Apud Abirdene decimo quarto die mensis Aprilis anno Domini millesimo quingentesimo quadragesimo nono Coram his testibus nobili et potente domino Joanne comite Atholie Jacobo Betoun commendatario de Abirbrothok Georgio Meldrum de Fyvie milite Thoma Menzeis de Petfoddellis Jacobo Gordoun de Medlok Joanne Betoun de Balfoure et Jacobo Murray de Cowbairdy cum diuersis alijs etc. QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Striuiling vicesimo sexto die mensis Februarii anno Domini millesimo quingentesimo nonagesimo tercio et regni nostri vicesimo septimo .

THE PARISH OF LEOCHELL.¹

Electio Johannis Valentyne in clericum parochialem ecclesie Sancti Marnani de Loquhell. ²—(A.D. 1524.)

Decimo quarto Junii anno [j^m v^c] xxiii^o Eodem die personaliter constituti honesti viri Alexander Straquhyne de Ledinturk Dominus Jacobus Hunter curatus de Loquhell Johannes Gussait Johannes Joffrai Andreas Yuyll Donaldus Toucht Johannes Buchane Johannes Scheres Johannes Tailyour Johannes Valcar Johannes Red Jacobus Mathe Elena Anguss Alexander Wat Johannes Reche Willelmus Reeche Maryiota Patre Jacobus Wallace Jacobus Andree Johannes Andree Patricius Reid Duncanus Daudsone Alexander Jokke Johannes Banton Laurentius Ramsai Andreas Robertsone Cristianus Gillespi Duncanus Ingrame Malcolmus Wat David Vat Duncanus Buchane Andreas Roust Alexander Roust Agnes Rust Joneta Mechel Willelmus Mechel Alexander Fluger Margareta Moress Willelmus Marno Alexander Marno Cristianus Deyr Alexander Thome Johannes Donaldi David Jhonsoun Issobella Jhonsone Margareta Andree Alexander Mechell Joneta Taveis Johannes Mortimar Johannes Forbes Andreas Stevyne Ele . . . Bur Georgius Forbes Johannes Stoit Alexander Stevyne Margareta Vobstar Allesona Wilyem Jacobus Mechel Joneta Mortimer Johannes Gordoun de Quisne pro tenentia de Estir Foulis Alexander Daudsone Maryiota More Thomas Nicholsons Jacobus Thome tales parochiani de Loquhell omnibus melioribus modo etc. elegerunt Johannem Valentyne filium Thome Walentyne alias Clark clericum parochialem dicte parochie Insuper Patricius Elmislie Findlayus Moress

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 595-608.]

Churches of the name of "Lauchyll" or "Lawchyll" are said to have been very common in Ireland. "The name in Irish, *leam coill*," says Dr. Reeves, "means 'the elm-wood,' *leam* containing the radical letters of the Latin *ulmus*."—(Primate Colton's Visitation of the Diocese of Derry, pp. 70, 72.) That there were trees of old around the church of Leochell appears from the Aberdeen Breviary, prop. Sanct. pro temp. hyem. f. lxi. See also the New Statistical Account of Scotland, Aberdeenshire, p. 1125, note.]

² [From the General Register House, Edinburgh.]

Duncanus Gillespi Johannes Jhonsone Alexander Jamesone Dauil Roust Willelmus Roust Adamus Myll Willelmus Myll Johannes Myll Johannes Tailyour Johannes Eld tales parochiani diete parochie suas electiones et vota dederunt dicto Johanni et ad hoc consentiit Thomas Daidson Denique Johannes vsufructuarius de Monimusk vigesimo quinto Junii anno quo supra hora xj. ante meridiem infra monasterium de Monimusk et Willelmus Mortimer de Craigiuer Alexander Fardil Duncanus Toucht Walterus Thome Thomas Walear Duncanus Mortimer et Willelmus Sovter ipsi similiter suas electiones et vota dederunt antedicto Johanni ad gandendum et possidendum huiusmodi officium clericatus parochialis cum omnibus et singulis fructibus et pertinenciis suis quibuscunque dum idem vacare contigerit per dimissionem resignationem aut decessum Thome Clark clerici eiusdem Super quibus idem Thomas petiit instrumentum Acta infra dictam parochiam inter horas xj. ante meridiem et quintam post meridiem presentibus Johanne Makky Alexandro . . . et Johanne Mortymer .

Carta confirmacionis Abrahami Forbes de Blaktoun.¹—(A.D. 1607 et A.D. 1608.)

Jacobus Dei gratia Rex Magne Britannie Francie et Hybernie . . . Sciatis nos quandam cartam . . . factam per Alexandrum Gordoun de Baldornie ac Georgium Gordoun eius filium natu maximum et heredem apparentem et Joannem Gordoun de Buckie pro suo jure . . . cum . . . assensu Roberti prioris monasterii de Monymusk et conuentus eiusdem dilecto nostro Abrahamo Forbes de Blaktoun . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Alexander Gordoun de Baldornie Georgius Gordoun filius meus senior heres apparens Jhoannes Gordoune de Buckie pro meo jure et interesse salutem in Domino sempiternam Noueritis nos pro . . . summa vndecim millium et quingentarum mercarum vsualis monete regni Scotie . . . per

¹ [Abridged from the Registrum Magni Sigilli, lib. xlv., no. 197. MS. Gen. Reg. House, Edinburgh.]

Abrahamum Forbes de Blaktoun persoluta . . . necnon cum expresso consensu et assensu reuerendi in Cristo patris Roberti prioris de Monyuske et conuentus eiusdem vendidisse . . . dicto Abrahamo Forbes heredibus suis et assignatis quibuscunque totas et integras terras nostras de Waster Foullis Craigmyn Eister Lochill cum duabuscroftis eidem adiacentibus cum molendino de Craigmyn et terris molendinariis astrictis multuris et sequelis eiusdem . . . jacentes infra dominium de Monyuske et vicecomitatum de Abirdene Tenendas et habendas . . . a nobis heredibus ac assignatis nostris de supremo domino nostro Rege et suis successoribus Scotie Regibus aut de quouis alio indubitato superiore earundem in feudifirma et hereditate imperpetuum Reddendo annuatim . . . pro dictis terris de Waster Fowllis sex libras tredecim solidos et quatuor denarios Et pro dictis terris de Craigmylue cum molendino earundem tres libras sex solidos octo denarios duodecim pultreas et sex solidos pro bondagiis Et pro dictis terris de Eister Lochell sex libras tredecim solidos ac quatuor denarios duos muttones viginti quatuor pultreas et duodecim solidos pro earum bondagiis Et pro duabuscroftis eidem adiacentibus tres libras Necnon summam quadraginta solidorum annuatim monete Scotie in augmentationem rentalis dictarum terrarum . . . Necnon duplicando dictam feudifirmam ad introitum cuiuslibet heredis . . . In cuius rei testimonium huic presenti carte nostre manu nostra subscripte manaque Alexandri Irwing apparentis de Lenturk scripte nostra armorum sigilla sunt appensa Apud Grantulie et Buckie respectiue et successiue vicesimo octauo et decimo tertio diebus Aprilis et Maij respectiue anno Domini millesimo sexcentesimo septimo Coram his testibus respectiue Georgio Gordoun de Coelarchie et Georgio Gordoun eius filio et herede apparente Jacobo Lumisdene seruo Abrahami Forbes de Blaktoun Alexandro Mathowsoun similiter eius seruo Gulielmo Gordoun in Fornatrice Georgio Jope et Waltero Innes notarijs publicis QUAMQUIDEM eartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgum quarto die mensis Julij anno Domini millesimo sexcentesimo octauo . . .

Sasina terrarum de Cragyver etc. data Willelmo Mortymare. ¹—(A.D. 1513.)

Viccomes de Aberdene respondebit pro viginti libris de releuio terrarum de Cragyver Westir Lochell Inenteir Bawdene et Knokandow cum molen-
dinis earundem Regi debito per sasina datam Willelmo Mortymare de
eisdem quinto Nouembris anno regni Regis primo .

Preceptum saisine terrarum de Vaster Leochel et Ballinden. ¹—(A.D. 1524-5.)

Willelmus Mortimer de Cragiuer dilectis meis Thome Strathachin
coniunctim et diuisim balliuis meis in hac parte con-
stitutis Quia dedi . . . prouido viro Willelmo Forbes de Corsindawe et
Margarete Lumisden eius sponse et eorum diucius viuenti et heredibus
inter ipsos procreatis seu procreandis totas et integras terras meas de
Vaster Leochal et Ballinden cum pertinenciis . . . infra comitatum de
Mar . . . Vobis igitur . . . mando quatinus dictis . . . possessionem
dictarum terrarum . . . deliberetis . . . In cuius rei testimonium sigillum
meum presentibus est appensum apud Cuschnie die mensis Maii
anno Domini millesimo quingentesimo vicesimo qu . . o coram hiis
testibus Johanne magistro de Forbes Roberto Lumsden de Medlar Jacobo
Calder de Asloune Jacobo Garcauch de Kinstair Thoma Strathachin filio
et herede Alexandri Strathachin de Ledinturk cum aliis .

Carta Alexandri Mortymar et Margarete Menzeis eius sponse super terris
de Innyntere. ²—(A.D. 1528.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . .

¹ [From the General Register House, Edinburgh.]

Ewmond Mortymer was on an inquest at Kildrummy in 1435. Ewmond or Edmond Mortymer had a charter under the great seal, on his own resignation, of the lands of Craigievar, in the earldom of Mar, in 1457. Alexander Mortymare of Craigievar appears in 1495.—(Illustrations of the Antiquities and Topography of the Shires of Aberdeen and Banff, vol. iii., p. 582; Collections for a History of the Shires of Aberdeen and Banff, pp. 595-606; Acta Dominorum Concilii, p. 399.)

John of Mortimer, 'Johannes de Mortuomari,' baillie of Margaret, countess of Douglas, lady of Mar and the Garioch, in her lordship of Strathalva, had a charter of the lands of Auchinbady, in that lordship, dated at Kildrummy on the first day of March, 1384-5.—(Acta Dominorum Concilii et Sessionis, vol. xxviii., fol. 79. MS. Gen. Reg. House, Edinb.; Illustrations of the Antiquities of the Shires of Aberdeen and Banff, vol. iii., p. 576; Registrum Episcopatus Aberdonensis, vol. i., p. 169.)

² [Abridged from the Registrum Magni Sigilli, lib. xxii., no. 85. MS. Gen. Reg. House, Edinb.]

dilectis nostris Alexandro Mortymer filio et heredi apparenti Willelmi Mortymer de Cragyver et Margarete Menzeis sponse sue . . . totas et integras terras de Innyntere cum molendino earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Willelmi hereditarie et quas . . . idem in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . dictis Alexandro et Margarete eius sponse et ipsorum alteri diucius viuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreandis quibus deficientibus legitimis et propinquioribus heredibus dicti Willelmi quibuscunq; de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Abirdene nono die mensis Marcij anno Domini millesimo quingentesimo vicesimo septimo Et regni nostri decimoquinto .

Carta Willelmi Mortymar de Cragyver super dimedietate terrarum de Auchorty Auchorsk Blairdaf et Netherbigging.¹ —(A.D. 1528.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam alienacionis et vendicionis factam per Alexandrum Leslie de eodem et Cristinam Leslie sponsam suam dilecto nostro Willelmo Mortymer de Cragyver . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Alexander Leslie de eodem et Cristina Leslie eius sponsa salutem in Domino sempiternam Noucritis nos vendidisse . . . honorabili viro Willelmo Mortymer de Cragyver heredibus suis et assignatis omnes et singulas terras nostras medietatis de Auchorty terras medietatis de Auchorsk ac terras medietatis de Blairdaf terras medietatis de Netherbigging cum dimedietate molendini earundem cum omnibus suis pertinentiis . . . omnes jacentes infra vicecomitatum de Abirdene et baroniam de Lesley . . . Quequidem terre . . . fuerunt prius dicti Willelmi Mortymer in proprietate hereditarie de nobis tente Et quas idem Willelmus in manibus

¹ [Abridged from the Registrum Magni Sigilli, lib. xxii, no. 86. MS. Gen. Reg. House, Edinburgh.]

meis dicti Alexandri tanquam in manibus domini suj superioris earundem . . . simpliciter resignavit . . . Tenendas et habendas . . . dicto Willelmo Mortymer heredibus suis et assignatis a nobis et heredibus nostris de supremo domino nostro Rege et successoribus suis in feodo et hereditate imperpetuum . . . Reddendo . . . dicto domino nostro Regi . . . jura et seruicia . . . debita et consueta . . . In cuius rei testimonium sigilla nostra propria presentibus sunt appensa vnacum subscriptione manuali dicti mei Alexandri Apud Abirdene nono die mensis Marcij anno Domini millesimo quingentesimo vicesimo septimo Coram hiis testibus Thoma Scot de Pitgormo Magistro Jacobo Rait Johanne Mortymer Nicholao Ross Jacobo Ross Johanne Ratray et Patricio Stevinstoun cum diuersis alijs testibus QUAM QUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Abirdene nono die mensis Marcij anno Domini millesimo quingentesimo vicesimo septimo Et regni nostri decimo quinto .

Decrete for Jhone Dauidsoun in Boquharne. ¹—(18. December 1531.)

Anent the summondis at the instance of Jhone Dauidsone in Boquharne executour to vmquhile Alexander Daudson his cousing aganis William Mortymer of Cragyver as plege and souertie for vmquhile Duncan Mortymer in lie Hauch of Kynstair to heir thaim be decernit be decret of the Lordis of Counsell to mak assithment to the said Jhone Dauidsoun as executour forsaid as he the said Jhone that is narrest of the said vmquhile Alexander Dauidssonis kyn for the cruell slauchtir of the said vmquhill Alexander vnder silence of nycht be way of murthur committit be the said vmquhile Duncan apon him and to heir the samyn modifyt be the saidis Lordis and to refond content and pay to the said Jhone as executour forsaid the sowm of xl. pundis quhilk sowme the said vmquhile Duncan tuk and spulyeit fra the said vmquhile Alexander the tym of his slauchtir . . . The Lordis of Counsell with consent of party and their procuraturis decretis and deliueris that the said William Mortymer as plege and souerte

¹ [From the Acta Dominorum Concilii, vol. xliii., fol. 131. MS. Gen. Reg. House, Edinburgh.]

forsaid sall refond content and pay to the said Jhone Daidson the sown of xl. pundis vsuale money of this realm / quhilk sowme the said vmquhile Duncane Mortymer spulyeit fra the said vmquhile Alexander the tyme of his slauchter and tuk him to his remission thairfoir and fand the said Williame his plege and souertie in the last Justice Air of Abirdene for satisfioun of party and thairfoir ordanis lettres to be direct to poynd and distrenye him thairfor in forme as efferis And assolyeis with consent of party the said William as plege and souerte forsaid fra all satisfioun of party anent the said slauchter and the remanent of the punctis contenit in the summondis and decernis him quyte thairfra in tym to cum and lettres to be direct herapoun .

Carta confirmationis Johannis Mortymer. ¹ —(A.D. 1554.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam venditionis . . . factam per Willelmum Mortimer de Cragywer Johanni Mortymer eius nepoti et heredi apparenti . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Willelmus Mortymer de Cragywer eternam in Domino salutem Noueritis me . . . vendidisse . . . charissimo nepoti meo et heredi apparenti Johanni Mortimer suisque heredibus masculis quibus deficientibus heredibus meis quibuscumque et mihi dum vixero iterum reuertendas omnes et singulas terras meas de Cragywer Bandene Knokando Westir Loquhell cum molendino terris molendinariis multuris et eorum pertinentiis jacentes in parochia de Loquhell infra vicecomitatum de Abirdene necnon omnes et singulas terras meas dimedietatis terrarum de Auquhorly Awquhorsk Blairdaff et Neddribgging cum dimedietate molendini earundem et omnibus suis pertinenciis . . . jacentes in baronia de Leslie infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . de suprema domina nostra Regina et suis successoribus Regibus seu Reginis Scotie in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . supreme domine nostre Regine et suis successoribus . . . seruicium . . . debitum et consuetum . . . Reseruando . . . liberum tenementum . . . mihi pro toto tempore vite mee et

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxi, no. 46. MS. Gen. Reg. House, Edinb.]

post meum decessum rationabilem terciam partem . . . Elizabeth Gordounz sponse mee pro toto tempore vite sue . . . In cuius rei testimonium huic presenti carte mee subscriptione mea manuali subscripto sigillum meum proprium est appensum Apud Abirdene vicesimonono die mensis Marcij anno Domini millesimo quingentesimo quinquagesimo quarto Coram testibus Thoma Menzeis de Petfoddclis Joanne Spens Alexandro Menzeis David Mar Magistro Jacobo Gray Magistro Andrea Harvey et Magistro Johanne Kennedy notario publico eum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Hammiltoun sexto die mensis Aprilis anno Domini millesimo quingentesimo quinquagesimo quarto Et regni nostri duodecimo .

Carta confirmationis Joannis Mortymer et Helene Symmer sue sponse. ¹ —
(A.D. 1598 et A.D. 1600.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos . . . quandam cartam . . . factam per Jacobum Mortimer feudatarium de Cragyvar . . . ad

¹ [Abridged from the Registrum Magni Sigilli, lib. xlii., no. 151. MS. Gen. Reg. House, Edinburgh.]

On the first day of May, 1608, George Symmer, the elder, of Balyordie, granted a charter of a house in Brechin to John Mortimer and Helen Symmer, his wife. On the twenty-ninth day of April, 1623, the Archdeacon, with consent of the Bishop and Dean and Chapter of Brechin, granted a charter of the house in Brechin, which was of old the Archdeacon's Manse, to John Mortimer, sometime of Cragivar and Helen Symmer his wife. On the tenth day of July, 1623, John Mortimer, sometime of Cragivar, assigned "his desk and seat in the kirk of Breichin," formerly belonging to Symmer of Balyordie, to Robert Arbuthnot of Fyndowrie. On the twenty-fourth day of February, 1637, John Mortimer, sometime of Cragivar, granted a charter of the ruinous house in Brechin, which was of old the Archdeacon's Manse, to James Guthrie of Pitforthie.—(Registrum Episcopatus Brechinensis, vol. ii., pp. 238, 241, 242, 246, 297; Registrum Magni Sigilli, lib. i., no. 338. MS. Gen. Reg. House, Edinb.)

On the seventh day of July, 1643, William Mortimer of Gleneatt was served heir in general of John Mortimer of Craigievar his brother.—(Inquisitiones Generales, no. 2873.) On the twenty-seventh day of March, 1695, George Mortimuir of Gleneat was served heir of Captain John Mortimuir of Gleneat, his father, in the town and lands of Gleneat in the parish of Birse. (Inquisitiones Speciales vicecom. Aberd., no. 496.) In 1696, the lands of Gleneat, belonging to William Mortimer, were taxed as of the value of sixty pounds a-year: "the said William Mortimer will classe himself no otherways but ane gentlemen, so his poll for himself, his wife, and son *in familia*, is three pounds eighteen shillings."—(List of Pollable Persons within the Shire of Aberdeen, 1696. vol. i., pp. 87, 88., Aberd. 1841.)

plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Jacobus Mortymer feodatarius de Cragyvar eternam in Domino salutem Noueritis me pro perimptione certe mee partis cuiusdam contractus matrimonialis inter me et onus super me suscipientem pro Joanne Mortymer meo filio et apparente herede ab vna et Georgium Symmer de Balyordie et Georgium Symmer eius filium feodatarium eiusdem pro seipsis et onus super ipsos suscipientes pro Helena Symmer filia legitima dicti Georgij senioris partibus ab altera de data die mensis instantis initi . . . Et pro pecuniarum summis mihi dotis nomine cum dicta Helena persolendis in dicto contractu expressis . . . vendidisse . . . dictis Joanni Mortymer et Helene Symmer eius sponse future ac eorum alteri diucius viuenti in coniuncta infeodatione heredibusque masculis inter ipsos legitime procreandis quibus deficientibus heredibus masculis dicti Joannis et assignatis quibuscunque . . . totas et integras terras meas de Inninteir cum molendino earundem terris molendinariis astrictis multuris et sequelis eiusdem . . . jacentes in parochia de Lochell infra vicecomitatum de Aberdene Et similiter . . . vendere . . . dicto Joanni Mortymer meo filio et heredibus masculis inter ipsum et dictam Helenam procreandis quibus deficientibus heredibus masculis dicti Joannis et assignatis quibuscunque . . . totas et integras terras et baroniam meam de Cragyvar cum terris dominicalibus eiusdem cum turre fortalicio et manerie eiusdem . . . ac totas et integras terras meas de Scheilfeld Bandene Knokandach et Wester Lochell cum molendinis granorum et fullonum multuris et sequelis eiusdem . . . jacentes in parochia de Lochell infra vicecomitatum antedictum Tenendas et habendas . . . a me heredibus meis et assignatis de supremo domino nostro Rege et suis successoribus dominis meis superioribus earundem in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . jura et seruicia . . . debita et consueta . . . Saluo et reseruato Johanni Mortymer de Cragyvar meo patri libero tenemento seu vitali reddito . . . prescriptarum terrarum et baronie de Cragyvar terrarum dominicalium earundem Scheilfeld Bandene Knokandaucht ac Vester Lochell cum molendinis granorum et fullonum eiusdem Ac reseruato Katherine Gray sponse dicti Joannis Mortymer libero tenemento seu vitali reddito dictarum terrarum de Scheilfeld et Wester Lochell . . . In cuius rei testimonium huic presenti carte mee . . . ex chyrographo Magistri Alexandri Daidouson notarii publici in Kyntor manu mea subscripte

sigillum proprium est appensum Apud Auchquhortheis penultimo die mensis Novembris anno Domini millesimo quingentesimo nonagesimo octavo Coram testibus Joanne Forbes de Tolleis Dauide Arbuthnet de Fyndowrie Georgio Arbuthnet eius fratre germano Jacobo Murray notario publico et dicto Magistro Alexandro Davidsoun notario publico presentis carte scriba QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Falkland sexto die mensis Majj anno Domini millesimo sexcentesimo et regni nostri tricesimo tertio .

Carta Patricii Forbes super terris de Coule Kyncragy et *le Corss*.¹ —
(A.D. 1482.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse ac ad feodifirmam dimisisse . . . dilecto familiari armigero nostro Patricio Forbes pro suo fideli servicio nobis impenso et impendendo omnes et singulas terras nostras baronie de Oneil videlicet terras de Coule Kyncragy et *le Corss* cum pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Tenendas et habendas . . . dicto Patricio et heredibus suis de nobis heredibus et successoribus nostris in feodifirma et hereditate imperpetuum . . . cum curiis et earum exitibus herezeldis bludewitis et merchetis mulierum . . . Reddendo inde annuatim . . . nobis heredibus et successoribus nostris viginti vnam libras vsualis monete regni nostri et tres martas vel pro qualibet marta quindecim solidos eiusdem monete ad duos anni terminos vsuales Pentecostes et Sancti Martini in hieme per equales portiones Ac etiam Episcopo Abirdonensi et suis successoribus pro secundis decimis eis debitis pro dietis terris quadraginta sex solidos et octo denarios annuatim vt in nostro rentali et rotulis compotorum ad plenum continetur tantum pro omni alio servicio . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus carissimo fratre nostro Alexandro duce Albanie comite Marehie de Mar et Garviauche domino Vallis Annandie et Mannie ac orientalium et occidentalium mercharum magno gardiano et regni nostri admirallo reuerendis in Christo patribus Johanne episcopo Glasguensi canecclario

¹ [Abridged from the Registrum Magni Sigilli, lib. xi., no. 33. MS. Gen. Reg. House, Edinb.]

nostro Jacobo episcopo Dunkeldensi dilectis anunculis nostris Johanne comite Atholie domino de Balvany Jacobo comite Buchanie domino de Ochterhous magno camerario nostro Dauid comite Craufurdie domino Ludesay magistro hospicij nostri Johanne domino Kennedy Willelmo domino Borthwic Magistris Archibaldo Quhitelaw archidiacono Laudonie secretario nostro et Patricio Lech canonico Glasguensi clerico rotulorum et registri Apud Edinburgh decimo die mensis Octobris anno Domini millesimo quodringentesimo octuagesimo secundo et regni nostri vicesimo tercio .

Carta Dauid Forbes filij Patricij Forbes de Forthirbirss ¹ —(A.D. 1506.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia dilectus noster Patricius Forbes de Forthirbirs de nobis tenet hereditarie in feodifirma totas et integras terras de Kineragy et *le Cors* cum molendino earundem et suis pertinentiis jacentes in baronia de Oneill infra vicecomitatum nostrum de Abirdene pro summa duodecim librarum vsualis monete regni nostri duabus martis vel pro qualibet marta quindecim solidis monete predictae annuatim nobis inde soluendo et pro viginti sex solidis octo denariis Episcopo Abirdonensi pro tempore existente annuatim soluendis pro secundis decimis de prefatis terris debitis pro quibus vero terris et molendino cum pertinentiis dictus Patricius sub summonicione ad instanciam nostram exiit ad audiendum prefatas terras decerni in proprietate ratione corone nostre pertinere Nos nichilominus prefatam summonicionem et actionem antedictam ac omnia que inde sequi poterint exonerauimus . . . Et pro bono et fideli seruicio quondam nobilissimo patri nostro bone memorie cuius anime propicietur Deus ac nobis per prefatum Patricium impenso Ac pro magnis sumptibus et expensis per ipsum pro infeodacionibus feodifirme prefati quondam carissimi patris nostri de prefatis terris et molendino cum pertinentiis sibi factis Necnon pro nonnullis pecuniarum summis nobis et nostro thesaurario nomine nostro per dictum Patricium pro huiusmodi infeodacione et carta nostris nunc contentatis et persolutis . . . dedimus concessimus ad feodifirmam dimisimus et confirmauimus . . . dilecto nostro Dauid Forbes filio dicti Patricii Forbes totas et integras prefatas

¹ [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 285. MS. Gen. Reg. House, Edinburgh.]

terras de Kincragy et *le Corss* cum molendino earundem et suis pertinentiis jacentes in baronia et vicecomitatu nostris antedictis Quas terras et quod molendinum dictus Patricius in manibus nostris apud Edinburgh . . . simpliciter dimisit . . . Tenendas et habendas . . . dicto David Forbes et heredibus suis de corpore suo legitime procreandis quibus deficientibus dicto Patricio ac legitimis et propinquieribus heredibus suis quibuscunque de nobis et successoribus nostris in feodifirma et hereditate imperpetuum . . . cum curiis et earum exitibus herezeldis et merchetis mulierum . . . Reddendo inde annuatim . . . nobis et successoribus nostris dictam summam duodecim librarum vsualis monete regni nostri et duas martas vel pro qualibet marta quindecim solidos monete predictae ad duos anni terminos consuetos . . . nomine feodifirme Necnon reuerendo in Christo patri ac consiliario nostro dilecto Willelmo Abirdonensi episcopo moderno et successoribus suis Episcopis Abirdonensibus viginti sex solidos octo denarios monete predictae annuatim pro secundis decimis . . . Reservato tamen libero tenemento predictarum terrarum et molendini cum pertinentiis dicto Patricio pro toto tempore vite sue In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vltimo die mensis Aprilis anno Domini millesimo quingentesimo sexto et regni nostri decimo octauo .

Carta David Forbes et Elizabet Panitere sponse sue. ¹ —(A.D. 1511.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia ob considerationem quam habemus dilecti nostri Patricij Forbes penes solutionem certarum summarum pecunie per ipsum factam nostro thesaurario nostro nomine pro infeodacione David Forbes filij naturalis dicti Patricij in terras de Onele Corss Kincragy *le Muretoun* cum molendino et *le Alehous* eiusdem jacentibus infra vicecomitatum nostrum de Abirdene in feodifirma hereditarie Reservato libero tenemento dictarum terrarum eidem Patricio durante vita sua qui prius habuit hereditariam infeodacionem earundem vna cum terris de Coule de quondam nobilissimo patre nostro bone memorie cuius anime propicietur Deus quas terras de Coule a prefato

¹ [Abridged from the Registrum Magni Sigilli, lib. xvi., no. 37. MS. Gen. Reg. House, Edinburgh.]

Patricio recepimus et alijs desuper disposuimus Ideo ob causas pre-
scriptas post dissolutionem terrarum nostre corone annexatarum cum
consensu trium regni nostri statuum in plano parlamento factam de nouo
dedimus . . . dicto Dauid et Elizabeth Panitere sue sponse et eorum
alteri diucius viuenti in coniuncta infeodacione omnes et singulas dietas
terras de Onele Corss Kincragy *le Mureloun* cum molendino et *le Alchous*
eiusdem cum pertinentiis que fuerunt dieti Dauid in feodifirma hereditarie
vt de feodo et prefati Patricij in libero tenemento vt prefertur que feodum
et liberum tenementum dieti Dauid et Patricius . . . in manus nostras apud
Edinburgh . . . simpliciter resignarunt . . . Ae insuper pro speciali
fauore quem erga dictos Dauid et Elizabeth suam sponsam gerimus
vniuius creauimus et incorporauimus . . . omnes et singulas dietas
terras . . . in vnam meram liberamque baroniam Baroniam de Onele
perpetuis futuris temporibus nuncupandam Tenendas et habendas . . .
dictis Dauid et Elizabet sponse sue et eorum alteri diucius viuenti in
coniuncta infeodacione et heredibus inter ipsos legitime procreandis
quibus deficientibus legitimis et propinquioribus heredibus dieti Patricij
quibuseunque de nobis et successoribus nostris in feodo hereditate ac
libera baronia imperpetuum . . . cum curijs et earum exitibus herezeldis
bludewitis et merchetis mulierum cum furca fossa sok sak tholl theme
infangtheif outfangtheif pitt et gallous . . . Reddendo inde annuatim . . .
summam quindecim librarum vsualis monete regni nostri et duas martas
aut pro qualibet earundem quindecim solidos ad duos anni terminos con-
suetos Festa videlicet Penthecostes et Sancti Martini in hyeme per
equales porciones nomine feodifirme Neenon Episcopo Abirdonensi nunc
presenti et suis successoribus eiusdem Episcopis viginti sex solidos et octo
denarios annuatim pro secundis decimis dietarum terrarum . . . In cuius
rei testimonium presenti carte nostre magnum sigillum nostrum apponi
precepimus . . . Apud Edinburgh vndecimo die mensis Januarij anno
Domini millesimo quingentesimo decimo Et regni nostri vicesimo tereio .

Lettre to Patrik Forbes of Coress of the gift of the eschet of Henry Levingstoun in Westir Foulis. ¹—(A.D. 1548.)

Ane lettre mad to Patrik Forbes of Coress . . . of the gift of all gudis . . . quihilkis pertenit to Henry Levingstoun and Thomas Lausoun his seruand duelland in the eistir half toвне of Westir Foulis and now per-teining to our Souerane Lady and hir Gouvernour be resoune of eschete throw the saidis personis contempnand remaning and byding at hame fra hir oist rad and army ordanit to conuene with hir Tutour on Gladismure the x. day of Julij instant and past fordwart with him and vtheris the liegis of the northland quarter to the burght of Hadiugtoun for assegeing and recouering thairof furtht of the handis of our auld inymeis of Ingland presentlie within the samyn . . . At the Abbay of Hadingtounne the xxiiij. day of Julij the yeir of God j^m v^c xlviiij. yeris and of our regne the sext.

Per signaturam.

Carta confirmationis Magistri Willelmi Forbes de Manie. ²—(A.D. 1610.)

Jacobus Dei gratia Rex Magne Britannie Francie et Hybernie fideique defensor . . . Sciatis nos quandam cartam alienationis factam . . . per

¹ [Abridged from the Registrum Secreti Sigilli, vol. xxii., fol. 18. MS. Gen. Reg. House, Edinb.]

On the seventh day of February, 1622, Patrick Forbes of Corse, bishop of Aberdeen, had a charter under the great seal, erecting his lands of Oncill Corss, Eister and Wester Kincraigie and Maretoun, with the mill and alchouse, and the pendiele of Wester Corss, called Norhame, into a free barony, to be called the barony of Oncill.—(Registrum Magni Sigilli, lib. I., no. 95. MS. Gen. Reg. House, Edinb.)]

² [Abridged from the Registrum Magni Sigilli, lib. xli., no. 227. MS. Gen. Reg. House, Edinb.]

On the eleventh day of February, 1607, Master William Forbes, merchant in Edinburgh, had a charter, under the great seal, confirming the charter (dated at Edinburgh on the fourth day of June, 1606) by which Sir David Carnagy of Kynnaid, knight, sold to him and his heirs (whom failing to Patrick Forbes of Corss and his heirs) the lands of Many with the manor-place, and mill, and the lands of Cowhill and Altersett, in the shire of Aberdeen.—(Registrum Magni Sigilli, lib. xli., no. 411. MS. Gen. Reg. House, Edinburgh.)

On the twenty-fourth day of February, 1608, Master William Forbes of Meny had a charter, under the great seal, of the manse and garden, which of old belonged to the Rector of Kin-

Joannem Mortymer de Cragyvar . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel audituris Joannes Mortymer junior de Cragyvar hereditarius proprietarius terrarum baronie molen-dinorum aliorumque subscriptorum salutem in Domino sempiternam . Noucritis me cum . . . assensu Helene Symmer mee conjugis domine conjuncte infeodationis mecum cuiusdam partis terrarum subscriptarum . Et dicta Helena pro seipsa . . . cum . . . assensu mei dicti Joannis sui sponsi . Et nos ambo vna cum consensu et assensu pro perimpletione quarundam literarum obligatorialium . . . per nos dilecto nostro Magistro Willielmo Forbes de Manie heredibus suis masculis et assignatis fac-tarum et concessarum . . . pro quibusdam diuersis magnis pecuniarum summis in eisdem contentis nobis per dictum Magistrum Willielmum Forbes pre manibus . . . persolutis . . . igitur vendidisse . . . prefato Magistro Willielmo Forbes heredibus suis masculis et assignatis quibus-cunque hereditarie et irredimabiliter imperpetuum . . . Totas et integras terras et baroniam nostram de Cragyvar cum terris dominicalibus ejus-dem cunq̄ue castro turre fortalicio manerie loco eiusdem cum omnibus et singulis suis partibus pediculis et pertinentiis Totas et integras terras

cardin, in the Chanomy of Aberdeen, bounded by the manse and garden of the Rector of Methlick on the south, the manse and garden of the Rector of Cruden on the north, the King's highway on the east, and the Loch of Old Aberdeen on the west.—(Registrum Magni Sigilli, lib. xlv., no. 131. MS. Gen. Reg. House, Edinburgh.)

On the fourth day of December, 1617, Master William Forbes of Manye and William Forbes, his eldest son, had a charter, under the great seal, creating the lands of Logie Fintray and Frostersait with the advowsons of the churches of Fintray, Culsalmond, Kincardineoneill, Glen-tanner, Lumphanan, Cluny, Midmar, and Auchtereuill into a free barony to be called the barony of Logie Fintray.—(Registrum Magni Sigilli, lib. xlviii., no. 309. MS. Gen. Reg. House, Edinburgh.) Cf. lib. li., no. 4.

On the thirteenth day of April, 1625, Master William Forbes of Craigivar had a charter, under the great seal, of the lands and barony of Saltoun in East Lothian, the lands and barony of Glencoree in Mid Lothian, the lands of Glasgow, Cairndradlane, and Beildestoun in the parishes of Kinneller and Dyce, the lands of Ardmurdoch, and fishing of the Pott of Buckie in the water of Don in the parish of Kinkell, the lands of Lochaid and lake of Lochgellie in the barony of Wester Lochoreshire, otherwise called Inchevall, with the advowson of the church, and the advowson of the church of Keith and of its pedicle called the Kirk of Graunge, all created into a free barony to be called the Barony of Saltoun.—(Registrum Magni Sigilli, lib. li., no. 3. MS. Gen. Reg. House, Edinburgh.)

On the eleventh day of December, 1617, Master Duncan Forbes of Lethintie had a charter, under the great seal, of the acre of land called the Mylnecroft of the Mylnetoun of Craigeiwar, (resigned by Master William Forbes of Manye) with the advowson of the churches of Logydur-nocht, Inverry, and Monkeig (resigned by Patrick lord Lyndoris)—(Registrum Magni Sigilli, lib. xlviii., no. 306. MS. Gen. Reg. House, Edinburgh.)

nostras de Ininteir cum molendino earundem terris molendinarijs astrictis multuris et sequelis eiusdem cum omnibus et singulis suis partibus pen liculis et pertinentiis Et totas et integras terras nostras de Scheilfeild Bandene Knokandocht atque Wester Lochell cum molendinis granorum et fullonis terris molendinariis multuris et sequelis earundem cumque omnibus suis annexis connexis *lie outsettis* partibus pendiculis et singulis suis pertinentiis omnes jacentes in parochia de Lochell infra vicecomitatum de Abirdene Tenendas et habendas . . . prefato Magistro Willielmo Forbes heredibus suis masculis et assignatis antedictis . . . a nobis et heredibus nostris de supremo domino nostro Rege nostro domino superiore earundem et suis successoribus in feodo et hereditate imperpetuum . . . cum curiis et carum exitibus amerciamentis eschaetis herezeldis bluduitis et mulierum merchetis . . . Reddendo inde annuatim . . . dicto supremo domino nostro Regi et suis successoribus . . . jura et servicia . . . debita et consueti . . . In cuius rei testimonium presentibus in officina scriptoria Joannis Eistoun scribe signeti Regij per Robertum Pringill notarium publicum scriptis manu mea necnon manu dicte Helene mee conjugis subscriptis sigillum meum est appensum Apud Edinburgh et Brechin octavo et diebus mensis Januarij anno Domini millesimo sexcentesimo decimo Coram his testibus Magistro Joanne Johnstoun aduocato Arthuro Stratoun scriba signeti Regij Jacobo Stratoun eius seruo dictoque Roberto Pringill presentium scriba QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo sexto die mensis Februarii anno Domini millesimo sexcentesimo decimo Et regni nostri annis quadragesimo tertio et septimo .

Preceptum carte pro Domino Willielmo Forbes milite baronetto super terra et baronia de New Cragivar infra Novam Scotiam.¹—(A.D. 1630.)

Preceptum carte facte per supremum dominum nostrum Regem Willielmo Forbes de Cragivar heredibus suis masculis et assignatis quibuscunque

¹ [From the Registrum Preceptorum Cartarum pro Baronettis Nove Scotie, fol. 70. MS. Gen. Reg. House, Edinburgh.]

super tota et integra illa parte et portione regionis et dominij Nove Scotie in America bondata et limitata vti sequitur videlicet Incipiendo ab orientali latere illius fluvij nunc Clyde nuncupati et perprius Sanct Johne a boreali seu superiore fine terrarum baronie et regalitatis de Pencaitland ad Dominum Robertum Richartsone de Pencaitland militem baronettum hereditarie pertinentium et illinc pergendo versus boream ascendendo dictum fluvium per spatium trium miliarium et illinc pergendo versus occidentem observando omnimodo tria miliaria in latitudine et dictam baroniam de Pencaitland pro limite ejusdem donec ad numerum sedecim millium acrarum terre extendatur Cum castris turribus fortalicijs etc. Quequidem terre [aliaque in dicta carta ad Dominum Gulielmum Alexander de Menstrie hereditarie pertinuerunt et] resignate fuerunt per ipsum in manibus supremi domini nostri Regis pro hac nova carta et infeodatione hereditarie prefato Willielmo Forbes desuper conficienda etc. Preterea cum clausula vnionis etc. in vnam integram et liberam baroniam de New Cragivar nuncupandam etc. Tenendam de dicto supremo domino nostro Rege et successoribus suis de corona et regno Scotie in libera alba firma pro annua solutione vnus denarij vsualis monete dicti regni Scotie super solum et fundum dictarum terrarum nomine albefirme si petatur tantum vel alicujus earundem partis in die Festo Natiuitatis nostri Salvatoris etc. Et quod vnica saisina apud Castell nostrum de Edinburgh capienda erit sufficiens pro omnibus et singulis terris alijsque particulariter et generaliter suprascriptis Et quod dictus Willielmus Forbes sui que heredes masculi et assignati antedicti habebunt insignia procedentia e manu armata et nuda conjunctis cum hoc dicto MUNIT HEC ET ALTERA VINCIT et cetera in communi forma cartarum Baronettis concessa Apud curiam nostram apud Qulythall vigesimo die mensis Aprilis anno Domini millesimo sexcentesimo et trigesimo regnique nostri anno sexto .

Preceptum carte pro Domino Arthuro Forbes de Castil Forbes milite baronetto super terra et baronia de Castil Forbes infra Novam Scotiam. ¹ —(A.D. 1628.)

Preceptum carte facte per supremum dominum nostrum Regem Capi-

¹ [Abridged from the Registrum Preceptorum Cartarum pro Baronettis Nove Scotie, fol 58 MS. Gen. Reg. House, Edinb.]

taneo Arthuro Forbes de Castil Forbes heredibus suis masculis et assignatis quibuscunque hereditarie super tota et integra illa parte et portione terrarum regionis et dominij Nove Scotie vti sequitur videlicet Incipiendo a boreali aut eo circa proportionis terre ad Robertum Birr burgensem burgi de Glesgow spectantis que jacet in orientali seu boreali orientali latere sinus nuncupati *lie Bay Negro* et sic versus boream dictum sinum ascendendo donec extendatur ad tria miliaria in latitudine et ab eodem sinu directa linea orientaliter aut eo circa in continentem donec extendatur ad sex miliaria in longitudine observando omni modo tria miliaria in latitudine et sex in longitudine Cum castris turribus etc. . . . Preterea cum clausula vnionis in vnam integram et liberam baroniam et regalitatem omni tempore affuturo Barroniam de Castill Forbes nuncupandam . . . Et quod dictus Capitaneus Arthurus Forbes snique heredes masculi et assignati antedicti habebunt insignia procedentia e manu armata et nuda conjunctis cum hoc dicto **MUNIT HEC ET ALTERA VINCIT** et cetera in communi forma cartarum Baronettis concessa Apud aulam de Hamptoun Court penultimo die mensis Septembris anno Domini millesimo sexcentesimo vigesimo octauo regnorumque nostrorum anno quarto .

Carta Johannis Strathachin de Lenturk. ¹ — (A.D. 1546.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos . . . dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro Johanni Strathachin de Lenturk hereditarie heredibus suis et assignatis Totas et integras terras et villas de Lenturkis cum molendino et siluis earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt prefati Johannis perprius hereditarie et quas

“William Forbes of Corse,” says the genealogist of the family, “married Elizabeth Strauchine, daughter to the Laird of Thortoune, who did bear to him Patrick Forbes of Corse, bishop of Aberdeen; Mr. William Forbes of Craigievarr; Mr. John Forbes, minister at Delph, in Holland; Captain Alexander Forbes, who dyed without succession; James Forbes of Knoconoch; Sir Arthur Forbes of Castle Forbes, in Ireland; Robert Forbes, who dyed without succession; with fyve daughters.—(Genealogy of the Family of Forbes, p. 21.) The son of Sir Arthur Forbes was, in 1673, created Viscount Granard, and, in 1684, Earl of Granard, in the peerage of Ireland.]

¹ [Abridged from the Registrum Magni Sigilli, lib. xxix., no. 325. MS. Gen. Reg. House, Edinburgh.]

. . . idem . . . in manibus nostris . . . simpliciter resignavit . . . Insuper pro bono fideli et gratuito seruicio nobis . . . per prefatum Johannem impenso ac pro certis aliis causis et considerationibus . . . creamus . . . terras prefatas et villas de Lenturkis cum molendino et nemoribus earundem et suis pertinentiis in vnam integram et liberam baroniam omni tempore affuturo Baroniam de Lenturkis nuncupandam Ac volumus . . . quod vnica sasina . . . apud maneriem de Lenturkis nunc constructam seu construendam capienda stabit et sufficiens erit sasina pro totis et integris prefatis terris et villis de Lenturkis . . . Tenendas et habendas . . . dicto Johanni heredibus suis et assignatis de nobis et nostris successoribus in feodo et hereditate ac libera baronia imperpetuum . . . cum curiis et earum exitibus herezeldis bludeuitis et mulierum marchetis cum furca fossa sok sak thole theme infangtheif pit et gallous . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimotercio die mensis Aprilis anno regni nostri quarto .

Carta confirmacionis Johannis Strathauchin de Thorntoun. ¹—(A.D. 1548.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam . . . venditionis factam per Johannem Strathauchin de Lenturkis dilecto nostro Johanni Strathauchin de Thorntoun . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Johannes Strathauchin de Lenturkis sempiternam in Domino salutem Noueritis me . . . vendidisse . . . honorabili viro et predilecto meo Johanni Strathauchin de Thorntoun suis heredibus et assignatis Totas et integras meas villas terras et baroniam de Lenturkis cum molendino fortalicio manerie siluis *lie outsettis* . . . et omnibus suis pertinenciis jacentes infra vicecomitatum de Abirdene pro quadam certa summa pecunie michi in mea magna cognita et vrgenti necessitate . . . per dictum Johannem . . . persoluta . . . Tenendas et habendas . . . prefato Johanni Strathauchin suis heredibus et assignatis a me et heredibus meis de suprema domina nostra Regina

¹ [Abridged from the Registrum Magni Sigilli, lib. xxx., no. 205 b. Cf. Registrum Secreti Sigilli, vol. xxii., fol. 20. MS. Gen. Reg. House, Edinb.]

et suis successoribus in feodo et hereditate et libera baronia ut prius imperpetuum . . . Reddendo . . . jura et seruicia . . . debita et consueta . . . Saluo nichilominus et reseruato libero tenemento totarum . . . prenominarum terrarum villarum et baronie de Lenturkis . . . michi pro toto tempore vite mee vna cum rationabili tertia parte earundem sponse mee cum contigerit . . . In cuius rei testimonium huic presenti carte mee manu mea subscripte sigillum meum est appensum Apud Edinburgh vicesimo quarto die mensis Julij anno Domini millesimo quingentesimo quadragesimo octauo Coram hiis testibus Roberto Carnegie de Kynnard Willelmo Strathauchin de Tipperta Johanne Strathauchin de Dullyvardis Johanne Strathauchin de Monbothow et Jacobo Myllar cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud monasterium nostrum de Hadingtoun vicesimo quarto die mensis Julij anno regni nostri sexto .

Preceptum pro carta appreciationis Magistri Mathei Lumisdene super terris de Litill Lenturk Brigend cum *lie Ailhous* et *Ailhous Croft*.¹—
(A.D. 1548.)

Preceptum carte appreciationis Magistri Mathei Lumisdene super totis et integris terris de Litill Lenturk terris de Brigend cum *lie Ailhous* et

¹ [From the Registrum Secreti Sigilli, vol. xxii., fol. 23. MS. Gen. Reg. House, Edinburgh.]

From the charter which followed, under the great seal, it appears that the Laird of Lenturk had, in June, 1542, spoiled the lands of Tulycarne, belonging to Master Mathew Lumisdene, of certain cattle: "videlicet nouemdecim bona arabilium precii et valoris pecii quatuor librarum octo vacearum precii pecii trium librarum / duarum *lie steris* etatum trium annorum precii pecii quadraginta solidorum monete regni." In June, 1548, the sheriff of Aberdeen found Strachan liable, not only in the price of the cattle, but in the profits which they would have yielded to their owner: "accetiam pro proficuis prefatorum honorum annuatim a prelato mense Junii videlicet pro quocunq; bone arabili in *lie hyrgung* et labore sex firloas farine auenatie precium bolle annuatim respectiue xx s. proficuis quarumlibet vacearum in *lie calf* butiro et caseo xij s. iij d. proficuis quorumcunq; *lie steris* quatuor annorum preteritorum per quod spatium etatis quatuor annorum extiterunt in labore et *lie hire* ad sex firloas victualium precium bolle annuatim respectiue ut premissum est . . . et sic integra summa ad quadraginta viginti marcas monete antediete extendente." Strachan's lands within the shire of Aberdeen are thus enumerated: "terras de Litill Lenturk cum pertinentiis / terras de Brigend *lie Ailhous* et *Alchous Croft* cum suis pertinentiis / terras de Meikle Lenturk cum castro fortalicio et pertinentiis earundem / terras de Calfoitye Knoeththane Kirktoun de Eicht cum suis per-

Ailhous Croft cum pertinentiis jacentibus infra vicecomitatum de Abirdene que fuerunt Johannis Strathauchin de Lenturk prius hereditarie per ipsum de Regina et suis successoribus per seruitium warde et releuij tente in capite Et debite appreciate pro summa quadringintarum et viginti marcarum dicto Magistro Matheo debita et pro summa viginti vnius marcarum pro feodis vicecomitum in hac parte pro suorum officiorum executione in premissis similiter debita et prefato Magistro Matheo in defectu bonorum mobilium ipsius Johannis pro huiusmodi summis distringibilium venditis et assignatis etc. Tenendis etc. dicto Magistro Matheo heredibus suis et assignatis de Regina et suis successoribus etc. Reddendo etc. jura et seruicia debita et consueta etc. Apud Edinburght penultimo Julij anno Domini j^m v^c xlviij^o.

Per signetum .

Carta Alexandri Irving de Beltie sueque sponse etc.¹—(A.D. 1597.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quandam cartam . . . factam per Alexandrum Strathauchin de Thornetoun . . . dilectis nostris Alexandro Irwing de Eistir Beltie et Agneti Forbes sue sponse . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Alexander Strathauchin de Thornetoun dominus terrarum subscriptarum eternam in Domino salutem Noueritis me . . . vendidisse . . . honorabili viro Alexandro Irwing de Eistir Beltie et Agneti Forbes sue coniugi secum in coniuncta infeodatione et eorum alteri diucius viuenti heredibusque masculis dicti Alexandri Irwing nomen et arma de Irwing gerentibus et suis assignatis quibuscunque Totam et integram baroniam

tinencis." In July, 1548, the lands of Litill Lenturk and Brigend with the Ailhous and Ailhous Croft, yielding twenty-two merks a-year, were appraised (at twenty years' purchase) as of the value of four hundred and twenty-one merks, by a jury of seventeen: "videlicet Willelmi Mortymar de Cragyvar Alexandri Skene de eodem Magistri Johannis Forbes de Barnis Alexandri Mortymar de Innenteir Alexandri Chalmer de Cultis Alexandri Douglas in Kiucorthit Alexandri Gultire de Grandene Walteri Thomsson in Disblair Magistri Oliucri Pantoun de Cowhill Willelmi Chalmer in Crageorthy Nicholaij Gardnar in Petfodellis Johannis Patersoun in Auchquhory Willelmi Harvy in Blaris Johannis Twcht in Cowmelly Eduardi Drum in Balgony Johannis Patersoun in Kinkell et Alexandri Fardell in Bandyne."—(Registrum Magni Sigilli, lib. xxx., no. 262. MS. Gen. Reg. House, Edinb.)

¹ [Abridged from the Registrum Magni Sigilli, lib. xli., no. 332. MS. Gen. Reg. House, Edinb.]

meam de Lenturkis comprehendentem villas terras et alia subscripta videlicet villas et terras de Mikill Lenturk cum turre fortalicio hortis pomeriis maneria eiusdem / Litill Lenturkis cum brueriis et breweroftis earundem / villas et terras de Claymilne Drumdag et Newtoun cum molendino de Lenturkis terris molendinariis multuris et sequelis earundem terrarum vnacum toftis croftis *lie outsettis* nemoribus parcis forestis siluis tenentibus tenandriis liberetenencium seruiciis . . . eiusdem baronie jaentem infra dictam baroniam de Lenturkis parochiam de Locheall et vicecomitatum de Abirdene Tenendam et habendam . . . prefatis Alexandro Irwing et Agneti Forbes . . . heredibusque masculis dicti Alexandri predictis a me meis heredibus et assignatis de supremo domino nostro Rege et suis successoribus Scotie Regibus in feodo et hereditate imperpetuum . . . Reddendo inde . . . domino nostro Regi . . . jura et seruicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte mee manū Gilberti Thomesone notarii publici Aberdonie commorantis scripte manu mea sub-eripte sigillum meum proprium est appensum Apud Abirdene vicesimo tercio die mensis Marcii anno Domini millesimo quingentesimo nonagesimo sexto Coram hiis testibus Willelmo Straquhin apparenti de Tibbertie Magistro Patricio Irwing filio dicti Alexandri Magistro Roberto Paip aduocato in Abirdene Joanne Sibbald burgense dicti burgi et dicto Gilberto Thomesoun scriba presentium QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo quinto die mensis Julii anno Domini millesimo quingentesimo nonagesimo septimo et regni nostri tricesimo .

Carta Alexandri Irwing de Lenturk. ¹—(A.D. 1612)

Jacobus Dei gratia Magne Britannic Francie et Hybernic Rex . . . Sciat nos . . . dedisse . . . dilecto nostro Alexandro Irwing filio legitimo quondam Alexandri Irwing filii legitimi Alexandri Irwing nunc de Lenturk et heredibus suis masculis et assignatis quibuscunque Totas et integras villas de Lenturkis cum turre fortalicio manerie pomariis hortis earundem .

¹ [Abridged from the Registrum Magni Sigilli, lib. xlvii, no. 42. MS. Gen. Reg. House, Edinb.]

Doundarg . Claymilne . Newton . Brigend . molendinum de Lenturk . terras molendinarias multuras *lie suckin et knaiffchip* eiusdem cum *lie bussis of wod* . . . et suis pertinentiis jacentes in parochia de Lochall . . . Quequidem terre . . . olim vnite erant in vnam liberam baroniam vocatam Baroniam de Lenturkis et perprius hereditarie pertinuerunt dicto Alexandro Irwing nunc de Lenturk et . . . in manibus nostris . . . resignate erant . . . in fauorem dicti Alexandri Irwing sui nepotis . . . Preterea nos . . . de nouo creamus . . . prefatas villas et terras . . . in vnam liberam baroniam Baroniam de Lenturkis nuncupandam Et volumus . . . quod dicta turris fortalitium et maneries de Lenturk erit principale messuagium dicte baronie . . . Tenendas et habendas . . . memorato Alexandro Irwing juniori heredibus suis masculis et assignatis antedictis de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo . . . iura et seruicia . . . debita et consueta . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo quinto die mensis Julij anno Domini millesimo sexcentesimo duodecimo regnorumque nostrorum annis quadragesimo quinto et decimo .

Litera prosapiae Alexandri Donaldson medicine doctoris. ¹ —(A.D. 1642.)

Carolus Dei gratia Magne Britannie Francie et Hibernie Rex fideique defensor . . . factum est vt dilectum et fidelem nostrum subditum Alexandrum Donaldsonum medicine doctorem natum in Sedan in regno Gallie in artibus liberalibus magistrum literarum studij et vberiori ingenij sui cultui addictum . . . benevolentie et commendationis nostre tessera ornare statuerimus . . . Quare cum post factam inquisitionem fidedignissimorum virorum quibus nos id muneris demandauimus nobis compertum sit certum

¹ [Abridged from the Registrum Magni Sigilli (commiss. cart. appret. etc.) lib. iv., no. 374, foll. 428, 429. MS. Gen. Reg. House, Edinb.]

The father of Dr. Alexander Donaldson is thus mentioned by Dempster in the year 1627: "Gualterus Donaldsonus, magni nominis, sed majoris meriti, Sedanensis scholae gymnasiarcha, ac philosophiae ibidem professor, varia edidit: ego tantum vidi 'Laehrymas Tumulo Henrici Stuarti Walliae Principis' lib. i. Vivit adhuc, et multa quotidie posteros ornatura molitur: nunc audio Parisiis professionem cecepisse, quod bono reipublicae literariae fiat."—(T. Dempsteri Hist. Ecclesiast. Gentis Scotorum, t. 1, p. 238. Cf. Mr. Maidment's Catalogues of Scottish Writers, p. 84. Edinb. 1833.)

facimus et testamur prenommatum Alexandrum Donaldsone armigerum ex nobilissima et antiquissima familia Donaldorum in regno nostro Scotie oriundum esse vtpote filium quondam Walteri Donaldsoun armigeri vtriusque juris doctoris apud Rupellam in Gallia nati in Abredonia infra dictum regnum nostrum Scotie et Elizabethhe Goffin filie legitime Joannis Goffin de Maisoncells prope Sedan et Jean de Hu Quiquidem Walterns Donaldsonus fuit filius legitimus Alexandri Donaldsoni armigeri et Elizabethhe Lamb que fuit filia legitima Davidis Lambe baronis de Dunkeny et Bessete Forbes Quiquidem Alexander Donaldsonus fuit filius legitimus Alexandri Donaldsoni etiam armigeri et Anne Davidsoun que fuit filia legitima Williclmi Davidsoun baronis de et Quiquidem Alexander Donaldsonus fuit filius legitimus Roberti Donaldsoni armigeri et Catharine Mortimer que fuit filia legitima Patricij Mortimer barronis de Cragievar et Helene Lindsay Quiquidem Robertus Donaldsonus fuit filius legitimus Donaldi Donaldsoun baronis de Essilmond et Isabelle Hay que fuit filia legitima Georgij Errolie comitis supremi regni nostri Scotie Constabularij et Marie Keith Ita vt clarissime constat prefatum Alexandrum Donaldsonum medicine doctorem ex illustribus et preantiquis familijs infra regnum nostrum Scotie oriundum esse . . . Testamur itidem memoratum doctorem Walterum Donaldsonum patrem dicti Alexandri quadraginta abhinc annos plus minus in Galliam profectum fuisse et apud Rupellam et Sedan sedem et domicilium posuisse . . . Que omnia sicut ex se vera sunt et firma itidem vt apud vniversos et singulos testatiora et certiora maneant non gravatim hasee patentes literas memorato Alexandro Donaldsone medicine doctore concessimus quibus ad plenam apud omnes fidem faciendam sigillum nostrum magnum appendi mandavimus Edinburgi decimo quinto die mensis Nouembris anno Domini millesimo sexcentesimo quadagesimo secundo et anno regni nostri decimo octavo .

Ex deliberatione Dominorum Secreti Consilij .

THE PARISHES OF FORBES AND KEIRN.¹

Decreitt of the Commissionaris for Plantatioun of Kirkis anent the Kirk of Forbes and Chaple of Kearne. ² — (A.D. 1618.)

At Edinburgh the sewintene day of Junij the yeir of God j^m vj^o auchtene yeiris the Commissionaris of Parliament appoyntit be our Souerane Lord and Estaitis of Parliament for Plantatioun of Kirkis . . . fin'lis and declaris that the Chaple of Kearne is onlie ane pendicle of the Kirk of Forbes and hes neuir bene ane seuerall paroche kirk *pér se* And that in respect thairof and of the meanenes of the teindis fruitis and rentis of the said Chaple of Kearne it is expedient and necessar that the said Chaple of Kearne be vneitt to the said principall paroche kirk of Forbes quhairof the samyne is ane pendiele as said is And thairfor the saidis Commissionaris . . . hes vneitt and annext . . . the foirsaid Chaple of Kearne . . . to the said Kirk of Forbes to remane thairwith as ane pairt and pendiele of the parochin thairof in all tymes cuming And ordainis the tennentis possessoris and inhabitantis of the landis

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 608-611.]

The church of Forbes was erected into a prebend of the cathedral church of St Mary and St Machar at Aberdeen, in the year 1325, during the episcopate of Bishop Henry Chayne.—(Registrum Episcopatus Aberdonensis, vol. ii., p. 252.)

William of Lundoris was prebendary of Forbes in 1407; Duncan Hervey in 1427; David Lione in 1494; Alexander Moneymeyll in 1499, 1501, 1503, and 1521; James Strathquhyn in 1526; John Michelson in 1547; and James Forbes in 1562 and 1566.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 211, 228, 387; vol. ii., pp. 3, 210, 223, 254, 319; Fasti Aberdonenses, pp. 29, 39, 47; Collections on the Shires of Aberdeen and Banff, p. 608; Acta Dominorum Concilii, p. 337; Antiquities of the Shires of Aberdeen and Banff, vol. iii., pp. 82, 381.)

In the year 1436, Sir Alexander of Forbes of that ilk, knight, gave an annual rent of twelve merks from his lands of Asbachlach and Lastrydy, and from the mill of Ardgaih, in the barony of Forbes, to a chaplain performing religious services in the parish church of Forbes for the souls of the granter and of Elizabeth of Douglas, his wife.—(Registrum Episcopatus Aberdonensis, vol. i., p. 293.)

On the twenty-sixth day of February, 1562-3, James Forbes, son of William, lord Forbes, was inducted, on the collation of William, bishop of Aberdeen, to the rectory, prebend, or canonry of Forbes.—(Original in the charter room at Castle Forbes.)

² Kearn has its name from a cairn in the parish, which seems to have been, in ancient times, an extensive dry fortification; but when or by whom erected, tradition pretends not to say.—(Statistical Account of Scotland, vol. xi., p. 189.)

² [From the General Register House, Edinburgh.]

perteneing and belanging to the said Chape of Kearne to repair and resort to the said Kirk of Forbes and to be scruit thairat as thair awin parochie kirk in all tymes thairefter cuming And als the saidis Commissionaris . . . hes modefeit and assignit . . . for ane constant and locall stipend to the minister present and to cum serveing the cure at the said Kirk of Forbes and Chape of Kearne vneitt thairto . . . the haill viccarage teindis of the samyn kirk and parochin of Forbes and Chape of Kearne and haill landis lyand within the samyn estimat yeirlic to the sowme of twa hundreth merkis money . . . togidder with the sowme of ane hundreth and ten merkis money and threttie sex bollis victuall [quhairof tuelf bollis beir and twentie four bollis meill] . . . yeirlic out of the teind schaines and personage teindis of the said parochin of Forbes and Chape of Kearne . . . as ane sufficient stipend for the chairge and service of the cure and functioun of the said Kirk and Chape and for furnishing of the elementis to the celebratioun of the communion thairat . . .

Note by Sir John Skene, clerk of the King's Register, of a charter by King Alexander III. to Duncan of Forbeys of the lands and tenement of Forbeys. ¹—(A.D. 1271-1272.)

King Alexander gaue and disponed to Duncan Forbeys *tenementum de Forbeys*, that is, the lands and heretage of Forbeys, quhilk charter is zit extant.

¹ [De Verbornm Significatione, voce 'Libervm Tenementum,' Edinb. 1599.

"The old evidents of the Lord Forbes," says the Laird of Leslie, writing about 1660, "were revised by Mr. John Skee, his Majesties Clerk Register, in the moneth of September, 1593, in quhich he said that Alexander the Third, King of Scotland, in the twenty third year of his reigue, which is in the year of God 1272, gave and disponed to Duncan lord Forbes *terras et tenementum de Forbes*."—(Genealogy of the Family of Forbes, pp. 3, 62, 63. Inverness, 1819.)

In a plea which was moved in the year 1391, between Gilbert, bishop of Aberdeen, and Sir John of Forbes of that ilk, knight, reference was made to a charter of the land of Forbes which described its boundaries.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 218, 249.) The same charter seems to be referred to by the Laird of Leslie, in the middle of the seventeenth century.—(Genealogy of the Family of Forbes, p. 4.]

Les demandes qi furent faites au Roi d'Engleterre des terres en Escoce en lan de son regne xxxiiii. ¹—(A.D. 1306.)

Item [le xiii jour d'Octobre a Laurecost] Robert Chival ad demande les terres Johan de Forbes et Johan de Morreve de Drinyngarde / car le Roi la comanda qu il espiat terres qi feussent pour li .

Item William Comyn frere Monsieur Johan Comyn ad demande les terres qi furent a Johan de Forbees .

Carta confirmacionis Johanni de Forbase domino ejusdem super terra de Edynbanchery et Craglogy. ²—(A.D. 1364.)

Dauid Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam Thome comitis de Marr . . . inspexisse tenorem qui sequitur continentem OMNIBUS hanc cartam visuris vel audituris Thomas comes de Marre dominus de Cauerys et de Garviach ac camerarius Scocie eternam in Domino salutem . Nouerit vniuersitas uestra nos concessisse dedisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Johanni de Forbase domino eiusdem pro fideli seruicio suo nobis impenso et toto tempore vite sue nobis impendendo totam terram nostram de Edynbanchery et Craglogy cum pertinenciis . Tenendam et habendam eidem

¹ [From Sir F. Palgrave's Documents and Records Illustrating the History of Scotland, vol. i., pp 312, 314.]

² [Abridged from the original in the charter room at Castle Forbes.]

Another charter was preserved there in the year 1606, "made be Thomas, earle of Marr, confirming the charter be him, Johanni de Forbes domino ejusdem, of the lands of Edinbanchrie and Craig Logie, 15 November, 1374."—(Miscellany of the Maitland Club, vol. i., p. 378.)

A charter by Thomas, earl of Marr, lord of Cauers and Garioch, and Chamberlain of Scotland, to Duncan, the son of Roger, of the lands of Abergeldy, was witnessed by John of Forbes, lord of that ilk.—(Acta Dominorum Concilii, vol. xviii., fol. 135. MS. Gen. Reg. House, Edinb.)

King Robert III. confirmed a charter by Isabel of Douglas, countess of Marr, to Alexander Forbes, son of John Forbes, knight, of the lands of Edinbanchorie and Craglogy, to be held blench for a penny sterling at Kildrummy yearly if asked.—(Robertson's Index to the Missing Charters, p. 149, no. 56.)

In 1374, John of Forbes makes account in exchequer, as sheriff of Aberdeen, on behalf of Sir Alexander Fraser of Philorth.—(Chamberlain Rolls, vol. ii., p. 73.)

Johanni et heredibus suis de nobis et heredibus nostris in feodo et hereditate per omnes rectas metas et diuisas suas sine homagio seu warda releuio vel secta curie libere quiete plenarie et honorifice in boscis et planis pratis pascuis et pasturis viuariis et piscariis in venacionibus aucupacionibus in molendinis multuris et eorum sequelis cum curiis et escaetis et cum omnimodis aliis libertatibus . . . Reddendo inde nobis et heredibus nostris predictus Johannes et heredes sui per annum vnum denarium sterlingorum apud castrum de Kyndromy ad Festum Pentecostes si petatur nomine albe firme tantummodo . . . Saluo forinseco seruicio domini nostri Regis quantum ad dictam terram de iure pertinet . . . In cuius rei testimonium magnum sigillum nostrum presenti carte nostre est appensum hiis testibus venerabili in Christo patre Domino Alexandro episcopo Aberdonensi Willelmo de Keth marescallo Scocie carissimo fratre nostro Thoma de Balliolo Domino Andrea tunc priore de Monymusk Waltero de Couentre decano Aberdonensi ac doctore vtriusque iuris Domino Johanne de Cromdol canonico Rossensi ac doctore decretorum Domino Waltero Moyngnes Johanne de Crakitt Johanne de Strathechyn Laurencio Gilibrand militibus Andrea de Garviach domino de Caskyben Thoma Byrsbane Duncano filio Rogeri tunc balliuo de Marre et multis aliis . QUAMQUIDEM cartam . . . in perpetuum confirmamus . Saluo seruicio nostro . In cuius rei testimonium presenti carte nostre confirmationis sigillum nostrum precepimus apponi . Testibus venerabilibus in Christo patribus Willelmo episcopo Sanctiandree et Patricio episcopo Brechinensi cancellario nostro . Roberto senescallo Scocie comite de Stratherne nepote nostro . Willelmo comite de Douglas . Roberto de Erskyne camerario nostro . Archibaldo de Douglas et Johanne Heryce militibus . apud Perth tercio die Julii anno regni nostri tricesimo quinto .

Carta de Fynrossy data Johanni de Forbes. ¹—(A.D. 1378.)

Omnibus sancte matris ecclesie filii ad quos presentes pervenerint Alexander permissione divina ecclesie Moraviensis minister humilis eternam in Domino salutem . Noverit universitas vestra nos de communi consensu

¹ [Abridged from the Registrum Episcopatus Moraviensis, pp. 182, 183. The original charter

et voluntate capituli nostri Moraviensis . . . dedisse . . . Johanni de Forbes domino ejusdem pro fideli et utili servitio suo et assistentia personali in nostris agendis ut huc usque consuevit nobis et successoribus nostris per se et heredes suos subscriptos toto suo tempore impenso et impendendo et totis cujuslibet eorum temporibus tam servitio quam assistentia personali impensis et impendendis . totam terram nostram de Fynrossy supradictam . Tenendam et habendam predicto Johanni et Margarete sponse sue et eorum diutius viuenti . et post utriusque decessum tribus heredibus suis legitime procreatis seu procreandis . de nobis et successoribus nostris in feodo et hereditate . . . salvis nobis moris turbarum et fossis argille . de quibus ipse et homines sui pro suis necessariis moderate recipient quotiens fuerit opportunum . et quod inhabitantes predictam terram ad molendinum nostrum molent ad liberam multuram . Solvendo inde . . . quolibet anno nobis et successoribus nostris tresdecim solidos et . iiii . denarios sterlingorum . et faciendo sectas ad curias nostras . . . In cujus rei testimonium sigillum nostrum una cum communi sigillo capituli nostri et canonicorum nostrorum subscriptionibus presentibus est appensum . Datum apud Canoniam de Elgyn in Moravia . xviii . die mensis Julii . anno Domini . m^o ccc^o septuagesimo octavo .

Ego Robertus de Sancto Claro decanus Moraviensis subscribo .

Ego Willelmus de Spyni precentor Moraviensis subscribo .

Ego Willelmus de Cheshelme thesaurarius Moraviensis subscribo .

Ego W. de Brys subdecanus Moraviensis subscribo .

Ego Johannes de Arle succentor Moraviensis subscribo .

was preserved in the charter room at Castle Forbes in 1606.—(Miscellany of the Maitland Club, vol. i., p. 379.)

Fynrossy is on the south bank of the Loch of Spynie.—(Registrum Episcopatus Moraviensis, pp. 406, 413, 414.)

On the twenty-first day of October, 1375, John of Forbes, lord of that Ilk, appears as one of two procurators for Alexander, bishop of Murray, in a transaction at the township of Nyg, in Ross, regarding the claim of William of Clyn to be tenant of the township of Cathboll, belonging to the Bishop and church of Murray.—(Registrum Episcopatus Moraviensis, pp. 180, 181.)]

Carta Regis Roberti super terris de Carnach Inernaunr et Akynboll
in comitatu Catanie facta filio suo Domino Alexandro Senescalli
domino de Badenach. ¹—(A.D. 1378.)

Robertus Dei gracia Rex Scottorum . . . Sciatis nos dedisse . . .
carissimo filio nostro Alexandro Senescalli domino de Badenach militi
terras de Carnach Inernaunr et de Akynboll cum pertinenciis in comitatu
Catanie infra vicecomitatum de Innernys que fuerunt Alexandri de Ard et
quas idem Alexander . . . spontanea voluntate sua per fustum et baculum
nobis sursum reddidit pureque et simpliciter resignavit . . . Tenendas et
habendas eidem Alexandro heredibus suis et assignatis de nobis et here-
dibus nostris in feodo et hereditate . . . cum feodis et forisfacturis et
omnibus aliis et singulis libertatibus . . . Faciendo inde seruicia debita
et consueta . In cuius rei testimonium presenti carte nostre nostrum
precepimus apponi sigillum . Testibus venerabili in Christo patre Willelmo
episcopo Sanctiandree . Johanne primogenito nostro de Carryk senescallo
Scocie . Roberto de Fyff et de Menteth filio nostro dilecto Willelmo de
Douglas et de Marr consanguineo nostro . comitibus . venerabili viro
Johanne de Peblis archidiacono Sanctiandree cancellario nostro . Jacobo
de Lyndesay nepote nostro karissimo et Alexandro de Lyndesay con-
sanguineo nostro militibus . apud Sconam vicesimo secundo die Octobris
anno regni nostri octauo .

Resignacio Roberti Chisholme domini eiusdem terrarum suarum infra
baroniam de Urchard. ¹—(A.D. 1386.)

Reuerendo in Christo patri Alexandro Dei gracia episcopo Morauisiensi
vester in omnibus Robertus de Chisholme dominus eiusdem salutem cum
reuerencia et honore . Reucrende pater in Christo in manus vestras
resigno per fustum et baculum ac pure et simpliciter sursum do omne ius
et clameum que habeo vel habere potero aut aliquis nomine meo in per-

¹ [From a transcript made from the original in the charter room at Castle Forbes in 1750, and
preserved in Maefarlane's Collection of Charters, pp. 160, 161. MS. Adv. Lib. 34, 3, 25.]

patuum in terris de Wester Abreachy Achmonay et de Kyrkmychel cum pertinenciis infra baroniam de Urchard et quas de ecclesia Moraviensi tenui in capite . In cuius rei testimonium presentibus sigillum meum est appensum apud Inucernys xxviii die mensis Septembris anno Domini m^o ecc^o lxxx^{to} sexto .

De matrimonio inter Margaretam filiam Domine de le Arde et Angusium de Insulis, ¹—(A.D. 1401.)

Hec indentura facta apud Dvnbathlach viii die mensis Januarii anno Domini m^o ecc^o scilicet inter nobilem dominam et potentem Margaretam de Ard dominam eiusdem ex parte vna et nobilem virum Anguseum filium Goffredi de Insulis ex altera testatur quod concordatum est inter eosdem quod dictus Anguseus conduxit et accepit in uxorem legitimam Margaretam juuenem filiam Margarete domine antedictae cum qua concessit et condonavit eidem antedicto Anguseo cum Margareta filia sua prefata . xv marcas terrarum videlicet dauacham de Croythel et dimidiam dauache de Conyr Kynbady jacentes infra metas de Strathglas cum omnibus suis pertinenciis . Tenendas et habendas ipsi Anguseo et heredibus inter dictum Anguseum et Margaretam juuenem procreandis . Etiam concordatum est inter dictos Margaretam et Anguseum si contingat quod absit Margareta juuenis sine herede uel heredibus de corpore suo procreatis in fatum decedere dimedietatem predictarum terrarum decem libratarum cum dimedietate bonorum tunc habitorum inter Anguseum et Margaretam juuenem reuertentur Margarete domine antedictae et heredibus suis . alia dimedietate terrarum cum bonis remanente cum dicto Anguseo pro tempore vite sue / que terre post obitum dicti Angusei libere sine strepitu nel condicione ad Margaretam dominam antedictam et filios suos ad recuperandum et inueniendum dauacham Brebach Carynnes et Innvyrnavyr infra Strathnavyr item duos Gartyis infra comitatum Suthyrlandie item Larnyse infra comitatum Cathanie . et quantum contingit dicta Margareta et filii sui recuperare de terris prefatis cum consilio auxilio et potencia dicti Angusei / ipse Anguseus et heredes sui de Margareta procreati habebunt

¹ [Abridged from the original in the Pitsligo charter chest, printed in the Liber Insule Missarum, append. to pref., pp. 1, 11.]

quartam partem de terris antedictis recuperatis et tres alie partes remanebunt libere cum Margareta et filiis . . .

Concordia inter Dominum Episcopum Aberdonensem et Johannem de Forbes dominum eiusdem. ¹—(A.D. 1387.)

Vicesimo die mensis Augusti anno Domini millesimo trecentesimo octogesimo septimo Dominus Alexander Fraser miles dominus de Filorth vicecomes de Aberden Johannes Keth dominus de Inuerugy Thomas Fraser de Corneton Johannes Fraser de Forglen Alexander de Irwyn Alexander de Strathachyn Patricius Kennedy Thomas Nory pater Duncanus filius Dolfy Ricardus de Turphyky Angus de Balnacrag Johannes de Helmsly Johannes filius Finlaus filius Mauchy Moricius filius Walteri qui electi per reuerendum in Christo patrem Adam de Tynninghame Dei gratia episcopum Aberdonensem ex vna parte et Johannem de Forbes dominum eiusdem ex altera communiter de controuersia mota inter eos ratione limitum terrarum suarum iurati deposuerunt quod tota terra de Lurgyndaspokis inter riuiulos de Condiland et Coeburn a capite vsque ad pedem et terre de Tulochcosseney erant in

¹ [Abridged from the Registrum Episcopatus Aberdonensis, vol. i., pp. 176, 177.]

Bishop Adam of Tynninghame died in 1389, when the strife between the see of Aberdeen and the Knight of Forbes seems to have been renewed. On the sixth day of April, 1391, King Robert III., by a letter under the quarter seal, made Sir John of Gordoun, knight, his justiciar within the shire of Aberdeen for perambulating the marches between the lands of Tirepressy and Tulyanguss, belonging to Gilbert, bishop of Aberdeen, and the lands of Forbes, belonging to John of Forbes, knight.—(Registrum Episcopatus Aberdonensis, vol. i., p. 187.) The dispute was settled on the fifth day of July, 1391, by a mutual agreement that the land of Lurgyndaspok between the burns of Condeland and Coeburne, from head to foot, and the lands of Tulycosebeny should be in common between the Bishop and the Knight of Forbes during their lives; that the woods should also be in common, so that either might give his own proper men leave to cut and hew timber; that each should have his own proper forester; that the fines of the Bishop's men cutting timber without the Bishop's leave should belong to the Bishop; that the fines of the men of the Knight of Forbes cutting timber without his leave should belong to him; and that the fines of strangers should be divided equally between the Bishop and the Knight, in whosoever court they should be convicted. The agreement was made in the Bishop's chamber in presence of Master John Barbar, archdeacon of Aberdeen, William of Calabre, William Lange, Thomas of Tynnyngham, and Robert Wys, canons of the church of Aberdeen; Patriek of Crauford, lord of Fedrat, Thomas of Mar, Duncan of Corrini, Malcolm Malyceson, John Scot, Andrew Lepar, William Barber, John of Etal, and John 1 hole, chaplain.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 188, 189.)]

communi inter dictum Episcopum Aberdonensem et Johannem de Forbes patrem iam defunctum . Et concordatum est quod ita erint in communi pro tempore dieti Domini Ade episcopi sine preiudicio ecclesie vel heredum dieti Johannis in futurum . et silua dictarum terrarum erit communis inter ipsos . . .

Rationes ad informandum perambulatores limitum inter terras Episcopi Aberdonensis et Domini de Forbes. ¹—(A.D. 1391.)

The first reson . The land that Forbes clemys his of Tirepressy is called Lurgyndaspok that is to say The Bischapis Leg the whilk name war nocht likly it suld haf war it nocht the Bischapis . Item Forbes charter contenys certane lymyt meris betwix his land of Forbes and the Bischapis land of Tulynestyn schir That is to say Fra the entryng of the burn of Nessoke in Done at Mongerry to the entry of the burn of Condoll in the burn of Nessoke / sua that theyn furth is the meris betwix the Bischape and the Lord of Marr the burn of Condoll vp to the hevid / as the he gate strekis upon the ta part . And on the syde as Nessoke strekis vp to the hevid fra the entre of Condoll is the mere betwix the Lord of Marr and Forbes on the tothir half / sua that betwix the Bischap and Forbes fra the entre of Condoll in Nessok lijs the land of the Lord of Marr . Item Tirepressy is and ay has bene twa dauach of land in the Bischapis rentale and to the Kingis wering and war that land fra it that Forbes clemys / that is to say Lurgyndaspok / the lave war nocht a dauach and a half . quharfore his clemis is nocht like to be richtwise . Item Jone of Forbesis fadre was a gude man wise mychty and manly in his tyme . and had he trowit ony richt / he had nocht lattyn it bene vnfollowit in his tyme . Item the Bischap referris hym to Forbes charter of lymtyng of the meris the quhilkis gif he wil nocht schaw it is to presume agaynys him that he

¹ [From the Registrum Episcopatus Aberdonensis, vol. i., pp. 248, 249.

John of Forbes, knight, and Alexander of Forbes his son, and Duncan of Forbes, esquires, are witnesses to a charter by Isabel, countess of Marr, at Kildrummy, on the twelfth day of August, 1404.—(Registrum Magni Sigilli, lib. vii., no. 257.) A charter by the same Countess Isabel, to her sister, Margaret of Douglas, and her husband, Thomas Johuson, of the lands of Bonjedworth, granted at Kildrummy on the tenth day of November, 1404, is witnessed by Sir Johu of Forbes, lord of that ilk, knight, and by Duncan of Forbes, canon of Aberdeen.—[Macfarlane's Collection of Charters, pp. 447, 449. MS. Adv. Lib., Ediub.]

wald nocht that the richt war knawin / for his charter contenys certane meris in it / that is to say specialy the burn of Nessok betwix hym and the schyr of Tulynestyn and nane othir . and askis that he be distreignyt to schawe his charter for the suthfastnes to be knawin . Item the land of Lurgyndaspok has bene always in the Bischapis possession and the kirk of Aberdene Saynt Mary and Saynt Machore has bene sesit tharof evir sen the Kingis foundit the kirk of Aberden and gaf that land tharto and neuer was distrublit bot nw . quhairfor it is nocht like that he had richt considerand that he had mony mychty wise and manly eldris befor him . Item the mere betuix Forbes and the Bischape upon the side of Clat schire is the burn of Canny as it entris in Bolgy and sua gangand vp to the hevid / and this is contenyt al in Forbes charter . Item Ser Jone Broun knycht held quhilom the landis of Tirepressy of the Bischape and the kirk of Aberdene and that time he had his shepcotis and schepherdis housis upon the landis of Lurgyndaspok as portenancez of the landis of Tirepressy .

Seceta pacis inter Dominum Walterum de Lyndesay et Dominum Alexandrum de Forbes. ¹—(A.D. 1407.)

Memorandum quod decimo sexto die mensis Aprilis anno etc eccccc^{mo} septimo quedam discordia accidebat inter Dominum Walterum de

¹[From Extracts from the Council Register of the Burgh of Aberdeen, 1398-1570, p. 386.

The same Sir Walter of Lindsay and Sir Alexander of Forbes, appear in the same year in the train of Alexander Stewart, earl of Marr, when that chivalrous peer repaired to England to tourney with the Earl of Kent. Lindsay had a passage of arms with the Lord of Beaumont; the name of Forbes' adversary is not preserved:—

“ Schire Waltere of Bekyrtone, that was than
Of Lutnok lord in Louthyane,
Schire Wylliam of Cokburn, and Schire William
Of Carnston, tha twa wyth a name,
And in that court than alsua wes
Of Mare Schire Alexander of Forbes;
Thir toure knychtis of Scotland
Wertuously tuk upon hand
Wytht gret famous Inglis men,
Commendit of mycht and worschip then,
Of gret proues, and of land
Wythyn the kynrike of Yngland,

Lyndesay ex una parte et Dominum Alexandrum de Forbes ex altera parte Super mitigatione cuius discordie prepositus et balliui [burgi de Aberdene] ceperunt plegia et securitatem de ambabus partibus predictis quod nulla partium predictarum dampnabit aliam nisi per viam iuris super premunitione octo dierum Plegiis pro Domino Waltero Roberto David allirmanno et Laurentio de Leth et Simone de Benyn Plegiis pro Domino Alexandro Johanne Alani Johanne Henrici et Andrea Johannis .

Carta Alexandri de Forbes de Burchis super terris de Glencarwe etc. ¹—
(A.D. 1409.)

Omnibus hanc cartam visuris uel audituris Nos Alexander Stewart comes de Mare et de Garuiach salutem . . . Noucritis nos dedisse . . . Alexandro de Forbes domino de Burchis dilecto consanguineo nostro pro suo fideli seruicio nobis impenso et pro toto tempore vite sue impendendo omnes et singulas terras nostras de Glencarwe de Glenoure et le Orde cum pertinentiis infra dominium nostrum de Stradone infra vicecomitatum

Mychty lords of ancestry ;
Oure Scottis knychtis syndrely
Beforsaid intil armys ran
Til thir gret lordis, man for man
And at all poyntis ilke dele
All thare tallye fulfillyt wele.
For gret pris and renown
Thai wan gret commendatioun."

(Wyntownis Cronykil of Scotland, book ix., cap. xxvii., vol. ii., pp. 421-424.) Cf. Lord Lindsay's Lives of the Lindsays, vol. i., pp. 51, 52.

On the sixteenth day of May, 1406, Thomas of Strathachan, lord of Glenkenedy in Mar, resigned his lands of Snawdoun, in the barony of Craigy, and shire of Mearns, into the hands of his overlord, Sir Patrick Gray, knight, lord of Broxmouth, in consideration of a sum of money to be used for the recovery of his lands of Glenkenedy from Alexander of Forbes, the son and heir of Sir John of Forbes, lord of that ilk.—(Miscellany of the Spalding Club, vol. v., pp. 253, 254.)

On the twentieth day of November, 1406, a charter by Robert Duke of Albany, governor of Scotland, dated at Dundee, is witnessed by David of Lindsay, earl of Crawford, Alexander Stewart, earl of Marr, Sir William of Lindsay of Rossy, Sir Walter of Lindsay, his brother, and Sir Alexander of Forbes, knights.—(Registrum Magni Sigilli, p. 219, no. 3.)]

¹ [Abridged from the Registrum Magni Sigilli, lib. ii., no. 76. MS. Gen. Reg. House, Edinb.]

The seal of Alexander Forbes of Brux, appended to a resignation of the lands of Camquhill, in the earldom of Marr, into the hands of Alexander Stewart, earl of Marr, in the year 1427, is described in H. Laing's Scottish seals, p. 62, no. 339.]

de Aberdene Tenendas et habendas predicto Alexandro et heredibus suis de nobis et heredibus nostris successoribus seu assignatis Comitibus de Mar quicumque fuerint in feodo et hereditate imperpetuum . . . Reddendo annuatim . . . vnum denarium vsualis monete Scocie ad ostium australe ecclesie de Inuernochty in die Pentecostes . . . In cuius rei testimonium sigillum nostrum presenti carte nostre fecimus apponi apud castrum nostrum de Kyncardin vicesimo quarto die mensis Decembris anno Domini millesimo quadringentesimo nono Testibus reuerendo in Christo patre Domino Gilberto Dei gracia episcopo Aberdonensi cancellario Scocie Jacobo Steuart fratre nostro Willelmo de Camera domino de Findoun Domino Johanne Nesbit rectore ecclesie de Kyndrome Johanne de Inchemartyn archidiacono Rossensi secretario nostro Roberto filio Dauid et Thoma Roul burgensi de Abirden cum multis aliis .

Preceptum sasine Domini de Philorth. ¹—(A.D. 1411.)

Preceptum per Willelmum Fraser dominum de Philorth amico suo Johanni de Inchemartyn canonico Aberdonensi ballivo suo in hac parte ad infeoffandum dilectum et specialem suum Alexandrum de Forbes militem dominum ejusdem in terris de Mykil Fintra cum dimidia parte de Tulymald Blactoun cum ly Smythill Miltoun de Kynnedwart Belcours et uno annuo reddito decem solidorum ville de Edane in baronia de Kynnedwart infra vicecomitatum de Aberden . Apud Aberden ultimo Octobris . j^m . ceccc . xi.

¹ [Noted from the original in the charter room at Castle Forbes.

A charter was preserved there in the year 1606, "made be William Fraser dominus de Philorth nobili viro Alexandro Forbes militi domino ejusdem, off the lands of Meikle Fyntray, 28 March, 1412."—(Miscellany of the Maitland Club, vol. i., p. 378.)

In the year 1716, there was in the charter chest of Sir Samuel Forbes of Foveran, baronet, a charter by John, earl of Buchan, to Alexander of Forbes, and Elizabeth Douglas his wife, of the lands of Meikle Fintry, Blacktoun, and Balcross, dated on the tenth day of December, 1423.—(Craufurd's Peerage of Scotland, p. 146.)]

Carta Alexandri de Forbes militis domini eiusdem super terris de Forthirbris in dominio de Obeyne. ¹—(A.D. 1417.)

Vniuersis hanc cartam visuris vel auditoris Johannes comes Buchanie et Rossie regni Scocie camerarius ac dominus de Obeyne salutem in Domino sempiternam Noueritis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Alexandro [de] Forbes militi domino eiusdem pro suo fideli seruicio nobis impenso et imposterum impendendo omnes terras nostras de Forthirbris cum pertinentiis in dominio nostro de Obeyne infra vicecomitatum de Abirdene jacentes Quasquidem terras cum pertinentiis Johannes Scott nobis . . . simpliciter resignauit . . . Tenendas et habendas prefato Domino Alexandro et heredibus suis de nobis heredibus et assignatis [nostris] dominis de Obeyne in feodo et hereditate imperpetuum . . . cum tenentibus et seruicio liberetentium curiis et exitibus curiarum . . . cum uenacionibus aucupacionibus et piscariis cum molendinis et multuris et eorum sequelis brasinis et fabrilibus cum moris maresiis petariis et turbariis auaragiis et cariagiis . . . Faciendo inde annuatim . . . communem sectam curie de Obeyne et seruicium debitum et consuetum . . . In cuius rei testimonium sigillum nostrum presenti carte nostre fecimus apponi Apud Perth vicesimo quarto die mensis Maii anno Domini millesimo quadringentesimo decimo septimo Testibus reuerendo in Christo patre Domino Gilberto episcopo Aberdonensi cancellario Scocie nobili domino et potente Domino Alexandro Senescalli comite de Mar et de Garuiche Johanne Senescalli domino de Lorne Andrea Senescalli domino de Portastoune Waltero Lyndesay vicecomite de Abirdene militibus Alexandro Senescalli de Lorne et Michaelae de Narne cum multis aliis .

¹ [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House, Edinb.]

On the twenty-second day of November, 1417, Sir Alexander of Forbes, lord of that Ilk, presided, as justiciar depute, at a perambulation of the marches between the lands of Tarwas, belonging to the Abbey of St. Thomas of Arbroath, and the lands of Wldny, belonging to Wldny of that Ilk.—(Registrum Nigrum de Aberbrothoc, pp. 50-51.)

Resignacio Willelmi de Cluny domini eiusdem. ¹ —(A.D. 1418.)

Pateat vniuersis per presentes me Willelmum de Cluny dominum eiusdem sursum reddidisse ac per fustum et baculum et has literas meas resignacionis pureque et simpliciter resignasse in manus magnifici domini et potentis Willelmi de Douglas comitis Angusie et domini de Ledalisdale omnes et singulas terras meas cum pertinenciis de Ester Cluny iacentes infra vicecomitatum de Perth / ita quod nec ego nec heredes mei . . . aliquod ius . . . in dictis terris cum pertinenciis aliqualiter vendicare poterimus in futurum . . . In cuius rei testimonium sigillum meum proprium presentibus est appensum apud Crambay nono decimo die mensis Julii anno Domini millesimo quadringentesimo decimo octauo .

Assignacio Willelmi de Camera domini de Findowne Alexandro de Forbes de eodem militi. ² —(A.D. 1420.)

Be it knawin tyll all men throw thir presentis letteris that I William of Clawmyr lorde of Findowae has sawld and gyffyne tyll a nobyle man Schir Alexander of Forbes lorde of that Ilk all the richt and the clame that I haf or may haf in the warde of the hayr quhilum of Adam of Balkarne quhill the forsayde hayr be at lachfull helde and lachfully sesit in the ilk landys of Balkarne makand hym my full assignay till haf that ilk warde of tha ilk landis eftir the tenor of the lettyr the quhilk I the forsaid Willyam had therof · haffand ferme and stabyle quhat thyng the forsayd Schir Alexander doysis for tyll haf or recovyr the forsayde warde . In the witnes of the quhilk thyng I haf put my sele to thir present letteris at Abirden the xv day of Febyryher the yher m^o ecce^{mo} ande xix.

¹ [Abridged from the original in the charter room at Castle Forbes.]

The lands of Easter Cluny in the lordship of Abernethy, thus resigned, were granted by the Earl of Angus to his brother-in-law, Sir Alexander of Forbes of that Ilk. They appear in his possession in the year 1444: see above, p. 194.]

² [From the original in the charter room at Castle Forbes.]

Carta Mariote de Prestoun super medietate terrarum domini de Fermartyne in maritagio cum Johanne de Forbes filio Domini Alexandri de Forbes militis domini eiusdem. ¹—(A.D. 1420.)

Omnibus hanc cartam visuris vel auditoris · Mariota de Prestoun filia et vna de heredibus quondam Henrici de Prestoun militis domini de Fermartyne salutem in Domino sempiternam · Sciatis me / in mea libera et pura viduitate constitutam . . . maturo consilio / et deliberatione / inde / cum fratribus meis et propinquiorebus consanguineis et amicis / ibidem existentibus / prius habitis . . . dedisse . . . nobili viro Johanni de Forbes / medietatem omnium terrarum . . . domini de Fermartyne cum pertinencijs iacentem in comitatu Buchanie infra vicecomitatum de Abirden · Tenendam et habendam predicto Johanni de Forbes / et nostrorum diucius viuenti . . . In cuius rei testimonium sigillum meum presenti carte mee apposui apud Abirden septimo die mensis Julij · anno Domini millesimo quadringentesimo vicesimo · Testibus nobilibus viris prouidis et discretis / Alexandro de Forbes milite domino eiusdem · Alexandro de Irwin domino de Drwm / Willelmo de Forbes domino de Kynnaldy · Alexandro Frasser · Domino Johanne Yule rectore ecclesie de Cultir · Domino Hugone de Wellis rectore ecclesie de Durris · carissimis fratribus meis Roberto et Waltero de Prestoun / Willelmo Cryne burgense de Abirden cum multis / et diuersis alijs ·

Salvus conductus pro Alexandro Forbes milite. ²—(A.D. 1421.)

[Henricus] Rex [Anglie] per literas suas patentes usque primum diem Septembris duraturas suscepit in saluum et securum conductum suum . . . Alexandrum Forbes militem cum quadraginta lanceis in comitiva sua eujuscunque gradus existant cum equis et armaturis eidem Alexandro et lanceis predictis debite spectantibus usque ad numerum centum in toto

¹ [Abridged from the original in the charter chest at Whitehaugh.]

Sir John Forbes of Tolquhon—so called from the chief message of his moiety of the lordship of Fermartyn—died between the sixth of August, 1433, and the fifteenth of July, 1454, and was succeeded by his son John Forbes.—(Rot. Scacc. Regum Scotorum, no. 217. MS. Gen. Reg. House, Edinb.)

² [Abridged from the *Rotuli Scotiae*, t. ii., p. 230.]

vel infra in regnum Regis Anglie per aquam tantum veniendo . . . ibidem morando et exinde versus partes proprias . . . per aquam tantum redeundo . . . 'Teste Rege apud Dovorr' ix die Junii [anno regni nono] Per ipsum Regem .

Litere Regis Anglie pro Alexandro Forbes milite domino de Forbes. ¹—
(A.D. 1421.)

[Henricus] Rex [Anglie] per literas suas patentes usque primum diem Martii proxime futurum duraturas suscepit in salvum et securum conductum suum . . . Alexandrum Forbes militem dominum de Forbes de Scotia ac quadraginta homines ad arma et armatos de Scotia cujuscunque gradus existant cum eorum famulis usque ad numerum centum personarum vel infra videlicet prefatum Alexandrum cum duodecim personis in comitiva sua armatis sive non armatis cujuscunque gradus existunt usque civitatem Regis Lundonie per terram veniendo et ibidem morando ac deinde penes presentiam Regis et carissimi consanguinei sui Jacobi Regis Scottorum per terram et aquam transendo et ibidem morando ac predictos reliquos homines ad arma et armatos cum eorum famulis in comitiva sua usque ad numerum predictum vel infra ad ducatum Regis Normannie per aquam et per mare ac portus maris proficiscendo et exinde penes dictam presentiam Regis et predicti Regis Scottorum . . . veniendo et ibidem morando . . . Teste Johanne duce Bedfordie custode Anglie apud Westmonasterium xiii die Octobris [anno regni Regis nono] Per consilium .

Carta Alexandri de Forbes militis et Elizabeth de Douglas sue sponse super baronia de Forbes. ²—(A.D. 1423.)

Murdaeus dux Albanie comes de Fife et de Mentetlit ac gubernator

¹ [Abridged from the Rotuli Scotiæ, t. ii., p. 230.]

On the thirteenth day of December, 1423, and again on the third day of February, 1423-4, Sir Alexander of Forbes, knight, had letters of safe conduct to the presence of James, King of Scots, at Durham.—(Rotuli Scotiæ, t. ii., pp. 244, 245.)

² [Abridged from the original in the charter room at Castle Forbes.]

regni Scocie omnibus probis hominibus tocius regni predicti clericis et laicis salutem . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Alexandro de Forbes militi et carissime consanguine nostre Elizabeth de Douglas quam idem Alexander per Dei gratiam duxit in uxorem omnes et singulas terras baronie de Forbes cum pertinentiis iacentes infra vicecomitatum de Aberdene . Quequidem terre dicte baronie cum pertinentiis fuerunt dicti Alexandri hereditarie et quas idem Alexander . . . in manus nostras coram testibus subscriptis . . . simpliciter resignavit . . . Tenendas et habendas . . . predictis Alexandro et Elizabeth et eorum alteri diuiciu viuenti et heredibus inter ipsos legitime procreandis quibus forte deficientibus veris legitimis et propinquioribus heredibus dicti Alexandri quibuscunque de domino nostro Rege et heredibus suis in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuicias . . . adeo libere et quiete . . . sicut dictus Alexander aut aliquis predecessorum suorum dictas terras dicte baronie cum pertinentiis de domino nostro Rege aut predecessoribus suis ante dictam resignacionem nobis inde factam liberius tenuit seu possedit vnicuique aduocacionibus ecclesiarum dicte baronie . Faciendo annuatim . . . seruicia debita et consueta . In cuius rei testimonium presenti carte nostre magnum sigillum officii nostri apponi precepimus . Testibus reuerendis in Christo patribus Henrico Roberto et Willelmo Sanctiandre Dunkeldensis et Dunblanensis ecclesiarum episcopis . carissimo auunculo nostro Waltero comite Atholie et de Catnes . carissimo fratre nostro Johanne constabulario Francie comite Buchanie et camerario Scocie . carissimo consanguineo nostro Alexandro comite de Marr et de Garviauch . Alexandro Steuart filio nostro dilecto . et Alano de Ottirburne secretario nostro . Apud Perth sexto decimo mensis Octobris anno Domini millesimo quadringentesimo vicesimo tercio et gubernacionis nostre tercio .

Obligatio Willelmi de Douglas comitis Angusie et domini de Liddisdale
Domino Alexandro de Forbes militi domino ejusdem. ¹ — (A.D. 1423.)

Pateat uniuersis per presentes nos Willelmum de Douglas comitem

¹ [Abridged from the original in the charter room at Castle Forbes.]

Angusie et dominum de Lidalisdale teneri et per presentes file media firmiter obligari nobili viro Domino Alexandro de Forbes militi domino ejusdem sponse Elizabeth sororis nostre quod nunequam impignorabimus vendemus aut aliqualiter alienabimus seu cuicumque talliabimus aliquas terras annuos redditus seu possessiones quascunque nos die confectionis presencium juste contingentes ab heredibus nostris de corpore nostro legitime procreatis seu procreandis in dampnum seu preiudicium dicte Elizabeth sororis nostre heredis heredibus de corpore nostro . . . deficientibus . In cuius rei testimonium sigillum nostrum presentibus apponi fecimus apud Edinburgh quarto die mensis Nouembris anno Domini millesimo quadringentesimo vicesimo tertio .

Carta Willelmi Forbes de Kynnaldy super terris de Petslegach etc.¹ —
(A.D. 1424.)

Omnibus hanc cartam visuris vel audituris Willelmus Fraser dominus de Filorth salutem . . . Sciat is me dedisse dilecto mihi et speciali Willelmo Forbes de Kynnaldy et Agnete sponse sue omnes et singulas terras de Glaslach Culcaok Tulinamolt Nethirbulgny Wuirbulgny Midilmast Bulgny Auchlun Petslegach Achmacludy cum molendino de Bulgny et lapicidio de Culburty cum pertinentiis jacentes in baronia de Abirdour infra vicecomitatum de Abbirdene causa matrimonii contracti et perimpleti inter predictum Willelmum de Forbes et Agnetem Fraser filiam meam antedictam Tenendas et habendas . . . predictis Willelmo de Forbes et Agnete Fraser sponse sue et eorum diucius viuenti et heredibus de corpore dicti Willelmi legitime procreatis seu procreandis quibus forte deficientibus Domino Alexandro de Forbes militi domino eiusdem et heredibus suis de corpore suo legitime procreatis seu procreandis quibus forte deficientibus michi et heredibus meis quibuscunque de magnifico domino et potenti Jacobo

¹ [Abridged from the Registrum Magni Sigilli, lib. ii, no. 67. MS. Gen. Reg. House, Edinb.]

On the sixth day of November, 1423, John, earl of Buchan, and Constable of France, granted a precept to infest William Forbes of Kynnaldy in the lands of Carnywhinge, Breckor Vor, and Litill Brekor, in the barony of Kinedwarte.—(Original in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

de Douglas domino de Balvany et de Abirdoure in feodo et hereditate in perpetuum . . . In cuius rei testimonium sigillum meum presentibus apposui apud Abirden duodecimo die mensis Augusti anno Domini millesimo quadringentesimo vicesimo quarto Testibus reuerendo in Christo patre Domino Henrico Dei gracia episcopo Abirdonensi Dominis et Magistris Thoma de Tynnyngham archidiacono Willelmo de Crawford cantore Duncano Petit cancellario ecclesie Abirdonensis Alexandro de Irwyn milite domino de Drum Roberto de Irwyn fratre suo Andrea Giffart et Simone Bannerman cum multis et diuersis alijs .

Rex constituit Johannem de Narne et Ricardum Wisman deputatos Domini Alexandri Forbes militis in officio suo balliuatus terrarum Episcopi Moraviensis. ¹—(A.D. 1426.)

Jacobus Dei gracia Rex Scottorum omnibus probis hominibus suis ad quorum noticiam presentes litere peruenerint salutem . Quia Dominus Alexander de Forbes noster miles balliuus consanguinei nostri Episcopi Morauiensis in nostris arduis negociis multipliciter prepeditus in officio balliui terrarum dicti Episcopi vacare non poterit . Quare facimus constituimus et ordinamus nobiles viros Johannem de Narne et Ricardum Wisman balliuos coniunctim et diuisim procuratores ac deputatos speciales predicti Domini Alexandri militis cum potestate terras dicti Episcopi vbicunq; situatas assedandi firmas earundem leuandi curias tenendi eschaetas et amerciamenta leuandi homines suos vbicunq; et coram quocunq; iudice attachiatis vel arrestatos cum eorum bonis ad curiam dicti Episcopi replendi ac omnia alia et singula faciendi gerendi et exercendi que ad officium balliui seu balliuorum procuratoris seu procuratorum deputati seu deputatorum necessaria fuerint vel fuerit et oportuna vel que ipsemet Dominus Alexander miles predictus faceret vel facere posset si in predicto officio personaliter interesset . ratum et gratum habentes et habituri quicquid predicti Johannes et Ricardus seu alter eorum nomine predicti Alexandri militis balliui Episcopi antedicti in premissis mediante iusticia duxerint vel

¹ [From the original in the charter room at Castle Forbes.

Sir Alexander of Forbes appears in an accounting in exchequer, at Stirling, on the fourteenth day of May, 1425.—(Chamberlain Rolls, vol. iii., p. 150.)]

duxerit faciendum . Hiis literis nostris pro voluntate dicti Domini Episcopi ac eciam prefati Domini Alexandri duraturis . Datum sub sigillo nostro priuato apud monasterium Sancte Crucis de Edynburch vicesimo die mensis Maii anno regni nostri vicesimo primo .

Carta Willelmi de Forbes militis super terris de Kynnaldy etc. ¹ — (A.D. 1429.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto et fideli nostro Willelmo de Forbes militi pro seruicio suo nobis impenso totas et inte_ras terras de Kynnaldy de Gordy de Dauachemanache de Petnamonc de Knoksoul cum . . . et ceteris pertinenciis suis quibuscunque . iacentes in comitatu de Marr infra vicecomitatum de Abirdene . Que quidem terre cum pertinenciis fuerunt carissimi consanguinei nostri Alexandri Stewart comitis de Marr et de Garruiache . et quas idem Comes . . . in manus nostras . . . simpliciter resignauit . . . Tenendas et habendas predicto Willelmo Forbes militi et heredibus masculis de corpore suo legitime procreatis . uel procreandis . quibus forte deficientibus . Alexandro de Forbes militi et heredibus suis baronibus de Forbes . de nobis et heredibus nostris in feodo et hereditate inperpetuum per omnes rectas metas suas antiquas et diuisas . in vnam integram et liberam baroniam . cum furca et fossa sok sak thol et theme . infangandtheyf et outfangandtheyf . . . aucupacionibus venacionibus . et piscacionibus cum molendinis multuris

¹ [Abridged from the Registrum Magni Sigilli, lib. iii, no. 39. MS. Gen. Reg. House, Edinb.]

Sir William Forbes, of Kynnaldy and Pitsligo, was slain, under the banner of the Earl of Huntly, in the battle between the Lindsays on the one side and the Gordons and Ogilvies on the other, at the gates of Arbroath, on the thirteenth or twenty-third day of January, 1445-6.—(Auchincloek Chronicle, pp. 7, 38; Bishop Lesley's History of Scotland, p. 18; Lord Lindsay's Lives of the Lindsays, vol. i., p. 129.) His sons, Alexander and Malcolm, disputed which should succeed to his lands. Their claims were submitted to the judgement of Alexander, earl of Huntly, Alexander, lord of Forbes, Sir Alexander of Irvine of Drum, knight, Sir John of Forbes, knight, Sir William of Lesly, knight, James of Forbes, Alexander of Irvine, James of Skene, and Gilbert Menzies, who by their deliverance, dated at Culsalmond on the twenty-first day of May, 1446, found that Alexander of Forbes was lawful and full heir to his father, Sir William of Forbes of Kynnaldy in all his lands; that the claims of Malcolm of Forbes were of no avail; that he should be man to his brother Alexander, before all others next to the King, for all the days of his life; and that for this manrent his brother Alexander should give to him the lands of Meikle Wardris in the Garioch, to be held by him until he had payment of fourteen score of merks.—(Original in the Pitsligo charter chest, printed in the Antiquities of the Shires of Aberdeen and Banff, vol. iii, pp. 404, 405.)

brasinis fabrilibus et eorum sequelis cum curiis et earum exitibus . et eschaetis . cum natiuis bondis . bondagiis aueragiis et cariagiis . . . Reddendo inde nobis et heredibus nostris Regibus Seocie . . . vnum denarium vsualis monete regni nostri apud Kynnaldy annuatim ad Festum Pentecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium presenti carte nostre nostram precepimus apponi sigillum . Testibus reuerendo in Christo patre Johanne episcopo Glasguensi cancellario nostro . carissimis nepotibus nostris Archibaldo et Willelmo de Douglass et de Angouss comitibus . Alexandro de Lyndesay comite de Craufurd consanguineo nostro carissimo . Valtero de Halybartoun de Driltoun . Alexandro de Setoun de Gordoun . Adam de Hepburne de Haly . Willelmo de Crechtoun de eodem . Valtero de Ogilvy de Luntrethin . et Willelmo de Borthwic filio militibus . apud Inuernys . xxvij^o . die mensis Julij anno gracie millesimo quadringentesimo . xxix . et regni nostri . xxiiij^{to} .

Band of manrent of Alexander of Ogistun to Sir Alexander of Forbes lord of that Ilk. ¹—(A.D. 1430.)

Be it made kend til al men throch thir presentes lettres that I Alexander of Ogistun the son ande the ayr of John of Ogistun lorde of that Ilke is becumyn lele man ande trew till a nobill man Sir Alexander of Forbes lorde of that Ilke for all the dayis of my lyffe agaynys all dedelyke myn alegeans tyll my lorde the Kyng anerly outane for a certane some of moneys . . . And I the saide Alexandir of Ogistun sall serff witht iii hors qwyll my fader leffis and after hym witht sex In the witnes of the qwyll thyngis my sell I haff put to thir lettres at Abirden the x day of May the yer of our Lorde j^m cccc and xxx .

Carta Alexandri de Forbes militis et Elizabeth sponse sue. ²—(A.D. 1430.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse et

[Abridged from the original in the charter room at Castle Forbes.]

[Abridged from the Registrum Magni Sigilli. lib. iii., no. 49. MS. Gen. Reg. House, Edinb.]

In 1434, Sir Alexander Forbes, knight, appears in possession of the ward of the heir of the thanage of the Boyne.—(Chamberlain Rolls, vol. iii., p. 273.)

hac presenti carta nostra confirmasse dilectis nostris Alexandro [de] Forbes militi et Elizabeth sponse sue totam et integram baroniam de Forbes et terras de Kery cum pertinentiis · terras de Aufurde cum pertinentiis · terras de Logy et de Edynbanchry cum pertinentiis vnacum annuo redditu decem marcarum de terris de Mukwell cum pertinentiis iacentes in comitatu de Marr infra vicecomitatum de Aberdone · Que quidem terre baronie de Forbes et de Kery cum pertinentiis fuerunt dicti Alexandri de Forbes militis hereditarie · et terre de Aufurde cum pertinentiis de Logy cum pertinentiis de Edynbanchry cum vno annuo redditu decem marcarum de Mukwell cum pertinentiis fuerunt carissimi consanguinei nostri Alexandri comitis de Marr hereditarie et quas idem Comes et Alexander . . . in manus nostras . . . simpliciter resignarunt . . . Quasquidem terras de Aufurde de Logy de Edinbanchry et de Kery cum pertinentiis vna cum prefato annuo redditu terrarum de Mukwell per presentes prefate baronie de Forbes pro perpetuo annectimus et vnimus / Tenendam et habendam totam prefatam baroniam de Forbes · vna cum prenomatis terris et annuo redditu supradicto prefate baronie annexis prefato Alexandro militi et Elizabeth sponse sue et eorum diucius viuenti et heredibus suis inter ipsos legitime procreatis seu procreandis · quibus forte deficientibus · veris et legitimis heredibus dicti Alexandri militis de nobis et heredibus nostris in feodo et hereditate imperpetuum / per omnes rectas metas suas antiquas et diuisas in vnam totam integram et liberam baroniam de Forbes ut prefertur cum furca et fossa sok sak thol theme infangtheif et outfangtheif cum tenandiis et liberetenencium seruiciis . . . cum aucupacionibus venacionibus et piscacionibus cum curiis et earum exitibus eschaetis blwdewyts et marchetis mulierum vna cum fabrilibus et bracinis . . . Reddendo . . . nobis et heredibus nostris tres sectas curie annuatim ad tria placita nostra capitalia tenenda apud Aberdone cum aliis seruiciis debitis et consuetis · In cuius rei testimonium presenti earte nostre magnum sigillum nostrum apponi precepimus / Testibus reuerendo in Christo patre Johanne episcopo Glasguensi cancellario nostro / Archebaldo comite de Douglass · Willelmo comite de Anguss nostris repotibus carissimis · Alexandro comite de Marr ·

In 1606, there was in the charter room at Castle Forbes, a charter by Alexander Stewart, earl of Marr and the Garioch, confirming a charter made by William Lindsay, lord of Rossie, to Sir Alexander Forbes, lord of that Ilk, of the lands of Aufurd, in the year 1423.—(Miscellany of the Maitland Club, vol. i., p. 378.)

Henrico comite Orcdie consanguineis nostris · Valtero de Ogilvy thesaurario nostro · Willelmo de Borthwic · Willelmo de Crechtoun · militibus · cum multis aliis · apud Perth · sexta die mensis Octobris / anno regni nostri · xxiii^{to}.

Resignacio terrarum de Auchneif per Dominum Alexandrum Forbes dominum eiusdem. ¹ —(A.D. 1434.)

Venerabili . . . patri Domino Waltero . . . abbati . . . de Abirbrothoc

¹ [Abridged from the *Registrum Nigrum de Aberbrothoc*, p. 64.]

By an indenture made on the thirty-first day of May, 1432, between Alexander Lindsay, earl of Crawford and his son and heir, Sir David Lindsay, on the one part, and 'a nobill man, Sir Alexander Forbes, lord of that Ilk,' on the other part, it was covenanted that Sir Alexander Forbes should have the keeping of the Earl of Crawford's lands and castle of Strathnarn in the shire of Inverness, during all the days of his life, paying a yearly rent of fourscore and one pounds, of which he was to retain twenty pounds for his fee and retinue, to render eleven pounds yearly at Dundee, and to pay the remaining fifty pounds as well in time of peace as in time of war; that the castle should be given up to the Earl of Crawford and his son, whenever they happened to come into that country; and that Sir Alexander Forbes should be the Earl's depute in the sheriffship of Aberdeen, during all the days of his life, paying for the office a yearly rent of ten pounds, and reserving power to the Earl and his son to exercise it when within the sheriffdom. The indenture was confirmed by King James II, on the seventh day of January, 1447-8, by a charter under the great seal, in which the King styles Sir Alexander Forbes 'dilectum consanguineum nostrum Alexandrum dominum de Forbes.'—(Original in the charter room at Castle Forbes.)

By an indenture made at Stirling, on the seventeenth day of November, 1435, between Sir Robert of Erskine of that Ilk and Sir Thomas of Erskine, his son, on the one part, and 'a worthi lord, Alexander of Forbes, knight, lord of that Ilk,' it was agreed that the Knight of Forbes should do his utmost to aid the Erskines in recovering the earldoms of Mar and Garioch, and that within forty days of such recovery they should put him in possession of the lordship of Auchindoir with the advowson of the church, the Buck, and the Cabrach, with the half dawaich annexed to the lordship.—(Transcript in the General Register House, printed above, pp. 187-190.) The same Sir Robert of Erskine, now styling himself Earl of Mar and Lord Erskine, granted his half of the lordship of Strathdee, in the earldom of Mar, to Sir Alexander of Forbes of that Ilk, knight, by a charter, dated at Aberdeen, on the twenty-sixth day of June, 1439.—(Transcript in the General Register House, printed above, pp. 190, 191.) By an indenture made at Perth, on the twenty-sixth day of March, 1444, it was stipulated that so soon as Robert the Lytle of Duchale should recover half of the lands of Mar, he should give his part of the lands of Stradee and Kyndrocht, with the castle, to Sir Alexander of Forbes of that Ilk, knight, in exchange for the lands of Cluny and Quhitofield in Stratherne and Angus.—(Transcript in Macfarlane's MS. Collection of Charters, printed above, pp. 194, 195.)

On the eighth day of April, 1443, David, earl of Crawford and lord the Lindsay, writes from Dundee to Sir Alexander of Forbes of that Ilk, knight, his depute of the sheriffdom of Aberdeen, admonishing him to the discharge of his duty in making restitution of certain goods taken from David Scrymgeour, and from the lands of Petford.—(Original in the charter room at Castle Forbes, printed in Lord Lindsay's *Lives of the Lindsays*, vol. i., p. 125.)

et . . . conuentui dominis suis . . . Dominus Alexander Forbes dominus eiusdem . . . reuerenciam debitam . . . Ego Alexander predictus . . . terras de Aughneve . . . jacentes in regalitate vestra de Tarvas infra vicecomitatum de Abirden . . . in manus vestras . . . resigno . . . In cuius rei testimonium sigillum meum presentibus est appensum apud Abbirden primo die mensis Julii anno Domini millesimo quadringentesimo quarto .

Carta Alexandri de Forbes de eodem militis super annuo reddito duodecim marcarum concessio capellano celebranti in ecclesia parochiali de Forbes.¹—(A.D. 1436.)

Omnibus hanc cartam visuris vel auditoris Alexander de Forbes de eodem miles . . . Sciatis me pro salute anime mee et anime Elisabeth de Douglas sponse me . . . dedisse . . . in puram et perpetuam elemosinam Deo et Beate Marie Virgini . . . et vni capellano diuina celebranti . . . in ecclesia parochiali de Forbes . . . annum redditum duodecim marcarum . . . percipiendum de firmis . . . terrarum . . . de Asbachlach et Lastrody ac molendini de Ardgaiach . . . in baronia mea de Forbes . . . Et si forsan . . . dietus annuus redditus xij marcarum . . . de dictis terris et molendino . . . leuari non poterit annuatim . volo . . . quod idem annuus redditus de firmis omnium aliarum terrarum mearum de Ardgaiach . . . leuetur . . . Apud . . . Aberden vicesimo sexto die mensis Junii anno Domini millesimo quadringentesimo tricesimo sexto . Testibus . . . Henrico . . . episcopo Abirdonensi . . . Alexandro de Irwyn . et Willelmo de Forbes fratre meo militibus . Johanne de Forbes fratre meo . Willelmo Monypenny . et Andrea de Buchane scutiferis .

¹ [Abridged from the Registrum Episcopatus Aberdonensis, vol. i., pp. 293, 294.]

The charter was confirmed by King James II., and again by King James III., in 1461.—(Id.) In 1606, there were, in the charter room at Castle Forbes, two deeds, which are thus described—"Ane indenture, in English, made betwixt a noble lord, Sir Alexander Forbes of that Ilk, on that one part, and John Futhois, on the other part, dated 1423; a letter written in English be Andrew of Futhois, to a noble lord, Sir Alexander of Forbes, knight, lord of that Ilk, whereby the said Andrew upgave freely to the said noble lord the frank tenement of the lands of Futhois, 12 December, 1436, the last year of the reign of King James I."—(Miscellany of the Maitland Club, vol. i, p. 379.)

In 1437, Sir Alexander of Forbes, knight, appears as receiver of the King's rents of the lands of Oncle, and as baillie of the earldom of Marr, then in the King's hands.—(Chamberlain Rolls, vol. iii., pp. 367, 368, 388.)

Anent the making of the house of Drumynour.¹ —(A.D. 1440.)

Memorandum that Jhon of Kamloke and Wilyhame of Enuerkype has tan and ar fullily content of ane hundretht marke and fyfti and ane marke and fyve schillingis of the tua hundretht markis that thai suld haf had for the makynn of the houss of Drumynour befor the Lord of the Ross and Alan of Erscken and this cont maide on the ferde day of July the yheir of our Lord a thousand ccec and fourty yheir. Yn the vittenes of the quhilk the said Wilyhame has proeurit the signet of ane honorabil man Alan of Erskene to this present letteris to be put the day befor wretyn.

Manrent of James of Forbes sone and ayer apperande of Schir Alexander of Forbes knycht.² —(A.D. 1444.)

Be it made kende till all men be this present lettre me James of Forbes sone and ayer apperande of my derrest fadir Schir Alexander of Forbes knycht to becummyne mane and be this present writ becummyns mane til ane honorable and nichti lorde Alexander of Setoune of Gordon my redoutit lorde for all the dayis of my lyfe in tyme of wer and of pece agayn all dedlyk / myn alleigance til our Souerane Lord the Kyng alanerly outtaine. In witnes of the quhilkis my sel is appensit to this my present wryt at Aberdene the last day of the moneth of September the yhere of our Lorde a thousand four hundreth fourty and four yheris.

¹ [From the original in the charter room at Castle Forbes.]

² [From the original in the charter room at Gordon Castle.]

On the fifteenth day of June, 1448, James of Forbes, son and heir apparent of Sir Alexander, lord Forbes, and Sir John of Forbes of Tullquhon, were accused of abetting Sir Andrew Murison, chaplain, in his suit at the Market Cross of Aberdeen, against Nicholas of Blair, chaplain of William, lord Hay, constable of Scotland.—(Extracts from the Council Register of the Burgh of Aberdeen, pp. 16, 17.)

Carta Jacobi de Forbes filii Domini Alexandri de Forbes de eodem militis. ¹—(A.D. 1444.)

Omnibus hanc cartam visuris vel auditoris Alexander de Seytounne de Gordoun dominus baronie de Cluny salutem in Domino sempiternam Noueritis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Jacobo de Forbes filio et heredi apparenti Domini Alexandri de Forbes de eodem militis pro suo homagio et seruicio nobis impensis et impendendis totas et integras terras nostras de Corsindawe Kebidy Ordyquhork Achkebidy Ruvynauchlache et Tulicarne cum pertinentiis jacentes in baronia nostra de Cluny infra vicecomitatum de Abirdene Tenendas et habendas . . . dicto Jacobo et heredibus suis de nobis et heredibus nostris imperpetuum in feodo et hereditate . . . cum curiis et curiarum exitibus . . . cum bludewitis merchetis et herezeldis aucupationibus venacionibus et piscariis . . . Faciendo inde . . . tres sectas curie ad tria nostra placita capitalia apud manerium nostrum de Cluny tenenda vna cum wardis releuiis . . . In cuius rei testimonium sigillum nostrum presentibus est appensum Apud Abirdene die vltimo mensis Septembris anno Domini millesimo quadringentesimo quadagesimo quarto His testibus Patricio Lion de Kingorn Waltero Ogiluy de Deskfurde militibus Andrea Gray de Foulis Waltero Ogiluy de Bewfort Alexandro Gram Gilberto Meignes burgensibus de Abirdene Cowplande armigeris Magistro Gilberto Forster archidiacono Brechinensi et Domino Laurencio rectore de Tulche cum multis aliis .

¹ [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House. Edinb.]

By a writ, dated at Aberdeen on the fourth day of October, 1444, James of Forbes, son and heir of Sir Alexander of Forbes of that ilk, knight, bound himself that so soon as his redoubted lord, Sir Alexander of Seton of Gordon, should give him charter and seisin of the lands or Fyndlettir, Kyneragy, Tulymar, Tulykery, Tulyfour, and Tulyroch, in the parish of Touch, and barony of Cluny; or of the lands of Estir Tolmade, Westir Tolmade, Tornavythyn, Tulyroch, Tulyfour, and Tulykery, in the barony of Cluny, he should resign in his lord's hands the lands of Corseindawe, Kebydy, Ordiqyhork, Achkebydy, Ruthynachloch, and Tulycarn.—(Original in the charter room at Gordon Castle, printed above p. 340.)]

Protestatio Jacobi de Forbas filii et heredis Domini Alexandri domini de Forbas de successione Comiti Angusie.¹—(A.D. 1445.)

In Dei nomine Amen Per hoc presens publicum instrumentum cunctis pateat . . . quod anno ab incarnatione eiusdem millesimo quadringentesimo quadragésimo quinto . . . mensis Julii die prima . . . In serenissimi principis ac domini nostri Jacobi Regis Scotorum illustrissimi ac aliorum illustrium dominorum videlicet Dominorum Comitum de Douglas et de Craufurd plurimorumque baronum in plano parlamento dicti domini nostri Regis sedentium meique notarii publici et testium subscriptorum presencia personaliter constitutus Jacobus de Forbas filius et heres Domini Alexandri domini de Forbas publice protestatus est quod si aliquod decretum seu iudicium contra Dominum Jacobum comitem Angusie contingeret esse promulgatum siue perlatum quod illud sibi nullum generet preiudicium penes feudum et hereditatem sibi contingentem ratione tallie ex successione predicto Domino Comiti Angusie Super quaquidem protestacione prefatus Jacobus Forbas a me notario publico infrascripto sibi publicum petiit fieri instrumentum Acta erant hec in pretorio burgi de Edynburgh hora quasi sexta post meridiem . . . presentibus nobilibus et potentibus dominis Henrico domino de Dalketh Willemo domino de Somerville Andrea domino Gray de Foulis et Patricio domino de Glammys cum multis aliis testibus . . .

Et ego Jacobus de Parkle clericus Sanctiandree dioceseos publicus auctoritate imperiali notarius [*etc. in forma communi.*]

Judicium contra Jacobum comitem Angusie.²—(A.D. 1445.)

In Dei nomine amen per hoc presens publicum instrumentum cunctis

¹ [Abridged from the original in the charter room at Castle Forbes.]

² [Abridged from the original in the Marr charter chest, printed in the Acta Parliamentorum Scotie, vol. ii., pp. 59, 60.]

In 1444-5 and 1445-6, Sir Alexander, lord of Forbes, knight, sheriff depute of Aberdeen, appears as drawing the King's rents of the lands of Coulle and Onele.—(Chamberlain Rolls, vol. iii., pp. 415, 412.)

pateat manifeste quod anno ab incarnatione eiusdem millesimo iij^{mo} xlv^{to} . . . mensis Julij die prima . . . In pretorio burgi de Edynburghe coram supremo domino nostro Rege et tribus statibus regni sui in plano parlamento predicto die quoddam iudicium per os David Dempster iudicatoris parlamenti fuerat traditum in vulgari sub hac forma / Forthi that James erle of Angus was lachfully summond til appere before our Soucrain Lorde the King in his parliament / for cryme committit til his Maieste and rebellious the quhilk sommondis lachfully prouyt and he diuers timys callit and nocht apperit / the parliament has decretit and determynit that al and sindry the mouablez gudis landis and possessionis pertening to hym as the Kingis eschete lesse than he cum within yere and day and vndirgang the law and that I gif for dome / Post quod quidem iudicium datum Jacobus Forbas filius et heres nobilis dominj Alexandri domini de Forbas militis de copia . . . ius iudicii dati a me notario publico infrascripto sibi publicum petiit fieri instrumentum Acta erant hec in pretorio antedicto anno die mense . . . superius annotatis presentibus nobilibus et potentibus viris Henrico domino de Dalketh Willelmo domino de Somerville Andrea domino Gray de Foulis Patricio domino de Glamys cum multis aliis testibus ad premissa vocatis specialiter et rogatis .

Et ego Jacobus de Parkle clericus Sanctiandree diocesis publicus auctoritate Imperiali notarius [*etc. in forma communi.*]

Carta Patricij Gray et Annabelle Forbes. ¹—(A.D. 1445.)

Omnibus hanc cartam visuris vel auditoris Andreas dominus Gray de

¹ [Abridged from the Registrum Magni Sigilli, lib. vi., no. 27. MS. Gen. Reg. House, Edinb.]

In 1606, a public record was extant, from which it appeared that "in the sheriff court of Aberdeen, *Domini Alexandri Lindsay, comitis de Crawford, vicecomitis de Aberdeen, et Alexandri, domini Forbes, sui deputati, militis*, a precept written in English, was directed be the King to the Lords of Exchequer, makeand mention that the King hes remitted to his cousing, Alexander, lord Forbes, the arrieradges and rents of his last accompts; whilk precept is of the date, the twelfth day of July, 1417, in the reign of King James II."—(Miscellany of the Maitland Club, vol. i., p. 379.)

. On the nineteenth day of July, 1451, Master Richard of Forbes, as the King's chamberlain of the earldom of Marr, accounts in exchequer for payment made to James, lord Forbes, of a yearly

Foulis salutem . . . Noueritis me cum consensu . . . carissime sponse mee Elizabeth dedisse . . . carissimo filio meo Patricio Gray et Annabelle sponse sue filie nobilis domini Alexandri domini Forbes militis . . . totas et integras terras meas de duabus Wodounys cum terra mea brasina de Dulaly et terra de Cragshawdoun . . . iacentes infra vicecomitatum de Kincardin Ac eciam meos annuos redditus . . . de terris de le Inch et Litol Morfy . . . et illum annum redditum . . . de Druselune . . . Tenendas . . . prefatis Patricio et Annabelle et eorum alteri diucius uiuenti et heredibus masculis inter eos legitime procreandis . . . de me et heredibus meis in feodo et hereditate imperpetuum . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum Testibus honorabilibus uiris Roberto Lile domino de Duchall filio meo Jacobo de Skene de eodem Johanne de Hadingtoun burgensi de Perth Andrea de Buchane de Auchmaquey Alexandro de Strathauchin Patricio Gray Johanne Clerk et Thomæ Clerk burgensibus de Edinburgh notariis publicis Apud Edinburghe sexto die mensis Julij anno Domini millesimo quadringentesimo quadragésimo quinto .

Carta Domini Jacobi Forbas de eodem militis super warda heredis de Auchnef. ¹—(A.D. 1454.)

Omnibus . . . Ricardus . . . abbas . . . de Abirbrothoc . . . Sciatis nos dedisse . . . Domino Jacobo Forbas de eodem militi . . . wardam nostram de Auchnef vacantem in manibus nostris per mortem Mariote Meldrum domine eiusdem sponse quondam Willelmi de Setoun . . . pro certa

rent of six pounds, thirteen shillings, and four pence, from the lands of Mukwale (now called Castle Fraser).—(Chamberlain Rolls, vol. iii., pp. 528, 529.) It had been paid to his father, Sir Alexander of Forbes, knight, in the years 1436-8.—(Id., p. 384.)

¹ [Abridged from the Registrum Nigrum de Aberbrothoc, pp. 85, 86.]

On the sixteenth day of July, 1455, King James II., by a precept under the quarter seal, commanded his cousin, James lord Forbes, and Sir Alexander of Irwyn of Drum, knight, to see perambulation made of the marches between the lands of Montdurnoch in the barony of Balgouny, and the lands of Balheluy.—(Id., p. 86.)

"The Lords Forbes" was one of the lords of the session appointed to sit at Aberdeen for the administration of justice, by the Parliament which met at Edinburgh in March, 1457.—(Acts of the Parliaments of Scotland, vol. ii., p. 47.) The same Parliament appointed the Lord Forbes and the Abbot of Deer to inquire into the state of the hospitals in the diocese of Aberdeen.—(Id., p. 49.)

summa pecunie nobis . . . persoluta . . . In cuius rei testimonium sigillum . . . capituli . . . est appensum . . . vicesimo die mensis Maii anno Domini millesimo ecce^o quinquagesimo quarto .

Regis licencia ad turrim construendam de Drymynour. ¹—(A.D. 1456.)

Jacobus Dei gracia Rex Scottorum omnibus probis hominibus suis ad quos presentes litere peruenerint salutem . Sciatis quod concessimus dilecto consanguineo nostro Jacobo domino Forbas plenam et liberam facultatem et nostram licenciam specialem turrim siue fortalitium dictum Drymynour vulgariter nuncupatum Forbas in dominio de Forbas infra vicecomitatum de Aberden construendi et edificandi ac ipsam turrim siue fortalitium muris et fossis fortificandi circumciugendi portisque ferreis firmandi et muniendi et in altum erigendi et in summitate eiusdem ornamentis defensiuis preparandi et ornandi ceteraque ad consummacionem diete turris et fortalicii necessaria faciendi et perficiendi . Quare vniuersis et singulis ligiis et subditis nostris quorum interest vel interesse poterit stricte precipiendo mandamus ne quis dictum Jacobum aut suos seruitores vel factores in edificacione diete turris molestant vexent aut inquietent in futurum aut eis vel eorum alicui impedimentum aliquatenus in edificacione eiusdem prestant sub omni pena que competere poterit in hac parte . Datum sub magno sigillo nostro apud Brechin quarto die mensis Maii anno Domini millesimo quadringentesimo quinquagesimo sexto et regni nostri vicesimo .

Carta Domini Jacobi domini lie Forbes militis. ²—(A.D. 1460.)

Omnibus hanc cartam visuris vel audituris Alexander comes de Huntlie

¹ [From the original in the charter room at Castle Forbes.

The chief's example was followed in no long time by his kinsman of Kynnaldy, who built his Tower of Pitslgo before the year 1477.—(Registrum Magni Sigilli, lib. vii., no. 379.)]

² [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House, Edinb.

James, lord Forbes, died before the thirtieth day of July, 1462.—(Rot. Seacc. Regum Scottorum, no. 241. MS. Gen. Reg. House, Edinb.

A letter, written on the thirtieth day of August, 1463, by the council and community of the burgh of Aberdeen, to the Lord Forbes, is printed in the Extracts from the Council Registers of Burgh of Aberdeen, p. 25.]

et dominus de Badyenoch salutem in Domino sempiternam Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse nobili domino Jacobo domino lie Forbes militi pro eo quod ordinem militie de manibus nostris suscepit omnes et singulas terras nostras de Tulyreoche cum Tullachwyneys cum pertinentiis et terras de Litill Tolnade Tornavethyne Drumlaussy et Barglassy cum suis pertinentiis jacentes in baronia nostra de Cluny et in comitatu nostro de Huntlie infra vicecomitatum de Abirdene Tenendas et habendas . . . prefato Domino Jacobo et heredibus suis de nobis heredibus et successoribus nostris Comitibus de Huntlie in feodo et hereditate imperpetuum . . . in aucupationibus venacionibus et piscationibus cum curiis eschaectis et curiarum exitibus molendinis murturis et eorum sequelis bondagiis cariagiis auaragiis dietis et mulierum merclietis brasinis fabrilibus pistrinis et carnificiis Faciendo inde domino nostro Regi . . . forinsecum seruicium quantum pertinet ad dietas terras . . . et reddendo etiam inde nobis heredibus et successoribus nostris Comitibus de Huntlie vnum denarium argenti vsualis monete Scotie apud predictas terras de Tulyreoche ad Festum Penthecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre est appensum Apud Huntlie vicesimo die mensis Septembris anno Domini millesimo quadringentesimo sexagesimo Testibus reuerendo in Christo patre et domino Thoma episcopo Abirdonensi Dominis Willelmo Leslie de Balchane Patricio Mateland de Scheves Johanne Suthirland militibus Johanne Forbes de Burghis Thoma Dauisoun armigeris nostris et Domino Johanne Kemlok capellano et notario publico cum multis aliis .

Carta Henrici Forbes de terris de Kynnellour. ¹ —(A.D. 1464.)

Omnibus hanc cartam visuris vel auditoris Willelmus Scherar dominus de Kynnellore et Elizabeth sponsa sua salutem . . . Sciatis nos . . . vendidisse . . . honorabili viro Henrico Forbes omnes et singulas terras nostras de Kynnellore cum pertinentiis jacentes infra vicecomitatum de Abirden . . . Tenendas et habendas . . . prefato Henrico heredibus et

[Abridged from the Registrum Magni Sigilli, lib. vi., no. 14. MS. Gen. Reg. House, Edinb.]

assignatis suis de domino nostro Rege in feodo et hereditate imperpetuum . . . Saluo . . . nobis et nostrum diucius viuenti . . . libero tenemento dictarum terrarum . . . Reddendo inde annuatim domino nostro Regi . . . vnum denarium argenti apud dictas terras de Kynnellore in Festo Pentecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium ego prefatus Willelmus sigillum meum presenti carte mee apposui Et quia ego prefata Elizabeth sigillum proprium ad presens non habui sigillum prouidi viri Alexandri de Skene de eodem in signum et testimonium mei consensus spontanei non per vim metum aut violenciam extorti vel circumuenti prefate vendicioni facte / quam tactis Sacrosanctis Dei Ewangelijs inuolabiliter obseruare . . . solempniter iuravi et iuramentum prestiti corporale / apponi presentibus cum instantia procuravi apud burgum de Aberdene quarto die mensis Maij anno Domini millesimo quadringentesimo sexagesimo quarto Testibus Domino Alexandro Yong canonico Aberdonensi Henrico Ruthirfurde Andrea Scherare Magistro Duncano Scherare filiis nostris Reginaldo de Diss Dominis Duncano vicario de Kintor Roberto Fergusone vicario de Logy Waltero Johnnsone capellanis et Domino Thoma Leis notario publico cum multis aliis .

Indenture of Manrent betuix Williame lorde Forbes Sir Alexander of Forbes of Petslego Alexander Forbes of Thochqhone Arthur of Forbes and Jhone of Forbes of Burchis on the tapairt and the Lairds of Mackintosh and Kilravock on the tothir pairt.¹—(A.D. 1467.)

ANE indentour maid at Forbes the nynt day of August the yeir of God ane thousand four hundreth and saxtie sewin yeiris betwix ane honourable lord Wilyaim lorde Forbes Sir Alexander Forbes of Petslego Alexander Forbes of Thochqhone Arthur off Forbes and Jhone off Forbes off Burchulis on a pairt / and rycht honourable men Duncane Makyntoschy cheife and captane of Clanchattane Hutschone Ross barrone of Kihawake Allane Makyntoschy and Lawchlane Makyntoschy brether to the said Duncane on the tother pairt by which the said parties bind them-

¹ [Noted from the original in the charter room at Castle Forbes. Cf. *Collectanea de Rebus Albanicis*, pp. 80, 81; *Family of Rose of Kilravock*, pp. 50, 51.]

selves mutually to keep hartly frendschype kynrente lufe and tenderness and to tak oppin upright pairt in all causses and quarrellis one with the other and to defend each other with all their goodly power both by sliht and nicht excepting their allegiance to the King and their overlords / also that thai sall nevir ane of thaim na of thair mene for ony maner of meide na of rawarde to cum na gang to mak herschyp slawchter or dystrowbelans one the tother in ony tyme to cum / and that ale and syndry thir accordans and pontmente sall be lelly and trewly keippite but frawde or gille to the langaste leifande of thaim and the barnys gottyn of thaim ande all that cumys of thaim / and this bande perpetuylly till indure for ever mair And to the security of this ather of the parteis has maide till othir the grete bodely athis the Haly Ewangell tuichite and qubasa euir brakis in ony of thir condicionis sall be haldyn infamous maynsworne and ranuce the fatht of Criste and nevir to be harde in prufe na witnes na ly in kyrke na Crystyne beris .

The Lord Forbas band of manrent to the Erl of Huntlie. ¹—(A.D. 1468.)

Be it kend till all men . . . me Willeame lord Forbas to be cummy n . . . man of speciale fealle retenu and service til ane hie and mighti lord Alexander erle of Huntlie and lord of Badyenach to serve him lely and treuly for all the dais of my lif baith in peace and in wer befor and aganis all thaim that lyve or dye may / myne allegiance to my Souerane Lord alanerly outtane . . . In witnes of the quhilkis . . . I haue made my sele be appensit to thir lettres at Aberdene the viij day of the moneth of Julij the yere of God ane thousand four hundreth sexti and aucht yeres / befor thir witnes reuerendis fadiris in Criste Thomas and David be the grace of God bishopis of Aberdene and of Murref / Malecolm abbot of Arbroath / Alexander lord Glammis / Willeame lord Abernethy / Walter Lindesay / Sir Walter of Strathovyn kniecht / Sir Willeame Knollis preceptor of Torfiching and Malcome Flemyng with mony diuerss and sindry utheris .

¹ [Abridged from the original in the charter room at Gordon Castle.

On the same day, the same William, lord Forbes, granted a bond of manrent in the same terms, to George, lord Gordon, son and apparent heir to Alexander, earl of Huntly, and lord of Badyenach.—(Original in the charter room at Gordon Castle.)]

Carta Willelmi domini le Forbes. ¹—(A.D. 1468.)

Omnibus hanc cartam visuris vel audituris Alexander comes de Huntlie et dominus de Badyenache salutem in Domino sempiternam Noueritis nos cum consensu et assensu carissimi filij nostri et apparentis heredis Georgii domini Gordoune dedisse . . . dilecto nostro et speciali Willelmo domino le Forbes filio nostro in lege pro suo homagio et seruicio nobis et dicto filio nostro Georgio et nostrum alteri diucius viuenti impensis et impendendis totas et integras terras nostras de Abirgardene cum suis pertinentiis jacentes in baronia de Obeyne infra vicecomitatum de Abirdene Necnon terras nostras de Tulyfour et de Tulikery cum suis pertinentiis jacentes infra dominium nostrum de Tuliche in baronia de Cluny et terras de Suthnahunne cum pertinentiis in baronia de Mygmar infra vicecomitatum antedictum Tenendas et habendas . . . prefato Willelmo domino le Forbes et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . in acupacionibus venacionibus et piscariis cum curiis et curiarum exitibus et eschaetis molendinis multuris et eorum sequelis aueragiis cariagiis et bondagiis herezeldis bludewitis et merchetis mulierum . . . Faciendo inde nobis et heredibus nostris . . . tres sectas annuatim ad tria placita capitalia tenenda apud *lie Gray Stane* de Cluny tantum . . . Et si contingat dictum Willelmum dominum *lie Forbes* et heredes suos . . . preuari dictis terris de Tulyfour Tulikery et de Suthnahunne cum suis pertinentiis quocunque juris titulo per quemcunque quosecunque aut quamcunque personam in toto vel in parte quod absit volumus et concedimus . . . quod dictus Willelmus dominus *lie Forbes* et heredes sui habeant et possideant omnes et singulas terras nostras de le Manys de Cluny *lie Brokland* cum molendino et suis pertinentiis vnacum terris de *Parkhill* et de *Sauehingis* maiore et minore cum molendino earundem cum suis pertinentiis jacentes in baronia nostra de Cluny ad varantizandum sibi et heredibus suis prenomintas terras de Tulyfour Tulikery et Suthnahunne . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum iussimus et fecimus apponi Et propter maiorem securitatem sigillum dicti Georgii filii nostri presentibus

¹ [Abridged from the Registrum Magni Sigilli, lib. xxvi, no. 372. MS. Gen. Reg. House, Edinb.]

est appensum Apud burgum de Abirdene octauo die mensis Julii anno Domini millesimo quadringentesimo sexagesimo octauo Hiis testibus reuerendis in Christo patribus ac dominis Thoma et David ecclesiarum Abirdonensis et Morauensis episcopis venerabili in Christo patre Malcolmo abbate monasterii de Abirbrothok Alexandro domino Glammys Willelmo domino Abirnethy Malcolmo magistro Flemyng Waltero Stewart de Strathoune Waltero Lyndesay Domino Jacobo Ogiluy milite Magistro Johanne de Baidenach et Domino Roberto Birs notariis publicis cum multis aliis .

The Lord Forbes bond of manrent and seruice for his ayeris in the landis of the lordschip of Forbes.¹ —(A.D. 1468.)

Be it made kende till all men . . . me William lord Forbes to be bundyn . . . be the fahth of my bodie . . . till nobile and mighty lordis Alexander erle of Huntlie and lord Badyenach and his sone George lorde Gordoun to quhome I ame mane of feale and speciale retenu / for the quhilk manrent and seruice my saide Lorde of Huntlie has gifine me the landis of Abirgardin liande in the barony of Obyne / the landis of Tulyfour and Tulykere wytht thar pertinentis liande in the lordschip of Tulch / and the landis of Suthnahunne liande in the barony of Mygmar withtin the shirefDome of Abirdene to me and all myne ayris quhatsumeuyr / that gif

¹ [Abridged from the original in the charter room at Gordon Castle.

In the Parliament which met at Edinburgh, on the ninth day of October, 1464, William lord Forbes appeared as proxy for Alexander, earl of Huntlie and lord Badyenach.—(Acts of the Parliaments of Scotland, vol ii., p. 84.) The Lord Forbaec sat in Parliament on the ninth day of October, 1467, where Thomas Forbaec (probably of Auchinhamperis, and some time Tosechochderauch of the earldom of Marr) was proxy for the Earl of Huntly.—(Id., pp. 87, 88.) Lord Forbes was present in the Parliaments which met at Stirling on the twelfth day of January, 1467-8, and at Edinburgh on the twenty-first day of November, 1469, on the sixth day of May, 1471, on the seventeenth day of February, 1471-2, on the twentieth day of November, 1475, on the eleventh day of May, 1485, on the first day of October, 1487, and on the eleventh day of January, 1487-8.—(Id., pp. 89, 93, 98, 100, 102, 108, 109, 175, 180, 184.)

On the sixth day of July, 1469, an agreement between Malcolm, abbot of Arbroath, and Alexander Seytoun of Meldrum, as to the marches between the barony of Tarves and the lands of Meldrum, was witnessed by George, lord the Gordon, William, lord the Forbes, Alexander, lord of Pitsligo, and Alexander Forbes, lord of Tolquhon.—(Registrum Nigrum de Aberbrothoc, pp. 160, 161.)

it sall happinne me to decess as Gode forbede whitout ayris gottine of my body betuix me and Cristiane of Gordoun my spous dochter to my saide Lord of Huntlie and sister to my saide Lord of Gordoun / throw the quhilkis the successioun of my heritage fall in the handis of ony otheris of my kyne male or famell / that quhatsuneuyr thai be that sall succede to me to myn heritage of the landis of the lordschip of Forbes the ayris succedande to me in lyk wys sall be men of speciale seruice manrent and retenu as I am to my forsaide Lordis . In witnes of the quhilk thing I have made my sele be appensit to thir lettres at Aberdene the viij day of the moneth of Julij the yere of God ane thousand four hundreth sexti and aucht yeres befor thir witnes reuerendis faderis in Criste Thomas and Dauid be the grace of God bischopis of Aberdene and of Murref Malcolm abbot of Arbroth Alexander lord Glamis Willeame lord Abernethy Walter Lindsay Sir Walter Stewart of Strathovyn knight Sir Willeame Knollis preeceptor of Torfishing and Malcome Flemyng with mony diuerss and sindry utheris .

The Kingis letter to the Lord Forbes. ¹—(A.D. 1473.)

Dilecto consanguineo nostro Willelmo domino Forbes .

Rex . Welebelouit cousing we grete yow wele and forsamekil thar is strayngenes betuix yow and our cousing William erle of Erowlloure will is and we charge yow straitli and commandis that ye deliuer the portewss of dittay to our said cousing or to the persoun that he sendis to yow of sa mony personis that pertenis to him that he may mak thame to be arrestit to comper in our next justice are to be haldin at our burgh of Aberdene and vnderly the lawis of our realme as efferis for we haue writtin to him to ressaue the samyn fra yow And this ye do vnder the pane and charge that efter may folow Gevin undir our signet at Edinburgh the ix day of Maii and of our regne the xiii yer .

Ex deliberacione Dominorum Consilii .

¹ [From the original in the charter room at Castle Forbes.]

Carta confirmacionis carte Alexandri de Forbes militis. ¹ —(A.D. 1477.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam quondam serenissimi principis Jacobi primi aui nostri Scotorum Regis illustrissimi sub magno sigillo eiusdem extractam de registro suo ad instanciam dilecti consanguinei nostri Willelmi domini Forbes per dilectum clericum nostrorum rotulorum et registri Magistrum Alexandrum Inglis cancellarium Abirlonensem et factam quondam Alexandro Forbes militi et Elizabeth sponse sue de terris et annuo reddito infrascriptis manu dicti Alexandri de nostri speciali mandato extractoris subscriptam et nobis presentatam ad plenum intellexisse sub hac forma JACOBUS Dei gracia Rex Scotorum [*etc. ut supra, p. 391 usque ad*] Apud Perth sexto die mensis Octobris anno regni nostri vicesimo quarto / QUAMQUIDEM cartam . . . ac eiusdem de registro extractionem . . . pro perpetuo confirmamus Saluis nobis . . . wardis releuiis maritagiiis iuribus et seruiciis . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh nono die mensis Julii anno Domini millesimo quadringentesimo septuagesimo septimo Et regni nostri decimo septimo .

Carta Arthuri de Forbes super terris de Reras. ² —(A.D. 1477.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Arthuro de Forbes totas et integras terras dominiij de Reras cum tenentibus et tenandrijs videlicet le Manys de Reras de duabus Fawfeildis le Frostleis le Bowhill Cabirswallis cum molendino earundem et cum presentacione et iure patronatus capellanie capelle de Reras . . . jacentes in comitatu de Fif infra vicecomitatum eiusdem Quequidem terre . . . fuerunt dilecti nostri Thome de Wemys de Reras militis hereditarie et quas idem Thomas . . . in manus nostras . . . simpliciter resignauit

¹ [Abridged from the Registrum Magni Sigilli, lib. viii., no. 19. MS. Gen. Reg. House, Edinb.]

² [Abridged from the Registrum Magni Sigilli, lib. viii., no. 31. MS. Gen. Reg. House, Edinb. Cf. Acts of the Parliaments of Scotland, vol. ii., p. 134; Acts of the Lords Auditors of Causes and Complaints, pp. 92, 93, 159, 186, 201; Acta Dominorum Concilii, pp. 97, 182, 184, 188, 189, 205, 236, 264, 266, 273, 281, 314, 327, 328, 361, 367, 383, 420.]

. . . Tenendas et habendas . . . dicto Arthuro heredibus et assignatis suis de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et servicia . . . debita et consueta Reservato tamen libero tenemento dietarum terrarum . . . dicto Thome de Wemys militi pro toto tempore vite sue Et reservata rationabili tercia parte earundem terrarum . . . Margarete Malwill sponse sue pro toto tempore vite sue cum contigerit In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh secundo die mensis Septembris anno Domini millesimo quadringentesimo septuagesimo septimo Et regni nostri decimo octavo .

Decreet of the Lordis Auditouris aganis the Lord Forbes for the double avale of his marriage.¹—(5 July 1483.)

In the accioun and caus persewit be Mergret lady Dirltoun on the ta part again Alexander lord Forbes soune and are to vmquhile Williame lord Forbace on the tother part anent the some of twa thousand merkis clemyt be the said Margret apone the said Alexander to be aucht to hir / for the double of the avale of his mariage / the quhilkis mariage pertenit to hir be gift of our Soueran Lorde and the said Alexander without hir consent has mariit / he being of befor commandit and chargit to haue mariit Margaret Ker the dochter of the said Margret lady Dirltoun / the quibilk was na disparissying to him as was oppinly schewin / be our Soueran Lordis letrez execut and indorsit attentikly / Baith the said partiis beande present and thar ressonis and allegacionis herd and vnderstandin The Lordis Auditouris of Causis and Complaintis decretis and deliueris that the said Alexander lord Forbace sall content and pay to the said Margaret lady Dirltoun and to hir assignay forsade the double of the avale of his mariage / And assignis to hir the xj day of October nixt tocum to prefe the avale of his mariage efter the forme of law . . .

¹ [From the Acts of the Lords Auditors of Causes and Complaints, p. 113.*

On the thirteenth day of October, 1483, the Lords Auditors decreed, "that becaus it is clerely prefit befor thaim be Margret lady Dirltoun that the avale of the mariage of Alexander lord Forbace extendis to j^m merkis and is worthe samekle / that tharfor the said Alexander sall content and pay to the said Margret and hir assignayis the some of twa thousand merkis for the doublin of the avale of his mariage."—(Id., p. 121.*)]

Decreit for the Bischop of Abirdene for the secund tend of the landis of Drummvnare and Futhess.¹—(6 May, 1491.)

The Lordis Auditouris decrettis and delineris that Arthure lord Forbes sall content and pay to a reuerend faider in God William bischop of Abirdene the secund tend of the landis of Drummvnare and Futhess / twa tercis beand defalkit of the said soume / becaus the kirk of Abirdene is feft of the tent penny of ald of all wardis and relevis of the said landis nochtwithstanding the entre of the said Lord Forbes as blanche ferme be ane infement tharof being efter the infement of the said kirk of Abirdene . . .

Decreitt of the Lordis Auditouris anent the personage of Forbes.¹—(16 May, 1491.)

Anent the actioun of summondis mad one the behalf of our Soueraue

¹ [From the Acts of the Lords Auditors of Causes and Complaints, p. 148.]

¹ [From the Acts of the Lords Auditors of Causes and Complaints, pp. 153, 154.]

On the twenty-fifth day of June, 1494, there was an action before the Lords of Council, at the instance of "Maister Danid Lione persone of Forbes aganis Johne lord Forbes for the wrangwis vexatioun and stoppin of him in the peccable broiking and joising of his said personage and for the wrangwis withhalding fra him of the froittis and profitis of the said personage of a yere bigane extending to ane hundreth merkis as wes allegit."—(Acta Dominorum Concilii, p. 337.)

On the same day, "in presens of the Lordis of Consale Maister James Hendrisone aduocat for our Soueraue Lord askit a not that Johne lord Forbes product a retour makand mensioun that the said Johne wes nerrest and lauchfull are to vmquhile Alexander lord Forbes and that the said Alexander deit last westit and sesit as of fee of the landis and barony of Forbes and certane vtheris landis howbeit that Arthure lord Forbes deit last westit and sesit of the said barony and landis as wes prefit be the copy of the Buk of Responsioun and tharfore protestit for remeid of law of the assise for thar erroure and of the malez and profitis of the saidis landis."—(Acta Dominorum Concilii, p. 337.)

On the same day, there was an "actioun and caus persewit be Agnes lady Forbes the spous of vmquhile Arthure lord Forbes aganis Johne lord Forbes for the wrangwis withhaldin fra hir of the males and profitis of hir teree of the landis of the barony of Forbes of a yere bipast." The Lords of Council found "that the said Johne lord Forbes dois wrang in the detentioun and withhalding of the saidis males and profitis of the said teree and tharfore ordinis him to content and pay the sammyne to the said Agnes insafar as scho may preif thai ar of auale."—(Acta Dominorum Concilii, p. 337.)

On the tenth day of July, 1494, the Lords of Council ordered "James Richardsons burges of

Lorde aganis Arthure lord Forbes to ansuer quhy and for quhat caus he present ane persone to the personage of Forbes for the tyme that he wes in our Souerane Lordis warde and the ward tharof disponit and gevin to Johnne lord Glamis / And for the senistre purchessing of ane commissioun of the Bischop of Abirdene his Ordiner to knaw apone the said mater in stopin of the presentacioun gevin be the said Johne lord Glamis quhilk has the said ward with aduocatioun and donatiounne of kirkis The said Arthure beand lauchfully summond oft tymes callit and nocht comperit / the ressonis and allegatiounis allegiit on the behalf of our Souerane Lorde at lenth hard and vnderstandin The Lordis of Parliament forsaid ordinis that letrez be writtin to the said Ordiner requerand him to reuoik the said commissioun gevin be him in the said mater of before sene it pertenis our Souerane Lorde And elik wise that letrez be writtin to the said Lord Forbes charging him to decist and cess of all vexatiounne of the said Lord Glamis in the said mater and haf na intrometting thairwitth as he will ansuer to the Kingis Hienes tharapone.

Decreitt be the Lordis of Counsale aganis Maister Jhone Forbes for wrangus impetracione of the personage of Forbes in the court of Rome. ¹ —(A.D. 1498.)

Vicesimo septimo Februarii [j^m iij^o lxxxxvij. Anent the] actiounne and caus persewit be the Kingis Hienes and Dauid [Lioun]e persone of Forbes aganis Maister Jhone Forbes til ansere [til] the Kingis Hienes apone the wrangus impetracione of the personage [of] Forbes quhilk is lawid patronage in the Court of Rome and violence [and] breking of our Soueran Lordis Actis of Parliament tharthrow Our Souerane Lordis advocat the saidis Dauid and Maister Jhone Forbes being personally

Edinburgh to preif sufficiently that the chapellane quhilk has subseriuit his hande in his buk for vniquhile Alexander lord Forbes for the sovine of xxvj pundis xij pennies of a rest of a mare sonne wes factour and doare for the said vniquhile Alexander in bying and selling / clamit now be the said James Richardsons apone Johne lord Forbes the brother and are of the said vniquhile Alexander and that he wes awand the sammyn."—(Acta Dominorum Concilii, p. 370.)

¹ [From the Acta Dominorum Concilii et Sessionis, vol. vii. foll. 131, 137. MS. Gen. Reg. House, Edinb.]

present The Lordis continewis the summondis til Friday the secund day of Merehe next tocum . . .

Primo Marcii [j^m iiii^o lxxxvij] . Anent the terme assignit be the Lordis of Consale til Maister Jhone Forbes til bring with him his bullis letrez and proces purchest be him in the Court of Rome of the personage of Forbas that thai might haf bene sene and considerit be thame how thai war procedit . . . Oure Souerane Lordis advocat Maister James Henresone and the saide Maister Jhone Forbas being personaly present . . . the saide Maister Jhone comperit and grantit that he had his bullis and process tharapone and requirit be the Lordis til produce and schaw the sammyne [the] quhilk he refusit and contempuandly disobeyit til schaw and produce the saidis process Therefore the Lordis of Consale decretis and deliueris that the saide Maister Jhone Forbas has brokin our Souerane Lordis Actis of Parliament in the purchesing and impetracione of the saide personage of Forbes it being lawid patronage in the Court of Rome becauss he grantit in presens of the saidis Lordis that he had purchest and impetrat the saide benefice in the Court of Rome and had his bullis and process tharapone and contempuandly refusit til produce and schaw the sammyne . . . and that tharthrow he has incurrit the panys contenit in the saidis Actis of Parliament that is to say prescripcione rebellione and bannesing furthe of the realme And als that letrez be writin til charge the saide Maister Jhone Forbas that he constitut na procuraturis nor mak nain vtheris personis to the Court of Rome to pley aganis our saide Souerane Lordis priuileges of his crowne vnder the panys contenit in the saidis Actis of Parliament And that oure Souerane Lordis letrez be direct apone the premiss.

Carta Johannis domini Forbes super terris de Mekill Fyntre Blaktoun Belcross molendino de Kynedward dimedia parte terrarum de Tuly-mauld terris de Litill Alethan et annuo reddito decem solidorum de terris de Edane. ¹ —(A.D. 1505.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto

¹ [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 136. MS. Gen. Reg. House, Edinb.]

consanguineo nostro Johanni domino Forbes et heredibus suis totas et integras terras de Mekill Fyntre Blaktoone Belcross molendinum de Kynedward dimediam partem terrarum de Tulymauld terras de Litill Alethan cum suis pertinenciis et annum redditum decem solidorum exeuntem et debitum de terris de Edane jacentes in baronia de Kinedward infra vicecomitatum nostrum de Abirdene Quequidem terre molendinum et annuus redditus . . . fuerunt quondam Alexandri Forbes militis proau et predecessoris dicti Johannis domini Forbes per hereditariam infeodationem cartam et sasnam dicto quondam Alexandro per quondam Johannem Stewart comitem Buchanie baronem de Kynedward desuper confectas cum confirmatione nobilissimi progenitoris nostri Jacobi Regis primi cuius anime propicietur Deus per cartam suam sub ipsius magno sigillo inde secutam prout nobis et consilij nostri dominis per prefatas infeodaciones et confirmacionis cartas coram nobis et consilij nostri dominis ostensas productas et perlectas clare constat Et que terre molendinum et annuus redditus . . . in manibus predecessorum nostrorum prout in manibus nostris existunt a tempore decessus dicti quondam Johannis comitis Buchanie baronis de Kynedward . . . Tenendas et habendas . . . de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate per has nouas infeodacionem et donacionem imperpetuum . . . Reddendo inde annuatim . . . tres sectas ad tria placita capitalia curie vicecomitatus nostri de Abirdene necnon wardam et reliuium . . . et maritagium cum contigerint In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh primo die mensis Decembris anno Domini millesimo quingentesimo quinto et regni nostri decimo octauo .

Carta Johannis domini Forbes super monte castri et *le stede* de Kynedwarde. ¹—(A.D. 1509.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos pro bono gratuitoque seruiicio nobis impenso per dilectum consanguineum nostrum Johannem dominum Forbes et singularibus fauoribus quos sibi gerimus Necnon

[Abridged from the Registrum Magni Sigilli, lib. xv., no. 107. MS. Gen. Reg. House, Ediub.]

pro reparacione et edificacione per ipsum faciendis in incremento polcie infra regnum nostrum dedisse . . . eidem consanguineo nostro montem castrī et *le stede* de Kynedwarde cum bondis lapidibus calce et pertinenciis corundem super quibus ipse construere siue edificare intendit prope terras suas de Blaktoun in baronia de Kynedward et infra vicecomitatum nostrum de Aberdene nunc . . . in manibus nostris existentes tanquam in manibus heredis et successoris quondam Johannis comitis de Buchane baronis de Kynedward . . . Tenendas et habendas . . . de nobis et successoribus nostris Regibus Scotorum in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . vnum denarium argenti super prefato monte castrī ad Festum Penthecostes nomine albefirme si petatur tantum Insuper nos pro nobis et successoribus nostris committimus potestatem plenariam et licenciam specialem sibi Johanni et heredibus suis edificandi et sustinendi super dicto monte castrī et *le stede* vnum castrum turrim sen fortalitium prout eis magis videbitur expediens conueniens et oportunum in altitudine et latitudine cum propugnaculis videlicet *le barmkyn* et *le machcolin* pontibus veheticis videlicet *le drawbriggis* portis ferreis ac omnibus aliis necessariis Necnon constabularios janitores vigiles carcerum custodes ac omnes alios officarios pro dicti castrī custodia necessarios substituendi faciendi et deputandi In cuius rei testimonium presentī cartę nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo sexto die mensis Aprilis anno Domini millesimo quingentesimo nono et regni nostri vicesimo primo .

Carta Johannis domini Forbes et Cristine Lundin eius sponse super terris et baronia de Fudes. ¹ —(A.D. 1510.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto

¹ [Abridged from the Registrum Magni Sigilli, lib. xv., nn. 172, 199. MS. Gen. Reg. House, Edinb.]

On the twenty-fifth day of August, 1510, Sir William Forbes of Reras, knight, and Elizabeth Lundy, his wife, had a charter, under the great seal, of the lands and town of Westhous, and of the six merk lands of the town of Lucheris Forbes, in the barony of Lucheris Forbes and shire of Fife.—(Registrum Magni Sigilli, lib. xv. no. 224. MS. Gen. Reg. House, Edinb.)

On the twenty-ninth day of July, 1515, John lord Forbes and Elizabeth Berlay, his wife, had a charter, under the great seal, of the lands and barony of Fudes, with the mill and appurtenances.—(Registrum Magni Sigilli, lib. xix., no. 65. MS. Gen. Reg. House, Edinb.)

consanguineo nostro Johanni domino Forbes et Cristine Lundin eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione omnes et singulas terras et baroniam de Fudes cum pertinenciis jacentes infra vicecomitatam nostrum de Abirdene Quequidem terre et baronia cum suis pertinentiis fuerunt dicti Johannis domini Forbes prius hereditarie et quas ipse . . . in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Domino Johanni domino Forbes et Cristine Lundin eius sponse ac eorum alteri diucius viuenti in coniuncta infeodacione et post eorum decessus legitimis et propinquioribus hereditibus dicti Johannis quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo . . . seruicia . . . debita et consueta In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo sexto die mensis Februarii anno Domini millesimo quingentesimo nono et regni nostri vicesimo secundo .

Copia cuiusdam littere missiue a Domino de Forbes ad reuerendum in Christo patrem Episcopum Abirdonensem circa petitionem licentie .¹
—(*circa* A.D. 1520.)

My Lord I commend me to your Lordschip als hartly as I can . Ples the samyn to vit I heff na petis nor fewell in myn awne grownd to serue ju my Place of Drumencour bot that I heff boroit thir mony yeris at your Lordschippis predecessouris my Lordis of Aberdene . Qwarfor I pray your Lordschip effectuisly gif me your leif to east pert of petis in your Lordschippis land of Newbeging and Awchinmenny for myn awne chawmer and I sal borrow the laiff at my Lord of Lunderis and othir my nyelboris about me swa that I sal nocht be inrasonabil to charge your Lordschip in sic ane smal cais . I had all my fwel of your Lordschipis grownd qwen I plesit to request my Lord of Abirden for thame as your Lordschip may geit sowir informacion . I traist your Lordschip sal be als hartlie to me and it ver anc grettar matter . Forder pleiss yow gif credence in that

¹[From the Registrum Episcopatus Aberdonensis, vol. i., p. 385.]

matter to the berar · And the Blessit Wirgyn conserue your Lordship
in prosperite as I desyr · Wrytn at Forbes · and subscriuit ·

Youris at power

JHONE LORD FORBES ·

To my Lord of Aberdene ·

The Erle of Angus his lettre to my Lord Forbes. ¹—(A.D. 1528.)

My lord I commend me to yow hartlie and has ressaut your writing fra
your seruitour Maister Alexander Forbes togidder with ane hundreth
merkis of money for your ward landis haldin of the Erle of Huntlie / I
desirit na money of yow Nochtwithstanding sene it is cumin I haue
ressaut it / And be this my writing quitclanis and dischargis yow of
the said ward landis during the tyme of the ward and gifis yow my full
power to intromett with the said ward landis to your vse and profit
Fordir I mon haue ane gud halk of yow that slais the heroune Your
seruand Maister Alexander Forbes saw how I was scornit with herounis
at my awin place of Douglas and had na halkis for thaim Praying yow
remember the halk and send hir with ane seruand of your awin to Edin-
burgh Als I haue considerit the said Maister Alexander credence at
lenthe Beleif weile I sall do for your gud matir as I wald do for myn
awin quhilk knawis quham conserue yow eternalie At Edinburgh the
penult day of May ·

AR^D CHANCELLAR ·

Remissio Johannis magistri de Forbes. ²—(A.D. 1530.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia ex nostris gracia et
fauore specialibus remisimus dilecto nostro Johanni magistro de Forbes

¹ [From the Acta Dominorum Concilii et Sessionis, vol. ii., fol. 197. MS. Gen. Reg. House, Edinb.]

² [Abridged from the Registrum Magni Sigilli, lib. xxv., no. 276. MS. Gen. Reg. House, Edinb.]

latori presencium rancorem animi nostri sectam Regiam et omnem [actionem] quam et quas erga ipsum concepimus habemus seu quouismodo habere poterimus pro eius proditoria remanentia ab exercitu nostro apud Sulway et Wark et pro interfectione quondam Alexandri Seytoune de Meldrum . . . In cuius rei testimonium has literas nostras remissionis pro toto tempore vite prefati Johannis duraturas sub nostro magno sigillo sibi fieri fecimus patentes Apud Dunde decimo die mensis Octobris anno Domini millesimo quingentesimo tricesimo et regni nostri decimo octauo .

Redemptio terrarum de Kirkton de Forbes etc. ¹ —(A.D. 1532.)

Carta Regia facta Johanni domino Forbess de terris de le Kirkton de Forbes Culhay Balfure Stranalak Estir Forbes Ardgathin cum molendino et fabrica earundem Carnawerane Auchbalacht Carynyndard Slawethy Castellhill Edinbanquhry Logy Blaktoun et Bacheris Quarunquidem terrarum prius dicto Domino pertinentium centum librate appretiate erant pro summa duorum millium librarum a Rege obtenta per decretum Dominorum Concilii pro infractione a dicto Domino sue obligationis sub pena hujusmodi summe (ut nec ipse nec aliquis adherentium suorum molestarent nec perturbarent incolas burgi de Aberdene post duodecimum diem mensis Februarii j^m v^o xxvii) hac infractione facta invasione verberatione et vulneratione incolarum dicti burgi videlicet Thome Hay Daud Anderson et nonnullorum aliorum per Alexandrum Forbes de Brux Johannem magistrum de Forbes Ninianum Forbes Duncaum Forbes et suos complices consanguineos amicos tenentes famulos adherentes more bellico perpetrata ex veteri inimicitia et precogitata feloniam penultimo die mensis Julii . j^m v^o . . . Et quasquidem terras infra septennium post appretiationem dictus Dominus de Forbes a Rege redemit soluta dicta summa de qua Regis exonerationem et acquittentiam habet xviii. Julii . j^m v^o xxxii.

¹ [Noted from the original in the charter room at Castle Forbes. The charter is engrossed in the Registrum Magni Sigilli, lib. xxv., no. 364. MS. Gen. Reg. House, Edinb.]

Carta confirmationis Elizabeth Lyoun super terris de Mekill Fintra etc. sibi concessis in vitali redditu per Johannem dominum Forbes. ¹ — (A.D. 1535.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . factam per dilectum consanguineum nostrum Johannem dominum Forbes . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Johannes dominus Forbes salutem in Domino sempiternam Noueritis me pro singularibus fauore et amore quos habeo et gero erga Elizabeth Lioune filiam quondam Johannis domini Glammys etc. dedisse . . . prefate Elizabeth Lioune in sua virginitate in vitalem redditum pro toto tempore vite sue omnes et singulas terras meas de Fyntra subscriptas videlicet terras de Mekill Fintra / Carnyhill / Laterty / Allauthane / Brakanis et Bawcharis cum suis pertinentiis jacentes infra vicecomitatum de Abirdene Tenendas . . . a me heredibus meis de supremo domino nostro Rege . . . Reddendo . . . Regi . . . seruicium debitum et consuetum . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum vna cum subscriptione mea manuali Apud Edinburgh vicesimoseptimo die mensis Junii anno Domini millesimo quingentesimo trigesimo quinto Coram hiis testibus videlicet Georgio Meldrum de Fyvie Jacobo Johnstone de eodem Roberto Lummsidene de Madler Waltero Skringecour de Glaswell Magistris Matheo Lummsidene et Johanne Lindsay de Blarefielden notariis publicis cum diuersis alijs QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Striueling vltimo die mensis Junij anno Domini millesimo quingentesimo [trigesimo] quinto et regni nostri vicesimo secundo .

[Abridged from the Registrum Magni Sigilli, lib. xxvii., no. 21 MS. Gen. Reg. House, Edinb.]

Carta Willelmi magistri de Forbes et Elizabeth Keith eius coniugis super baronia de Fudes et terris de Lair Strogarnik et Kirktoune.¹—
(A.D. 1539.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilectis nostris Willelmo magistro de Forbes et Elizabeth Keith eius coniugi . . . omnes et singulas terras et baroniam de Fudes terras subscriptas in eadem continentes videlicet Fudes More Fudes Beg Cultercullane Auchnacant cum molendino et *le Ailhouss* earundem terras de Pettymuk et Blarechelle cum aduocatione et donatione ac jure patronatus capelle Beate Marie earundem et suis pertinentiis ac quinque libras annui redditus . . . de terris de Auchidlie jacentes infra vicecomitatum nostrum de Abirdone Terras de Lair Strogarnik et Kirktoune cum molendinis earundem et suis pertinenciis jacentes in baronia de Obyne infra vicecomitatum nostrum antedictum Quequidem terre et baronia . . . fuerunt consanguinei nostri Johannis domini Forbes perprius hereditarie et que et quas idem . . . in manibus nostris . . . simpliciter resignavit . . . Insuper nos pro bono fidei et gratuito seruicio nobis per prefatum Willelmum impenso . . . incorporamus predictas terras de Lare Strogarnik et Kirktoune . . . baronie de Fudes antedictae cum eadem tanquam partibus et pendiculis eiusdem permansuras . . . Et quod secta et seruicium prefate baronie de Fudes stabit et sufficet ita in iusticiarie itineribus quam vicecomitis curiis pro predictis terris de Lare Strogarnik et Kirktoune . . . absque vlla alia speciali seu particulari secta seu seruicio . . . Tenendas . . . dictis Willelmo et Elizabeth eius coniugi et eorum alteri diucius viuenti in coniuncta infeodatione et hereditibus masculis inter ipsos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus hereditibus masculis dicti Willelmi quibuscunque de nobis et successoribus nostris in feodo et hereditate ac libera baronia imperpetuum . . . Faciendo inde . . . iura et seruicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh quarto die mensis Januarii anno Domini millesimo quingentesimo tricesimo octauo et regni nostri vicesimo sexto . . .

¹ [Abridged from the Registrum Magni Sigilli, lib. xxvii., no. 8. MS. Gen. Reg. House, Edinburgh.]

Carta confirmacionis quondam Alexandri Forbes militis etc.¹—(A.D. 1540.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quasdam cartas et donaciones factas per personas sequentes personis subtas specificatis vnam videlicet cartam factam per quondam Johannem comitem de Buchane et Ross regni nostri camerarium ac dominum de Obeyne quondam Alexandro Forbes militi domino de eodem et heredibus suis de totis et integris terris de Fothirbirs cum pertinentiis jacentibus in dominio de Obeyne infra vicecomitatum nostrum de Abirdene de prefato Comite heredibus suis et assignatis tenendis Aliam vero cartam factam per quondam Alexandrum Seytoun de Gordoun dominum baronie de Cluny quondam Jacobo Forbes filio et heredi apparenti Alexandri Forbes de eodem militis et heredibus suis de totis et integris terris de Corsindaa Kebidy Ordiquhork Aetekebidy Ruvynanchlach et Tulicarne cum suis pertinentiis jacentibus in baronia de Cluny infra vicecomitatum nostrum de Abirdene de prefato Alexandro et heredibus suis tenendis Terciam autem cartam factam per quondam Alexandrum comitem de Huntlie dominum Badyenauch Jacobo domino Forbes militi et heredibus suis de omnibus et singulis terris de Tulireoche cum Tullachwynneis terris de Litill Tolmad et Tornawethyne Drumlaussy et Berglassy cum pertinentiis jacentibus in baronia de Cluny et comitatu de Huntlie ac vicecomitatu de Abirdene suprascriptis de prefato Comite et suis successoribus Comitibus de Huntlie tenendis Ac quartam cartam factam per prefatum quondam Alexandrum comitem de Huntlie cum consensu et assensu carissimi filii sui et heredis apparentis Georgii domini Gordoun Willelmo domino Forbes et heredibus suis de omnibus et singulis terris de Abirgardine cum suis pertinentiis jacentibus infra baroniam de Obyne et vicecomitatum nostrum de Abirdene ac de totis et integris terris de Tulifoure de Tulikery cum suis pertinentiis jacentibus infra dominium de Tuliche et baroniam de Cluny ac de terris de Suthnabunne cum pertinentiis jacentibus in baronia de Mygmar infra vicecomitatum nostrum antedictum de prefato Comite et heredibus suis tenendis . . . ad plenum intellexisse sub hiis formis

¹ [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House Edinb.]

VNIUERSIS hanc cartam visuris vel auditoris Johannes comes Buchanie et Rossie regni Scocie camerarius ac dominus de Obeyne [*ut supra* p. 383] OMNIBUS hanc cartam visuris vel auditoris Alexander de Seytoun de Gordoun dominus baronie de Cluny [*ut supra* p. 396] OMNIBUS hanc cartam visuris vel auditoris Alexander comes de Huntlie et dominus de Badyenache [*ut supra* p. 400] OMNIBUS hanc cartam visuris vel auditoris Alexander comes de Huntlie et dominus de Badyenache [*ut supra* p. 404] QUASQUIDEM cartas suprascriptas . . . pro perpetuo confirmamus Saluis nobis et nostris successoribus iuribus et seruiciis . . . nobis debitis et consuetis In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Februarii anno Domini millesimo quingentesimo trigesimo nono et regni nostri vicesimo septimo .

Carta Willelmi magistri de Forbes et Elizabeth Keith eius sponse supercrofta terre Correauchlane nuncupata. ¹—(A.D. 1540.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia nobis clare constat quod Willelmus magister de Forbes et Elizabeth Keith eius coniunx terras de Lare cum pertinenciis eijs in coniuncta infeodacione . . . habent ipsis per nostram cartam nostro sub magno sigillo et sasina desuper sequente concessas post earundem resignationem in manibus nostris per consanguineum nostrum Johannem dominum Forbes factam Et quodcrofta terre Correauchlane nuncupata jacens inter prefatas terras de Lare et terras nostras de Cultis jacentes infra vicecomitatum nostrum de Abirdene est atque fuit pars et pertinentia predictarum terrarum de Lare et sic reputata et tenta ac per prefatum consanguineum nostrum et eius predecessores temporibus retroactis vltra memoriam hominum pacifice possessa . . . Propterea . . . concedimus prefatis Willelmo magistro de Forbes et Elizabeth Keith . . . prefatamcroftam terre Correauchlane nuncupatam Tenendam . . . dictis Willelmo et Elizabeth eius coniugi et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus dicti Willelmi quibuscunque de

¹ [Abridged from the Registrum Magni Sigilli, lib. xxvi, nn. 377, 396. MS. Gen. Reg. House, Edinb.]

nobis et nostris successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . seruium warde et releuij tantum In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh quinto die mensis Marcij anno Domini millesimo quingentesimo trigesimonono et regni nostri vicesimoseptimo .

Carta Willelmi magistri de Forbes.¹ —(A.D. 1547.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . dedisse . . . dilecto nostro Wilelmo magistro de Forbes filio et heredi apparenti Johannis domini Forbes et heredibus suis subscriptis omnes et singulas terras et baronias subscriptas videlicet Terras et baroniam de Forbes et Awfurd terras de Keirndard Keirne cum fortalicio earundem terras et baroniam de Fyntra terras de Inglistoun Mekle Fintra Blaktoun Beleroce Lietertie Carnehill Tulymald Alathan decem solidos annui redditus annuatim leuandi . . . de terris de Eden molendinum de Kinardword fortaliciu de Kinardword cum ortis et *lie greuis* eiusdem ac cum annexis connexis tenendiis tenandriis et libere tenencium seruiis omnium terrarum prescriptarum jacentes infra vicecomitatum nostrum de Abirdene vnam officio coronatoris eiusdem vicecomitatus ac cum aduocacione donacione et iurepatronatus prebende de Forbas et capellanie de Alisbalach et Sancte Anne infra vicecomitatum predictum Quequidem terre et baronie . . . prefato consanguineo nostro Johanni domino Forbes perprios hereditarie pertinuerunt et quas et que idem . . . in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Wilelmo et heredibus suis masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus heredibus suis masculis quibuscunque et assignatis de nobis et nostris successoribus in feodo et hereditate ac liberis baroniis ut prius imperpetuum . . . Reddendo inde annuatim . . . jura et seruitia . . . debita et consucta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburghe octauo die mensis Augusti anno regni nostri quinto .

¹ [Abridged from the Registrum Magni Sigilli, lib. xxx., no. 106. MS. Gen. Reg. House, Ediub.]

Carta Joannis domini Forbes. ¹—(A.D. 1595.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . . et . . . confirmasse predilecto nostro consanguineo Joanni domino Forbes heredibusque suis masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus propinquieribus et legitimis heredibus suis masculis quibuscunque cognomen et arma de Forbes gerentibus hereditarie omnes et singulas terras baronias molendina multuras annuos redditus et alia subscripta videlicet . . . Terras et baroniam de Fuddes . . . comprehendentes . . . villas et terras de Fuddes Moir Fuddes Beg Cultercullane Auchnacant cum molendino *lie Ailhous* et *Brewingeroft* eiusdem Terras de Pettmuk et Blaircheltie vna cum aduocatione et donatione et jurepatronatus capellanie Sancte Marie eiusdem . . . necnon . . . vnum annum redditum quinque librarum vsualis monete regni nostri . . . de terris de Archedlie jacentes infra vicecomitatum nostrum de Abirdeine Et similiter . . . terras de Lurie et croftam eiusdem vocatam Coriauchlaue Terras de Straitgarnik et Kirktoun cum earundem molendinis . . . jacentes in baronia de Oboyne et infra vicecomitatum nostrum suprascriptum vnitas . . . in vnam liberam baroniam nuncupatam Baroniam de Fuddes Acetiam . . . terras et baronias de Forbes et Awfurd Carnedard et Kerne cum fortalicio eiusdem nunc vocato Drymynour Terras et baroniam de Fyntrey Mekill Fyntrey Blaktoun Baleroce Littertie Carnehill Tullymauld et Allathene et vnum annum redditum decem solidorum . . . de terris de Edene jacentes infra dictum nostrum vicecomitatum . . . Et similiter molendinum de Kynedward fortaliciam de Kynedward hortos et *lie Greyuis* eiusdem . . . cum . . . tenentibus tenandrijs et liberetenentium seruicijs . . . jacentes infra vicecomitatum de Abirdeine vna cum officio coronatoris eiusdem vicecomitatus de Abirdeine supradicti cum aduocatione donatione et jurepatronatus prebendarie de Forbes et capellaniarum de Arsballocht et Sancte Anne jacentibus infra vicecomitatum nostrum suprascriptum Que omnes et singule predictae terre baronie molendina fortalicia officium coronatoris et alia suprascripta . . . perprie hereditarie ad dictum Joannem dominum

¹ [Abridged from the Registrum Magni Sigilli, lib. xl., no. 27. MS. Gen. Reg. House, Edinb.]

de Forbes pertinuerunt et quas ipse personaliter . . . in manibus nostris . . . resignavit . . . Insuper nos . . . de nouo dedimus . . . prefato Joanni domino de Forbes heredibusque suis masculis supraspecificatis . . . omnes et singulas prefatas terras baronias et alia supra et subscripta . . . videlicet . . . terras et baroniam de Fuddes . . . terras de Lary et croftam terre eiusdem vocatam Corriauchtane Brigenl Straitgarnik et Kirktoon . . . terras et baroniam de Forbes et Awfurd Carnedard et Karne cum predicto fortalicio eiusdem nunc vocato Drymminnor . . . continentes particulares villas terras molendina et alia immediate subsequentes videlicet totas et integras viginti mercatas terrarum antiqui extentus jacentes contigue apud dictum castrum de Forbes nuncupatum Drymminour et Carnedard cum suis partibus . . . et dictum castrum de Forbes jacentes in baronia de Forbes . . . cum villis *lie outsettis* tenandrijs et eiusdem pertinentiis subtus specificatis videlicet . . . terras dominicales de Drymminour Carnedarde Cuschine Castelhill Beirflat Westhill Mauchemar Carlingden Windiesey Logy Edinbanehrie Kirktoon de Forbes Bithine Balfour Stralownak Calhay Eister Forbes Dubistoun Slauithie et Keyrne cum omnibus suis partibus . . . vnum molendinis granorum et fullonum de Forbes terris molendinariis multuris sequelis et eorum commoditatibus ac vnum annum redditum decem mercarum . . . de terris de Mukwell . . . Et similiter . . . terras et baronias de Awfurd in eadem continentes has particulares villas . . . videlicet villas et terras de Ardgathin Smyddihill Cobilseat villam et terras de Kirktoon de Awfurd villas et terras de Wallhous Morieseroft Auchballoch alias vocatam Auskalloch Carnauerane Carnaveran Mydynyne de Awfurd cum terris molendinariis multuris et sequelis . . . villas et terras de Meikill Endovie Poffig Baldevin Badinly cum molendino eiusdem multuris et sequelis earundem villas et terras de Kinstair Lytill Endovie Hauchtoun Tulliechellie Auchmill Langhauch Bradbaneh Colquhork Tibberchindie Neythirmyne de Aslowane cum terris molendinariis multuris sequelis et omnibus eorum pendiculis . . . Ac similiter . . . terras et baroniam de Fyntrey Meikill Fyntrey Blaktown Balcross Littertie Carnehill cum pendiculis *lie outsettis* eiusdem nunc vocatis villa et terris de Badintweis Et . . . terras et villas de Tullymauld Allathine . . . annum redditum decem solidorum . . . de terris de Edene . . . molendinum de Kinedward . . . cum Castelhill et Castelwallis clausuram hortis *lie Greenis* et pertinentiis eius-

dem . . . necnon dictum officium coronatoris dicti vicecomitatus nostri de Abirdene cum omnibus priuilegiis libertatibus jurisdictionibus feolis proficuis commoditatibus accidentibus deuorijis et casualitatibus vsitatis et consuetis . . . vnacum etiam dicta aduocatione donatione et iurepatronatus rectorie et vicarie parochialis ecclesie parochie de Forbes vocate dicte prebendarie eiusdem et prenominatarum capellaniarum de Arsballocht et Sancte Anne . . . Preterea nos . . . damus . . . memorato Joanni domino de Forbes heredibusque suis masculis et tallie supra designatis plenam potestatem et libertatem habendi . . . super dicta villa et terris de Kirktown de Awfurd et infra bondas eiusdem vnacum villam et burgum baronie quam villam et burgum ita edificatam seu edificandam nos . . . creamus . . . in vnum liberum burgum baronie nuncupatum et nuncupandum omnibus temporibus affuturis Burgum de Awfurd . . . cum plena potestate habendi . . . in eodem cruceam foralem diemque foralem siue forum heptomadatum die Veneris necnon liberum et publicum nundinum . . . penultimo die mensis Nouembris vulgo vocato *Saunt-androis Day* quodquidem nundinum durabit annuatim per octauos eiusdem . . . Preterea . . . nos . . . incorporamus omnes et singulas prenominatas terras et baronias . . . et generaliter omnia et singula supra-specificata in vnum et liberum dominium et baroniam vocata et vocanda omnibus temporibus affuturis Dominium et Baroniam de Forbes ac volumus . . . quod dictum castellum et fortalitium de Forbes nunc communiter vocatum Dryminnour erit principale messuagium dicti domini et baronie . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo hereditate libero dominio et baronia imperpetuum . . . Reddendo annuatim . . . pro . . . dictis viginti mercatis terrarum antiqui extentus . . . vna cum dicto castro de Forbes . . . vnacum rosam rubeam apud dictum castrum in festo Natiuitatis Joannis Baptiste communiter appellato *Midsonmer* . . . secundum tenorem antique carte albefirme per quondam nostrum charissimum progenitorem Jacobum Regem Secundum diduissime memorie quondam Jacobo domino Forbes . . . concessa de data apud Perth vndecimo die mensis Septembris anno Domini millesimo quadringentesimo quinquagesimo tercio . . . non obstante quod . . . tempore retornatus memorati Johannis domini Forbes . . . coram vicecomitibus nostris de Abirdeine . . . quarto die mensis Septembris anno Domini millesimo quingentesimo nonagesimo tercio declaratum fuerat quod supra-

nominate terre baronie de Forbes Carnedard et fortalicium eiusdem nuncupatum Drymynnour . . . de nobis immediate tenebantur per seruicium warde et releuii . . . et simihter reddendo annuatim . . . pro . . . burgo baronie de Awfurd . . . vnum denarium vsualis monete regni nostri . . . acetiam reddendo . . . pro . . . reliquis predictis villis terris baroniis . . . et ceteris quibuscunq̄ . . . jura et seruicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halyrulhous vicesimo secundo die mensis Februarii anno Domini millesimo quingentesimo nonagesimo quarto et regni nostri vicesimo octauo .

Abstract of the rental of Forbes.¹—(A.D. 1552.)

Kerne.

The Mains of Drumminnor in my Lords hands—4 ploughs.

17 crofts made out of the Mains, and let, but no value nor size mentioned.

Castlehill (of Drumminnor)—4 tenants, one plough. Rent, 40 bolls victual, 2 wedders.

Carudard—Four ploughs, 8 tenants (besides a tenant of a croft.) Rent, £8 18s. 8d.; 10 bolls multure victual, 48 capons, 4 leit of peats. Grassum, £8 18s. 8.

Cuschny—One plough, one tenant. Rent, £2 4s. 8d.; 3½ bolls multure victual, 12 poultry. Grassum, £2 4s. 8d.

Grene-myris—One plough, two tenants. Rent not mentioned.

Midhill—One plough, one tenant. Rent not mentioned.

Merchemar—One plough, two tenants. Rent not mentioned.

Forbes.

Edinbanquhory, with the Mill—Two ploughs, one tenant. Rent, £8. Grassum, £8.

Loggy—Two ploughs, 4 tenants. Rent, £6 13s. 4s.; 48 capons, 2 lambs, 2 wedders, 5 bolls custom victual, 2 leits peats, 3 days ploughing (of all the strength.) Grassum, £6 13s. 4d.

¹ [Noted from the original in the charter room at Castle Forbes.]

- Buthny*—One plough, three tenants. Rent, 38 bolls victual, 1 wedder, 4 kids, 2 geese.
- Kirktowne*—One plough, two tenants (the parson renting 2 oxengang.) Rent, 27 bolls 1 firloft common victual, 4 bolls wheat, 1 wedder, 2 lambs, 2 geese.
- Stralovnak*—Two ploughs, three tenants. Rent, £8; 4 bolls malt, 3 widders, 24 capons, 4 geese, 2 leit peats, 3 days ploughing. Grassum, £8.
- Balfour*—Two ploughs. "In the hands of Arthour Forbes, broder to my Lord."
- Culhay*—Four ploughs, eight tenants. Rent, £8; 8 bolls malt, 48 capons, 4 widders, 8 geese, 4 leits peats. Grassum, £8.
- Estir Forbes*—Two ploughs, six tenants. Rent, £8; 4 bolls malt, 24 capons, 3 widders, 4 geese, 2 leit peats, 3 days ploughing. Grassum, £8.
- Mill of Forbes, with the Mill lands*—Two tenants. Rent, 22 bolls victual, 24 capons, 1 swine, 2 geese, 2 lambs, 1 wedder.
- Walk Mill of Forbes*—One tenant. Rent, £4; 12 capons, 1 wedder. Grassum, £1.
- Sillarathy*—Two ploughs, three tenants (the parson of Forbes renting 4 oxengang thereof.) Rent, 50 bolls victual, 1 wedder, 2 geese.

THE PARISH OF TOWIE OR KINBETHOK.¹

Carta Domini Johannis de Inchmartyu de eodem militis super terra de Murthuli in Mar. ²—(circa A.D. 1310.)

Carta donationis per Dominum Johannem de Inchmartyu de eodem militem . . . Deo Sancte Marie et monachis de Cupro in puram et perpetuam elimosinam . . . totam terram meam de Murthuli in Mar pro salute anime mee et bone memorie Domini Johannis de Inchmartyu patris

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 611, 612.]

² [From the Breviarium antiqui Registri Monasterii de Cupro in Aneagus, MS. in the Library at Panmure.]

mei et bone memorie Domini Henrici de Inchemartyne fratris mei et Joanne matris mee . . . Testibus David comite Atholie Gilberto de Haya et Villedmo de Montefixo militibus .

Litera assedationis Margarete Charteris super terris de Murthlie.¹—
(A.D. 1488.)

Be it kend til al men be thir present lettres ws Jhone be the permissione of God abbot of the abbay of Couper and oure conuent of that ilk to haue sett and for maile lattin oure landis of Murthlie in Mar liand within the samyn with all pertinentis profietis and asiamentis pertenand to the said landis til oure welbelouit Margret Charteris and til hir tua sonnys callit Jhonne and Alexander of Strabaquhyn for al and hail the termes of sewin yeris eftir the date of this present writ . Payand tharfor til vs onre successouris and factouris yeyrly of standand mail fovrtene merkis of gud and vsuale monce of Scotland at tua vsuale termis in the yere Wytsunday and Martimes in winter And for hir entres the said Margret sal pay til Oure Lady Werk of Couper xvj merkis of vsuale monce of Scotland viij merkis at the Fest of Oure Lady next tocum callit the Assumpcion and vthir awcht at the samyn tym xij moneth And qwhene the sewin yer ar completit and rvne the said Margret sal haue assedatione befor ony vtheris And atoure the said Margrat sal nocht be mariit with ony man without leyf of ws and oure conuent na sal nocht entir na tennande greter thane thame self and falyeand thyr condicionis abwn writin be nocht lelely and trewly obseruit and keptit the said landis sal wak incontinent in oure handis but ony prosses of law spirituel or temporale And thai sall put the said landis till all possibyl policy biggyng of howseis plantacione of treis and sal defend the merchis of the said landis And the said Margret Jhone and Alexander bindis and oblisis thaim thair landis rentis annualis possessionis al thair gudis mowabyll and vnmowabyll present and for to cum vndyr the stratast styl and form of obligacione to the obserwyng and keypyng of thir forsaid condicionis . Mare atoure the said Abbot and Conuent haf grantit to the said Margret Jhonne and Alexander to mak tenentis in the said tak with ful office of halcery in haldyn of cvrtis

¹ [From the General Register House.]

borovyng of the tenendis of the said toune for ony accione to thar priuilege of the said Abbot and Couuent in rasing of malis cheitis wnlawis and merchetis with al wther profictis and priuilege alswel wnnemmit as nemmit that pertenis to the office of balyery of law or consuetude this powar indurand for the said termis of thar tak In witnes of the quhilk thing to thir lettres we haue affixt our commone seil at Couper the x day of the moneth of March the yer of God a thousand four hundreth aucht and sewin yeris befor witnes Archibald Ogiluy Maister Wilyam Sym notar Jhone Sym Jhone Galichtly with wtheris diuers .

Murthlie in Mar. ¹—(A.D. 1494.)

Be it kend till all men . . . vs Jhonn be the permissioun of God abbot of the abbay of Couper and our couuent of the samyn till haue set . . . till oure lowet frend Wilyame of Forbes of Tolleis all and hail oure landis of Murthlie with the pertinentis liand in the erldome of Mar within the schirefdome of Abirdene for all the termes of thre yheris next and immediat folowand the date of this present wryte / The entrays of the said Wilyame . . . beand at the Fest of Witsonday nyxt . . . / The said Wilyame payand yeirly till vs . . . tenn pundis of vsuale money of Scotland at twa vsuale termes . . . Witsonday and Martymes in wintir . . . / The said Wilyame haffand priuelege and leif to put inn and owt tennentis in the said landis als oft as it is seyne profitable and expedient to him . . . In witnes of the quhilk thing to thir our lettres we haue affixit the sele of oure office at oure forsaid abbay the xv day of the moneth of March in the yeir of God a thousand foure hundreth nyncie and thre yeris .

Lettres of balyerie of Murthlie in Mar to Wilyame of Forbes of Tolleis. ¹
—(A.D. 1494.)

Be it kend till all men . . . vs Jhone be the permissioun of God abbot of the abbay of Cowpir and oure couuent of that ilk till haue maid con-

¹ [From the General Register House.]

stitute and ordanit . . . a worschipfull man and oure lowit frend Wilyame of Forbes of Tolleis oure full lauchfull and ondowtit balye of all and haill oure landis of Murthlie liand in the erldoume of Mar within the schirefdome of Abirdene Giffand . . . to the foresaid our balye oure full and playn power . . . oure courtis of the sadis landis to set begyn contynew and hald / oure landis forsaid to set / malis customys dowiteis of the samyn to raiss and vptak / trespassouris to punyss / vnlawis and eschetis to raiss / and for the samyn giff it beis neyd to pund and distrenye / oure men and inhabitantis of the said grwnd before quhatsumeuer juge or jugis that be attachit or arrestit to replege and agane borrow to the prinylege of oure awin court And all and syndry vther thingis to do hant and vss that to the office of balyery is knawin to pertene of law And attoure for the speciale thankis gratitudis and seruce done till vs and oure conuent forsaid be the said Wilyame we giff . . . to the foresaid Wilyame all gresummys vnlawis eschetis dowiteis herezeldis and doseruce quhatsumeuer of the said landis for thre yeris next and immediat folowand the Fest of Witsonday next to cum . . . In witnes hereof to thir oure present lettres we haue affixit the sele of oure office at oure forsaid abbay the xv day of the moneth of March in the yere of God a thowsand four hundreth nyntic and thre yeris .

Litera Alexandri Forbes de Tolleis de Morthlay in Mar cum uno herede.¹
—(A.D. 1532.)

Be it kend till all men . . . us Donald be the permissioun of God abbot of the abbay of Cowpir and the conuent of the sammyn . . . to haf . . . set and for male lattin . . . to ane honorable man and oure weilbelouyt frend Alexander Forbes and ane ayr mail gottin or to be gottin lauchfully of his body all and haill our landis of Morthlay with thair pertinentis liand in the erldome of Mar . . . for all the dayis . . . of thair lyffis and

¹ [From the General Register House.

It is noted on the margin that the deed was 'cassing for anc few of the samyn.'—the charter of 1541 printed in the text, pp. 430, 431.

In the rental of the Abbey of St. Mary of Cupar for the year 1542, 'Murthlie in Mar' appears as leased to Alexander Forbes, who 'pays ay yeirlie at the first Marymes in Dundee for all the haill yeir xj lib. vjs. viijd.' On the margin is written—'Nota this eikit in xlj yeris xxvjs. viijd.'

to the langast lyffar of tham twa thai payand yeirlye thairfor . . . ten pundis of gude and vsuall moncy of Scotland . . . / the said Alexander and his ayr mail haffand priuilege . . . to input and furtht put tenentis . . . / And attour makis . . . the saidis Alexander and his ayr mail . . . oure . . . bailye and bailyeis of . . . our saidis landis . . . induring the space of thair lyffis . . . And inlikwyss giffand . . . to the forsaid Alexander and his air mail . . . all gersowmis wnlaysis eschetis dowiteis herzeldis and dosernice quhatsumeuer of the saidis landis induring . . . thair lyffis . . . In witness of the quhilk thing we haf appensit our common seile of our cheptour to this present assedatioun and lettres of bailyery and hes subseriuit the sammyn with all our handis At Cowpir forsaid the xx day of Nouember in the yeir of God j^m v^c thretty twa yeiris .

Carta Alexandri Forbes de terris de Murthlie in Mar. ¹ —(A.D. 1541.)

Omnibus hanc cartam visuris . . . Donaldus permissione diuina abbas monasterij de Cupro et eiusdem loci conventus Cisterciensis ordinis Sancti-andree diocesis salutem in Domino sempiternam Dominia nostra sustentationi religiosorum diuino cultui famulantium sic regere cupientes vt bonum duplex inde procedat redditus videlicet annuales augeantur et coloni circa agriculturam arborum plantacionem et edium reparationem diligenter cura incitentur Quocirca noueritis nos . . . considerantes infrascriptum negotium in euidentem utilitatem dicti nostri monasterij et augmentationem rentalis eiusdem annuatim ad summam duarum mercarum . . . pro certis pecuniarum summis nobis per honorabilem virum Alexandrum Forbes de Tolleis . . . persolutis . . . dedisse . . . et ad feodifirmam seu emphitheosim hereditarie dimisisse . . . prefato Alexandro Forbes heredibus suis et assignatis totas et integras terras nostras de Mwrthlecht cum omnibus suis pertinentiis jacentes in Mar infra vicecomitatum de

¹ [From the General Register House.

Sasine was given on this charter, on the thirteenth day of April, 1541, to Alexander Forbes of Tolleis, by Alexander Forbes of Bruchis, baillie of the Abbot of Cupar, in presence of Duncan Forbes of Cultis, and others. On the thirtieth day of November, 1548, the Abbot granted a precept of *clare constat* to his baillies William, lord Forbes, and Arthur Forbes his brother, for giving sasine of the same lands of Murthlecht to John Forbes of Tolleis, heir of Alexander Forbes of Tolleis, his father.—(Originals in the Mar charter chest.)]

Abyrdene Quasquidem terras nostras idem Alexander in vitali redditu pro toto tempore sui sue sponse et vnus heredis de nobis . . . alias habuit . . . pro quaquidem assedatione vitalis redditus dictus Alexander certam summam pecunie . . . nobis . . . deliberauit . . . Tenendas et habendas . . . de nobis et successoribus nostris . . . in feodo empheteosi et hereditate imperpetuum . . . Reddendo inde annuatim . . . summam decem librarum . . . tanquam firmam ante presentem infeodacionem . . . solitam . . . necnon dictam summam duarum mercarum . . . in augmentationem dicti nostri rentalis . . . ac duplicando solutionem summe dicte feodifirme in primo anno introitus heredis aut assignati . . . In cuius rei testimonium sigillum nostrum commune vna cum nostris subscriptionibus manualibus huic presenti carte nostre in signum nostri consensus est appensum Apud dictum nostrum monasterium de Cupro die quinto mensis Aprilis anno Domini millesimo quingentesimo quadragesimo primo Coram hiis testibus Johanne Campbell de Calder milite Willelmo Forbes in Ardess Archibaldo Campbell clerico parochiali de Bennachty Magistro David Campbell in Estir Denheid Waltero Montegomerie et Patricio Dingwall cum diuersis aliis .

Carta confirmacionis pro Jacobo Skrymgeoure super terris de Sonahard etc. ¹ —(A.D. 1493.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam factam per dilectum nostrum Alexandrum Scrymgeour capellanum dominum de Sonaharde . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Dominus Alexander Scrymgeour capellanus dominus de Sonaharde salutem in Domino sempiternam Noueritis me . . . dedisse . . . dilecto meo Jacobo Scrymgeour filio seniori David Scrymgeour fratris mei omnes et singulas terras meas de Sonaharde cum pertinentiis jacentes infra vicecomitatum de Abirdene ob

¹ [Abridged from the Registrum Magni Sigilli, lib. xiii., no. 73. MS. Gen. Reg. House, Edinb.]

The lands of Soynahard appear to have been granted to David Scrymgeour, by Alexander Stewart, earl of Mar, before the year 1435. See above, pp. 204, 205; and below, p. 433.

On the thirty-first day of December, 1494, James Scrymgeour had seisin of the lands of Sonahard, in presence of George Forbes of Auchintoul, Alexander Forbes, his son and heir, and other witnesses.—(Original in the Craigievar charter chest.)

specialem dilectionem quam erga dictum Jacobum gero Tenendas et habendas . . . per vardam et releuium de supremo domino nostro Rege et suis successoribus Scotorum Regibus in feodo et hereditate imperpetuum tamen liberotenenento earundem terrarum . . . mihi ipsi reseruato pro toto tempore vite mee . . . Faciendo inde annuatim . . . seruicia debita et consueta . . . In cuius rei testimonium sigillum proprium huic presenti carte mee est appensum apud Dunde decimo die mensis Junii anno Domini millesimo quadringentesimo nonagesimo tercio Coram hiis testibus Jacobo Scrymgeour constabulario de Dunde Magistro Johanne Scrymgeour de Glaster Jacobo Scrymgeour burgense de Dunde Domino Jacobo Matelani capellano Andrea Spalding et Magistro Willelmo Barry notario publico cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo quinto die mensis Junij anno Domini millesimo quadringentesimo nonagesimo tercio et regni nostri sexto .

Concessio Alexandro Caldore. ¹—(A.D. 1500.)

Apud Striveling . xiv. Julii . j^m v^e . Rex concessit Alexandro Caldore et heredibus suis terras de Sonnahard infra vicecomitatum de Abirdene quas Jacobus Skrymgeoure de Sonnahard resignavit .

Carta Jacobi Skrimgeour super terris de Sonayhard. ²—(A.D. 1508.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto

¹ [From the Abbreviatio Registri Magni Sigilli, lib. xiii., no. 398. MS. Gen. Reg. House, Edinb.]

² [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 485. MS. Gen. Reg. House, Edinb.]

On the second day of March, 1541-2, James Scrymgeour, constable of Dundee, had a charter, under the great seal, of the lands and barony of Dudop, with the tower, fortalice, and mill, of the lands of Castelhill, and the office of Constabulary of Dunde, of the lands of Kirktown Erlisstedichtin, with the colt silver, and customs of the first fair of Dunde, in the shire of Forfar; of the lands of Uilfeild, Southbrodland, Mairsfeild of Inverkething, and water and wind mills, in the shire of Fife; of the lands of Northbellok, Southbellouch, Kyngude, Plewland, and Oxingangis of Rait, Quiltis and Catermalngis, in the shire of Perth; and of the lands of Sonahard, and the mill, in the shire of Aberdeen, all erected into the barony of Dndop.—(Registrum Magni Sigilli lib. xxviii., no. 258. MS. Gen. Reg. House, Edinb.)]

nostro Jacobo Skringeour filio et heredi quondam Jacobi Skringeour constabularii de Dunde militis totas et integras terras de Sonayhard cum suis pertinentiis jacentes infra nostros comitatum de Mar et vicecomitatum de Abirdene Quequidem terre . . . prius per Alexandrum Caddor possesse et occupate fuerunt et prefato Alexandro pro eisdem ad nostram instanciam legitime citato ad videndum et audiendum huiusmodi terras tanquam vnum pendiculum et partem dicti nostri comitatus de Mar nobis tanquam Comiti de Mar in proprietate pertinere decretum extitit et deliberatum per Consilii nostri Dominos quod prefate terre de Sonyhard cum suis pertinentiis nobis in proprietate pertinerent et per nos possedende et gaudente et ad nostre libitum voluntatis affuturis temporibus libere disponende ex et pro eo quod dicte terre fuerunt vna pars et pendiculum prefati comitatus de Mar et a predecessoribus Comitibus de Mar illegitime alienate fuerunt videlicet quia huiusmodi terre cum suis pertinentiis prius per quondam Alexandrum pretensum Comitem de Mar pro tempore quondam David Skringeour alienate fuerunt dicto quondam Alexandro pro tempore existente nisi tantum in liberotenenemento eiusdem comitatus et quondam Thoma ipsius Alexandri filio naturali existente in feodo eiusdem comitatus et prefate alienationi minime consenciente prout in decreto per dictos Dominos pro nobis desuper dato plenius continetur Ac eciam nos pro bono gratuitoque seruicio per dietum Jacobum Skringeour nobis impenso et pro certis pecuniarum summis per ipsum thesaurario nostro nomine nostro gratanter persolutis dedisse . . . eidem Jacobo et heredibus suis omnes et singulas dictas terras de Sonayhard cum suis pertinenciis nobis vt premittitur adiudicatas pertinere . . . Tenendas et habendas . . . de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . vnam sectam ad capitale placitum vicecomitatus nostri de Abirdene annuatim tenendum post Festum Sancti Michaelis vnacum warda et releuio dictarum terrarum et maritagio cum contigerint In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh nono die mensis Marcii anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .

Indentura super participatione terrarum inter Willelnum de Fentoune dominum eiusdem ex parte vna et Margaretam de le Ard dominam de Ereles et Thomam de Cheshelme filium et heredem dicte Margarete ex parte altera. ¹—(A.D. 1403.)

Hec indentura facta apud Kynrossy in baronia de Culase infra vicecomitatum de Perth vicesimo quinto die mensis Aprilis . anno Domini millesimo quadringentesimo tercio . inter nobilem uirum et potentem Willelnum de Fentoune dominum eiusdem ex parte vna et Mergaretam de le Ard dominam de Ereles et Thomam de Cheshelme filium et heredem dicte Mergarete ex parte altera testatur . quod post diuersas discordias inter partes predictas sepius motas super participacione terrarum inter partes predictas participandarum dicte discordie modo et forma subsequentibus fuerunt finaliter finite et sopite . videlicet . quod . . . baronia de Rethy . . . infra vicecomitatum de Forfare . . . et eciam . . . terra de Culase et de Buthirgask infra vicecomitatum de Perth . . . et eciam terra de Quodquen ipsis communis in valle de Clyde infra vicecomitatum de Lanark dicto Willelmo heredibus suis . . . imperpetuum remanebunt . Et econuerso in recompensacione dictarum terrarum terre subscripte dicte Mergarete et dicto Thome et ipsorum heredibus per dictum Willelnum imperpetuum assignabuntur . videlicet . . . baronia de le Gask . . . infra vicecomitatum de Forfare . . . ac eciam uilla dominica de Kynrossy cum molendino eiusdem ac eciam Strathy et Prouny in comitatu de Stratherne . . . Insuper assensum est . . . quod baronia de Drumblathe infra vicecomitatum de Aberdene isto modo diuidetur . videlicet . . . villa de le Selewo . . . dicto Willelmo et heredibus suis imperpetuum remanebit ipsis communis et due ville de duabus Dummullys . . . dicte Mergarete et dicto Thome et heredibus suis in recompensacione dicte uille de Slewo imperpetuum remanebunt . Quadraginta vero solidi de Guerry vna cum tota villa de le Kyrktoune ipsis duabus partibus presentibus super territorum eiusdem inter ipsos equaliter diuidetur . Molendinum vero eiusdem baronie assedabitur cum consensu partis vtriusque et proficuum de eodem proueniens inter ipsos

¹ [Abridged from the Registrum Magni Sigilli, p. 252, no. 21.]

equaliter diuidetur . Tenendia vero de Lossyndrum . . . dicto Willelmo et heredibus suis imperpetuum remanebit / Et tenendia vero de Culmelegy in recompensacione de Lossendrum dicte Margarete et dicto Thome et ipsorum heredibus imperpetuum assignatur . Insuper assensum est . . . quod dictus Willelmus omnes terras de duabus Tollis et de Culquhork cum pertinentiis in comitatu de Marr . et omnes terras de duabus Arkeriis et de le Cragtoune in baronia de Croudene in Buchania . . . infra vicecomitatum de Aberdene possidebit et secundum quod ordo iuris postulat eorum clameum expectando . Terre vero de le Ard stabunt eodem modo partecipate quo antiquo tempore fuerunt diuise et tenendie earundem erunt diuise secundum ordinationem apud Dunde factam prout in indenturis inde confectis plenius continetur . . .

Carta Walteri de Ogilby de confirmacione terrarum.¹ —(A.D. 1439 et A.D. 1440.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam Margarete de Fentoun de Bevfurde . . . factam . . . dilecto et fideli nostro Waltero de Ogilby filio quondam Patricij de Ogilby de Vchtirhous militis . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Margareta de Fentoun de Bevfurde filia primogenita et vna heres quondam Walteri de Fentoun de Bevfurde salutem in Domino sempiternam Sciatis me . . . in mea pura et legitima virginitate habito super hoc consilio et deliberacione propinquiorum amicorum meorum libere dedisse . . . dilecto meo Waltero de Ogilby filio nobilis et potentis domini olim Domini Patricij de Ogilby militis vicecomitis de Forfare et domini de Vchtirhous pro suis beneficijs consilio et auxilio in temporibus retroactis gratanter impensis et impendendis totas et integras terras meas infrascriptas videlicet quartam partem terrarum de Tollas iacentem infra vicecomitatum de Abirdene necnon quartam partem terrarum de Stratifentoun et Purny iacentem in regalitate de Stratherne infra vicecomitatum eiusdem Tenendas et habendas . . . predicto Waltero et heredibus suis et assignatis de domino nostro Rege et suis

¹ [Abridged from the Registrum Magni Sigilli, lib. iii., no. 133. MS. Gen. Reg. House, Edin.]

successoribus in feodo et hereditate imperpetuum . . . Reddendo inde domino nostro Regi . . . vnum denarium argenti nomine albcfirme pro qualibet quarta parte dictarum terrarum in Festo Pentecostes tantummodo si petatur . . . reseruato michi pro toto tempore vite mee libero tenemento dictarum terrarum . . . In cuius rei testimonium sigillum meum presenti carte est appensum apud Vchtirhous decimo die mensis Marcij anno Domini millesimo quadringentesimo tricesimo octavo QUAMQUIDEM cartam . . . imperpetuum confirmamus Saluo seruicio nostro . . . debito et consueto In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus Testibus dilecto consanguineo nostro Willelmo domino de Crechtoun cancellario nostro Alexandro de Levingstoun de Calentar Willelmo de Cranstoun Johanne de Cokburne militibus et Magistro Ricardo de Crag vicario de Dunde clerico nostro Apud Edinburgh vicesimosexto die mensis Februarii anno Domini millesimo quadringentesimo tricesimo nono et regni nostri quarto .

Carta Walteri Ogilby de confirmacione terrarum. ¹ — (A.D. 1439 et A.D. 1440.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam Margarete de Fentoun de Bevfort . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Margareta de Fentoun de Bevfort filia senior quondam Walteri de Fentoun de Bevfort et vna heredum eiusdem salutem in Domino sempiternam Sciatis me . . . dedisse . . . nobili viro Waltero de Ogilby filio quondam Domini Patricij de Ogilby de Vchtirhous pro suo consilio et auxilio michi impensis et impendendis totas et integras terras meas infrascriptas videlicet totam quartam partem terrarum mearum de Bevfort et manerium eiusdem cum pertinentiis ac totam quartam partem meam terrarum de Ard cum pertinentiis iacentes infra vicecomitatum de Inuirnys necnon totam quartam meam baronie de Baky et manerium eiusdem cum aduocacione capelle cum pertinentiis iacentem infra vicecomitatum de Forfar ac totam quar-

¹ [Abridged from the Registrum Magni Sigilli, lib. iii., no. 132. MS. Gen. Reg. House, Edinb.]

tum partem meam baronie de Culas et de Buthirgask cum pertinentiis iacentem infra vicecomitatum de Perth vna cum tota quarta parte mea terrarum de Coklaw Balmure et Drumblate iacente infra vicecomitatum de Abirdene Tenendas et habendas . . . dicto Waltero et heredibus inter ipsum et me legitime procreandis quibus forsan deficientibus veris legitimis et propinquioribus heredibus dicti Walteri quibuscunqve de domino nostro Rege et heredibus suis in feodo et hereditate imperpetuum . . . Faciendo . . . servicia inde debita et consueta Reservato mihi pro toto tempore vite mee libero tenemento dictarum terrarum . . . In cuius rei testimonium sigillum meum presenti carte est appensum apud Vchtirhous decimo die mensis Marcij anno Domini millesimo quadringentesimo tricesimooctavo hijs testibus David de Ogilby de eodem Jacobo Lyoun David Lyoun Johanne Carncors de Balmachenare Alexandro Grahame et Domino Willelmo Tod capellano cum multis aliis QUAMQUIDEM cartam . . . imperpetuum confirmamus Saluo nobis servicio nostro . . . debito et consueto In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus Testibus dilecto consanguineo nostro Willelmo domino de Crechtoun cancellario nostro Alexandro de Levingstoun de Calentar Willelmo de Cranstoun Johanne Cokburne militibus et Magistro Ricardo Crag vicario de Dundee clerico nostro apud Edinburgh vicesimosexto die mensis Februarii anno Domini millesimo quadringentesimo tricesimo nono et regni nostri quarto .

Carta Patricij Ogiluy de Calyebroche super terris quarte partis baronie de Baky de Buthirgask Strathefentoun Tollys Drumblat et Arde.¹
—(A.D. 1485.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam dilecti nostri Patricij Ogiluy de Calyebroche . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Patricius Ogiluy de Calyebroche salutem . . . Sciatis me dedisse . . . dilecto filio meo et heredi apparenti Andree Ogiluy causa filialis et naturalis dilectionis omnes et singulas terras meas quarte partis baronie de Baky jacentes

¹ [Abridged from the Registrum Magni Sigilli, lib. x., no. 156. MS. Gen. Reg. House, Edinb.]

infra vicecomitatum de Forfar de Buthirgask et Strathefentoun jacentes infra vicecomitatum de Perth de Tollyis et Drumblait jacentes infra vicecomitatum de Abirdene et de Arde jacentes infra vicecomitatum de Iuernes cum suis pertinentiis Tenendas et habendas . . . prefato Andree Ogiluy et heredibus suis masculis de corpore suo legitime procreatis seu procreandis quibus forte deficientibus michi et heredibus meis quibuscunque de supremo domino nostro Rege et suis successoribus in feodo et hereditate imperpetuum . . . Faciendo inde . . . seruicia debita et consueta Reseruato michi libero teuemento omnium predictarum terrarum . . . pro toto tempore vite mee . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum Apud Erly penultimo die mensis Augusti anno Domini millesimo quadringentesimo octuagesimo quinto hiis testibus Domino Jacobo Ogiluy de Erly milite Johanne Ogiluy de Ballinchoche Dauid Ogiluy de Tolmade Gilberto Ramsay de Mawise Willelmo Ross Johanne Ross Johanne Lowsone et Domino Henrico Broiss capellano ac notario publico cum diuersis aliis QUAM QUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis et successoribus nostris wardis releuijs maritagijs iuribus et seruicijs . . . debitatis et consuets In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburghe decimotercio die mensis Septembris anno Domini millesimo quadringentesimo octuagesimo quinto et regni nostri vicesimo sexto .

Carta venditionis Willelmo Forbes de Towiis. ¹ —(A.D. 1495.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam factam per dilectum nostrum Patricium Ogiluy de Kilyhebroy Willelmo Forbes de Towijs . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Patricius Ogiluy de Kilyhebroy . . . salutem

¹ [Abridged from the Registrum Magni Sigilli, lib. xiii., no. 174. (MS. Gen. Reg. House, Edinb.) Collated with a copy of the charter confirmed in the Notary's Protoeol, entitled "Register of Sasines for the Burgh of Aberdeen, vol. i.," MS. in archivis ejusdem.

By a charter, dated on the eighteenth day of November, 1475, John, earl of Mar, granted to Duncan Forbes, son of Alexander Forbes of Brughis, the lands of Over Towy, Nether Towy, and Culforth, formerly belonging to John Fenton.—(Original among the Mar papers.)]

Noueritis me cum . . . consensu . . . Patricii Ogiluy filii mei et heredis apparentis . . . vendidisse . . . et hac presenti carta mea confirmasse honorabili viro Willelmo Forbes de Towiis omnes et singulas terras meas quarte partis terrarum de Vner Towiis Nethir Towiis et Culquhork et molendinorum carundem cum suis pertinentiis jacentium infra vicecomitatum de Abirdene . . . Tenendas . . . dicto Willelmo et heredibus suis et suis assignatis a me et heredibus meis de supremo domino nostro Rege in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . unum denarium usualis monete regni Scotie super solum dictarum terrarum ad Festa Pentecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium huic presenti carte mee sigillum meum et sigillum dicti Patricii filii mei et heredis apparentis in signum sui consensus et assensus sunt appensa apud Abirdene quarto die mensis Aprilis anno Domini millesimo quadringentesimo nonagesimo quinto Coram nobiles et famosis viris Johanne Ogiluy barone de Fyngask Alexandro Iruyn de Drum Waltero Ogiluy de Boyne Patricio Berclay de Garntuly Daud Ogiluy de Tolmade Thoma Ogiluy milite Magistro Georgio Striuelyn de Breky Duncano Thompsone de Auchinhamparis Roberto Moncur et Domino Johanne Striuelin presbytero ac notario publico QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis et successoribus nostris juribus et seruiciis . . . debitis et consuets In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburght vicesimo-primo die mensis Octobris anno Domini millesimo quadringentesimo nonagesimo quinto et regni nostri octauo .

Obligatio Domine de Petslego. ¹—(A.D. 1495.)

Aprilis 4, 1495. Immediata Isabella Wemys domina de Petslego obligavit se fide media ad varantizandum Willelmo Forbes de Towiis et Johanni Forbes fratri suo germano heredibus suis aut assignatis terras sibi ratione tertie contingentes jacentes in baronia de Kinaldy et tertiam dimidietatis terrarum de Fechle et Sonnabotht infra vicecomitatum de

¹ [Abridged from the Notary's Protocol, entitled "Register of Sasines for the Burgh of Aberdeen, vol. i," MS. in archivis ejusdem.]

Abirdene ut jura volunt pro terminis sex annorum a data Pentecostes ultimo elapsi secundum tenorem evidentiarum desuper confectarum Quibus terminis elapsis dicta Isabella fideliter promisit ad assedandum easdem terras suas ipsis Willelmo et Johanni pro novis terminis futuris ante omnes alios pro solutionibus expensis ut alii reddere volunt . . . Acta erant . . . infra burgum de Abirden hora quasi octava ante meridiem . . . Super quibus dicti Willelmus et Johannes petierunt instrumenta .

Obligatio relicte Duncani Forbes de Touiis. ¹ —(A.D. 1495.)

Aprilis 4, 1495 . Immediate Elizabetht Crichtone relicta quondam Duncani Forbes de Touiis obligavit se fide media ad causandum Willelmum Forbes de Touiis et Johannem Forbes suos filios exonerare Willelmum Hay filium et heredem apparentem Alexandri Hay de Mouchalis de summa quadraginta librarum monete Scotie in qua eisdem obligatur pro Isabella Wemys domina de Petslego per varantum terrarum sibi ratione tertie contingentium jacentium in baronia de Kynnally et tertie partis dimidietatis terrarum de Feclie et Sonnabotht infra vicecomitatum de Abirden casu quo contingat ipsam dare executionem ante complementum sex annorum a termino Pentecostes ultimo elapso cum hac conditione quod dictus Willelmus Hay heredes sui et assignati restam viginti librarum pro grissima receptam pro annis tunc non elapsis solvent . . . et inde dictus Willelmus Hay petiit instrumenta .

Carta confirmacionis Willelmi Forbes de Tolleis super terris de Armurthach. ² —(A.D. 1500 et A.D. 1501.)

Jacobus Dei gracia Rex Seotorum . . . Sciatis nos quandam cartam vendicionis . . . factam per Johannem Narne de Cromdale dilecto nostro

¹ [Abridged from the Notary's Protoeol, entitled "Register of Sasines for the Burgh of Aberdeen, vol. i." MS. in archivis ejusdem.]

² [Abridged from the Registrum Magni Sigilli, lib. xiii, no. 477. MS. Gen. Reg. House, Edinb.]

On the fifteenth day of December, 1503, in presence of the Lords of Council, "Williamo

Willelmo Forbes de Tolleis . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Johannes Narne de Cromdale eternam in Domino salutem Noueritis me . . . vendidisse . . . honorabili viro Willelmo Forbes de Tolleis totas et integras terras meas de Ardmurthach cum pertinentiis iacentes in baronia de Kyntor infra vicecomitatum de Aberdene . . . Tenendas et habendas . . . predicto Willelmo heredibus suis et assignatis a me heredibus meis et assignatis de supremo domino nostro Rege et suis successoribus in feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicium de dictis terris debitum et consuetum . . . In cuius rei testimonium huic presenti carte sigillum meum est appensum apud Kildrummy penultimo die mensis Januarij anno Domini millesimo quadringentesimo nonagesimonono Coram hijs testibus Johanne domino Forbes Georgeo Forbes de Auchyn-tole David Ogiluy de Tolmad Johanne Forbes in Dunpersy Domino Thoma Caldoure vicario de Kildrummy Domino Alexandro Symsonne capellano et Alexandro Mowye cum diuersis alijs QUAMQUIDEM cartam . . . per omnia approbamus . . . Saluis . . . iuribus et seruiciis . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud

Forbes in Kildrummy producit ane charter of Johne of Dunbar, erle of Moray and lord of the barony of Kintor, maid to Johne of Narne of all and hale the land of Ardmurthaweh in the said barony of Kintor, within the schirefdome of Abirdene, gevaud ane penny of blanche ferme et saluo fori seco seruicio: apud Elgynn xx. Junij anno Domini m^o ccc^o lxx^o octauo: sub sigillo dicti Comitis: Quicquid Willelmus assererat huiusmodi terras extendere ad duo acra terrarum."—(Acta Dominorum Concilij, vol. xv., fol. 144. MS. General Register House, Edinb.)

"Jhon of Naru, lorde of Ardmurthach," was present with Thomas, earl of Murray, at a transaction in the churchyard of the Chanonry of Rosmarkyng, upon the sixteenth day of August, 1420.—(Registrum Episcopatus Moraviensis, p. 475.)

By a charter, dated at Aberdeen, on the thirteenth day of August, 1490, George, earl of Huntly, sold to his kinsman, William Forbes of Tolleis, his lands of Fynlater, with the appurtenances, lying in the lordship of Tulche. —(Registrum Magni Sigilli, lib. xiv., no. 66. MS. Gen. Reg. House, Edinb.)

By a charter, dated at Aberdeen, on the thirtieth day of October, 1496, John Forbes of Burkis sold to John Forbes, brother-german of William Forbes of Towis, the half of his lands of Burkis, with the appurtenances, and his lands of Glencary, Glencony, and Orde, with the appurtenances, lying in the earldom of Mar.—(Registrum Magni Sigilli, lib. xiii., no. 250. MS. Gen. Reg. House, Edinb.)

By a charter, dated at Edinburgh, on the twenty-fourth day of January, 1504-5, King James IV. confirmed to John Forbes, brother-german of William Forbes of Tolleis, the lands of Burchis, with the woods and bogs, and the lands of Westdrummellochy, Newtowne, Macharis Halch, (Glenkerry, Glencony, and the Orde.—(Registrum Magni Sigilli, lib. xiv., no. 67. MS. Gen. Reg. House, Edinb.)]

Edinburgh vicesimo primo die mensis Julij anno Domini millesimo quingentesimo primo et regni nostri decimo quarto .

Inquisicio Johannis Forbes. ¹ —(A.D. 1506.)

Inquisicio facta apud burgum de Abirdene vicesimo die mensis Aprilis anno Domini millesimo quingentesimo sexto coram honorabili viro Alexandro Bannerman de Watterton vicecomitis deputato de Abirdene in curia capitali vicecomitis de Abirden in pretorio eiusdem pro tribunali sedente per subscriptos videlicet Alexandrum Iruyn de Drum Willelmum Fraser de Phillortht Gilbertum Hay de Ardenderaugh milites Georgium Meldrum feudatorem de Fvy Walterum Berclay de Towy Alexandrum Skene de eodem Johannem Movat de Loscragy Jacobum Chene de Straloch Alexandrum Mortymer de Cragyuer Andream Tulidoff de eodem Alexandrum Caldour de Sonnahard Alexandrum Gordone de Kennerty Robertum Dogud de Auchnahuff Johannem Ross de Auchlossin Johannem Gardine de Latheris Willelmum King de Bourty et Alexandrum Strathachin de Glenkyndy Qui jurati dicunt quod quondam Alexander Forbes de Petslego miles proauus Johannis Forbes latoris presencium obiit vltimo . . . sasitus ut de feodo ad pacem et fidem domini nostri Regis de dimidietate terrarum de Fychley et de dimidietate terrarum de Soyna-both et de dimidietate terrarum de Esterdrummelochy cum suis pertinenciis iacentibus infra dictum vicecomitatum Et quod dictus Johannes est legitimus et propinquior heres eiusdem quondam Alexandri proau sui de dictis terris cum pertinenciis Et quod est legitime etatis Et quod dictae terre cum pertinenciis valent nunc per annum viginti marcas et valuerunt decem marcas tempore pacis Et quod tenentur in capite de supremo domino nostro Rege per seruicium warde et releuij debitum et consuetum Et quod nunc existunt in manibus domini nostri Regis legitime et per seipsum per decessum quondam dicti Alexandri proau sui per spacium triginta annorum aut eocirca in defectu veri heredis jus suum hucusque minime prosequentis Datum et clausum sub sigillo officij dicti vicecomitis deputati et sigillis quorundam qui huic inquisitioni intererant faciente anno die mense et loco prenotatis .

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archivis ejusdem.]

Carta Johanni Forbes. ¹—(A.D. 1507.)

Apud Edinburghe . xxvii. Januarii . j^m v^e vi. . Rex concessit dilecto suo Johanni Forbes domino feodi terrarum et baronie de Burghis filio quondam Duncani Forbes de Tolleis et heredibus suis dimedietates terrarum de Feehlie Soynabothe et Estir Drummellochquhy infra vicecomitatum de Abirdene que fuerunt Johannis Forbes domini liberiteneamenti de Burghis per ipsum de Rege immediate tente per servicium wardae et relevii et in manibus Regis recognite fuerunt ob alienacionem majoris partis earundem per ipsum factam Johanni domino Forbes absque Regis consensu etc. pro certis pecuniarum summis cum thesaurario Regis compositis Ac eciam Rex dietas terras baronie de Burghis univit et annexavit Reddendo annuatim unam sectiam ad duo placita capitalia vicecomitatus de Abirdene ac wardam relevium et maritagium cum contigerint Testibus Willelmo episcopo Abirdonensi Matheo comite de Levenax Alexandro domino Hume Andrea domino Gray Jacobo abbate de Dumfermling Magistro Gavino Dunbar .

Carta Johannis Forbes. ²—(A.D. 1546.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . dedisse . . . dilecto nostro Johanni Forbes filio et heredi apparenti Alexandri Forbes de Brux suis heredibus et assignatis omnes et singulas terras et baroniam de Brux cum turre fortificio manerio pomeriis hortis . . . terras de Synnahard dimedietatem terrarum de Vdochis integras terras de Mekte

¹ [From the Abbreviatio Registri Magni Sigilli, lib. xiv., no. 296. MS. Gen. Reg. House, Edinb.]

On the tenth day of July, 1376, Henry of Strathehyn, lord of Balblay, granted to John Crabb, burgess of Aberdeen, the lands of Fythelych, Drummeloquhy, and Soynaboth, held by him of the Earl of Fyffe, in presence of Alexander Fraser, sheriff of Aberdeen, William of Mel-drum, lord of Achnet, and other witnesses. On the fifth day of May, 1518, James, lord Ogilvy, as procurator for John Forbes of Pitsligo, resigned the sunny half of these lands of Feehly and Sonaboth, in favour of James Caldour of Auchintoull.—(Originals in the Craigie-var charter chest.)

² [Abridged from the Registrum Magni Sigilli, lib. xxix., no. 422, lib. xxx., no. 289. MS. Gen. Reg. House, Edinb.]

Byth dimediatatem terrarum de Litill Auchery cum suis partibus . . . jacentes infra vicecomitatum nostrum de Abirdene Quequidem terre et baronia . . . fuerunt dicti Alexandri Forbes de Brux perprius hereditarie et quas idem . . . in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . de nobis et nostris successoribus in feodo hereditate ac libera baronia imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta Reservato tamen dicto Alexandro Forbes liberotenemento et vitali reddito . . . prefatarum terrarum et baronie . . . pro omnibus sue vite diebus . . . nec non rationabili tercia parte . . . Mariorie Forbes sue sponse quum contigerit In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Sanctumandream decimo octauo die mensis Octobris anno Domini millesimo quingentesimo quadragesimo sexto et regni nostri anno quarto .

Carta confirmacionis Mariorie Forbes. ¹ —(A.D. 1547.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quamdam cartam donationis factam per Johannem Forbes dominum feodi domini de Brux . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Johannes Forbes feoditarius domini de Brux salutem in Domino sempiternam Noueritis me . . . cum consensu honorabilis viri Alexandri Forbes mei patris liberetenementarii eiusdem domini necnon cum . . . assensu et auctoritate venerabilis viri Domini Johannis Mitchelsoun rectoris de Forbes mei curatoris dedisse . . . dilecte mee matri Mariorie Forbes sponse dicti Alexandri in vitali reddito pro toto tempore vite sue totas et integras terras meas de Synnahard cum pertinentiis necnon molendinum . . . earundem necnon omnes et singulas terras meas de Fechillie videlicet . . . dimidietatem occidentalem eiusdem cum suis pertinentiis jacentes infra vicecomitatum de Abirden . . . Tenendas et habendas . . . de suprema domina nostra Regina . . . durante tempore vite dicte Mariorie . . . Reddendo inde annuatim . . . vnum denarium vsualis monete . . . si petatur tantum . . . In cuius rei

¹ [Abridged from the Registrum Magni Sigilli, lib. xxx., no. 79. MS. Gen. Reg. House, Edinb.]

testimonium huic presenti carte manuali mea subscriptione subscripte necnon manualibus subscriptionibus dicti Alexandri mei patris ac Domini Johannis Michelsoun mei curatoris prefati . . . sigillum meum proprium est appensum Apud Brux vicesimo quarto die mensis Januarii anno Domini millesimo quingentesimo quadragesimo sexto Coram hiis testibus Roberto Lummsdane de Medlar Magistro Matheo Lummsdane de Tulicarne Thoma Smytht Johanne Ingrem Willelmo Forbes et Magistro Nicholao Stevinsoun notario publico cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis . . . iuribus et seruiciis . . . debitis et consuetis . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo die mensis Februarii anno Domini millesimo quingentesimo quadragesimo sexto et regni nostri quinto .

Carta Margarete Forbes filie Alexandri Forbes de Tolleis super terris de Ouchtercoule in Cromar.¹ —(A.D. 1549.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quamdam cartam alienacionis factam per Johannem Cowtis de Ochtircowle Margarete Forbes filie Alexandri Forbes de Tolleis . . . ad plenum intellexisse sub hae forma OMNIBUS hanc cartam visuris vel audituris Johannes Cowtis de Ouchtircowlle eternam in Domino salutem Noueritis me . . . alienasse . . . honeste domicelle Margarete Forbes filie quondam honorabilis viri Alexandri Forbes de Tolleis hereditarie et heredibus masculis inter me et ipsam legitime procreandis quibus forte deficientibus heredibus meis masculis quibuscunque omnes et singulas terras meas de Ouchtircowle Taynlie Straweltis Tanamoyne Stramor molendino de Onchtircovll cum multuris et terris molendinariis eiusdem ville Blakmyll cum multuris et terris molendinariis eiusdem ville Ouchtirarn Tulloch et Tannamoyne Ibid cum omnibus suis pertinenciis jacentes in prouincia de Cromar et infra vicecomitatum de Abirdene pro quadam certa summa pecunie . . . Tenendas et habendas . . . de suprema domina nostra

¹ [Abridged from the Registrum Magni Sigilli, lib. xxx., no. 400. MS. Gen. Reg. House, Edinb.]

Regina Scotie . . . a me et heredibus meis . . . in feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicia et jura solita et consueta . . . In cuius rei testimonium sigillum meum proprium vnacum subscriptione mea manuali presentibus est appensum Apud Ouchtercowll quarto die mensis Januarij anno Domini millesimo quingentesimo quadragesimo octauo Coram hijs testibus nobili et potenti domino Willelmo domino de Forbes Allano Cultis Thoma Smytht et Thoma Daloquhy notariis publicis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus Apud Edinburgh decimosexto die mensis Januarii anno Domini millesimo quingentesimo quadragesimo octauo et regni nostri septimo .

Carta confirmacionis Johannis Forbes de Tolleis. ¹—(A.D. 1550.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quamdam cartam . . . venditionis factam per Margaretam Forbes de Ouchtercoule . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Margareta Forbes de Ouchtercoule filia quondam honorabilis viri Alexandri Forbes de Tolleis eternam in Domino salutem Noueritis me cum . . . assensu Magistri Johannis Forbes de Barnis patris mei charissimi ac curatoris . . . vendidisse . . . honorabili viro Johanni Forbes de Tolleis germano meo omnes et singulas terras meas de Ouchtercoule Strauelie Taynly Stranoir cum molendino multuris et terris molendinariis de Ouchtercoule Ouchtirarne Tulloch Blakmill cum multuris et terris molendinariis eiusdem et Tanamon Ibid cum earundem pediculis . . . jacentes in parochia de Cromar infra vicecomitatum de Abirdene pro quadam certa sumina pecunie . . . Tenendas et habendas . . . de suprema donina nostra Regina . . . in feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicia . . . debita et consueta . . . In cuius rei testimonium sigillum meum proprium vnacum mea subscriptione mea manu calamum tangente ducta per notarium publicum subscriptum necnon sigillum curatoris mei antedieti in signum sui con-

¹[Abridged from the Registrum Magni Sigilli, lib. xxx., no. 546. MS. Gen. Reg. House, Edinb.]

sensus . . . cum sua subscriptione manuali presentibus sunt appensa apud opidum Abirdonense ultimo die mensis Augusti anno Domini millesimo quingentesimo quinquagesimo coram hiis testibus Johanne Forbes de Bruchis Duncano Forbes filio Magistri Johannis Forbes de Barnis Roberto Watsoun Domino Willelmo Thomsoun sacellano et Thoma Doloquhy cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh septimo die mensis Septembris anno regni nostri octauo .

Carta Johannis Forbes de Tolly et sue sponse.¹ —(A.D. 1556.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos dedisse . . . dilectis nostris Johanni Forbes de Tolly et Margarete Campbell eius sponse ac eorum alteri diutius uiuenti in coniuncta infeodatione et hereditibus inter ipsos legitime procreatis seu procreandis quibus deficientibus hereditibus dicti Johannis quibuscunque omnes et singulas terras subscriptas uidelicet terras de Kyldrymmy terras de Over Tolly terras de Auldtoun terras de Thomreoch terras de Myltoun de Tolly et terras vocatas Alexander Brydyis croft jacentes infra baroniam de et vicecomitatum nostrum de Abirdene terras de Ochtirarue cum dimidietate molendini eiusdem jacentes in Cromar et vicecomitatu nostro predicto que dicto Johanni Forbes per prius hereditarie pertinuerunt et per eundem . . . in manibus nostris . . . resignate fuerunt . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde . . . iura et seruicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh octauo die mensis Decembris anno Domini millesimo quingentesimo quinquagesimo sexto et regni nostri decimo quarto .

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 344. MS. Gen. Reg. House, Edinb.]

Carta Alexandri Forbes super terris et baronia de Tolleis.¹—(A.D. 1561.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Alexandro Forbes filio legitimo Johannis Forbes de Tolleis et heredibus suis masculis quibuscunque hereditarie omnes et singulas terras et baroniam de Tolleis continentes Nether Tolleis cum manerie / Myd Tolleis et Over Tolleis cum molendinis multuris pendiculis et pertinentiis earundem terras de Culquhork Cofurd et Aldtoun ac omnes et singulas terras burgales ville de Kyldrymme terras de Ardmurdo cum molendinis multuris et pendiculis earundem vnacum piscaria vocata The Pott of Bukkee cum domibus et hortis in vico Abirdonensi vocato The Grene . . . jacentes infra vicecomitatum de Abirdene Quequidem baronia fuit dicti Johannis prius hereditarie et coniuncta infodatio de Over Tolleis Aldtoun et molendini de Tolleis Margarete Campbell eius coniugi spectabat et per eosdem . . . resignate fuerunt . . . in manibus nostris . . . Insuper . . . pro perpetuo confirmamus priorem vnionem omnium et singularum prenominatarum terrarum . . . in vnam integram et liberam baroniam erectam Baroniamque de Tolleis vocatam . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate ac libera baronia imperpetuum . . . Reseruato libero tenemento in vitali reddito . . . dicto Johanni de Forbes . . . neonon vitali reddito . . . prefatarum terrarum de Over Tolleis villeque et molendini de Tolleis . . . prefate Margarete Campbell eius coniugi . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo primo die mensis Decembris anno Domini millesimo quingentesimo sexagesimo primo et regni nostri vicesimo .

Carta Joannis Forbes de Brux et sue sponse.²—(A.D. 1576.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos . . . dedisse . . .

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxii., no. 583. MS. Gen. Reg. House.]

² [Abridged from the Registrum Magni Sigilli, lib. xxxiv., no. 580. MS. Gen. Reg. House, Edinb.]

dilectis nostris Joanni Forbes de Brux et Elizabeth Gordoun eius sponse eorum alteri diutius viuenti in coniuncta infeodacione . . . totas et integras terras de Drummallicheis cum molendino terris molendinariis multuris sequolis et suis pertinenciis jacentes in baronia de Brux infra vicecomitatum nostrum de Aberdene Quequidem terre . . . prefato Joanni Forbes perprius hereditarie pertinuerunt et quas idem . . . in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . prefatis Joanni Forbes et Elizabeth Gordoun eius sponse eorum alteri diutius viuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreatis seu procreandis quibus deficientibus heredibus masculis prefati Joannis Forbes quibuscunque seu assignatis de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Dalkeith quinto die mensis Augusti anno Domini millesimo quingentesimo septuagesimo sexto et regni nostri decimo .

THE PARISH OF GLENBUCKET.¹

Carta feodifirme Alexandri Thomuilsonne super villa et gleba ecclesiastica vicarie de Glenbuchat.²—(A.D. 1549.)

Omnibus hanc cartam visuris vel audituris Presidens et Capitulum

¹ [See Collections for a history of the Shires of Aberdeen and Banff, p. 613.]

Glenbucket was of old a chapelry of the church of Logy in Mar. It was erected into a parish in the year 1473, by Bishop Thomas Spens, with consent of the dean and chapter of the cathedral, and of Sir Edward Makdowel, vicar of Logy. The deed of erection recites the perils of storms and floods which beset the inhabitants in passing and repassing between Glenbucket and Logy, through an uninhabited tract of hill and waste, where, in one day at Easter, five or six people perished on their way to the church of Logy. The church of Glenbucket, dedicated to St. Peter, was to be served by a resident parochial chaplain, who was to have the church land of Capeltone, with the great tithes as well of Capeltone as of the town of Belnaboth in Glenbucket (stretching from Iuor of Aldecassen to the burn of Corunobagen, and thence to Clachnellie), belonging to the dean and chapter of Aberdeen; with the altarages and other small emoluments, which of old belonged to the vicar of Logy; and with twenty shillings Scots yearly from the vicar of Logy, in respect of his release from the cure of Glenbucket.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 307-309.)

² [Abridged from the Registrum Magni Sigilli, lib. xli., no. 104. MS. Gen. Reg. House, Edinb.]

By a charter, dated at Aberdeen on the eighth day of December, 1582, Arthur Skeue, vicar of the parish church of Glenbuchat, granted in feufarm to Alexander Forbes, commonly called

ecclesie cathedralis Abirdonensis absente Decano eiusdem Capituli Noueritis nos cum . . . consilio reuerendi in Christo patris et domini Dei Apostoliceque Sedis gratia Abirdonensis Episcopi et discreti viri Domini Johannis Carlile vicarii perpetui ecclesie parochialis de Glenbuchet . . . ad feudifirmam seu emphiteosim perpetuam hereditarie dimisisse . . . prouido viro Alexandro Thomuilsoune et Helene Carlile eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus heredibus masculis ipsius Alexandri et suis assignatis quibuscunqve Totas et integras nostras ville et glebe ecclesiastice vicarie predictae de Glenbuchet cum *lie Ailhous* et *Ailhouscroftis* cum singulis alijs suis pendiculis et pertinencijs . . . iacentes infra dominium de Mar et vicecomitatum de Abirdene . . . Tenendas et habendas . . . de nobis et successoribus nostris Decano et Capitulo antedictis in feudifirmam et hereditatem perpetuam . . . Reddendo inde annuatim . . . prefato Domino Joanni vicario pro toto tempore vite sue et post eius decessum perpetuis futuris temporibus summam sex mercarum ad sustentationem vnus vicarii ad ministrandum in dicta ecclesia per nos presentandi . . . summam quinque mercarum monete Scotie pro annuis firmis gressumis custumis arragijs caragijs bondagijs et alijs seruicijs et deuorijs quibuscunqve . . . necnon summam tredecim solidorum et quatuor denariorum eiusdem monete in augmentationem . . . rentalis necnon duplicando dietam feudifirmam sex marcarum primo anno introitus cuiuslibet heredis aut assignati . . . Reseruando tamen vicarijs perpetuis dicte ecclesie futuris totumcroftum et mansum eum horto dicte ecclesie . . . prout de presenti . . . laborantur . . . per Joannem Ray curatum dicte ecclesie vna cum lapidibus lutho cespitibus focalibus . . . et alijs necessarijs pro edificacione sustentacione et constructione mansionis horti

Alaster Forbes, son of John Forbes in Colquharie, the lands of the Kirktown and Kirk Glebe of the vicarage of Glenbuchat, with the Ailhous and Ailhouscroftis, reserving the liferent of the shadowy half to Robert Thomuilsoun, son and heir of the deceased Alexander Thomuilsoun. This charter, along with the charter in the text, was confirmed by King James VI., by a charter under the great seal, dated at Falkland on the twenty fourth day of July, 1585.—(Registrum Magni Sigilli, lib. xli., no. 104. MS. Gen. Reg. House, Edinb.)]

On the third day of April, 1594, John Gordon, fiar of Carnburrow, and Helen Carnegie, his wife, were infeft in the lands of Easter and Wester Innerbuckettis, before these, among other witnesses, Patrick Leslye of Kincragie, John Forbes of New, Robert Coutis, fiar of Ouchterowle, and James Abircrumbly, fiar of Persie.—(Original in the charter room at Duff House.)]

et horrei vicariorum dicte ecclesie pro tempore Cum communi pastura duorum equorum octo aliarum bestiarum seu vaccarum et quadraginta ouium . . . infra dictam terram ecclesiasticam . . . necnon peciam terre contigue jacentem manso et horto dicti Curati continentem viginti rudas terrarum in longitudine et latitudine prout moris est limitare rudas ad effectum construendi et edificandi horrei et horto ad collectionem et conseruationem decimarum garbaliim et aliarum decimarum dicte parochie . . . In cuius rei testimonium huic presenti carte sigillum prefati reuerendi patris et Capituli antedicti vnacum sigillo prescripti Domini Joannis vnacum eorundem subscriptionibus manualibus presentibus sunt apposita et appensa respectiue apud ciuitatem Abirdonensem tertio die mensis Augusti Anno Domini millesimo quingentesimo quadragesimo nono Presentibus ibidem Alexandro Cowtis Magistro Joanne Chamer Magistro Andrea Harvye Magistro Stephano Maueris et Roberto Burnat cum diuersis aliis .

THE PARISH OF AUCHINDORE.¹

Confirmatio Gubernatoris regni Scocie Alexandro de Iruyne de Drum. ² —
(A.D. 1414.)

Robertus dux Albanie comes de Fife et de Menteth ac gubernator regni

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 613, 614.]

In the year 1236, there was a controversy between Andrew, bishop of Murray, and Gilbert, bishop of Aberdeen, as to the diocesan jurisdiction of the church of Dauendor.—(Registrum Episcopatus Moraviensis, p. 101.)

On the twenty-eighth day of May, 1361, Thomas, earl of Marr, presented his clerk, Sir John of Mar, canon of Aberdeen, to the church of Dauachyndore, then vacant by the decease of Sir Thomas of Meldrum, its late rector; and farther gave his consent to the church of Dauachyndore being united, with the Bishop's sanction, to the prebendal church of Inuaynochy.—(Registrum Episcopatus Aberdonensis, vol. I., p. 89.) On the twenty-fourth day of Mareh, 1513-4, Bishop Elphinstone, with consent as well of the rector of the church of Auchindoir, as of King James V., erected that church into a prebend of the King's College, at Aberdeen. The prebendary was bound, however, to provide a fit vicar for the cure of the church, who should receive twelve merks yearly, with a manse and convenient toft, and to provide also for the Colledge a stallar skilled in singing, who should officiate with the other stallars or boys in the choir of the Colledge, and have a salary of four merks Scots, with a decent habit and surplice.—(Fasti Aberdonenses, pp. 74, 94.) The Romanesque church of Auchindoir is described in Mr. Muir's Ancient Parochial and Collegiate Churches of Scotland, pp. 144-147. Lond. 1848.]

² [Abridged from the original in the charter room at Drum.]

Scocie omnibus probis hominibus tocius regni predicti clericis et laicis salutem Sciatis nos . . . virtute officii nostri gubernacionis regni predicti imperpetuum confirmasse donacionem et concessionem illas quas carissimus nepos noster Alexander comes de Marre et de Garuiaich fecit et concessit dilecto consanguineo suo Alexandro de Irwyne de Drum de . . . terris suis dominicis de Dauachdore et de Fidilmonth cum pertinenciis iacentibus in comitatu de Marr infra viccomitatum de Aberdene pro seruicio dicti Alexandri de Irwyne dicto nepoti nostro impenso et pro toto tempore uite sue impendendo Tcnendas et habendas totas et integras terras predictas cum pertinenciis predicto Alexandro de Irwine et heredibus suis et suis assignatis de dicto nepote nostro et successoribus suis Comitibus de Marr in feodo et hereditate imperpetuum . . . sicut in carta predicti Comitibus de Marr nepotis nostri prefato Alexandro de Irwine inde confecta plenius continetur Saluo domino nostro Regi et heredibus suis de dictis terris cum pertinenciis seruicio debito et consueto . In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum officii nostri apponi precepimus Testibus reuerendo in Christo patre Gilberto episcopo Aberdonensi cancellario Scocie Johanne Senescalli comite Buchanie Willelmo domino de Grahame Johanne Senescalli de Lorn militibus Andrea de Hawick rectore de Listoun secretario nostro et Michaelae [de Narne scutifero nostro . apu-1] . . . quinto die mensis Maij anno Domini millesimo quadringentesimo quartodecimo et gubernacionis nostre anno [octauo .]

Confirmatio Roberti comitis de Marr Alexandro de Irwyne militi.¹ —
(A.D. 1410 et A.D. 1440.)

Omnibus hoc scriptum visuris vel auditoris Robertus comes de Marr et dominus de Erskyne salutem . . . Sciatis nos quandam cartam bone memorie Alexandri Senescalli quondam comitis de Marr et de Garuiaich ac domini de Duffle in Brabancia predecessoris nostri factam dilecto nostro Alexandro de Irwyne militi . . . intellexisse ad plenum in hec verba OMNIBUS hanc cartam visuris vel auditoris nos Alexander Senescalli comes de Marr et de Garuiaich ac dominus de Duffle in Brabancia salutem in Domino Noueritis nos dedisse . . . et hac presenti carta

¹ [Abridged from the original in the charter room at Drum.]

nostra confirmasse dilecto et fideli consanguineo nostro Alexandro de Irwyne militi pro suo fideli seruicio nobis impenso et pro toto tempore vite sue impendendo omnes terras nostras dominicas de Davachindore et de Fidelmonth cum pertinenciis in comitatu nostro de Marr infra vicecomitatum de Aberdene Tenendas . . . predicto Alexandro hereditibus suis et suis assignatis de nobis et heredibus nostris et nostris successoribus in feodo et hereditate . . . per omnes rectas metas et diuisas suas sine releuo warda maritagio secta curie vel venacionis vel takmarte et sine quocunque onere prouidencie ad castrum nostrum quocunque tempore anni capiendo vel ad quemcunque alium locum / Et sine aliqua custuma danda fabrisdera vel tosachdera Cum boscis planis moris marresiis pascuis pratis et pasturis tam propriis et specialibus quam communibus viuariis piscariis aucupacionibus venacionibus cum molendinis multuris brasinis et eorum sequelis petariis turbariis stagnis aquis viis semitis . . . Reddendo inde nobis heredibus nostris et nostris successoribus annuatim dictus Alexander heredes sui et sui assignati vnum denarium vsualis monete Scocie apud ostium australe ecclesie parochialis predictarum terrarum ad Festum Natiuitatis Beati Johannis Baptiste nomine albe firme si petatur tantum . . . Saluo seruicio forinseco domini nostri Regis quantum ad dictas terras cum pertinenciis de jure pertinet . Et si contingat nos heredes nostros vel nostros successores vel quemcunque alium nomine nostro vel ex parte nostra tenorem presentis scripti in toto vel in parte aliquo aliter infringere vel contradicere clam vel palam obligamus nos heredes nostros et nostros successores ad soluendum centum libras vsualis monete Scocie ad fabricam ecclesie cathedralis de Aberdone leuandas per Episcopum eiusdem vel suum officialem qui pro tempore fuerit antequam nos heredes nostri vel nostri successores in aliquo iudicio audiamur . . . In cuius rei testimonium sigillum nostrum presenti carte nostre fecimus apponi apud castrum nostrum de Kyndromy decimo sexto die mensis Decembris anno Domini millesimo quadringentesimo decimo Testibus reverendo in Christo patre Domino Gilberto Dei gracia episcopo Aberdonensi cancellario Scocie Magistro Henrico de Lichtoun rectore ecclesie de Kynkell Jacobo Senescalli fratre nostro Willelmo de Camera patre et Roberto Dauid cum multis et diuersis alijs QUAMQUIDEM cartam . . . in omnibus et per omnia cum consensu . . . carissimi filij nostri Thome de Erskyne militis . . . pro nobis et

heredibus nostris prefato Alexandro heredibus suis et suis assignatis vt premissum est imperpetuum confirmamus Concedimus insuper pro nobis et heredibus nostris prefato Alexandro heredibus et assignatis suis libertatem siue eschaetam dictam waiti in dictis terris cum pertinencijs inuentam In cuius rei testimonium sigillum nostrum vna cum sigillo dicti Thome filij nostri in testimonium sui consensus apponi fecimus apud burgum de Aberdene decimo die mensis Maij anno gracie millesimo quadringentesimo quadagesimo Testibus reuerendo in Christo patre Domino Henrico Dei gratia episcopo Aberdonensi nobilibus viris Domino Alexandro de Forbes domino eiusdem milite Roberto de Erskyne de Kynnoule Nicholaio de Erskyne nepotibus nostris Johanne Broune de Kennate Johanne de Drummond Waltero Kay scutiferis nostris Gilberto Meignes tunc preposito dicti burgi de Abirdene Johanne Vaus Johanne de Fife Johanne de Scroggis patre burgensi burgi predicti et Magistro Johanne de Caudiou notario publico cum multis alijs .

Carta Willelmi Gordoun filii et heredis apparentis Patricij Gordoun in Fulyemont. ¹—(A.D. 1507.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Willelmo Gordoune filio et heredi apparenti Patricij Gordoune in Fulyemont totas et integras terras de Johnnis Leyis cum molendino earundem cum suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene et regalitatem de Garviache Quequidem terre et molendinum . . . clamate fuerunt per Willelmum Blakhaw de eodem sibi in superioritate pertinere et per Duncanum Forbes de Skene et Cristinam Merser eius sponsam in proprietate per cartam et sasinam per nos desuper confectas post apreciacionem earundem pro summa tricentarum mercarum factam in partem solucionis maioris summe per ipsos super dictum Patricium Gordoune recuperate et eciam fuerunt dicti Patricii in proprietate hereditarie ante prefatam apreciacionem et nunc redempte et relaxate per ipsum a dictis Duncano et Cristina et conqueste a dicto Willelmo Blakhaw cum clameo suo in superioritate earundem Et quas

¹ [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 396. MS. Gen. Reg. House, Edinb.]

terras et quod molendinum . . . dictus Willelmus in superioritate et dicti Duncanus Cristina et Patricius in proprietate et quilibet ipsorum . . . in manibus nostris . . . simpliciter resignarunt . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . jura et seruicia . . . debita et consueta Reservato tamen liberotenemento . . . dicto Patricio pro toto tempore vite sue . . . In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburghe decimotercio die mensis Septembris anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .

Indenture of manrent between Drum and Patrick Gordon of Johnesleyiss.¹
—(A.D. 1511.)

This indentur maid at Aberdene the xviii day of the moneth of March the yer of God ane thousand five hundreht and tene yeris quhilk proportis and beris witnes in itself that it is fullely appoutit and accordit betuix ane nobile mane Schir Alexander Irvyne of Drum knycht on that ane part and Patry Gordon of Johnesleyiss one that uther part in maner . . . as efter folloues That is to say the said Knycht God willing sall infest Wilyeame Gordone sone and appering ayr to the said Patry heretable . . . in all and haile his landis of Auchindor Fulcemont Crawok mylne and ailbous of the samyne with thair pertinence liand within the shirefdome of Aberdene to be haldin of the said Knycht and his ayres in fewferme payand yeirlye fourty sevin merkis usuall money of Scotland at tua usuall termes in the yeir . . . and the said Patry and his ayres salbe buudin and oblist be the fathis of thar bodiis to the said Knycht and his ayres to mak homag mantrent and seruice till our Souerane Lord in tyme of his weris witht fyve rydand men tua speiris weill furnist as efferis in hosting with the said Kniicht or his ayres within the realme of Scotland or the osting of England as salbe contenit in his charter . . . and to the part of this indentour remaning witht the said Knycht the said Patry has affixt his seill togidder witht subscription of his hand day yeir and place before writtin befor honorable and famous men

¹ [Abridged from the original in the charter room at Drum.]

Walter Berclay of Towy Alexander Irving sone and appering ayr to the said Knycht Richerd Iryvne Archbald Fraser Schir Dauy Lyel and Schir Johnne Stirueling notar publict.

Patry Gordon of Johnezleiss.

Carta confirmacionis Patricii Gordoune filii et heredis apparentis Willelmi Gordoune de Auchindore. ¹—(A.D. 1538.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . quamdam cartam . . . venditionis factam per Alexandrum Gordone de Knockinblewis dilecto nostro Patricio Gordoun filio et heredi apparenti Willelmi Gordoune de Auchindore . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Alexander Gordoune de Knokinblewis salutem in Domino sempiternam Noueritis me . . . vendidisse . . . dilecto consanguineo meo Patricio Gordoun filio et heredi apparenti Willelmi Gordoune de Auchindore heredibus suis et assignatis omnes et singulas terras meas de Drymmeis cum pertinentiis jacentes in baronia mea de Knokinblewis et infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . de supremo domino nostro Rege et suis successoribus . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . seruicium debitum et consuetum . . . In cuius rei testimonium huic presenti carte nostre subscriptione mea manuali subscripte sigillum meum proprium est appensum apud Abirdene decimo die mensis Maii anno Domini millesimo quingentesimo trigesimo octauo Coram hiis testibus Roberto Stewart de Latheris Johanne Collisoun burgense de Abirdene Alexandro Gordoune Daud Watt Johanne Voud Patricio Meldrum et Magistro Roberto Lummsdene notario publico cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Sanctumandream vicesimo primo die mensis Junii anno regni nostri vicesimo quinto .

¹ [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 136. MS. Gen. Reg. House, Edinb.]

Carta Willelmi Gordoun. ¹—(A.D. 1556.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos quandam cartam . . . venditionis factam per Willelmum Gordoun de Auchindoir Willelmo Gordoun suo nepoti . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Willelmus Gordoun de Auchindoir ac dominus terrarum de Johannis Leis salutem in Domino sempiternam Noueritis me vendidisse . . . dilecto meo Willelmo Gordoun nepoti meo heredibus suis et assignatis Omnes et singulas terras meas de Johannis Leis exten-lentes ad quadraginta libratas terrarum antiqui extentus cum suis pertinentiis jacentes infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . de suprema domina nostra Regina et suis successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . seruicium inde debitum et consuetum . . . In cuius rei testimonium sigillum meum huic presenti carte mee per notarium publicum subscriptum de mandato meo subseribentem est appensum apud Auchindoir decimo quinto die mensis Aprilis anno Domini millesimo quingentesimo quinquagesimo sexto Coram hiis testibus Georgio Gordoun Georgio Leslie Adamo Mark et Domino Dauid Andersoun sacellano cum diuersis aliis ac Thoma Daloquhy notario QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh primo die mensis Maii anno Domini millesimo quingentesimo quinquagesimo sexto et regni nostri decimo quarto .

Carta de Edynbanchory et Craglogy. ²—(A.D. 1402.)

Omnibus hanc cartam visuris vel auditoris Isabella de Douglas domina de Marr et de Garviach eternam in Domino salutem . Noueritis nos in nostra pura viduitate constitutam . . . dedisse . . . dilecto et fideli nostro Alexandro de Forbas filio et heredi Johannis de Forbas militis domini eiusdem

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 299. MS. Gen. Reg. House, Edinb.]

² [From the General Register House.]

pro fideli seruicio suo nobis impenso et pro toto tempore vite sue nobis impendendo totam terram nostram de Edynbanchory et Craglogy cum pertineneciis . Tenendam et habendam eidem Alexandro et heredibus suis de nobis et heredibus nostris in feodo et hereditate . . . sine homagio seu warda releuio vel secta curie . . . Reddendo inde nobis et heredibus nostris predietus Alexander et heredes sui per annum vnum denarium sterlingorum apud castrum de Kyndromy ad Festum Pentecostes si petatur nomine albe firme tantum . . . Saluo forinseco seruicio domini nostri Regis quantum ad dictam terram de iure pertinet . . . In cuius rei testimonium sigillum nostrum presenti carte est appensum apud castrum de Kyndromy octauo die mensis Nouembris anno Domini millesimo quadringentesimo secundo . Hijs testibus venerabili in Christo patre Domino Gilberto Dei gracia episcopo Abirdonensi Willelmo de Keth marescallo Scoocie Alexandro de Keth Andrea de Lesly militibus . Archibaldo de Douglas cum multis alijs .

Confirmacio pro Domino Alexandro de Forbes de terris de Edynbanchery. ¹
—(A.D. 1405.)

Robertus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam Isabelle comitisse de Marr factam et concessam Alexandro de Forbes filio et heredi Johannis de Forbes militis de terris [de] Edynbanchery et de Craglogy cum pertineneciis jacentibus infra vicecomitatum de Aberdene . . . intellexisse ad plenum . in hec verba . OMNIBUS hanc cartam visuris vel auditoris Isabella de Douglas domina de Marr et de Garviauch [*etc. ut supra*] . QUAMQUIDEM cartam . . . approbamus ratificamus et pro nobis et heredibus nostris in perpetuum confirmamus . Saluo seruicio nostro . In cuius rei testimonium presenti carte nostre confirmationis nostrum precepimus appeni sigillum . Testibus reuerendis in Christo patribus Henrico episcopo Sanctiandree Gilberto episcopo Abirdonensi cancellario nostro . Roberto duce Albanie comite de Fyf et de Menteth fratre nostro germano . Henrico de Sancto Claro comite Oreadie . Roberto de Erskyne et Dauid Flemyng de Bigare consanguineis nostris militibus .

¹ [From the General Register House.]

Apud Lyulitheu vicesimo tercio die mensis Junii anno Domini millesimo quadringentesimo quinto . Et regni nostri anno sextodecimo .

The Laird of Craige Gordon.¹—(*circa* A.D. 1630).

To the Kings moste Excellent Majestie
The humble petition of John Gordon elder of Craige

Humblic sheweth That for Religion order hath been given for banishinge the petitioners sonne his wife and children and confyneinge himselfe (in respect of his great age) in a towne within Scotlande / which order they haue all humbly obeyed his sonne wife and poore children having forthwith abandoned the Kingdome / A two parte of the poore estate which we hathe beinge allotted for his sonne and his family / and a thyrde parte for himselfe / he now fyndeth that by such a meane proporcioonn he cannot be able to lyve beinge both aged and sickly /

His humble suite is That he may haue leaue to departe the Kingdome to liue with his sonne becaus by their estate vndevided they may all be more able to subsist then otherwise And that your Majestie wilbe gratically pleased to giue order to your Counsell there for that effecte / And (as in dutie) he shall be ever bound to pray for your Majesties longe and prosperous raigne

¹ [From the General Register House.]

THE PARISH OF CABRACH OR STRATHDOVERN.¹

Carta confirmationis Georgio de Straithaichin de Losmorthi super terris de Balchere etc.²—(A.D. 1474.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quendam cartam dilecti nostri Laurencij Nudry factam . . . Georgeo de Straithaichin . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Laurencius Nudry dominus vnius partis de Ouirestende salutem in Domino sempiternam Sciatis me . . . libere vendidisse . . . Georgeo de Strathachin de Losmorthi totas et integras terras meas terciarum parcium de Balchere Enuercheroche et Auchnastank cum suis pertinenciis

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 615, 616.]

In the year 1157, Pope Adrian IV. confirmed the Monastery of Cloueth to Edward, bishop of Aberdeen, and his successors.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 6, 85.) It would seem to have been originally part of the possessions of the church of Murlach.—(Id., vol. i., pp. 3, 251; vol. ii., p. 125.)

In the year 1266, the Dean and Chapter of Aberdeen confirmed the grant made by Bishop Richard, of the churches of Dunmeth and Cloueth, for the lights of the great altar and the ornaments of the cathedral church of Aberdeen.—(Registrum Episcopatus Aberdonensis, vol. i., p. 29.) In the year 1363, Bishop Alexander, having regard to their slender revenues wasted by frequent war, united the churches of Kyldrmy and Cloueth, both belonging to the commons of the chapter of the cathedral: the cure was to be served by a resident vicar, presented by the dean and chapter, and having a salary of a hundred shillings yearly, with the church land.—(Id., vol. i., pp. 102, 103.) If the union took effect, it was not lasting. (Id., vol. ii., pp. 52, 55, 86, 87.) In the year 1520, the church of 'Cawbraucht or Cloueth,' one of the common churches of the chapter, was leased for ten pounds.—(Id., vol. i., p. 384.)

In the year 1381, the lands of Cloueth were claimed to be held of the Bishop by Bernard of Kargill.—(Id., vol. i., p. 135.) They were of the extent of half a davach.—(Id., vol. i., p. 251.) In the year 1511, the Bishop's lands of Cloueth, consisting of two ploughs, were leased to four tenants for eight pounds of grassum, and a yearly rent of eight pounds, a mart, eight kids, and three shillings and four pence for bondage and services: the mill and croft were let to one tenant, for twenty-six shillings and eight pence of grassum, and twenty-five shillings and eight pence yearly, with liberty of brewing.—(Id., vol. i., p. 363.) In 1549, the lands of Cloweth, with the mill, were leased by the Bishop to Master Robert Lnnisdane, for nineteen years, at the yearly rent of nine pounds, six shillings, and eight pence, one mart, twelve kids, four geese, and three shillings and four pence for bondages, with the accustomed services; the tenant being bound to defend the rights and liberties of the church, and to resist heretics and enemies of the orthodox faith.—(Id., vol. i., p. 433.)

² [Abridged from the Registrum Magni Sigilli, lib. vii., no. 278. MS. Gen. Reg. House, Edinb.]

iacentes infra vicecomitatum de Banf . . . Tenendas et habendas . . . de domino nostro Rege et successoribus suis in feodo et hereditate imperpetuum . . . Faciendo supremo domino nostro Regi et heredibus suis forinsicum seruicium quantum pertinet ad dictas terras . . . In cuius rei testimonium sigillum meum presenti carte mee est appensum apud Capellam Sancte Marie de Gillismaldi quinto die mensis Februarii anno Domini m^o cece^{mo} lxxij coram hijs testibus Johanne Strathachin de Thorntoun Patricio Lindesay et Johanne Alexandri cum diuersis alijs QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis heredibus et successoribus nostris wardis releuiis maritagijs iuribus et seruicijs de dictis terris . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo tercio die mensis Marcij anno Domini j^m iiii^c lxxij et regni nostri decimo quarto .

Carta Georgij Strathachin et Margarete eius sponse. ¹—(A.D. 1527.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam . . . factam per Alexandrum Strathachin in Losmordy dilectis suis Georgio Strathachin filio seniori dicti Alexandri et Margarete Gordoun eius sponse . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Alexander Strathachin de Losmordy salutem in Domino sempiternam Sciatis me . . . dedisse . . . filio meo primogenito Georgio Strathachin et Margarete Gordoun eius sponse omnes et singulas terras meas de *le Estertoune* de Losmordy a *le Grene Welhed est* et terciam partem terrarum mearum de Inuerquerauche et terciam partem terrarum mearum de Auchinstink et tertiam partem terrarum mearum de Balkery cum earum pertinentiis iacentes infra vicecomitatum de Banff pro singularibus dilectione fauore et amicitia habitis dicto filio meo et eius sponse . . . Tenendas et habendas . . . de supremo domino nostro Rege in feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicium warde et releuij tantum . . . In cuius rei testimonium sigillum meum proprium huic presenti carte mee est appensum Apud Elgin vicesimo die mensis Februarij anno Domini m^o quingentesimo vicesimo

¹ [Abridged from the Registrum Magni Sigilli, lib. xxii., no. 73. MS. Gen. Reg. House, Edinb.]

septimo Coram hiis testibus honorabili viro Roberto Innes filio et apparenti herede honorabilis viri Roberti Innes de Inuermerky Jacobo Pendrecht Alexandro Innes cum diuersis alijs QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis . . . iuribus et seruicijs . . . nobis debitis et consuetis In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Elgin tercio die mensis Marcij anno Domini m^o quingentesimo vicesimo-septimo et regni nostri decimo quinto .

Carta confirmacionis Georgii Strathachin de Estirlosmurdy et eius sponse.¹ —(A.D. 1539 et A.D. 1540.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . venditionis factam per Johannem Gordoun parcionarium de Auchinstaynk Georgio Straithachin de Estirlosmurdy et Margarete Gordoune sue sponse . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Johannes Gordoun parcionarius de Auchinschaynk salutem in Domino sempiternam Noueritis nos vendidisse . . . dilectis nostris Georgio Straithachin de Estirlosmurde et Margarete Gordoun sue sponse ac eorum alteri diucius viuenti in coniuncta infeodacione heredibus suis et assignatis . . . omnes et singulas tercias partes orientales terrarum nostrarum de Balchery nunc per nos occupatas cum singulis suis pertinencijs jacentes in baronia de Innuerquhiranche et infra vicecomitatum de Banff . . . Tenendas et habendas . . . de nobis heredibus nostris et successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . vnum denarium vsualis monete regni Scotie in Festo Pentheocostes super solum dictarum terrarum . . . nomine albe-firme tantum si petatur . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre est appensum vnacum nostra subscriptione manuali apud Carneborrow sexto die mensis Decembris anno Domini millesimo quingentesimo trigesimonono Coram hiis testibus Magistro Jacobo Gordoun Richardo Mathisson Jacobo Wardlaw Magistro Patricio Maitland cum diuersis aliis testibus QUAMQUIDEM cartam . . . pro per-

¹ [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 409. MS. Gen. Reg. House, Edinb.]

petuo confirmamus Saluis . . . juribus et seruiciis . . . debitis et consuetis In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburghe decimoquarto die mensis Februarij anno Domini millesimo quingentesimo trigesimonono et regni nostri vicesimoseptimo .

Carta Jacobi Straithauchin de Lesmordy et sue sponse.¹ —(A.D. 1549.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . dedisse . . . dilectis nostris Jacobo Strethauchin de Lesmordy et Elizabeth Abirerumny sue sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis . . . omnes et singulas terras de Thomebayne et Wester Lesmordy cum molendino earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de Banfe Quequidem terre . . . fuerunt prefati Jacobi perprius hereditarie et quas idem . . . in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . iura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh primo die mensis Nouembris anno Domini millesimo quingentesimo quadragesimo nono et regni nostri septimo .

Carta Alexandri comitis de Huntlie.² —(A.D. 1508.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos pro bono et gratuito seruicio nobis per dilectum consanguineum et consiliarium nostrum Alexandrum comitem de Huntlie dominum Gordoun et Baidienache impenso ac per ipsum et heredes suos nobis et successoribus nostris imposterum impendendo dedisse . . . dicto nostro consanguineo omnes et singulas terras et forestam

¹ [Abridged from the Registrum Magni Sigilli, lib. xxx., nn. 268, 340. MS. Gen. Reg. House, Edinb.]

² [Abridged from the original in the charter room at Gordon Castle, collated with the Registrum Magni Sigilli, lib. xiv., no. 491. MS. Gen. Reg. House, Edinb.]

nostras de Cabrauch cum suis pertinenciis jacentes infra vicecomitatum nostrum de Abirdene . Tenendas . . . de nobis et successoribus nostris in feodo et hereditate libera baronia ac libera foresta imperpetuum . . . in boscis planis moris marresiis viis semitis aquis . . . aucupacionibus venacionibus piscacionibus . . . cum curiis et earum exitibus herezeldis bludewitis et merchetis mulierum cum furca fossa sok sak tholl theme infangtheif outfangtheif pitt et gallous cum potestate licencia et priuilegio prefatas terras manurare arare et easdem in toto vel in parte granis seminare vel ipsas terras in forestam et *le hanyng* ponere et obseruare iuxta seriem legum nostrarum forestarum et de eisdem amerciamenta et eschaetas libere foreste percipere et leuare . . . Reddendo inde . . . nobis et successoribus nostris wardam et releuim predictarum terrarum et maritagium cum contigerint Insuper . . . anneximus et incorporauimus . . . predictas terras de Cabrauche cum suis pertinentiis baronie de Huntlie Volumus eciam . . . quod seruicium secta et presenciam curiarum nobis de dicta baronia de Huntlie debita et annuatim exhibenda sufficient et stabunt pro dictis terris et foresta de Cabrauche cum suis pertinenciis sine aliqua alia speciali secta vel seruicio inde reddendo Et quod sasine capiende de predicta baronia de Huntlie adeo sufficientes erunt pro dictis terris et foresta de Cabrauche et ad easdem extendent in omni tempore affuturo post primam sasinam nunc inde capiendam sicut ad reliquas alias terras eidem baronie de Huntlie vnitas . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Willelmo episcopo Abirdonensi nostri secreti sigilli custode dilectis consanguineis nostris Archibaldo comite de Ergill domino Campbell et Lorne magistro hospicii nostri Patricio comite de Boithuill domino Halis Matheo comite de Levenax domino Dornlie Alexandro domino Hume magno camerario nostro Andrea domino Gray justiciario nostro venerabili in Christo patre Jacobo abbate de Dunfermling thesaurario nostro et dilecto clerico nostro Magistro Gawino Dunbar archidiacono Sancti Andree nostrorum rotulorum et registri ac concilii clerico apud Edinburgh vicesimoquinto die mensis Aprilis anno Domini millesimo quingentesimo octauo et regni nostri vicesimo .

Carta Jacobi Gordoun de Auchmully de terris et foresta de Cabrauch. ¹ —
(A.D. 1508.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quendam eartam vendicionis . . . factam per dilectum consanguineum et consiliarium nostrum Alexandrum comitem de Huntlie dominum Gordoun et Baidyenach dilecto nostro Jacobo Gordoun de Auchmully . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Alexander comes de Huntlie dominus Gordoun et Baidyenach salutem in Domino sempiternam Noueritis me vendidisse . . . dilecto nostro consanguineo Jacobo Gordoun de Auchmully et heredibus suis totas et integras terras nostras et forestam de Cabrauche cum suis pertinencijs jacentes infra vicecomitatum de Abirdene in comitatu et baronia nostra de Huntlie diuisam a proprietate uostra diete baronie de Huntlie per has merchias et metas videlicet Incipiendo in austro ad riolum ascendentem inter Elrig et Blakmiddingis que terra de Elrig est in territorio de Cabrauch et Blackmiddingis de baronia de Huntlie que alias Strabogy vocabatur et ab illo riolo ascendendo ad summitatem de Laddishille versus boream et sic transeundo per summitatem de Ludishille ad *le Hundehillok* inter Garbet et Ridfurd et abhinc ascendendo per summitatem montis inter Carinaloquhy et Tulloch Dowy et sic semper versus boream per triam torrentium capita inter illa et Glascory relinquendo *le Burnhedis* ad Strabogy et Glascory ad Cabrauch dehinc descendendo versus boream per summitatem de Cornabroicht ad borealem et orientalem angulum de Ballochbegy que dicitur Grenewelheid que est diuisa inter Cabrauche et Corrynuisy . . . Tenendas et habendas . . . dicto Jacobo et heredibus suis de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . in domibus edificijs boscis planis moris marresijs . . . riolis pratis pascuis et pasturis . . . aucu-

¹ [Abridged from the Registrum Magni Sigilli, lib. xv., no. 140. MS. Gen. Reg. House, Edin.]

A rental of the lands of Cabrach, belonging to the Marquis of Huntly, as leased in the year 1600, is printed in the Miscellany of the Spalding Club, vol. iv., pp. 279-282. The lands appear to have been of the extent of twenty-two ploughgates, four oxengang, and two crofts. They were divided into twenty-one holdings, leased to twenty-six tenants, paying in all three hundred and sixty-six merks of money, and seventeen stones of butter, yearly. "The ward" of the Geyauche was reserved in the Marquis' own hand, and was not to be leased by him to any but tenants.]

pacionibus venacionibus piscacionibus petarijs turbarijs . . . fabrilibus
 brasinis bruerijs et genestis . . . siluis nemoribus virgultis et vcidibus
 arboribus ac venacione videlicet *le vert et venysoun* Cum curijs et earum
 exitibus herezeldis et merchetis mulierum Cum communi pastura libero
 introitu et exitu Necnon cum licencia potestate et libertate easdem terras
 et forestam de Cabrauch in culturam redigendi granis seminandi in toto
 vel in parte et inibi edificia construendi vt ipsi Jacobo et heredibus suis
 magis videbitur expedire in libera foresta et warena easdem possidere
 et illis vti cum omniibus priuilegijs amerciamentis et eschaetis libere
 foreste . . . Et presertim cum illis iuribus et priuilegijs quibus nos per
 dominum nostrum Regem in eisdem terris et foresta infeodati sumus ac-
 tionibus sanguinis et furti dumtaxat exceptis et curijs nostris baronie de
 Huntlie reseruatis Reddendo inde annuatim . . . nobis et successoribus
 nostris tres sectas ad tria placita capitalia curiarum comitatus siue baronie
 de Huntlie apud capitale messnagium eiusdem tenenda Necnon wardam
 et releuium predictarum terrarum et foreste ac maritagium cum contigerint
 . . . In cuius rei testimonium sigillum nostrum presenti carte nostre est
 appensum apud burgum de Jedburgh nono [*f. l. quarto*] die mensis
 Decembris anno Domini millesimo quingentesimo octauo Coram hiis
 testibus videlicet Willelmo Scot de Balwery Alexandro Keith militibus
 Magistro Alexandro Rait Waltero Innes de Tulchis Johanne Seytoun et
 Willelmo Cunnysoun cum diuersis alijs QUAMQUIDEM cartam . . . pro
 perpetuo confirmamus Saluis nobis et successoribus nostris iuribus et
 seruicijs dictarum terrarum et foreste debitis secundum tenorem infeoda-
 cionis per nos dicto consanguineo nostro nuper date ante presentem
 nostram confirmacionem In cuius rei testimonium presenti carte nostre
 magnum sigillum nostrum apponi precepimus . . . Apud Jedburgh quarto
 die mensis Decembris anno Domini millesimo quingentesimo octauo et
 regni nostri vicesimo primo .

THE PARISH OF STRATHDON OR INVERNOCHTIE.¹

Carta Thome de Strathachan domini de Glenkenedy in Mar.²—(A.D. 1406.)

Omnibus hoc scriptum visuris vel audituris Thomas de Strathachan dominus de Glenkenedy in Mar salutem in Domino sempiternam Noueritis me . . . per fustum et baculum pro me et heredibus meis resignasse nobili viro et potenti domino Patricio Gray militi domino de Broxmouth domino meo superiori de Snawdoun totum jus et clameum quod habeo . . . in terris meis de Snawdoun antedictis cum pertinentijs in baronia de Craigy infra vicecomitatum de Mernys jacentibus pro quadam summa pecunie mihi . . . persolute ad recuperacionem terrarum mearum de Glenkenedy ab Alexandro de Forbas filio et herede Domini Johannis de Forbas domini ejusdem . . . In cujus rei testimonium sigillum meum presentibus est appensum et ad majorem hujus rei evidentiã et causa veri testimonij perhibendi sigilla nobilium virorum et discretorum Magistri Patricij de Spalding decani Aberdonensis et Domini Jacobi Scrymgeour

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 616-618.]

Between the years 1199 and 1207, John, bishop of Aberdeen, confirmed the grant of the church of Inuernochn, with its lands and appurtenances, made by G., earl of Marr, to the monastery which he planted at Munfisc, in the church of St. Mary, where the Keldees were before.—(Registrum Prioratus Sancti Andree, pp. 374, 375.) The grant does not seem to have taken effect.

By a charter, dated at Aberdeen on the twelfth day of July, 1356, Thomas, earl of Marr, gave his consent to the erection of the parish church of Inuernochn into a prebend of the cathedral of Aberdeen, a sufficient portion being assigned as well to the perpetual vicar serving the cure of the church, as to the stallar serving in the choir of the cathedral, and the right of presentation, as well to the prebend as to the vicarage, being reserved to the Earl and his successors.—(Registrum Episcopatus Aberdonensis, vol. i., p. 82; vol. ii., pp. 150, 153.) By a charter, dated at his Castle of Kyndromy on the twenty-eighth day of May, the same Earl presented his clerk, Sir John of Marr, rector of Inuernochn, and canon of Aberdeen, to the rectory of the church of Dauachydore, vacant by the death of Sir Thomas of Meldrum, and besought the Bishop of Aberdeen to unite the church of Dauachydore to the prebendal church of Inuernochn.—(Id., vol. i., p. 89.) It does not appear that the union was ever made.—(Id., vol. ii., pp. 52, 55.)

² [Abridged from a copy in the Library at Panmure.]

About the year 1357, Thomas, earl of Mar, granted to Adam of Strachauen, and to Margaret, his wife, the Earl's kinswoman, the davach of land called Glenkenety, and the fourth part of the davach of land of Glenboul, called Rummor, lying in the earldom of Marr. (See Collections on the Shires of Aberdeen and Banff, p. 618.)]

constabularii de Dundee una cum sigillo communi ejusdem burgi cum magna instantia presentibus apponi similiter procuravi apud Dundee die sextodecimo mensis Maij anno gracie millesimo quadringentesimo sexto His testibus dictis Magistro Patricio de Spalding et Domino Jacobo de Srymgeour Roberto de Seras preposito de Dundee Johanne de Ballmallyne Simone de Lindoris notario publico Ricardo Scot tunc ballivo . . . David de Abberkerdor Johanne Young Roberto Templeman Roberto Dugude et pluribus alijs ad hoc specialiter collocatis .

Carta Willelmi Strathachin. ¹ —(A.D. 1511.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Willelmo Strathachin filio et heredi apparenti Duncani Strathachin de Glenkindy omnes et singulas terras de Glenkindy cum molendino earundem terras de Ardlare vna cum siluis de Aldnakest et Lechory cum suis pertinencijs jacentes in comitatu de Mar infra vicecomitatum nostrum de Abirdene Quequidem terre cum molendino et siluis . . . fuerunt dicti Duncani prius hereditarie et quas idem . . . in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate ac libera foresta imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta Reservato tamen libero tenemento . . . dictarum terrarum . . . dicto Duncano pro toto tempore vite sue et rationabili tercia earundem Margarete Lundy eius sponse cum contigerit In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo die mensis Julij anno Domini millesimo quingentesimo vndecimo et regni nostri vicesimo quarto .

De causa inter Willelmum Straquhin de Glenkyndie et Dominum Elphinstoun. ² —(A.D. 1535.)

In Dei nomine . Amen . Per hoc presens publicum instrumentum cunctis

¹ [Abridged from the Registrum Magni Sigilli, lib. xvii., no. 78. MS. Gen. Reg. House, Edinb.]

² [Abridged from the original in the Innes charter chest at Floors Castle.]

pateat euidenter quod anno incarnationis Dominice millesimo quingentesimo trigesimo quinto mensis vero Octobris die quinta . . . In mei notarii publici et testium infrascriptorum presentia personaliter constitutus Robertus Carnegy prelocutor Willelmi Straquin de Glenkyndie humiliter et cum effectu requisivit dominos assisores videlicet Willelmum Leslie de Bouchquhen Thomam Fresser de Stanywod Alexandrum Chalmer de Balnacrag Robertum Deguid de Achinhuf Andream Wod de Fynnerse Willelmum Blakhal de Bourty Magistrum Jacobum Barclay Robertum Lummisdayl de Madlar Jacobum Johnstoun de eodem Nicolaum Ross de Auchlossin Magistrum Alexandrum Chene de Arnage Johannem Forbes de Tellegony Henricum Forbes de Thanistoun Willelmum Blakal de eodem Willelmum Kyng de Barraucht Johannem Leith de Barnis Patricium Leith de Harthill Thomam Tulloch de Monteuffir Johannem Cumyng de Coulter quatinus procederent ad cognitionem capiendam iuxta formam literarum Regiarum necnon precepti Vicecomitis desuper directi super possessione et in possessorio tantum cause debatabilis inter prefatum Willelmum et Dominum Elphinstoun alligando nullam questionem siue actionem fuisse motam per suum clientem contra dictum Dominum Elphinstoun ante dictos iudices siue assisam in petitorio et renuntiavit instantie litis in petitorio . . . et illum pro delecto habere voluit pro tempore Super quibus omnibus . . . honorabilis vir Umfra Rwok unus prelocutorum prefati Domini a me notario subscripto sibi fieri petiit presens publicum instrumentum Acta erant hec in domo consilii de Abirden horam circiter secundam pomeridianam . . . presentibus ibidem tota assisa supra scripta et Magistris Johanne Woud Johanne Hay notariis publicis cum diuersis aliis testibus . . .

Et ego Dauid Nicholone artium professor scribaque communis vicecomitatus de Abirden et eiusdem diocesis sacra etiam Apostolica auctoritate notarius [*etc. in forma communi.*]

Carta Alexandri Strathachin junioris de Glenkindie. ¹ — (A.D. 1609.)

Jacobus Dei gratia Magne Britannie Francie et Hybernie Rex . . .
Sciatis nos dedisse . . . predilecto nostro Alexandro Strathachin juniore

¹ [Abridged from the Registrum Magni Sigilli, lib. xlv., no. 307. MS. Gen. Reg. House, Edinb.]

nepoti Willelmi Strathachin de Glenkindie ac filio legitimo natu maximo Alexandri Strathauchin filii natu maximi dicti Willelmi inter ipsum Alexandrum et quondam Elizabetham Forbas eius coniugem legitime procreati heredibusque masculis dicti Alexandri Strathauchin junioris et suis assignatis quibuscunque omnes et singulas . . . terras de Glenkindie terras dominicales eiusdem cum manerie turre fortalicio hortis . . . molendinum de Glenkindie terras molendinarias cum astrictis multuris . . . villas et terras de Ardler cum syluis de Aldnakest et Luchory villas et terras de Fermctoune de Glenkindie Delroisache Cragingour Lechorie Tollofraik Leargkindie Tornahaithneiche Rinnavoene molendinum fulonum de Glenkindie . . . jacentes infra comitatum de Mar baroniam de Glenkindie et vicecomitatum nostrum de Abirdene Quequidem terre . . . ad prefatum Willelmum Strathauchin de Glenkindie auum dicti Alexandri Strathauchin junioris perprius hereditarie pertinuerunt Quasquidem ipse Willelmus . . . in manibus nostris . . . simpliciter resignauit . . . in fauorem dicti Alexandri Strathauchin junioris . . . Tenendas et habendas . . . de nobis nostrisque successoribus Scotie Regibus in feodo hereditate ac libera foresta imperpetuum . . . Reddendo inde annuatim . . . iuribus seruiciis et deuoriis . . . debitis et consuetis . . . Reseruando tamen prefato Willelmo Strathauchin de Glenkindie vitali reddito . . . predictarum terrarum . . . In eius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgum vigesimo sexto die mensis Maij anno Domini millesimo sexcentesimo nono regnorumque nostrorum respectiue annis quadragesimo secundo et septimo .

Act in fauouris of the Lard of Glenkindie.¹ —(16 March, 1649.)

The Estates of Parliament considering the severall supplicatiounes given in be Alexander Strauchane of Glenkindie Ane thair of agannes

¹ [From the Acts of the Parliaments of Scotland. MS. Gen. Reg. House, Edinb.]

In April, 1644, during a rising of the northern royalists, Spalding records that "thair we pairteis send down to Banf and to Buchane, quhair Auchmagat, pertaining to the Laird of Glenkindie, his girnellis, his goodis, and ground, wes pitifullie plunderit; his brother, Patrik Strathauchin of Kinnadie, plunderit and spolyeit, his bigging, victual and all, syne took him self prissoner, and had him to Kellie, quhair he remanit vpon his awin expensis."—(Memorials of the Troubles, vol. ii., p. 342.)]

Harie Broune in Kellie George Dilguid thair Johne Godsman thair Mr Thomas Gordoune in Auchtileuchres Johne Gordoune of Auchtilenchres James Eleis thair James Raith in Tarves James Couper in Shives Alexander Rid thair Johne Symmie thair James Byres thair James Byres in Netherthouse of Auchtileuchres Johne Syme thair George Blak in Netherbirnes Johne Scott Francis Hay in Kellie with his wyff Agnes Cassie and his sone James Hay in Shives Johne Ogilvie of Aehannachie George Adamesone in Flnires George Geddes of Auchinhuiff Johne Williamsone of Hauches of Stralay Adame Slayeiris thair George Gordoune of Leischtoune Alexander Gordoune Alexander Gordoune in Collirnuche James Gordoune thair The Baillies sones of Enzie Robert Stewart of Fornathie Adame Duff of Clunezbeg Alexander and Johne Duffis his sones Johne Scott in Auldteberddie and Johne Gordoune of Haddo bearing thame to have violentlie taken away frome the said supplicant in contempt of the lawis of the kingdome haveing no reasone Bot onlie becaus the said supplicant wes ane Covenanter and contrair to their vnlauffull plottis against the Covenant Out of the compleineris hous of Auchnagatte They haveing broken vp with fairhammeris the vther and inner yettis doores kistis cofferis lokfast places and plundered the hail moveable guidis money and silver work being thairintill With the meill malt quheat and oattis within the girnellis horses and nolt particularlie exprest in the said supplicatioune And thairfore craveing warrand to ane maisser or messinger to have warned the foirsaidis persones befor the Estates of Parliament or committee thair of to heir and sie thame decernit to restore and delyver the saids particular guidis and geir And the vther of the saidis supplicationnes at the instance of the said supplicant againes Francis Hay in Kellie bearing the said supplicant to have sett in tak and assedatioune the toune and landis of Newbigging for the space of fyve yeeres for payment of ane yeerlie dewtie and enterit him to the possessioun thair of And thairefter haveing obtenit decreit befor the Shireff of Aberdeine for the maillis and dewties of the saidis landis caused charge the said Francis Hay to mak payment of the saidis dewties and that within fyftene dayes did poynd the said Frances his guidis and geir and comprysed the same on the ground and at the mercate croce of the heid burgh of the schire And thairefter the said Francis haveing maid Johne Gordoune of Haddo assigney to him efter

the same guidis were lauffullie comprysed The said Francis Hay and Johne Gordoune being malignantis and active in the laite ingadgment did raise summond and charge the said supplicant befor the Committee of Estates that sat at Edinburgh the tyme of the said ingadgment wba notwithstanding of his said decret ordained the said supplicant to give back the saidis guidis which wes poyndit in maner foirsaid And thairfore supplicating the saidis Estates of Parliament to ordaine the said Johne Gordoune and Francis Hay to give bak and delyver the foirsaidis guidis and geir and to fulfill the rest of the dewties And to grant warrand for dischaargeing of suspensiounes to the said Francis againes the said decret the Sessione not being sitting As the said supplicatioune at mair lenth beires Whilk supplicatioune togidder with the defences ansueris and replies given in be the saidis perties in the premisses being heard befor the Committee of Billis and reported be thame to the saidis Estates of Parliament THEY HAUE REMITTED and remittis the samyne to be per-sewed befor the judge ordinar and to de decyded be thame.

Deliverance of the Lordis Auditouris anent the tak of the landis of Inuernochty.¹—(15 December, 1494.)

THE actione and caus persewit be Duncane Forbes aganis George Gordone in Cusny Schir William Contis Johnne Duncanesone Thomas M^cGillandris and Johne Grymansone for the wrangwis occupatione and manuring and withalding fra him of the tak and maling of the landis of Inuernochty and Ballebeg with thair pertinentis liand in the Erledome of Mar . . . is be the Lordis Auditouris contenewit to the ix day of Merch nixt tocum . . . And becaus it wes allegiit be the procuratour of the saidis personis that the saidis landis pertenit to George erle of Huntle be ressonne of tak of the Kingis Hienes be the forfaltour of vmquhile Alexander sumtyme Duk of Albany / The Lordis Auditouris tharfore assignis to the said Erle the said ix day . . . to preif sufficiently that the said Duk of Albany wes possessit and sesit of the said landis of Mar and the day and dait of his forfaltour . . .

¹ [From the *Acta Dominorum Auditorum*, p. 203.]

Act of the Lordis Auditouris anent the tak of the landis of Inuernochty and Ballebeg.¹—(16 June, 1496.)

Anent the actione and caws persewit be Duncane of Forbas aganis Georg of Gordonne in Cusny Schir Wilyeame Cowtis Jhonne Duncanesone [in Inuernochty] Thomas McGillandris and Jhonne Grvmansone for the wrangus occupacioun manuring and withalding fra him of the tak and maling of the landis of Inuernochty and Ballebeg with thair pertinentis liand in the erledome of Mar and schirefdome of Abirdene / and for certane vtheris cawsis as is contenit in the principale summondis and ane vther act and decret of Parliament gevin in the saide mater of befor And becaws it was allegit be the procuratouris of a part of the sadis personis contenit in the first act that the sadis landis pertenit to Georg erle of Huntlye be ressonne of tak and assedacione of the Kingis Hienes quham God assolye be ressonne of forefatur of vmquhile Alexander duk of Albany / and the preif tharof assignit to the said Erle and nocht to the sadis personis as is contenit in the sade act That tharefore the Lordis Auditouris assignis to the saidis personis the xij day of October nixt tocum with continiacione of dayis to preif sufficientlye that the sade Erle of Huntlye had tak of the saidis landis of the Kingis Hienes and quhat tyme / and that the sade vmquhile Duk of Albany was possessit and saisit of the sadis landis of the Erledome of Mar and the day and date of his forefature . . . And als sen the Erle of Buchane has comperit personaly in presens of the sadis Lordis allegiand him til haf enteres in the sade mater that tharefore gif he ples that he haf letrez to call ony personis that he pleses for his warand in the samyu mater to the sade day . . .

Declaratioun of the Lordis of Consale anent the lettre of tak of the landis of Inuernochty.²—(12 January, 1496-7.)

Anent the complaynt made be James erle of Buchane etc as procuratour

¹ [From the Acta Dominorum Concilii, vol. vii., fol. 4. MS. Gen. Reg. House, Ediuburgh.]

² [From the Acta Dominorum Concilii, vol. vii. fol. 49. MS. Gen. Reg. House, Ediuburgh.]

for Schir Wilyeame of Cowtis vycare of Inuernochty Jhone McGrvmane and Jhone Grungare inhabitantis of the landis of Inuernochty etc twelching the wanting of anc lettre of tak of the saidis lanlis . . . vnder the subscripcione of Alexander lord Gordoun producit and schawin be the sade James as procuratour for the personis forsaid in presens of the Lordis of Consale and Anthone of Keith bruthyr germane to Wilyeame erle Merschale procuratour for Duncane of Forbas his party aduersare the xij day of Januare the yeire of God j^m iiij^c nynti and sex yeris . . . with halking and hunting . . . Allegiand the sade James erle of Buchane that the sade lettre of tak to be fraudfully withaldin fra him efter that he had producit it before the Lordis and gaif it in the handis of Jhone Ogilyv of Fingask ane of the Lordis of the Seyte for the tyme The quhilk lettre of tak was writin in paper and vnder the sade subscripcione of the sade Lord Gordoune / The Lordis of Consale being avisit apone the sade complaynt desyryng alwayis that justice war equalye ministrat to al our Souerane Lordis liegis and havand in fresch remembrance the sade lettre of tak producit and schewin before thaim in jugment the forsd xij day of Januare . . . declaris that the sade lettre of tak of the landis forsaid was producit and schawin to thaim in jugment tyme and place torsade willand and declarand to al and sindri quham it efferis in eschewing of fraud / that als mekile faitin be gevin to this thar declaracione as to the saide lettre of tak . . . in tyme tocum.

Decrett for the Lord Elphinstoune. ¹—(18 April, 1510.)

In the actioun and eaus persewit be Alexander lord Elphinstoun agane Johne Forbes of Brughis Andro Robertsou Donald Garroche William Brabanare Johne Reoche Donald Bowman Johne Kellis David Garrow Wilham Kellys Thomas Nelesoun Gilmichell Tailyeour / Adesoune Donald Kellys Thomas Watson Morn Gilquhomson Johne Gardner / M^rKenze / and Johne Makillekere / for the wrangwis occupacioun laubouring and manning of the landis particulary efter following liand within the schirefdome of Abirdene sen the feist of Witsunday last bipast

¹ [From the Acta Dominorum Concilii, vol. xxi., foll. 178, 179. See above, pp. 217-220, 226-229, 233, 234, 246-302.]

pertenyng to the said Alexander lord Elphinstoun in heretage that is to say The said Johne Forbes and Andro Robertsoun of the landis of Ballyntymoir The said Donald Garroch William Brabaner and Johne Reoch of the landis of Balnaglak The said Donald Bowman Johne Kellis David Garrow and William Kellis of the landis of the Mynetoun The said Thomas Neilsoun Gilmichal / Talyeour Adesoun and Donald Kellis of the landis of Balloerag The saidis Thomas Watsoun Morn Gilquhom-soun and Johne Gardner of the landis of Ballinaboith and Kilbettok And the said Makkenze and Johne Makkillekere of the landis of Tullykyuche with the pertinentis . . . The Lordis of Counsall decretis and deliueris that the said Johne Forbes Andro Robertsoun and the remanent of the personis abouewrittin has done wrang in the occupacioun . . . of the laundis abouewrittin . . . sen the said terme of Witsonday . . . And tharfor decernis thaim to decist and ceiss tharfra incontinent to be broukit and josit be the said Alexander lord Elphinstoun as his heretage in tyne tocum . . .

Carta Roberti domini Elphinstoun et sue sponse.¹ —(A.D. 1550.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . dedisse . . . dilectis nostris consanguineo Roberto domino Elphinstoun et Margarete Drummond eius coniugi ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus heredibus dicti Roberti domini Elphinstoun quibuscunque hereditarie omnes et singulas terras subscriptas videlicet terras de Corgarth terras de Skellater terras de Inuernyte terras de Fynnelosk terras de Boquhan terras de New terras de Pettymelie terras de Cukishill terras de Tullisniche terras de Glencry terras de Torrebreck et Tullochill terras de Quyltis terras de Summeill et terras de Argeith eum omnibus et singulis suis pertinenciis jacentes in dominio de Kyldrymmy infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Roberti domini Elphinstoun perprius hereditarie et quas idem eum consensu . . . Roberti Drummond de Earnok et Jacobi Kynross de Kippenros

¹ [Abridged from the Registrum Magni Sigilli, lib. xxx, no. 501. MS. Gen. Reg. House. Edinb. See above, pp. 233, 234.]

ipsius curatorum . . . in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde . . . jura et seruicia . . . debita et consueti . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Striuling vicesimoseptimo die mensis Julij anno Domini millesimo quingentesimo quinquagesimo et regni nostri octauo .

Carta Johannis Makkalloun de duabus Inwry Thirueis et Edinglas. — (A.D. 1512.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Johanni Makalloune filio et apparenti heredi Alexandri Makcalloune omnes et singulas terras de duabus Inwry Thirueis et Edinglas cum suis pertinentiis jacentes in comitatu de Mar et infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Alexandri prius hereditarie et quas ipse . . . in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . dicto Johanni Makcalloune et heredibus suis quibus deficientibus veris legitimis et propinrioribus heredibus dicti Alexandri quibuscunque de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . tres sectas ad tria placita capitalia vicecomitatus nostri de Abirdene vnacum seruicio dietarum terrarum cum suis pertinentiis ante predictam resignacionem debito et consueto Reseruato tamen liberotenemento . . . dietarum terrarum . . . dicto Alexandro pro toto tempore vite sue In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh

¹ [Abridged from the Registrum Magni Sigilli, lib. xviii., no. 13. MS. Gen. Reg. House, Edinburgh.]

On the sixth day of January, 1476-7, Alexander Crom Makalounen had sasine of the lands of Inuercabo More, and of the office of Toscheachdreach of Strathawin, in Banffshire, under protest by Sir Walter Stewart of Strathawin, knight, that the sasine was null because the brief and Inquest upon which it proceeded were informal.—(Miscellany of the Spalding Club, vol. iv., pp. 135, 136.)

By letter of manrent, dated at Inuercabok on the fifth day of March, 1503-4, Alexander Crom of Inuercabo becomes leal, true, man and servant to Alexander, earl of Huntly, for all the days of his life.—(Id., p. 192.)]

vndecimo die mensis Februarij anno Domini millesimo quingentesimo vndecimo et regni nostri vicesimo quarto .

Decrett of the Lordis for Agnes Grant relict of vmquhile Johnne M^eallane in Inuerernane. ¹—(1 April, 1530.)

In the actioun and caus persewit be Agnes Grant the relict of vmquhile Johnne M^eallane in Inuerinerane aganis James Gordoune of Abirgeldy as plege and souerte for William Gordoune of Nethirdale to heir him be decernit be decreit of the Lordis of Counsale to restoir and pay againe to the said Agnes xiiij score of scheip That is to say vj scor of yowis price of the pece vj schillingis and diuerss vther gudis quhilkis pertenit to the said Agnes and war spulyeit fra hir out of the landis of Corryhoul within the schirefdome of Aberdene be the said William Gordoune and his complicis lyke as he grantit in iugement befor our Souerane Lorlris Justice Air . . . at . . . Aberdene in the moneth of Januar the yere of God j^m v^e and xxij yeris and tuk him to ane respecte for the samyn and fand the said James Gordoun and him self plegis for satisfioun of party as the act of adiornale maid tharapoun proportis And anent the charge gevin to the Schireff of Abirdene and his deputis be our Soucrane Lordis lettrez to call the said James Gordoun as plege and souerte for-said and the said Angnes befor him and to consider the said mater and tak the said Agnes aitht apoune the awale quantite and profictis of the saidis gudis . . . becaus sche was seiklic and greit with chyle and mycht nocht travell for danger of hir life . . . The said Agnes Grant comperand be Patrick Grant hir fader and the said James Gordoun . . . nocht comperit THE LORDIS OF COUNSALE decretis and deliueris that the said James Gordoun of Abirgeldy as plege and souerte foresaid sall content and pay to the said Agnes Grant sex score of yowis price of the pece v schillingis lx of wedderis and yeild scheip price of the pece iiij schillingis and foure score of lambis price of the pece ij schillingis And for the profictis of the said vj^{xx} yowis in woll mylk and lammis xxvij pundis The profictis of the saidis lx wedderis and yeild scheip sen the

¹ [From the Acta Dominorum Concilii, vol. xli., fol. 57. MS. Gen. Reg. House, Edinb.]

tyme of the said spulye thre pundis The proffictis of the said lxxx lammis sen the said spulye as said is iiij pundis . . . And thairfor ordinis lettrez be direct to compell and distrenye the said James herefore in forme as efferis.

Charter of the Persoun of Inuernochty his manse.¹—(A.D. 1581.)

A charter maid be Maister Johnne Elphingstoune persoune of Innernochy with consent of Robert lord Elphingstoun patrone thairof and Alexander maister of Elphingstoun to Maister George Barclay burges of Abirdene and Marione Chene his spous the langer livar of thame twa in coniunct fee and the aris lauchfullie gottin or to be gottin betuix thame . . . off all and hail the land and lugeing pertening to the said Persoune / with clois houssis and biggingis tharof To be halden of the said persone and his successouris Payand yerlie to the chapter of the kirk of Abirdene ane annuall rent of xl schillingis and to the said Persoun and his successouris xiiij schillingis iiij penneis at twa termes Witsonday and Martymes With a precept of sesing thairin direct to Walter Barclay of Kinharroquhy baillie namit thairin Datit at Edinburgh and Kildrymme the xxvj of September and viij of October the yeir of God j^m v^e lxxxj yeris witnessis Johnne Ramsay and Daud Myllar to the said Persoun Alexander Elphingstoun brother to the said Lord Robert Elphingstoun Robert Bruce Andro Wshill and Alexander Stevinstoun to the said Maister Alexander with vtheris diuers.

THE PARISH OF KEIG.²

In festo Sancti Diaconani confessoris et martyris.³

Fiat memoria de Sancto Diaconano confessore et martyre patrono de Kege . cetera de communi unius martyris sed cum hac oracione .

¹ [From the Abbreviationes Cartarum Feudifirme Terrarum Ecclesiasticarum. 23 Nov., 1586. MS. Gen. Reg. House, Edinh.]

² [See Collections for a History of the Shires of Aberdeen and Banff, pp. 619, 620.]

³ [From the Breuiarium Aberdonense, prop. Sanctorum pro tempore hycemali, fol. xxij. The

Deus qui Beatum Diaconanum confessorem tuum martyrii palma decorasti: concede propicius nobis famulis tuis ipsius passione gloriosa et meritis a carnis nostre hostili temptacione liberari . Per Dominum .

Ad Matutinas nouem lectiones fiant tres medie lectiones de Sancto Diaconano martyre et confessore de communi uiuis martyris .

Decreit aganis Adame Elmisle.¹—(13 February, 1492.)

The Lordis Auditouris decrettis and deliueris that Adame Elmisle sall decist and cess fra the occupationne and manurin of the tak and maling of Glentoun liand in the barony of Kege and Monymusk within the schirefdome of Abirdene to be brvikit and manurit be Duncane Forbes the brother of vmquhile Williame lord Forbes efter the forme of the lettre of tak maid to him tharapone be the Archbischof of Sanctandrois for the termez of five yeris vnder his sele and subscriptione manuale schewin and productit before the Lordis And orlinis our Souerane Lordis lettrez be direct herapoun to devoid and red the said landis / And als decrettis and deliueris that the said Adam sall content and pay to him the profitis and dewiteis of the said landis insafar as he may sufficiently preif that the said Adame has intromettit with and takin vp sen the tyme of the said Duncanis entra to the said tak . . .

Decrett for Duncane Forbes.²—(31 January, 1493.)

The Lordis of Consale decrettis and deliueris that Adam Elmysle sall content and pay to Duncane Forbes xv chalder of aitis yerely of thre yeris bigain price of the chalder xl scbillingis and xxx bolliis of bere

festival of St. Diaconanus was on the twenty-third of December. He is called St. Diaconianus in a bull of Pope Innocent IV., in the year 1245.—(Registrum Prioratus Sancti Andree, p. 372.) In the Martyrologium secundum vsu Ecclesie Aberdonensis, he is commemorated as St. Diaconanus, confessor, at Keg, in the diocese of Aberdeen.—(Proceedings of the Society of Antiquaries of Scotland, vol. ii., p. 272.)

¹ [From the Acta Dominorum Auditorum, p. 164.]

² [From the Acta Dominorum Concillii, p. 270.]

yerely be the sammyn space price of the boll v schillingis for the proffitis and dewiteis that he nicht haf haid of the landis of Glentoune liand in the barony of Kege wrangwisly manurit intromettit with an^d takin vp be the said Adam as wes sufficiently previt before the Lordis And ordinis that letrez be writtin to distrenye the said Adam his landis and gudis tharfore and for the proffit of the fogage of lx of nolt xl hors and iij^e scheip insafar as he may sufficiently preif before the Schiref the said fogage is of avale be the said thre yeris And ordinis that letrez be writtin to the Schiref chargeing him to tak the said preif before him set a day tharto and warne the partij tharof and as salbe previt to mak the said Duncane be pait . . .

Instrumentum sasine in favorem Georgii comitis de Huntlie. ¹—(A.D. 1543.)

In Dei nomine . Amen . Per hoc presens publicum instrumentum cunctis pateat evidenter . . . quod anno ab incarnatione Domini millesimo quingentesimo quadragesimo tertio die vero mensis Aprilis vicesimo tertio . . . in nostrorum connotariorum publicorum et testium infrascriptorum presentia personaliter constitutus nobilis et potens dominus Georgius comes de Huntlie dominus de Gordoune et Baudenach habens et tenens suis manibus quoddam sasine preceptum pergamino scriptum . . . Cuius quidem precepti tenor . . . sequitur . . . DAVID miseratione Divina tituli Sancti Stephani in Celio Monte Sancte Romane ecclesie presbiter cardinalis Sancti Andree archiepiscopus totius regni Scotie primas et apostolice sedis legatus natus necnon Myrapicensis ecclesie in Gallia administrator ac commendatarius perpetuus monasterii Sancti Thome martyris de Abirbrothok dilectis nostris Alexandro Gordoune de Stradowne ac Joanni Leslie de ly Syde et Jacobo Gordoune de Haddoche et eorum cuilibet coniunctim et diuim balliuis nostris . . . salutem cum benedictione diuina Quia nos cum . . . consensu

¹ [Abridged from the original in the charter room at Gordon Castle.

On the twenty-ninth day of April, 1555, John, archbishop of St. Andrews, granted a feu charter to Patrick Fergusoun, upon his resignation, of the toft and croft called Deray Croft of Denebray, lying in the lordship of Keig and Monymusk and regality of St. Andrews, with common pasture, and the power of digging and winning peats and turf in the moor and marsh of Puttachy, and feal and divot in the community of Puttachy, for rendering of the services formerly due, with ward and relief.—(Original in the charter room at Castle Forbes.)]

. . . capituli nostri ecclesie nostre metropolitane et primatialis Sancti Andree . . . in annuam rentalis eiusdem augmentationem ad summam quatuordecim librarum sex denariorum et unius oboli plusquam unquam terre molendina et brasina descripta prius nobis aut predecessoribus nostris . . . persoluerunt et ad decorem et politiam reipublice regni . . . Ac pro magnis et diuersis . . . auxiliis . . . per nobilem et potentem dominum Georgium comitem de Huntlie dominum Gordoune et Baudyenoct nobis et ecclesie nostre prefate et pro libertatis ecclesiastice . . . defensione hoc instanti tempore periculoso Lutheranis heresibus undique pullulantibus et libertatem ecclesiasticam . . . subvertere nitentibus multipliciter prestitis et impensis omnes et singulas terras de Brwne Armagattin Balingowin Outbirkeig Southowlyie Pettindreich molendinum de Keig cum brasina et crofta eiusdem Pyttochy Glentoune Uertollache Neddertollach Fyndacht cum molendino Litill Abercawlye Mekill Abercawlye Ediindourno Tully-qhore Todlochy Puttwmy Arnely Dulloib Cowille Ineyeane molendinum de Monemusk cum brasina et crofta eiusdem Invery *ly townis* de Cottilstane ac terras ecclesiasticas de Kynkell et terras de Dyiss cum singulis earundem . . . pertinentiis iacentes respectiue in dominiis et baroniis suis de Keig et Monimusk infra regalitatem Sancti Andree et vicecomitatum de Aberden unacum balliuatu dictarum suarum baroniarum de Keig et Monemusk . . . dicto . . . Comiti . . . in feudifirmam . . . dimisimus . . . Igitur . . . vobis precipimus . . . quatenus . . . sasinam . . . pefatarum terrarum . . . et balliuatus . . . predicto . . . Comiti . . . vel suo certo attorney . . . tradatis . . . In cuius rei testimonium presentibus manu nostra subscriptis sigillum nostrum auctenticum unacum sigillo communi dicti capituli nostri Sancti Andree in signum . . . consensus . . . ad premissa est appensum apud dictam ecclesiam nostram metropolitanam et primatiam Sancti Andree die septimo mensis Aprilis anno Domini millesimo quingentesimo quadragesimo tertio Et nostre consecrationis anno quinto Post cuiusquidem precepti . . . lecturam . . . balliuus antedictus . . . sasinam . . . pefatarum terrarum et officii balliuatus . . . attorney . . . dicti . . . Comitis . . . tradidit . . . Acta erant hec super solum dictarum terrarum . . . horis decima undecima duodecima prima post meridiem secunda tertia quarta quinta et sexta inter horam nonam ante meridiem et septimam post meridiem vel eocirca propter distantiam locorum . . . presentibus ibidem nobili domino Johanne comite Suthirland honorabilibus et circumspectis

viris Alexandro Gordoune de Stradowne Johanne Leslie de Varderris Jacobo Gordoune de Colquhobilstane Nycholao Ross de Auchlossan Roberto Dwguid de Auchinhuif Johanne Vawss de Manye Joanne Drummond de Inuerpeffra Johanne Stradaquhin de Lenturk et Alexandro Leslie de Tulche cum diuersis aliis testibus .

Et ego Guillermus Gordoune artium professor clericus Morauiensis diocescos sacra Apostolica auctoritate notarius publicus [*etc. in forma communi.*]

Et ego Andreas Roberti Morauiensis dyoceseos presbiter sacra auctoritate Apostolica notarius publicus [*etc. in forma communi.*]

Et ego Johannes Gordoun presbiter Morauiensis dyoceseos notarius publicus [*etc. in forma communi.*]

The Contract betuix my Lord Huntlie and the Laird of Balfour. ¹—
(A.D. 1552.)

At Huntlie the xxv day of September . . . m^v lii yeris it is appointit . . . betuix ane noble and mychtie lord George erll of Huntlie lord Gordoun and Badyenocht and Chancellor of Scotland / on that ane part / and Arthure Forbes of Balfour / on that uther part / in maner . . . as eftir followis / that is to say / The said Arthure sal becum man and seruand to the said Erll and his airis for all the dayis of the said Arthuris lifytyme / and sall serue the said Erll and his airis in tyme of peace and weyre / and sall tak . . . the said Erll and his airis trew afald and plane pairt / in the law and by the law / in all thair just and lesum actionis / the Quenis grace my lord Gouvernour and the auctorite of the crowne alanerlie except . . . providing that the said Arthure . . . sall nocht be compellit to ryde gang nor tak part aganis the Lord Forbes for the tyme in his awne caussis and actionis / For the quhilkis the said Erll for hym and his airis sall gif his band of manteynance to the said Arthure for all the dayis of his life under his seill and subscriptioun manuale in forme correspondent to the said band of manrent / and sall infet the said Arthure in lifrent be charteir and seising in dew forme of ane dawauch of land within the lordschipe of Monymuske and Kyge extending to four

¹ [Abridged from the original in the charter room at Gordon Castle.]

plewis / callit the dawanch of Ouchterkeig or Souely / to be occupiit
 joysit and possedit frelie without impediment of ony dewite except his
 service as said is / And becaus thai landis ar now sett quhair throw that
 the said Arthure may nocht immediatly enter to the samyn the said Erll
 sall set to the said Arthure all and haill the landis of Westir Mygvy in
 Croymare for all the termes that he has thame of the Quenis grace and
 my Lord Gouvernour or happinis to get the samin in tymes cuming / enter-
 and tharto at Witsounday nixt to cum to the profitis tharof / with power
 to occupie the samin with his awne geir eftir the ische of the tennentes
 takkis that occupiis the samyn now quhilk is tway yeris fra Witsounday
 furtht at nixt cumis . . . and sall pay to the said Arthure the soume of
 xl pundis / tharof xx pundis at Martymes and xxⁱⁱ at Witsounday nixt /
 becaus this crope instant is dispoit . . . Providing alway that the said
 Arthur sall scrue the said Erll and his airis upoun their expenssis except
 the commoun oistis of the realme aganis the auld inemyis of England or
 utherwayis quhen euery man ar chargit to serue for thame self for the
 commoune affaris of the realme . . . In witnes of the quhilkis baytht
 the saidis parteis has subscriuit this present contract with their handis
 yeir day and place foirsaidis befor thir witnes ane reuerend fader in God
 Robert bischope of Orknay / honorable men Maister James Gordoun
 chancellor of Murray / Alexander Innes of that Ilk / Maister Andro
 Leslie / Maister William Conn / Adame Reid / William Gib / and Maister
 Peter Galbratht noter publict witht utheris diuerss.

HUNTLY.

ARTHOR FORBES OF BALFWR.

Carta feudifirme Arthuro Forbes de Balfour.¹—(A.D. 1559.)

Carta feudifirmaria per Georgium comitem de Huntle dominum Gordone
 et Badzenocht cancellarium regni Scotie ac empheoditarium baroniarum de
 Keig et Monimusk facta Arthuro Forbes de Balfour fratri germano Domini
 de Forbes et heredibus suis quibuscunque terrarum de Puttoche et dimidie-
 tatis magne ville de Keig alias Ochterkeig jacentium in baronia de Moni-
 musk infra regalitatem Sancti Andree . Reddendo annuatim viginti quinque

¹ [Noted from the original in the charter room at Castle Forbes.]

libras pro omni firma grassuma marta custuma aliisque exactionibus . Faciendo tres sectas annuatim ad tria placita capitalia regalitatis Sancti Andree apud Monymusk . Insuper “ Arthurus et heredes sui predicti “ juramentum fidelitatis successivie in quolibet eorum introitu prestabunt “ nobis et heredibus nostris ac ad fidele et speciale consilium nobis et eis “ cum ad hoc requisiti fuerint prebendum necnon et auxilium assistentiam “ manutionem protectionem et omnimodam defensionem nostram et eorum “ contra quoscunque invasores seu perturbatores medio juramento impen- “ dente perpetuis futuris temporibus tenebuntur et obligabuntur . Proviso “ etiam quod dictus Arthurus et heredes sui memorati facient eorum “ exactam diligentiam et omnem eorum operam perpetuis futuris temporibus “ impendant pro tuta defensione conservatione et manutione veterum mar- “ chiarum et limitum singularum terrarum predictarum . . . et hoc contra “ quoscunque illas seu aliquam earundem quomodolibet iniuste usurpare “ violare seu appropriare volentes” . Cum clausula de non alienando sine licentia superioris . Apud Huntly ultimo Nouembris . j^m v^o lix.

Precept of arrestment against the relict of Arthure Forbes.¹—(A.D. 1573.)

James be the grace of God King of Scottis to our Ionittis
 messingeris our shireffis in that parte . . . greting
 Forsamekill as it is humble schawin to ws be our louit Elizabeth Forbes
 onlie dochter and air of unquibile Arthur Forbes of Balfour and Alexander
 Innes of Crommy hir spous for his entres that quhair sche is servit
 and retourit befor our shireff of Aberdene and his deputis as narrest and lauch-
 full air to hir said unquibile fadir of all his landis and heritages in quhilkis
 he deit vestit and sesit as hir retour at lenth proportis And it is of veritie
 that in our parliament haldin at Striuling the xxviii day of August the

¹ [Abridged from the original in the Innes charter chest at Floors Castle.

One of the “ conditions to be requirit off the feueris off Keig for ther teind, 3 May 1616,” is, “ Item that Balgounne pay anc nest of meirlzouns yeirly to my Lord Forbes and his forsaidis, quherin ther sall be threi formallis heill of fether and brin, and that betuix the last day off Mail and the last day of Junii yeirly, or than xx markis for the same, and anc labourit merlounne that slay pout and partrick befor the fyftein off Julii, or than x markis for the same.” —(Original writ in the charter room at Castle Forbes.)]

yeir of God M^v lxxi yeris it was statut that the wyffis bairnis execu-
touris and assignais of the personis that sould happin to be slane in our
service during the tyme of the lait trublis sould brook thair takkis and
possessionis assweill of kirk landis as temporall menis landis for the space
of fyve yeiris without ony gressume Be the quhilk act sen it is notour
that the said umquhile Arthure Forbes wes slane in our service in the
tyme of the saidis trublis all and sindrie the landis underwritin quhairin
he wes in possessioun the tyme of his said slauchter that is to say the landis
of Puttachie half landis of Ovir Keig the landis of Balgowne the landis of
Pettindreich the mylne and mynlandis of Keig the landis of Mekill Abir-
cathie all lyand within the bishoprick of Sanctandros and oure shireffdome
of Abirdene the landis of Westir Meigwie in Cromar lyand within the
pariochine of Meigwie the landis of Mekill Inneruchtie with the pertinentis
liand within the lordschip of Kildryume and the toune and landis of Balfour
liand within the barrony of Forbes and our said shireffdome of Abirdene
Nochtheles Christian Barclay relict of the said umquhile Arthure without
ony just titill hes continwallie occupyit the foirsaidis landis Our will is heir-
foir and we charge you that ye arrest all and sindrie the males of the foirsaidis
landis to remain under arreistment at the instance of the said Elezabeth
and hir said spous till sufficient cautioun be fundin that the same sal be
furthcumand to thame as law will Gevin under our signet at Edinburgh
the first day of December and of our regne the sevint yeir 1573 .

Ex deliberatione Dominorum Consilii .

THE PARISH OF CLATT.¹

Signatura prebendarum de Clatt et Niuibus pro Magistro Joanne Row.
—(A.D. 1553.)

Per obitum extra curiam . Aberdonensis . V. Carosius .

Beatissime pater cum canonicatus et rectoria de Clat nuncupatus prebenda

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 620-622.]

² The schyre of Clat, with its appurtenances and the church, is among the possessions of the bishopric of Aberdeen enumerated in the spurious charters of King David I., King Malcolm the

ecclesie Aberdonensis necnon canonicatus et rectoria seu prebenda de Niuibus nuncupata ecclesie Beate Marie de Veteri Aberdonia vniuersitatis studij generalis Aberdonensis per obitum quondam Johannis Spittell illorum dum viueret vltimi possessoris extra Romanam curiam in mense Aprilis proximo preterito seu alio veriori mense in literis si videbitur exprimendo defuncti vel alias certo modo vacauerit et vacet ad presens. Supplicat humiliter sanctitatem vestram deuotus illius orator Joannes Row clericus

Maiden, and King William the Lion.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 4, 7, 8, vol. ii., p. 126; Registrum Episcopatus Moraviensis, p. 330.) In the year 1157, Pope Adrian IV. confirmed Clat, with the church and its other appurtenances, to Edward, bishop of Aberdeen.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 6, 85.) In the year 1256, the church of Clat was erected into a prebend of the cathedral of St. Mary and St. Machar at Aberdeen.—(Id., vol. ii., pp. 49, 41, 252.)

In the year 1403, Isabella of Douglas, countess of Marr, and lady of the Garviahch, restored the lands of Ardlare, in the schyre of Clat, to the see of Aberdeen.—(Id., vol. i., p. 207.) Alexander Stewart, earl of Marr, and lord of the Garviahch, confirmed the deed of restitution in the year 1407.—(Id., vol. i., p. 211.) Between the years 1172 and 1199, King William the Lion confirmed to his brother, the Earl David, the acquittance made to him by Mathew, bishop of Aberdeen, (in exchange for two carucates of land in Kelalcaund), of all the teinds and customs which the church of St. Mary and the Bishops of Aberdeen were wont to haue in the time of King David, his grandfather, and of King Malcolm, his brother, and in his own time, in the Garwyach, Durmach, Rothikes, Munkegyn, Fyntraeh, and Bourdyn.—(Id., vol. i., p. 9.) Between 1172 and 1199, Bishop Mathew granted these two carucates to William of Tatenell, his man, to be held for yearly payment of a pound of incense for the one, and of a silver merk for the other.—(Id., vol. i., p. 13.) The grant was confirmed by King William the Lion.—(Id., pp. 13, 14.) The same two carucates were confirmed, in the year 1277, by the Dean and Chapter to William of Tatenell, the grandson of William of Tatenell.—(Id., vol. i., p. 34.) In the year 1297, Bishop Henry Cheyne confirmed the sale of these two carucates made by William of Tatenell, the grandson of William, and the son of James of Tatenell, to Patrick of Rothneck, to be held for yearly payment of two silver merks.—(Id., vol. i., p. 37.) By an inquest made at Rane, in the year 1418, before the Bishop of Aberdeen, and Sir Andrew Stewart, knight, his bailie, it was found that Finlay Butyr was heir to the deceased Patrick Butar, his father, in two carucates of the land of Kyllachmond called Ardlar, in the shire of Clat, held of the Bishop for yearly serviee of three suits of court and payment of two merks of silver.—(Id., vol. i., p. 218.) In 1511, Ardlar yielded to the rental of the see twenty-six shillings and eight pence a-year.—(Id., p. 364.) The lands of Ardlar, on being resigned by Andrew Elphinstone of Seluays, and Alexander Setton of Meldrum, were given by Bishop Gavin Dunbar, in the year 1529, to the provost, bailies, council, and community of the burgh of Aberdeen, for the support and repair of the newly built Bridge of Dee, between Kincorth and Ruddreistoun.—(Id., vol. i., pp. 387-391, 393-397.)

The march between the shire of Clat and the lands of the Lord Forbes, in the year 1391, was 'the burn of Canny, as it enteris in Bolgy and sua gangand vp to the hevid.'—(Id., vol. i., p. 249.) At a somewhat later period, the march between Achlyn and Courtastou is thus described: 'Ther ar the meris betuix Achlyne on the ta pert the quhylk is the kirk of Abirden and Courtastou the quhilk is Ser Jon Lyounis wythin the erledome of Garwyach, Beginnand at the Meir Burn as it ryyns don to Goudy between Curtiston and Achlyne and sua to the hil hede of Achnedor.'—Id., pp. 245, 246.) In 1511, the yearly rental of the shire of Clat (containing twenty-seven

Dunblanensis diocesis quatinus sibi specialem gratiam faciendo canonicatus et prebendas predictos quorum et illis forsann annexorum fructus sexaginta librarum sterlingorum se communibus ex variis annis non excedunt . . . eidem oratori conferre et de illis eciam providere seu conferri et provideri mandare dignemini de gracia speciali - non obstantibus premissis ac quibusvis aliis constitutionibus apostolicis . . . ceterisque contrarijs quibuscunque quibus et illorum tenoribus hac vice specialiter et expresse derogare placeat .

Concessum ut petitur in presencia domini nostri Pape .

C. IEROSOL .

Datum Romae apud Sanctum Petrum septimo idus Maij anno quarto .¹

Instrumentum super purgacione Duncani Daidsonne et Elizabet Malcum.²
—(A.D. 1550.)

Xviiij Januarii . anno Domini xv^o xlix^o . Eodem die personaliter constituti Duncanus Daidsonne et Elizabet Malcum dilati per assisam temporalem de Clatt comparuerunt coram Decano de Gareacht cum quibusdam purgatoribus honestis viris qui omnes mediante juramento purgarunt se purgacione canonica quod non inter prefatos Duncanum et Elizabet fuit aliqua carnalis copula secuta et quilibet eorum exonerat alium de matrimonio et quod nulli

ploughgates) amounted to ninety-one pounnds, ten shillings, and four pence, for fermes; forty-three shillings and four pence for bondages; twelve bolls of meal, eight bolls of malt, twenty-four bolls of oats, one pig, seven marts and a half, twenty-four sheep, eight kids, twelve dozen of capons, fifteen dozen and a half of house fowls, eight dozen of moor fowls, and two stoness of cheese. The grassums amounted to seventy-nine pounds, six shillings, and eight pence. The Kirktown, extending to four ploughgates, was leased to eight tenants. In the burgh, there were four burgage tenements, each of the sowing of two bolls of barley. Nether Knokeapak contained three ploughgates; Talyanguse, two; Newton or Newbigging, two; Tulyauch, one; Tolly, four; Upper Knokeapak, two; Auchmany, two; Auchlyne, four; Cloathit, two; and the Hauch of Bolgy, one.—(Id., pp. 360-361.)

¹ [From a copy in the General Register House at Edinburgh.]

On the eighth day of December in the same year, Row was a petitioner to the Pope for the deanery of the church of Dunbar, in the diocese of St. Andrews, vacant by the death of Thomas Hay.—(Id.)

From a letter of the Archbishop of St. Andrews, written from Linnlithgow on the first of February, 1557, to the Cardinal Bellay, it appears that Row was then the Scottish Primate's agent at the court of Rome.—(Id.)

² [From the General Register House.]

eorum placuit complere matrimonium cum alio Super quibus hincinde petierunt instrumenta Acta apud ecclesiam parochialem de Leslie hora quasi pomeridiana tercia presentibus Domino Roberto Allerdes decano de Gareauch / Domino juniore de Leslie Georgio Leslie de New Leslie Georgio Leyth et me notario .

Carta creacionis ville de Clat in liberum burgum in baronia. ¹—(A.D. 1501.)

¶ Jacobus Dei gracia Rex Scotorum . . . Sciatis quod pro speciali deuo-

¹ [From the Registrum Magni Sigilli, lib. xiii., no. 482. MS. Gen. Reg. House, Edinb.]

In the year 1511, the Kirktown of Clat, extending to four ploughgates, was leased, in eight equal portions of four oxengang each, to eight tenants (namely, Sir Alexander Hay, John Robertson, John Cochrane, Andrew Robertson, John Henrison, Patrick Crag, Robert Anderson, and Robert Paterson jointly with James Heurison) for a grassum of thirteen pounds six shillings, and eight pence, and a yearly rent of thirteen pounds, six shillings, and eight pence; one mart, four sheep, twenty-four capons, twenty-four poultry, twenty-four moor fowls, four bolls of oats with the fodder, and six shillings and eight pence for bondage, with services used and wont. One burgage tenement, of the sowing of two bolls of barley, with common pasture for two cows, one pig, ten sheep, and a horse or mare, was leased to Elen Craufurd for ten shillings a-year. Another burgage tenement, of the like kind, was let to James Malcomson, for ten shillings a-year; a third, to Robert Grene, for five shillings a year; a fourth, to Mariot Marscheall, for six shillings, and six fowls yearly. The 'Derahous' was let to Donald Grene, for six shillings, and six fowls yearly; and an annual rent from the 'Derahous' was let to Thomas Angousone, for four bolls of meal, and two stones of cheese. The Meikle Brewhouse, with the croft, was let to James Henryrson for a grassum of thirteen shillings and four pence, and a yearly rent of thirteen shillings and four pence, six capons, and twelve fowls. The mill was let to William Michael, and Mariot Clat, a widow, for a chaldar of victual (half meal and half malt), a fed pig, and twelve capons.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 360, 361.)

In 1519, Bishop William Gordon granted a lease for eighteen years to his kinsman, Patreik Gordon of Auchmanyne, of eight oxengang of the land of the Kirktown of Clat, and of four oxengang of the land and town of Towie, for a yearly rent of five pounds, a quarter and half a quarter of a mart, a mutton and half a mutton, nine capons, nine poultry, nine moor fowls, a goose, half a boll and two thirlots of oats with the straw, two shillings and six pence for bondage, with arrage, carriage, and other service.—(Registrum Episcopatus Aberdonensis, vol. i. p. 438.)

In 1550, the Bishop let eight oxengang of the Kirktown of Clatt, for eighteen years, to William Robertson and his wife, and failing them, to Sir John Carleill, vicar of Glenbucket, for a yearly rent of three pounds six shillings and eight pence, a quarter of a mart, a mutton, six capons, six moorfowls, a goose, a boll of oats, with the straw, twenty pence for bondage, with arrage, carriage, and other due service.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 447, 448.)

At the same time, Sir John Henderson, vicar pensioner of Clatt, John Anderson, and John

cione quam habemus beato confessori Sancto Moloco ac pro singulari fauore quem gerimus erga reuerendum in Christo patrem Willelmum episcopum Abirdonensem nostrum consiliarium intime dilectum Neenon pro hospicio supportacione et vtilitate ligeorum nostrorum veniencium perambulancium et itinerancium in partibus borealibus regni nostri infoc dauimus creauimus et fecimus . . . villam de Clat iacentem infra vicecomitatum nostrum de Abirdene dicto reuerendo patri pertinentem et spectantem in liberum burgum in baronia pro perpetuo Concessimus eciam . . . inhabitantibus dictum nostrum burgum et inposterum inhabitaturis plenariam potestatem et liberam facultatem emendi et vendendi in ipso burgo ceram pannum laneum et lineum latum et artum aliaque mercimonia quecunq̄ Cum potestate et libertate habendi et tenendi pistores brasiatores carnifices et tam carniun quam piscium macellarios aliosque arcium operarios ad libertatem burgi in baronia qualitercunq̄ spectantes et pertinentes Concedimus eciam ut in ipso burgo sint burgenses Et quod dictus reuerendus in Christo pater et sui successores Abirdonenses episcopi potestatem habeat et habeant perpetuis futuris temporibus eligendi faciendi et constituendi balliuos et alios officarios pro gubernacione dicti burgi necessarios et eosdem mutandi remouendi et iterum alios imponendi prout dicto reuerendo in Christo patri et suis successoribus melius videbitur expediens . . . Neenon concedimus burgensibus et inhabitantibus dictum burgum vt in ipso habeant . . . pro perpetuo crucem et forum die Martis singulis ebdomadis et nundinas publicas singulis annis die Sancti

Dunanson, had each a lease, for eighteen years, of four oxengang of the Kirktown of Clatt, for a yearly rent, by each, of thirty-three shillings and four pence, half a quarter of a mart, half a mutton, three capons, three poultry, three moorfowls, half a goose, half a boll of oats, with the straw, ten pence for bondage, with arrage, carriage, and other due service.—(Id., pp. 448, 449.)

In 1511, Auchmany, in the shire of Clat, measnrng two ploughgates, was let, in four lots of four oxengang each, to four tenants (John Rankin, William Cristesone, William Roust, and James Fareoure, with the sons of John of Strabolgy), for a grassum of eight pounds, and a yearly rent of eight pounds, a mart, two muttons, twenty-four poultry, twelve moorfowls, two bolls of oats, with the fodder, and three shillings and four pence for bondage silver, with services used and wont.—(Id., p. 263.)

In 1513, Bishop William Stewart granted the lands of Auchmany, with their appurtenances, to Patriek Gordon, in fou ferme, for the yearly payment of nine pounds twelve shillings for fermes and grassum, a mart, two muttons, twenty-four poultry, twelve wild fowls, two bolls of oats, with the fodder, three shillings and four pence for bondage silver, thirteen shillings and four pence for services used and wont, and sixteen shillings and eight pence in augmentation of the rental, doubling the payments on every entry of an heir, and giving three suits at the Bishop's three head courts.—(Id., pp. 422, 423.)

Moloci et per octauas eiusdem . . . Tenendam et habendam predictam villam de Clat cum bondis et pertinentiis eiusdem perpetuis futuris temporibus in merum burgum in baronia . . . adeo libere . . . sicut aliquis burgus in baronia infra regnum nostrum alicui infeodatur conceditur seu tenetur . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendissimo in Christo patre nostroque fratre carissimo Jacobo archiepiscopo Sanctiandree etc. dilectis consanguineis nostris Archibaldo comite de Ergile domino Cambele et Lorne magistro hospicij nostri Patricio comite de Boithvil domino Halis etc. Alexandro domino Hume magno camerario nostro Andrea domino Gray justiciario nostro venerabilibus in Christo patribus Georgeo abbate Sancte Crucis prope Edinburgh Jacobo abbate de Seona et dilecto clerico nostro Magistro Ricardo Murehede decano Glasguensi secretario nostro Apud Edinburgh decimosexto die mensis Junij anno Domini millesimo quingentesimo primo et regni nostri decimo quarto .

Charter of the Hauche of Bogy. ¹—(A.D. 1556.)

A charter be William bischop of Abirdene with consent of the Dene and Channonis of the cathedrall kirk thair of to George Gordoun of Blairdynnic his airis and assigneis quhatsumeuer off all and sindrie the landis of the Hauche of Bogy with their pertinentis liand in the schire of Clatt within the schirefdome of Abirdeine To be haldin of the said Bischop and his successouris in feufferme Payand thairfor yerlie xxiiij schillingis for maill and gressume and iij schillingis iij penneis in augmentatioune of rental and gevand thre sutes at the thre heid courtis Datit at Abirdene the xvj of Nouember the yer of God j^m v^c fifty sex yeris .

¹ [From the Abbreviationes Cartarum Fendifirme Terrarum Ecclesiasticarum, 3 Aug., 1586. MS. Gen. Reg. House, Edinb.]

In the year 1511, 'the Hauch of Bolgy,' with its land, measuring one ploughgate, was let for twenty shillings, to Robert Blak, who was taken bound before Whitsunday, 1512, to build and occupy three 'outsettis' towards the Castlehill of Drumynor. If he failed, the rector of Clat had leave from the Bishop to let or set the land at his own will for the use of the Bishop.—(Registrum Episcopatus Aberdonensis, vol. I., p. 364.)]

Charter of Newbiggin and Myln of Clatt etc. ¹—(A.D. 1558.)

Ane charter maid be Williame bischop of Abirdene with consent of the Dene and Channonis of the cheptour of the cathedrall kirk of Abirdene to Johnne Innes fader to Patrik Innes and Cristiane Gordoun his spous the langar levar of thame twa in lyferent for all the dayes of thair lifytyme and to the said Patrik Innes his airis maill and assignais quhatsumeuir of all and sindrie the landis of Newbigging / togidder with the myln of Clatt and Auchindellen with the croft and myllandis thair of and thair suckin and thirll multuris of all landis of the haill schyre of Clatt vsit and wount And the tenement callit Newbigging alias Rudriggis with the pendiclis and pertinentis lyand within the schire of Clatt and schirefdomme of Abirdene . To be halidin of the said Bischop and his successoris Bischoppis of Abirdene in feufferme and heretage . Payand thairfore yeirlie for the saidis landis of Newbiggyn fyve pundis sex schillingis viij pennois money of Seotland / half ane merte / tua muttonis / tuelf hous hennis / tua duikis / tua bollis aittis with the fodder / iij schillingis iiij penneis for bondage siluer / ffor gressumis yeirlie xxj schillingis iiij penneis / ffor the myln myllandis and croft thair of ane chalder victuall / to witt / half meill / half malt with ane peck to ilk boll of the malt / ane fed pork / xij caponis / and for the tenement callit Newbiggyn alias Rudriggis v schillingis / for seruice aucht and wount of the saidis landis ij schillingis / and iij schillingis iiij penneis in augmentacioun of the rental . . .

¹ [From the Abbreviationes Cartarum Fendifirme Terrarum Ecclesiasticarum, 2 Aug., 1581. MS. Gen. Reg. House, Edinb.]

The mill of Clat (valued in 1427 at ten merks a-year) was granted to the Hospital of St. Peter, near Aberdeen, by its founder, Mathew, bishop of Aberdeen, between the years 1172 and 1199.—(Registrum Episcopatus Aberdonensis, vol. i, pp. 226, 233.) It was let in 1511 to two tenants, William Michael, and Mariot Clat, a widow, for a chalder of victual (half meal and half malt), a fed pig, and twelve capons.—(Id., p. 361.)

Newtown or Newbigging, measuring two ploughgates, was let in 1511 to three tenants, (eight oxengang to Henry Robertson, four oxengang to Andrew Roger, and four oxengang to William Cristesone), for a grassum of three pounds six shillings and eight pence; and a yearly rent of five pounds, six shillings, and eight pence, half a mart, two muttons, twelve poultry, two holls of oats with the straw, and three shillings and four pence for bondages.—(Id., p. 362.) About the year 1520, John, lord Forbes, craved leave of the Bishop of Aberdeen to dig peats in the Bishop's land of Newbeging and Auehinmenny, for the use of his Lordship's own chamber in his place of Drumminor.—(Id., p. 385.)

doubland the foirsaid soumes of siluer the first yeir of thair entrie and gevand thre suittis at thre heid courtis yeirlie at the Kirktoun of Clatt / Datit at Abirdene the clevint day of November the yeir of God jm v^e fifty aucht yeris .

Carta confirmationis quondam Joannis Innes et sue sponse ac filij.¹ —
(A.D. 1558 et A.D. 1581.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quandam cartam . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Willelmus diuina miseratione Abirdonensis episcopus salutem cum benedictione diuina . . . Noueritis . . . nos cum . . . consensu . . . Decani et Canonicorum capituli ecclesie nostre cathedralis Abirdonensis capitulariter ad hoc congregatorum . . . ad feudifirmam emphiteosimque perpetuam hereditarie dimisisse . . . omnes et singulas terras nostras de Newbigging vnacum molendino nostro de Clatt et Auchindellene nuncupato cum crofto et terris molendinarijs eiusdem suisque sequels et astrictis multuris terrarum omnium tocius schire nostre de Clatt solitis et consuetis Ac tenemento vocato Newbigging alias Rudriggis cum earundem pendiculis et pertinentiis jaentes infra schiram nostram de Clatt et vicecomitatum de Abirdene prouido viro Joanni Innes patri dilecti nostri Patricij Innes ac Cristine Gordoun sue sponse eorumque alteri diucius viuenti in vitali reddito et pro toto tempore vite eorundem et dicto Patricio Innes heredibus suis masculis et assignatis suis quibuscunque Tenendas et habendas . . . de nobis et successoribus nostris Abirdonensibus episcopis in feudifirma et hereditate imperpetuum . . . cum curijs et earum exitibus bluidwitis herczeldis mulierum merchetis Reseruato tamen per omnia officio balliuatus episcopatus Abirdonensis et absque preiudicio juris et tituli eiusdem per nos prius hereditarie nobili et prepotenti domino Georgio comiti de Huntlic domino Gordoun etc. et suis heredibus concessorum . . . Ac cum potestate et facultate terras incultas arandi lucrandi et appropriandi . . . Reddendo inde annuatim . . . juxta tenorem rentalis nostri soliti et consueti Pro prefatis terris de Newbigging

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxv, no. 447. MS. Gen. Reg. House, Ediub.]

quinque libras sex solidos octo denarios vsualis monete regni Scotie dimedietatem marte duos mutones duodecim gallinas domesticas duas aucas domesticas duas bollas auenarum cum pabulo tres solidos quatuor denarios pro bondagio pro gressuma annuatim viginti vnum solidos quatuor denarios Pro molendino cum terris molendinarijs et crofto eiusdem subscripto vnam celdram victualium videlicet farrine et brasei per inedium cum bato cuilibet bolle brasij vnum porcum pastum duodecim capones Et pro tenemento vocato Newbiggin alias Rudriggis quinque solidos Pro seruiiciis debitis et consuetis dictarum terrarum duos solidos Necnon tres solidos quatuor denarios in augmentationem rentalis nostri plusquam . . . vnquam nobis aut predecessoribus nostris prius persoluerunt . . . Soluendo ad duos anni terminos consuetos Festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones Necnon dictam celdram victualium porcum pastum et capones ad Festa Penthecostes et Sancti Joannis Baptiste acetiam predictam dimediam marte duos mutones duodecim gallinas domesticas cum duabus aucis domesticis annuatim inter Festa Sancti Petri ad Vincula et Sancti Martini in hieme Acetiam prefatus Patricius et quilibet heresque assignatus eiusdem in suo introitu . . . prefatas pecuniarum summas duplicare tenebuntur Necnon faciendo tres sectas ad tria placita capitalia per nos . . . seu per nostros . . . balliuos apud villam ecclesiasticam de Clatt tenendas Et tenentes dictarum terrarum . . . in exercitijs Regine et regni sufficienter armati iuxta morem patrie balliuo nostro principali seruire tenebuntur Necnon quilibet heres seu assignatus . . . nobis et successoribus nostris Abirdonensibus episcopis fidelitatis iuramentum prestabunt quod nos et successores nostros sedem nostram episcopalem Abirdonensem decanum et canonicos eiusdem nostras personas res et terras necnon Christianam orthodoxamque fidem fideliter et proposse manutenebunt et defendent . . . In cuius rei testimonium sigillum nostrum rotundum vnacum nostra subscriptione manuali ac sigillum commune prefati nostri capituli cum manualibus subscriptionibus decani et canonicorum eiusdem . . . presentibus sunt appensa Apud ciuitatem nostram Abirdonensem vndecimo die mensis Nouembris anno Domini millesimo quingentesimo quinquagesimo octauo et vostre consecrationis anno vndecimo QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . .

Apud Dalkeith primo die mensis Augusti anno Domini millesimo quingentesimo octuagesimo primo et regni nostri decimo quinto .

Carta confirmationis Willelmi Gordoun apparentis de Tulliangous.¹—
(A.D. 1577 et A.D. 1591.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos . . . quandam cartam feudifirme . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Willelmus miseratione diuina Abirdonensis episcopus eternam in Domino salutem Noueritis nos cum . . . assensu decani et canonicorum capituli ecclesie nostre cathedralis Abirdonensis capitulariter ad hoc congregatorum . . . ad feudifirmam seu emphiteosim perpetuam dimisisse . . . omnes et singulas terras nostras de Tulliangous cum suis pendiculis et pertinentiis iacentes infra schiram nostram de Clat et vicecomitatum de Abirdene dilecto nostro Willelmo Gordoun filio et heredi apparenti Jacobi Gordoun de Tulliangus et Bessete Gordoun sue sponse secum in coniuncta infeodacione et eorum alteri diucius viuenti et heredibus masculis inter eosdem legitime procreatis seu procreandis Quibus forte deficientibus heredibus masculis propinquioribus dicti Willelmi et suis assignatis masculis quibuscunque Reseruando tamen liberum tenementum proficuum et vsufructuum huiusmodi terrarum . . . dicto Jacobo Gordoun et Cristine Leytth sponse sue eorumque alteri diucius

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxviii., no. 218. MS. Gen. Reg. House, Edinb.]

On the sixth day of April, 1391, King Robert III. appointed Sir John of Gordon, knight, to perambulate the marches, between the lands of Tirepressy and the lands of Tulyanguss, belonging to Gilbert, bishop of Aberdeen, on one side, and the lands of Forbes, belonging to Sir John of Forbes, knight, on the other side.—(Registrum Episcopatus Aberdonensis, vol. i., p. 187.)

In 1511, the lands of Tulyanguss, measuring two ploughgates, were let to three tenants (sixteen oxengang to Christi Tullianguss, and eight oxengang to his sons, William Cristeson and John Cristeson) for a grassum of three pounds six shillings and eight pence, and a yearly rent of five pounds six shillings and eight pence, half a mart, two muttuns, twelve poultry, two bolls of oats, and three shillings and four pence for boudage, with the accustomed services.—(Id., pp. 361, 362.)

On the twentieth day of February, 1547-8, Bishop William Gordon granted a lease of the lands of Tulyanguss, for nineteen years, to William Gordon of Craige, and James Gordon, his son, for a yearly rent of five pounds six shillings and eight pence, two bolls of oats, twelve capons, two rams, forty pence for boudage silver, and half a mart.—(Id., p. 433.)

vinenti durantibus vitis eorundem Quequidem terre cum perprius hereditarie dicti Jacobi de nobis in feudifirma hereditaria tenet Et quasquidem terras dictus Jacobus necnon Patricius Leytlt de Harthill dime-dictatis terrarum earundem feodatarius in manibus nostris . . . apud Palacium nostrum Abirdonense . . . simpliciter dimiserunt . . . Tenen-das et habendas . . . de nobis et successoribus nostris episcopis Abir-donensibus in feudifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . pro dictis terris de Tulliangous summam quinque librarum sex solidorum et octo denariorum . . . pro dime-dietate vnus marte quin-decim solidos pro duobus muttonibus decem solidos pro duodecim caponi-bus octo solidos pro duabus bollis auenarum cum pabulo decem solidos tres solidos quatuor denarios pro bondagio et pro grassuma viginti vnus solidos et quatuor denarios tanquam pro . . . firmis gressuma et alijs deuorijis iuxta tenorem nostri rentalis ex antiquo debitis ac pro ariagijs cariagijs et seruicijis duos solidos Et duos solidos in augmentationem rentalis . . . necnon duplicando dictam pecunie summam in introitu cuiuslibet heredis . . . Et faciendo tres sectas ad tria placita capitalia tenenda per nos et successores nostros . . . infra Palacium nostrum Abirdonense Et tenentes prefatarum terrarum in exercitijs Regis Regine et regni balliuo nostro principali sufficienter armati iuxta morem patrie seruire tenebuntur . . . In cuius rei testimonium huic presenti carte nostre . . . sigillum nostrum rotundum vnacum nostra subscrip-tione manuali sigilloque communi decani et capituli dicte nostre ecclesie vnacum eorum subscriptionibus manualibus . . . ad premissa est ap-pensum Apud nostram ciuitatem Abirdonensem vigesimo die mensis Marcij anno Domini millesimo quingentesimo septuagesimo sexto Coram his testibus Magistro Waltero Gordoun de Westhall Thoma Maneris Willelmo Seytoun nostris seruatoribus Magistris Roberto Rust et Thoma Malysoun notarijs publicis Quamquidem cartam . . . pro perpetuo con-firmamus . . . In cuius rei testimonium huic presenti carte nostre con-firmationis magnum sigillum nostrum apponi precepimus . . . Apud Falkland primo die mensis Junij anno Domini millesimo quingentesimo nonagesimo primo et regni nostri vicesimo quarto .

Carta confirmationis Domine Elizabethæ Forbes et sue filie.¹—(A.D. 1590 et A.D. 1591.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos . . . duas chartas . . . particulariter subscriptas . . . ad plenum intellexisse sub his formis

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxviii, no. 196. MS. Gen. Reg. House, Edinb.]

In 1511, Tolly or Towie, in the shire of Clat, measuring three ploughgates, was let to six tenants (eight oxengang to Thomas Angusone, eight oxengang to John Wilson, four oxengang to Duncan Anderson, four oxengang to John Adamson, four oxengang to Robert Georgeson, and four oxengang to Thomas Duncanson) for thirteen pounds six shillings and eight pence of grassum, and a yearly rent of thirteen pounds six shillings and eight pence, one mart, four muttons, twenty-four capons, twenty-four house fowls, twenty-four moor fowls, four bolls of oats with the fodder, and six shillings and eight pence for bondage silver, with the accustomed services.—(Registrum Episcopatus Aberdonensis, vol. i., p. 362.)

In 1549, Bishop William Gordon leased, for eighteen years, to his kinsman, Patrick Gordon of Auchmany, eight oxengang of the land of the Kirktown of Clat, and four oxengang of the land and town of Towie, for a yearly rent of five pounds, a quarter and half a quarter of a mart, a mutton and half a mutton, nine capons, nine poultry, nine moorfowls, a goose and half a goose, two firlofs of oats, with the straw, two shillings and six pence for bondage silver, with arage, carriage, and other service.—(Id., p. 438.)

In 1550, the same Bishop leased eight oxengang of the land of Tolle or Towie to William Gordoune for eighteen years, for a yearly rent of three pounds six shillings and eight pence, a quarter of a mart, a mutton, six capons, six poultry, six moorfowls, a goose, a boll of oats with the straw, twenty pence for bondage silver, with arage, carriage, and all other due service.—(Id., p. 449.)

In the same year, the same Bishop leased to John Duncanson two oxengang, and to John Robson, two oxengang of the land and town of Towlie or Towie, for eighteen years, for a yearly rent, from each, of sixteen shillings and eight pence, the sixteenth part of a mart, a quarter of a mutton, a quarter of a goose, a capon and half a capon, a hen and half a hen, a moorfowl and half a moorfowl, a firlof of oats, with the straw, five pence for bondage silver, with arage, carriage, and other due service.—(Id., pp. 452, 453.)

In the same year, the same Bishop leased to John Man, four oxengang, to Andrew Ranken, four oxengang, and to William Henderson, four oxengang, of the land and town of Towlie or Towie, for eighteen years, for a yearly rent, from each, of thirty-three shillings and four pence, half a quarter of a mart, half a mutton, half a goose, three capons, three poultry, three moorfowls, half a boll of oats, with the straw, ten pence for bondage, with arage, carriage, and other due service.—(Id., pp. 453, 454.)

In 1511, Auchlyne, measuring four ploughgates, was leased, in eight lots of four oxengang each, to twelve tenants (David Robertson, Mariot Smyth, a widow, William Anderson, Henry Crag, Andrew King and William Smyth, William Eldar Smyth and Malcolm Tabert, Thomas Schervind with Nicholas Wilyeamson, and John Anderson with Dnnean Scutter) for a grassum of thirteen pounds six shillings and eight pence, and a yearly rent of thirteen pounds six shillings and eight pence, a mart, four muttons, twenty-four poultry, twenty-four moorfowls,

OMNIBUS hanc cartam visuris vel auditoris Johannes magister de Forbes dominus proprietarius terrarum subscriptarum eternam in Domino salutem Noucritis me cum . . . assensu Domine Jonete Seytoun mee sponse . . . pro adimpletione certe nostre partis cuiusdam contractus initi et confecti inter me cum . . . assensu prefate Domine Jonete Seytoun partibus ab vna Patricium Cheyne de Essilmonth ex secunda parte et Dominam Elizabetham Forbes sponsam Henrici domini de Sinclar Elizabetham Sinclar filiam natu maximam inter prefatum Henricum dominum de Sinclar et predictam Dominam Elizabetham Forbes procreatam Et Patricium Leysk in Haddocht ex tertia parte de data presentium plenariaque pecuniarum summe in dicto contractu specificate solutione assedasse . . . et ad feudifirmam seu perpetuam emphiteosim hereditarie dimississe . . . prefate Domine Elizabethhe Forbes sponse dicti Henrici domini de Sinclar et suis assignatis quibuscunq̄ Quibus forte deficientibus prefate Elizabethhe Sinclar . . . heredibus suis et assignatis Omnes et singulas terras de Towies cum earundem . . . pertinentijs jacentes in baronia et schira de Clat et infra vicecomitatum de Abirdene sub reuersione per solutionem summe quatuor millium mercarum vsualis monete Scocie . . . Tenendas . . . de supremo domino nostro Rege et suis successoribus Regibus Scocie dominis superioribus predictarum terrarum . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . pro firma et gressuma sexdecim libras monete Scocie vnam martam quatuor mutones viginti quatuor capones viginti quatuor gallinas domesticas viginti quatuor gallinas murales quatuor aucas domesticas quatuor bollas auenarum cum pabulo Sex solidos octo denarios pro bondagio pro seruitijs solitis et consuetis quinque solidos et in augmentationem rentalis quinque solidos . . . necnon duplicando dictas summas in introitu cuiuslibet heredis vel assignati et faciendo tres sectas ad tria placita capitalia balliuatus baronie de Abirdene tenenda apud Palacium eiusdem vel infra schiram de Clat . . . In cuius rei testimonium huic presenti carte mee . . . manu mea

four bolls of oats, six shillings and eight pence for bondage silver, with other due service. The Smithy of Auchlyne, with the croft (of the sowing of eight bolls of oats) was let to William Smyth for thirteene shillings and four pence a-year.—(Id., p. 363.)

In 1550, Bishop William Gordon leased four oxengang of Auchlyne to John Duncanson, for eighteen years, for a yearly rent of thirty-three shillings and four pence, half a quarter of a mart, half a matton, half a goose, three capons, three moorfowls, half a boll of oats, with the fodder, ten pence for bondage, with arrage, carriage, and other due service.—(Id., p. 449.)]

neon manu prefate Domine Jonete Seytoun sponse mee . . . subscripte sigillum meum proprium armorum est appensum Apud Abirdene vltimo die mensis Maij anno Domini millesimo quingentesimo nonagesimo Coram testibus Gulielmo Forbes de Tolquhone Gulielmo Strauchin aparente de Tibbertie Andrea Tullidaf de Ranystoun Alexandro Forbes de Bradhauche Magistris Joanne et Patricio Cheynis Magistris Andrea Clerk et Gulielmo Reid notarijs publicis Alexandro Paip Magistro Thoma Mersyr et Jacobo Vgstoun aduocatis Abirdonensibus OMNIBUS hanc cartam visuris vel auditoris Johannes Leslie de Balquhane dominus terrarum subscriptarum eternam in Domino salutem . . . Noueritis me pro adimpletione certe mee partis cuiusdam contractus inter me ab vna et Elizabetham Forbes dominam Sinclar cum consensu . . . Henrici Sinclar domini de eodem partibus ab altera de data presencium initi et confecti dedisse . . . et ad feudifirmam seu emphiteosim perpetuam titulo pure venditionis et oneroso dimisisse . . . prefate Elizabethhe Forbes domine Sinclar suis heredibus et assignatis quibuscunq̃e Omnes et singulas terras meas de Auchlyne cum earundem *lie outsettis* . . . et pertinentiis quibuscunq̃e jacentes in parochia de Clat infra vicecomitatum de Abirdene Tenendas . . . de supremo domino nostro Rege et suis successoribus Scotie Regibus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . summam viginti quatuor librarum vsualis monete regni Scotie . . . In cuius rei testimonium huic presenti carte mee . . . manu mea vt sequitur subscripte meum proprium armorum sigillum est appensum Apud Edinburgh duodecimo die mensis Augusti anno Domini millesimo quingentesimo nonagesimo primo Coram testibus Alexandro Duf de Torrosoile Patricio Cokburne Alexandro Dunbar aparente de Tarbert Jacobo Rany et Magistro Thoma Gordoun QUASQUIDEM chartas . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis nostrum magnum sigillum apponi precipimus . . . Apud Falkland decimo sexto die mensis Augusti anno Domini millesimo quingentesimo nonagesimo primo et regui nostri vicesimo quinto .

Carta confirmacionis Jacobi Gordoun de Knokaspak et sue sponse.¹ —
(A.D. 1590.)

Jacobus Dei gracia Rex Scotorum . . . Seiatis nos . . . quandam cartam . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Alexander Seytoun dominus de Vrquhart ac vnus Dominorum Sessionis serenissimi domini nostri Regis superiorque terrarum subscriptarum eternam in Domino salutem Noueritis me . . . ad feudifirmam seu perpetuam emphiteosim hereditarie dimisisse . . . prouido viro Jacobo Gordoun de Knokaspak et Margarete Gordoun eius sponse filieque et heredi quondam Willelmi Gordoun de Foquhabris et eorum

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxvii., no. 451. MS. Gen. Reg. House, Edinb.]

On the tenth day of February, 1598, James Gordoun of Knokaspak had a charter, under the great seal, erecting his town of Fochabers into a burgh of barony, with a weekly market on Saturday, and four yearly fairs, the first on the eighth day of December, called St. Mary's day; the second on the twenty-fifth day of March, called Our Ladye Day in Lent; the third on the fourteenth day of August, called the First Ladye Day in harvest; and the fourth, on the fourth day of September, called the Latter Ladye Day in harvest.—(Registrum Magni Sigilli, lib. xii., no. 507. MS. Gen. Reg. House, Edinb.)

On the sixth day of June, 1599, James Gordoun of Knokaspak exchanged his lands of Fochaberis, with George, marquess of Huntly, for the lands of Tullich, Mure, Min, and Ballater, on the Dee.—(Registrum Magni Sigilli, lib. xlvi., no. 274 MS. Gen. Reg. House, Edinb.)

In 1511, Nether Knokespak, measuring three ploughgates, was let to five tenants, (four oxengang to Alexander Morise, four oxengang to Angus Brown, eight oxengang to John Robertson, four oxengang to William Brown, and four oxengang to George Brebner), for a grassum of five pounds, six shillings, and eight pence; and a yearly rent of eight pounds, three quarters of a mart, three muttuns, eighteen poultry, three bolls of oats, five shillings for bondage silver, and the services used and wont.—(Id., p. 361.)

In 1511, Upper or Over Knokespak, measuring two ploughgates, was let to three tenants, (eight oxengang to John Henrisoune, four oxengang to Widow Broune, and four oxengang to James Broune), for a grassum of six pounds, thirteen shillings, and four pence; and a yearly rent of six pounds, thirteen shillings, and four pence, half a mart, two muttuns, twenty-four house fowls, twenty-four moor fowls, two bolls of oats, and three shillings and four pence for bondage silver, with the accustomed services.—(Id., p. 362.)

On the twenty-eighth day of May, 1558, Bishop William Gordon granted a third part of the town of Nether Knokespok in feu ferme to Alexander Gordon of Knokespok, for yearly payment of fifty-three shillings and four pence, a quarter of a mart, a mutton, six poultry, two capons, a boll of oats, with the todder, twenty pence for bondage silver, four pence for services, ten shillings and eight pence for grassum, twenty pence for augmentation of rental, doubling these payments on the entry of an heir, and giving three suits yearly at the Bishop's three head courts.—(Id., pp. 458, 459.)]

alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis Quibus forte deficientibus heredibus propinquioribus legitimis ipsius Jacobi et suis assignatis quibuscumque Totas et integras terras baronie de Foquhabirs videlicet Westir Foquhabirs et Easter Foquhabirs necnon terras de Ardedarroch cum singulis suis pendiculis . . . jacentes infra vicecomitatum de Elgin et Forres Quequidem baronia et terre . . . fuerunt dicte Margarete Gordoun . . . et quas eadem Margareta . . . in manibus nostris . . . simpliciter resignauit . . . Tenendam et habendam . . . de me heredibus assignatis et successoribus meis dominis de Vrquhart in feudifirma seu emphiteosi hereditarie imperpetuum . . . Soluendo inde annuatim . . . pro dictis terris de Westir Foquhabirs summam octo mercarum . . . et pro prefatis terris de Eister Foquhabirs summam decem mercarum . . . et pro antedictis terris de Ardedarrauch summam triginta solidorum . . . In cuius rei testimonium huic presenti carte mee feudifirme . . . manu mea subscripte sigillum meum proprium est appensum Apud Abirdene vltimo die mensis Aprilis anno Domini millesimo quingentesimo nonagesimo Coram his testibus Alexandro Seytoun vsufructuario de Meldrum Alexandro Seytoun de Meldrum eius filio et herede apparente Jacobo Seytoun Magistro Georgio Seytoun burgensi de Aberdene Thoma Inglis meo seruitore Magistro Thoma Mollysoun et Jacobo Dauidsoun notariis publicis etc. QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Halyrudehous decimo septimo die mensis Decembris anno Domini millesimo quingentesimo nonagesimo et regni nostri vicesimo quarto .

Service on Knokepack. ¹—(A.D. 1705.)

January 26, 1705 . Special service of John Gordon of Glenbucket as nearest heir of his father John Gordon of Knokepack in . . . the town and lands of Overknokepack with the manor place gardens etc. and outsetts . . . called Suyfoord and Longfuird and also the town and lands

¹ [From the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem.]

of Netherknockespak called the Newtoun of Knockespaek with the mill . . . mill lands astrict multures . . . houses etc. with power of [digging] the peitts and turfs in the moss of Achlyn and easting selling and carrying away the same . . . and pertinents whatsoever . . . lying in the parish of Clatt and shire of Aberdeen with the . . . tithes of said lands and vicarage tithes . . . lately held of the Bishops of Aberdeen and . . . now held of the Queen . . . in feufarm fee and heritage perpetually for yearly payment of twenty four pounds four shillings four pence at two terms of the year . . . and doubling said feufarm on the entry of each heir or assignee to the lands and others foresaid with the pertinents for every other burden . . .

THE PARISH OF KINETHMONT.¹

Bulla Pape Nicolai IV. abbati et conventui monasterii de Lundoris ad Romanam ecclesiam nullo medio pertinentis ordinis Sancti Benedicti Sancti Andree diocesis concessa. ²—(A.D. 1291.)

Privilegium quod felicitis recordationis Celestinus Papa predecessor noster monasterio vestro concessisse dinoscitur nobis humiliter vestra devotio presentavit . Quia vero illud incipit nimia vestustate consumi nos ipsius tenorem ad instantiam supplicationis vestre de verbo ad verbum presentibus fecimus annotari . qui talis est . CELESTINUS episcopus servus servorum Dei dilectis filiis Abbati et fratribus monasterii de Londores salutem et Apostolicam benedictionem . . . propensius attendentes quod dilectus

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 622-627.]

On the thirteenth day of September, 1258, Pope Alexander IV. ratified the agreement made between the Bishop of Aberdeen and the Abbot and Convent of Lundoris, by which the vicar of Kynnakemond was to have fifteen marks and an acre of land beside the church for a manse with the altarage, (reserving thirty lambs yearly to the Abbot and Convent): and the vicar of Rathmuryell was to have twelve merks, the whole altarage of the church, a manse, with two bovates of land, and the great tithes of the then cultivated land of the Nethertown of Rauthmuriell.—(Registrum Episcopatus Aberdoneusis, vol. I., pp. 24, 25.)]

² [From the Monumenta Britannica ex antographis Romanorum Pontificum deprompta, vol. xiv., p. 340. MS. Brit. Mus. (Addit. MSS. 15351-15400 . Plut.)]

filius noster nobilis vir David comes frater carissimi in Christo filii nostri W . illustris Regis Scotie monasterium ea intentione fundaverit et dilataverit plurimis bonis ut dignus in eo debeat Domino sub monastico habitu famulatus impendi et in affectu habeat possessiones et redditus ejus uberius ampliandi ejus instanti supplicatione devicti monasterium in quo divino mancipati estis obsequio a jurisdictione quorumlibet eximentes in jus et proprietatem Beatri Petri suscipimus et presentis scripti patrocinio communimus . In primis siquidem statuentes ut ordo monasticus qui secundum Deum et Beati Benedicti regulam in eodem monasterio institutus esse dinoscitur perpetuis ibidem temporibus inviolabiliter observetur . Preterea quaecumque possessiones quecumque bona idem monasterium impresentiarum juste ac canonice possidet aut in futurum concessione Pontificum . largitione Regum vel Principum . oblatione fidelium . seu aliis justis modis prestante Domino poterit adipisci firma vobis vestrisque successoribus et illibata permaneant . In quibus hec propriis duximus exprimenda vocabulis . Locum ipsum in quo prefatum monasterium situm est cum omnibus pertinentiis suis per suas rectas divisas ex dono et concessione ejusdem Comitis et liberam curiam in terra vestra et firmam pacem infra divisas ipsius ville de Londores sicut carta ipsius Comitis protestatur . Ecclesiam quoque ejusdem ville de Londores cum omnibus pertinentiis suis et terram ad predictam ecclesiam pertinentem per rectas divisas suas et alias terras in eadem villa que terre in carta ejusdem Comitis continentur . et asiamenta insule que vocatur Redinehe communia vobis sicut et Comiti ad proprios usus vestros . et unam piscariam in Tey juxta prenominatam insulam . et molendinum predictae ville de Londores cum omni secta sua et multura . Ecclesiam quoque de Dunde cum omnibus pertinentiis suis . et unum toffum in burgo de Dunde liberum et quietum ab omni servitio et exactione . Et ultra Muneth . Fintreth per rectas divisas suas cum omnibus pertinentiis suis et ecclesiam ejusdem ville cum pertinentiis suis . Et in Garviach . Lodhigavel et Malinch cum omnibus pertinentiis suis et per rectas divisas suas . Et ecclesiam de Rothael cum cappellis suis scilicet Inverurin et Munkegin et cum aliis pertinentiis suis . Et ecclesiam de Durnach . ecclesiam de Prane . ecclesiam de Radnuriel . ecclesiam de Ingemabanin . ecclesiam de Culsamiel . Et in episcopatu Lincolinensi ecclesiam de Cumytun . Ecclesiam de Kelalemund cum capellis earundem ecclesiarum terris et decimis et omnibus earum pertinentiis ad proprios usus et susten-

tationes vestras . Et unum toftum in burgo de Inverthurin liberum et quietum ab omni servitio et exactione . Decimam etiam omnium lucrorum et placitorum ejusdem Comitum infra terram suam et extra ultra Muneth quam habuit tempore quo fecit donationem istam . Et decimam omnium lucrorum ipsius que ei proveniunt de lucris predicti Regis in toto regno suo . Et decimam omnium rerum dicti Comitum et heredum suorum ultra Muneth . Ex donatione quoque memorati Regis unum plenarium toftum in burgo suo de Berwic . et unum plenarium toftum in burgo suo de Strivelin . et unum plenarium toftum in burgo suo de Karel . et unum plenarium toftum in burgo suo de Pert . et unum plenarium toftum in burgo suo de Forfare . et unum plenarium toftum in burgo suo de Munros . et unum plenarium toftum in burgo suo de Aberden . Ex donatione Roberti de Lundores filii prefati Regis unum plenarium toftum in burgo de Inverketin sicut hec que prediximus juste ac pacifice possidetis et in donatorum earum scriptis authenticis continetur vobis et per vos vestro monasterio auctoritate Apostolica confirmamus . . . Sane novalium vestrorum que proprius manibus aut sumptibus colitis siue de nutrimentis animalium vestrorum nullus a vobis decimas exigere vel extorquere presumat . . . In parochialibus vero ecclesiis quas habetis liceat vobis sacerdotes eligere et diocesanis episcopis presentare quibus si ydonei fuerint episcopi curam animarum committant ut eis de spiritualibus vobis vero de temporalibus debeant respondere . . . Interdicimus autem ut nulli licitum sit infra terminos parochiarum vestrarum ecclesiam . cimiterium . oratorium . vel xenodochium de novo construere seu constructa alii subdere absque vestro et episcopi diocesanis assensu . salvo privilegio Pontificum Romanorum . Sepulturam preterea ipsius loci liberam esse decernimus ut eorum devotioni et extreme voluntati qui se illic sepelliri deliberaverint nisi forte excommunicati vel interdicti sint nullus obsistat . salva tamen justitia illarum ecclesiarum a quibus mortuorum corpora assumuntur . . . Ad indicium autem hujusmodi a Sede Apostolica libertatis percepte duos bisantios nobis et nostris successoribus annis singulis persolvatis . Datum Laterani . viii . Idus Martii . Pontificatus nostri anno quarto [anno Domini . m . c . lxxxv .] CETERUM ut hujusmodi tenor omnimodo rei seu facti certitudinem faciat sic insertus Apostolica auctoritate decernimus ut illud idem robur . . . habeat . . . quod habet privilegium supradictum . . . Datum apud Urbem Veterem Idibus Septembris [Pontificatus nostri] anno tertio .

Act of the Secrete Counsall for Johnne maister of Forbes anent the kirkis in the Gareoche perteing to the Abbacie of Lundoris.¹ —(13. June 1572.)

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secrete Counsall be Johnne maister of Forbes aganis Maister James Harvy makand mentioun That quhair . . . the said Johnne hes be gift of our Souerane Lord vnder the prīvie seill all and hail the teindis fructis and emolumentis of the parochie kirkis of Fintray Monkegy Enrowry Logydorno Prymna Leslie Culsalmond Inche Christis Kirk and Trewle Kirk liand in Gareoch perteing to the Abbacie of Lundoris quhilkis pertemit to Johne Leslie last abbot thair of and throw forfaltur led aganis him for certane crymes of tressoun and lesemaiestie committit be him quhair of he wes convict in Parliament become in our Souerane Lordis handis and at his Hienes dispositioun Neuirtheles sen the obtaining of the gift of the samyn be the said Johne maister Forbes . . . Maister James Harvy factour of the saidis kirkis at command of the said suntyme Abbot hes vplifit and intromettit with the hail teindis fructis and rentis perteing to the samyn kirkis . . . and hes maid na paiment to the said Johne thair of . . . The said Johne maister of Forbes comperand personalie and the said Maister James Harvy being oftymes callit nocht comperit . . . Quhairfore ordanis lettrez to be direct to officiaris of armes schireffis in that part charging thame to pas and denunce the said Maister James our Souerane Lordis rebell and put him to the horne and to eschete and inbring all his movable guidis to his Maiesties vse for his contemptioun.

Carta Patricij Leslie filij Patricij commendatarij de Lundoris etc.² —(A.D. 1600.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos . . . pro bono fideli et gratuito seruicio per nostrum domesticum seruitorem Patricium commendatarium de Lundoiris et per fidelissimum et predilectum nostrum consan-

¹ [From the Registrum Secreti Concilii. MS. Gen. Reg. House, Edinb.]

² [From the Registrum Magni Sigilli, lib. xliii, no. 189. MS. Cen. Reg. House, Edinb.]

guineum et consiliarium Audream de Rothes comitem dominum Leslie etc. eorumque familias et amicos nobis nostrisque predicesoribus impenso (ex dictorum Patricij et Andree de Rothes comitis largis et exorbitantibus sumptibus et expensis) . . . dedisse . . . dilecto nostro Patricio Leslie filio dieti Patricij heredibusque suis masculis quibuscunque eorumque assignatis hereditarie Totam et integram maneriem de Lunderis ab antiquo vocatam Monasterium et Abbacie Locum de Lunderis cum omnibus . . . domibus mansionibus edificiis et hortis eiusdem provt jacent et infra clausuram et dicte Abbacie precinctum situantur cum omnibus columbariis veridarijs hortis sepibus officiorum domibus mansionibus . . . et iustis pertinentiis . . . Neenon dedisse . . . et in feudifirmam . . . perpetuam dimississe . . . predicto Patricio Leslie heredibusque suis masculis supra-scriptis eorumque assignatis quibuscunque hereditarie omnes . . . terras et baroniam de Grange de Lunderis villas de Grange Berriehill Ormstoune Haltounhill Lumquhat Cluney Wodheid Southewood et Eistwood brasinam de Grange Clayis prata *lie Hauchis Hillok* Saltgers horreum et eiusdem hortos *bowbuttis* et Reidis Brodlandis Westwode cum cuniculariis manerium locis . . . piscationem super aquam de Tay et libertatem cymbe vulgo *ane ferrie boit* Saltinsche Reidinsche Kowinsche Saltgirs Reidhillok Park Litolhillok Inchis pomeria de Lunderis parvum pratum vocatum *Kingis Meadow* jacentem ab infimo de Parkhill ab occidente ad orientem burgum et villam de Newburghe domos tenementa hortos toftas croftas Dukeroft ac acras feudifirme firmas annuos redditus et eiusdem deuorias Durrieland de Creiehie toftam de Cowessie toftam de Auld Lunderis toftam de Killoche toftam et brasinam de Auchtermuchtie . . . Craigend Craigmyle cum arridis multuris de Kynnaird *lie segis* et croftis eiusdem Kigishoill Maryscroft Cairtwaird Woodroof Threipland cum Monthie et Monasteri Oliurycruik cum tribus aeris sub silua Terras ecclesiasticas de Ebdie Monkismos jacentem in Edinmure cum . . . *lie Newland Vnland* . . . quinque tenementa terre infra ciuitatem nostram de Sanctandrois . . . magnum edificium ante et retro tenementum et hortum in villa de Falkland . . . annum redditum quinquaginta trium solidorum quatuor denariorum de terris de Denmyne . . . octo solidorum de burgo Cupri in Fyiff . . . quinque solidorum et decem denariorum de Carraile . . . jacentia infra regalitatem de Lunderis et vicecomitatum de Fyiff Terras et baroniam de Feddellis Wester Feddellis Eister Feddellis molendinum de Feddellis Berry et Cuthkin Ek-

lismagirgill cum molendino eiusdem maneriei loco hortis pomeriis columbariis . . . Magnum edificium in burgo nostro de Perth . . . Tenementum in Wattirgait . . . Aliud tenementum in Wattirgait . . . Annuum redditum quadraginta solidorum de domo Roberti Blaikwood in Perth . . . quatuordecem solidorum de domo Magistri Georgij Ruthven in Perth . . . tredecem solidorum et quatuor denariorum de domo Johannis Rind in Perth . . . quinque solidorum de domo Patricii Grant in Perth . . . viginti sex solidorum et octo denariorum de terris de Pitfour . . . septem solidorum de terris Jacobi Gild in Perth . . . quatuor solidorum et quatuor denariorum de terris Joannis Drummond et Patricij Inglis in fine de Meilvennell . . . tredecim solidorum et quatuor denariorum de terris Roberti Cok pistoris . . . tredecim solidorum et quatuor denariorum de terris Davidis Johnstoun jacentibus in Castell Gavill . . . trium librarum sex solidorum et quatuor denariorum de Erlisdykis . . . tredecem solidorum et quatuor denariorum de terris Andree Trumpet . . . triginta solidorum de terris Oliveri Makesoune . . . octo decem solidorum de terris Gulielmi Lamb extra portam de Castellgavall . . . in dicto burgo de Perth infra dictam regalitatem et vicecomitatum nostrum de Perth . . . Omnes terras de Balmaw Newtyle Hilend Hiltoune et Mylnetoun de Craigie Claypottis Ferrietoune cum albis et rubris piscationibus super aquam de Taye . . . terras de Ardoche terras ecclesiasticas de Dundee velcroftan terre vocatam *Vicaris Land* Abbatis horreum polentorum et hortum eiusdem in Dundie tenementum terre in Dundie in vico eiusdem vocato *Abbotiswynd* . . . aliud tenementum in dicto vico . . . peciam terre in dicto vico . . . botham altaris Sancte Margarete in Dundie . . . tenementum et terram cum omnibus bothis et pertinentiis eiusdem capellanarie Sancte Margarete altaris . . . aliud tenementum terre in Dundie . . . ab antiquo vocatum *lie Vicaris Tenement* . . . annuum redditum trium librarum sex solidorum et octo denariorum de terris de Inuerrarie . . . infra regalitatem eiusdem et vicecomitatum nostrum de Forfar Omnes . . . terras de Halwistounis Halend Fischerhill Litill Witstounes Nether Witstounes Pittareis Pittargus Pittamone cum moleudino astrictis multuris et brasina eiusdem Mil-toune de Witstounes brasina de Witstounes Terras de Marcharie Scottis-toune et terras officiaras cum rubris et albis piscationibus super mare et borealem aquam de Esk . . . annuum redditum de Bervie octo solidorum . . . jacentes in regalitate eiusdem infra vicecomitatum de Kincairdin

Omnes et singulas terras et baroniam de Wranghame terras de Craigtoune Kirkhill Mostoune Chrystiskirk molendinum de Leslie terras ecclesiasticas de Auldleslie terras de Largie Newtoune Wranghame cum molendino et warda eiusdem Kirkoune de Culsalmount Pilquhyit Ledinghame et Williamstoun cum molendino et brasina eiusdem Malingsyid Flendiris Logydornocht cum brasina eiusdem Etherlik Kirkoune de Insche cum molendino et brasina eiusdem Kirkoune de Premna Tullymorgoune cum toftis croftis *lie outsettis* customis seruitiis et singulis eorundem pertinentiis Terras ecclesiasticas de Kynnaughtmount Chrystiskirk Premna Insche Culsalmount Logydornocht Terras capellanarias de Garioche Terras et baroniam de Fintrie Haltoune Fintrie cum manerici loco hortis pomeriis silva vocata Garvok et singulis suis pertinentiis Terras de Logyfintrie Fosterissait Wester Fintrie Langeruik Miltoune de Fintrie cum molendino terris molendinariis eiusdem Balbethin cum piscatione in Done Haddirweik Craighorthie Badiforie cum piscatione eiusdem in Done Monkegie et Westhynnes Kilmukis Tullycherie Westirdisblair Ester Disblair Cavillismilne Middil Disblair Smedyhous cum toftis croftis hortis et Smydiecroft Ailhousecroft cum prato vocato Insche Derocroft brasinam de West Fintrie brasinam de Haltoune Fintrie toftam et croftam de Kilmukis salmonum piscationem super aquam de Done Domum cum hortulo et cymbe piscatione apud Futtiey annuos redditus de Balhagartie octo mercas . . . de Kellie decem mercas . . . de Inuerrurie viginti sex solidos et octo denarios Terras ecclesiasticas de Fintrie Inuerrurie et Monkegie que ad dictam Abbaciam de Lundoris perprius pertinerunt iacentes in regalitate eiusdem infra vicecomitatum de Abirdene . . . totum et integrum burgum baronie seu regalitatis et villam de Newburgh . . . cum potestate . . . tenendi liberum forum . . . hebdomatim die Sabbati vulgo *Setterday* . . . cum publico foro iuibi tenendo annuatim . . . vulgo vocato *Sanct Kathernis Day* . . . omnes et singulas ecclesias parochiales de Ebdie Auchtermuchtie Creiche Collessie Eglismagirgill Dundie Fintrie Inuerrurie Monkegie Logydornoche Culsalmount Insche Kynnaughtmount Christiskirk Auldleslie et Premna . . . vnacum aduocatione donatione et iure patronatus . . . prefatarum ecclesiarum . . . Nos . . . ereximus . . . rectoriam seu personagium in qualibet ecclesia predicta . . . pro quorum rectorum honesto et rationabili sustentatione . . . dedimus mansionem et glebam proprie pertinentes ad quamlibet dictarum ecclesiarum . . . necnon annua stipendia subscripta

. . . soluenda . . . per prefatum Patricium Leslie heredes suos et assignatos predictos annuatim in futurum de annuis deuoriis decimarum garbalium et aliorum reddituum preuominatarum ecclesiarum . . . videlicet ministro seu rectori ecclesie parochialis de Ebdie . . . annum stipendium sexdecem bollarum farine auenatice vulgo *teind ait meill* quatuor bollarum decimalis ordeï centum librarum monete cum minimis decimis vicarie totius parochie de Ebdie . . . saluis tamen . . . prefato Patricio suisque heredibus pecunia agnis et lana dicte vicarie . . . Et lectori ecclesie de Newburgh qui erit magister seole grammaticalis dicti burgi eiusque successoribus quadraginta mercas monete regni nostri Item ministro seu rectori ecclesie de Auchtermuchty eiusque successoribus sexdecem bOLLAS farine auenatice decimalis quatuor bOLLAS ordeï decimalis et centum libras monete Item ministro seu rectori ecclesie parochialis de Creiche eiusque successoribus sexdecem bOLLAS prefate farrine quatuor bOLLAS predicti ordeï et centum libras monete Item ministro seu rectori ecclesie parochialis de Collessie sexdecem bOLLAS predictæ farrine quatuor bOLLAS ordeï et centum libras monete Item quia nulla vnquam erat functio ad ecclesiam de Eglismagirgill sed ab antiquo fuit capellanus qui cultum diuinum in capella de Eglismagirgill administravit et inde est nulla ecclesia parochialis nos igitur . . . dedimus . . . potestatem et commissionem dicto Patricio Leslie suisque prescriptis lectorem in futurum ad dictam ecclesiam seu capellam nominandi et presentandi qui habebit in annuo stipendio quadraginta mercas monete Item ministro seu rectori ecclesie parochialis de Dundie suisque successoribus tricentas mercas monete Item ministro seu rectori ecclesie parochialis de Fintrie eiusque successoribus centum libras monete cum minutis decimis vicariis dicte parochie . . . Item ministro seu rectori ecclesie parochialis de Inuerurie eiusque successoribus centum mercas monete cum minutis decimis vicariis suprascriptis parochiarum de Inuerrurie et Monkegi qui ideo curam ad ecclesiam de Monkegi imposterum seruire tenebuntur quia ecclesia eiusdem est et fuit pendiculum tantum parochie de Inuerrurie et eidem contigue jacet Item ministro seu rectori ecclesie parochialis de Logydurnocht que inde transtulitur ad capellam de Garioche suisque successoribus centum mercas monete cum minutis decimis vicariis suprascriptis dicte parochie Item ministro seu rectori ecclesie parochialis de Culsalmount suisque successoribus centum mercas monete cum minutis decimis vicariis prefate parochie Item ministro seu rectori ecclesie parochialis de Insche suisque

successoribus octuaginta libras monete cum prefatis minutis decimis diete parochie Item ministro seu rectori ecclesie parochialis de Kynnathmout suisque successoribus qui eam curam divinam ecclesie de Christiskirk seruire tenebuntur quia eadem est pendiculum tantum ecclesie parochialis de Kynnathmout centum mercas monete cum prefatis minutis decimis vicariis parochiarum de Kynnathmout et Christiskirk Item ministro seu rectori ecclesie parochialis de Auldlesie suisque successoribus centum mercas monete cum prefatis minutis decimis vicarijs parochie eiusdem Item ministro seu rectori ecclesie parochialis de Premna suisque successoribus quadraginta libras monete et dictas minutas decimas parochie eiusdem . . . Insuper nos . . . creamus . . . prefatum maneriem seu maneriei locum de Lundoris domos hortos et alia predicta . . . in vnum integrum et liberum temporale dominium et baroniam prefato Patricio Leslie hereditibus suis masculis et assignatis predictis inde nuncupandum et in futurum nuncupaturum Dominium et Baroniam de Lundoris dantes et concedentes dicto Patricio Leslie suisque prescriptis titulum honorem ordinem et statum liberi Baronis et Domini nostri Parliamenti vocandi et intitulandi Dominos de Lundoris imperpetuum . . . Tenenda et habenda . . . de nobis et successoribus nostris in feudifirma hereditate baronia et regalitate imperpetuum . . . Reddendo inde annuatim . . . pro dicto maneriei loco . . . et pro omnibus prenomminatis ecclesiis . . . et pro dicto libero dominio . . . seruitium equitis aurati et vnum denarium monete . . . nomine albefirme si petatur tantum Et pro dicto burgo de Newburgh . . . seruitium liberi burgi baronie et regalitatis cum quinque libris nomine annui redditus tantum Necnon soluendo annuatim nobis et successoribus nostris . . . pro villa et terris de Grange . . . sexaginta octo libras monete . . . sexdecem denarios pro qualibet pultrea nonaginta sex pultrearum triginta duos denarios pro quolibet capone sexaginta quatuor caponum cum pasturagio arrearagio carrearagio et debitis seruitiis vsitatis . . . Item pro villa et terris de Berriehoil . . . videlicet pro vno aratro eiusdem capones duodecem Alexandrum Johnestoun quinque libras duodecem solidos octo capones duodecem gallinas bollam ordeï vulgo *multir beir* bollam farine auenatice vulgo *multir meill* . . . et pro reliquo dietarum terrarum et ville de Berriehill extendente ad tria arratra viginti quinque libras decem solidos monete Item pro villa et terris de Ormstoune quindecim libras duodecem solidos et octo denarios monete Pro villa et terris de Haltounhill quatuordecem libras octo solidos

et octo denarios Pro villa et terris de Lumquhat decem libras septemdecem solidos et octo denarios Pro villa et terris de Cluney Eister sexdecem libras sex solidos et octo denarios Pro Wodheid Southwod et Eistwood sexdecem libras vitulum agnum octo capones et duodecem pultreas Pro brasina de Grange septemdecem solidos Pro Elayis eiusdem includente Westnedow Hillok Saltgirs hortum horreum horrei *borbuttis reiddis et hauchis* octodecem libras quindecem solidos et octo denarios Pro Brodlandis viginti octo libras Pro Westwood cum cuniculariis decem libras Pro piscatione super aquam de Tay cum libertate cymbe vulgo *anc ferriebott* Saltinsche Reidinsche Kowinsche Salgirs Reidhillok Park Litillhillok Insches cum pomeriis de Lundoris extra precinctum centum libras Pro parvo prato vocato *Kingis Melow* jacente ad infimam partem de Parkhill quadraginta solidos Pro Duricland de Creichie quadraginta solidos Pro tofta de Collessie quadraginta sex solidos Pro tofta de Auld Lundoiris octo solidos et octo denarios Pro tofta de Killoche decem solidos sex gallinas duodecem equi onera vulgo *laidis* glebarum Pro tofta et brasina de Auchtermnchie viginti quatuor solidos pro horreis et horreorum hortis eorundem Collessie Creiche et reliquarum toftarum predictarum sex solidos et octo denarios Pro Craigmylne et aridis multuris de Kynnaird Segie et croftis eiusdem triginta nouem libras Pro Craigend et Kigishoill quadraginta duos solidos Pro Cairtward duas bollar farine auenaticae duas bollar ordeï Pro Woodroof Threpland cum Monthe et Monasterii quadraginta bollar ordeï vulgo *ferme beir* Pro Marycroft quadraginta duos solidos Pro Almyeruk sex libras tresdecem solidos et quatuor denarios Pro tribus acris terre sub silua quatuor libras et quatuor solidos Pro Croftdyik quinque libras quatuor solidos Pro terris ecclesiasticis de Eblie quinquaginta tres solidos et quatuor denarios Pro quinque tenementis terre in Sancto Andrea decem libras sexdecem solidos et octo denarios Pro tenemento in Falkland quadraginta solidos cum seruicio vsitato et consueto Pro acris de Newburghe vocatis *Hauche* quadraginta libras tredecem solidos et quatuor denarios Pro Monkienos cum omnibus suis priuilegiis quinquaginta solidos Pro acris de Westmedow sub Newburghe quatuor decem libras tredecem solidos et quatuor denarios Item pro dictis terris de Beny et Cathkin in baronia de Feddellis decem libras tredecem solidos et quatuor denarios Pro Wester Fiddellis viginti sex libras sex solidos et octo denarios viginti quatuor capones viginti quatuor pultrias quatuor petras butiri

. . . Pro molendino de Feddellis octo libras sex capones sex galinas . . .
 Pro Eister Feddellis viginti septem libras sexdecem denarios . . . Item
 pro terris de Eglismagirgill cum manerici loco hortis columbariis et molendino eiusdem nonaginta octo marcas quatuor solidos et quatuor denarios cum brasina et toftis eiusdem triginta solidos Pro tribus tenementis in Perth sexdecem libras sex solidos et octo denarios Item pro terris de Balmaw et Newtyle in Angus septemdecem libras octo solidos triginta sex capones . . . Pro terris de Hilend quadraginta quatuor solidos sex capones Pro Hiltoune et Miltonne de Cragg Claypottis et Ferrietoune cum albis piscationibus in aqua de Tay custumis deuoriis et seruitiis eorundem triginta septem libras quadraginta octo capones Pro terris de Ardoche sex libras tredecem solidos et quatuor denarios Pro terris ecclesiasticis de Dundie siue crofta terre vocata terra vicaria quatuordecem solidos Pro dictis omnibus tenementis in Dundie bothis et eorundem pertinentiis vnum et viginti libras Pro horreo vstrina et horto horrei vocato *Abottisbarne* in Dundie septem solidos Item pro terris de Halwitstounes Hilend Fischerhill Littellwitstounes cum suis pertinentiis triginta quatuor libras quindecem solidos et sex denarios duodecem capones triginta sex pultreas sex bollas auenarum vulgo *cane aittis* . . . Pro terris de Nether Witstounes Pitcareis Pittamone cum molendino Mylnctoune astrictis multuris et brasinis viginti novem libras duos solidos et octo denarios . . . Pro terris de Marcharie et Scottistoune cum terris officariis rubris et albis piscationibus super mare et aquam borealem de Ask viginti duas libras septemdecem solidos et sex denarios Item pro terris de Craigtoune ex baronia de Wranghame tredecem libras sex solidos et octo denarios Pro terris de Kirkhill decem marcas et bollam auenarum vulgo *custome aittis* Pro Mostoun quadraginta solidos Item pro villa et terris de Chrystiskirk sexdecem libras quatuor solidos et octo denarios Item pro molendino de Leslie viginti sex solidos et octo denarios Pro terris ecclesiasticis de Auld Leslie sex solidos et octo denarios Pro terris de Largie tres libras sex solidos et octo denarios cum debito seruitio Pro Newtoune et Wranghame cum molendino et warda eiusdem sexaginta sex libras tredecem solidos et quatuor denarios Pro Kirktonne de Culsalmount octo libras quatuor libras et sex denarios Pro Polquhit viginti quatuor libras quinque solidos quatuor denarios Pro Ledinghame et Williamstoune cum molendino et brasina quinquaginta quinque libras sex solidos octo denarios Pro Malingsyde

viginti octo libras novem solidos octo denarios Pro Flendiris viginti quatuor libras sex solidos Pro Logydornoche et brasina eiusdem viginti libras octodecem solidos cum bolla auenarum vulgo *kane aittis* Pro Etherlik Kirktoone de Insche molendino et brasina eiusdem tredecem libras decem solidos Pro Kirktoone de Premna quatuor libras tredecem solidos et quatuor denarios Pro Tullymorgoune cum toftis croftis custumis et pertinentiis sexdecem libras cum arregaïis carregaïis custumis et debitis seruitiis . . . prenominarum terrarum vsitatis et consuetis Pro terris ecclesiasticis de Kynnathmount Christiskirk Insche Premna Culsalmount Logydornoche et terris capellanariis de Garioche viginti solidos Item pro Haltoune Fintrie cum maneriei loco hortis pomeriis silua de Garvok et corundem pertinentiis Fosterissait Wester Fintrie Langeruik et singulis suis pertinentiis centum et viginti libras Pro terris de Logyfintrie octo libras Pro Mylnetoune de Fytrie cum molendino et terris molendinariis eiusdem septem libras sex solidos octo denarios Pro Balbithene cum piscatione in Done Heddirweik et Craigforthie viginti tres libras sex solidos octo denarios Pro Badiforrie et piscationibus in Done quinque libras septem solidos decem denarios Pro Monkegi et Westbynis novemdecem libras tredecem solidos quatuor denarios Pro Kilmukis viginti duas libras Pro Tullichery sex libras tredecem solidos quatuor denarios Pro Wester Disblair viginti quatuor libras Pro Eister Disblair et Cavillismylne et Middell Disblair quadraginta duas libras Pro Smedyhous toftis croftis hortis Smedycroft Aillhouscroft prato vocato Insche Deracroft duabus brasinis de Fintrie et tofta de Kilmukis ac salmonum piscatione in aqua de Done octo libras quinque solidos quatuor denarios Pro domo hortulo et cymbe piscatione apud Futtey septem solidos cum arregaïis carregaïis et debitis seruitiis vsitatis et consuetis omnium prenominarum terrarum Pro terris ecclesiasticis de Fintrey Inuerrrie et Monkegie septem solidos et sex denarios Ac in augmentationem rentalis . . . sex solidos et octo denarios . . . Ac heredes et assignati dicti Patricij Leslie duplicando feudifirmas deuorias primo anno cuiuslibet eorum introitus ad dietas terras . . . Necnon . . . disponimus prefato Patricio Leslie heredibus suis masculis et assignatis de dietis feudifirmis deuoriis et annuis redditibus annuatim summam quingentarum mercarum monete regni nostri vnacum viginti quatuor bollis ordeï et duabus bollis farine auenatice cum omnibus et singulis dietis caponibus pultreis canis butiri casei et victualium arregaïis

carreagiis cum omnibus aliis seruiiciis per presentes debitis . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud burgum nostrum de Perth vltimo die mensis Martij anno Domini millesimo sexcentesimo et regni nostri tricesimo tertio .

Rentall of the landis within the parochine of Kenethmount and Chrystis-kirk. ¹—(A.D. 1635)

Imprimis the tounes and landis of Kirkhill, Mostoun, Bogs, Peill, Syde, Milne of Syde, with the partes and pendicles tharof heritable belonging to Patrik Gordone of Kirkhill, of quhilk landis the tounes and landis of Syde, Peill, and Bogis are possessed in wedsett be Johne Leyth of Balquharne, are rentalled at 5 chalderis victuall twa pairt meale third pairt beare, and of siluer rent 300 merkis.

The toun and landis of Cultis heritable belonging to Hew Gordone of Cultis now in Smythstoun and possessed be Patrik Gordone of Kinragie is rentalled at 3 chalderis victuall, twa pairt meale third pairt beare, and of siluer rent 100 merkis.

The toun and landis of Craigtoun, with the milne, Quhytnik, Craighall, partes and pendicles therof, the one half heritable belonging to Alexander maister of Forbes, possessed in wedsett be Mr Williame Glas, sone and aire to George Glas, the other half of the saidis landis heritable belonging to Patrik Forbes of Craigtoun possessed be lyfrent and conjunctie of his mother Marjorie Forbes and her husband George Leyth in Craighall, is rentalled at 3 chalderis victuall meale and beare, togidder also with 100 merkis money.

The toun and landis of Law, Erlesfeild, Ardler, Sigiden, Mure, partes and pendicles tharof, belonging heritable to Williame Gordone of Tarpersie, is rentalled at 5 chalderis victuall meale and beare, and silver dewtye 300 merkis.

¹ [From the General Register House, Edinburgh.]

The tounes and landis of Glanderstoun Old and New, with the Milne therof, Slak, Weittis, Lauchmure, and Daes, heritable belonging to Sir Johne Leslye of Wardes, possessed in wedsett be Williame Gordone of Terpersie, is rentalld at 8 chalderis victuall meale and beare, silver rent and all being counted ouer heade, a hundreth merkis for ilk chalder victuall.

The toune and landis of Chrystiskirk and Temple Croftis, belonging heritable to Alexander Gordone of Dunkentie, and possessed in wedsett be Gilbert Johnstoun of New Leslye, is rentalld at twa chalderis victuall meall and beare.

The toune and landis of Rochmuriell, Wantoun Wallis, Preistwellis, belonging heritable to Williame Gordone of Terpersie, is rentalld at 4 chalderis victuall meall and beare.

The tounes of Flinder Old and New, with the Walk Milne, partes and pendicles tharof, belonging to thrie sundrie heretouris, Williame Forbes of Barnes, Oliplier Gordone in Hillak of Rothnie, and George Cruickshank servitour to the Laird Dalgatie, is rentalld at 5 chalderis victuall to be equally divided into thrie thirdis proportionablye.

Summa of this rentalld steck and teynd is 43 chalderis victuall, meale and beare, and silver rent being counted, ane hundreth merkis for ilk chalder.

Agreement betuixt the heritouris and minister of the parochines of Kenethmount and Chrystiskirk for ane constant modefeit stipend.¹ —(A.D. 1635.)

We vnderscopyveris heritouris titulares possessouris takismen of the parochines of Kenethmount and Chrystiskirk be these presentis testifies and declares be our oathe of veritie and vpon our conscience that the hail ren-

¹ [From the General Register House, Edinburgh.]

tall stok and teind of the saidis parochines of Kenethmount and Chrystiskirk dois not extend nor exceed aboue fourtie tua chalder victuall yeerlie, and silver rent being valued, out of quhilk fourtie [tua] chalderis victuall and siluer rent yeerly we are content and consentis for our owne partes and in name of the rest of the heritouris and parochineris that there be provyded ane constant and modifeit stipend to the minister of the said kirk and his successouris for euer, and for furnishing the elementis, according to the valuatioune given vpon be vs . . . and condiscended vpon be the minister, *videlicet*: The toune and landis of Kirkhill and Syde with the pertinentis tharof, belonging to Patrick Gordone, valued at eight chalder victuall; The toune and landis of Cultis and Craigtoune, belonging to Hew Gordone of Smythstoune heritable, and wedsett to Patrik Gordone of Kinkragye, is valued at eight chalder victuall; The haille landis belonging to the Laird of Wardes wedsett be William Gordone of Tarpersie, valued at eight chalder victuall; The landis of Erlisfeild and Segiden and otheris heritable belonging to the said William Gordone of Tarpersie is valued at eight chalder victuall; And the landis of the toune of Chrystiskirk, Rochmuriell, and haille stock and teynd of that parochine is rentalled to ten chalder victuall, all extending to the number and quantitie of fourtie tua chalder victuall and money yeerly rent: Out of the quhilk rental . . . we are willing and consentis that there be allocat to our minister and his successouris for euer the number and quantitie of thre chalder victuall gude and sufficient merchant stuff, twa pairt mealle, third parte beare, Togidder also with three hundreth merkis yeerly as constant modefeit stipend agreed vpon betwixt vs and him . . . and fourtie merkis Scottis money for furnishing of the elementis to the communion, by and attoure his vicarage dew to him but ony valuacioune or parte of the said stipend of three chalder victuall and three hundreth merkis money forsaid, quhilk we acknowledge to be dew to him and yeerly payable furthe of the haille landis and teyndis of the said parochines: Quhairfor humble intreates your Lordshippis of His Majesties Commissione to quhome . . . the care of plantacioune and provisone of kirkis belongis to . . . grant localitie of the forsaid stipend siluer and victuall therupon, and lykwise to grant your Lordshippis auctoritie may be interponed thereto for setling and establishing the said stipend for euer out of the said rental stock and teynd . . . And for the more verificatioune hereof thir presentis are subscriyvit with our handis at the Kirk of Insch the seventeenth day of

Junij j^m vj^o threttie fyve yeris, befor thir witness Mr William Straquhen
parson of Daviot, Johne Gordone in Rochmuriell, Johne Leslye notar.

M P Lyndesay minister at Kenethmount

Patrik Gordoune of Kirkhill

Hew Gordoune of Cultis

P Gordon off Kingeraige

W Gordoun

Mr Williame Glas

Mr W Strachan witnes

Johne Leslye notar and vitnes

present subscribes.

Carta Alexandri de Lesly et Issabelle de Lawdre sponse sue super terris
de Balcolmy. ¹ —(A.D. 1465.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto
familiari scutifero nostro Alexandro de Lesly et Issabelle de Lawdre sponse
sue et eorum alteri diucius viuenti totas et integras terras de Balcolmy cum
pertinentiis jacentes infra vicecomitatum nostrum de Fiff Quequidem terre
cum pertinentiis fuerunt dicte Issabelle hereditarie et quas eadem Issabella
in sua pura et integra virginitate . . . spontanea voluntate in manus nos-
tras . . . simpliciter resignauit . . . Tenendas et habendas . . . dictis
Alexandro et Issabelle sponse sue et eorum alteri diucius viuenti et heredi-
bus inter ipsos legittime procreatis seu procreandis quibus forte deficientibus
veris legitimis et propinquieribus heredibus dicte Issabelle quibuscumque
de nobis heredibus et successoribus nostris in feodo et hereditate imper-
petuum . . . In cuius rei testimonium presenti carte nostre confirmacionis
magnum sigillum nostrum apponi precepimus . . . Apud Strueline vicesi-
mo septimo die mensis Septembris anno Domini millesimo quadringentesimo
sexagesimo quinto et regni nostri sexto .

Carta Alexandri Lesly de Wardris de terris thanagii de Kyntor. ² —(A.D.
1473.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . et ad

¹ [From the Registrum Magni Sigilli, lib. vi., no. 44. MS. Gen. Reg. House, Edinb.]

² [From the Registrum Magni Sigilli, lib. vii., no. 62. MS. Gen. Reg. House, Edinb.]

feodifirmam cōmississe . . . dilecto familiari scutifero nostro Alexandro Lesly de Wardris terras nostras thonagij de Kyutor cum vniuersis annuis redditibus earundem cum pertinentiis jacentes infra vicecomitatum nostrum de Abūdene in augmentationem infrascriptam nostri rentalis de dicto thonagio et pro gratuito et fideli seruicio dicti Alexandri nobis impenso. Que terre predictę thonagij cum dictis annuis redditibus cum pertinentiis temporibus retroactis extendebant annuatim ad quadraginta quinque libras vsualis monete regni nostri. Tenendas et habendas . . . prefato Alexandro Lesly et heredibus suis de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde et soluendo annuatim dictus Alexander et heredes sui reverendo in Christo patri Episcopo Abirdonensi et successoribus suis Episcopis [Abirdonensibus] pro decimo denario dicto Episcopo et ecclesie Abirdonensi de prefato thonagio debito [summam] quatuor librarum et quatuor solidorum diete monete regni nostri. Ac Vicecomiti de Forfar et successoribus suis videlicet heredibus quondam Alexandri Ogiluy de Velthirbous quibuscunque summam trium librarum diete monete. Ac nobis heredibus et successoribus nostris nomine feodifirme quinquaginta libras et viginti duos solidos et octo denarios eiusdem monete ad duos anni terminos Penthecostes videlicet et Sancti Martini in hieme per equales porciones tantum pro omnibus aliis seruiciis aueragiis cariagiis et aliis exactionibus quibuscunque que de dictis terris et thonagio et annuis redditibus cum pertinentiis earundem per quoscunque exigi poterunt . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vltimo die mensis Septembris anno Domini millesimo quadringentesimo septuagesimo tertio et regni nostri decimo quarto .

Carta Alexandri Lesly de Wardris super terris baronie de Kynnedward et officio balliuatus earundem terrarum, ¹ — (A.D. 1478 et A.D. 1479.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam dilecti consanguinei nostri Johannis de Ila domini Insularum factam et concessam in feodifirma dilecto scutifero nostro Alexandro Lesly de Wardris nostro receptori generali . . . ad plenum intellexisse sub hac forma OMNI-

¹ [From the Regi-strum Magni Sigilli, lib. ix., no. 15. MS. Gen. Reg. House, Edinb.]

US hanc cartam visuris vel audituris Johannes de Ila dominus Insularum salutem in Domino sempiternam Noueritis nos dedisse . . . necnon . . . ad feodifirmam dimittere . . . dilecto consanguineo nostro Alexandro Lesly de Wardris omnes et singulas terras nostras baronie nostre de Kynnedward cum pertinentiis uidelicet terras dominicales de Kynnedwarde vulgariter nuncupatas *le Casteltoun* ac terras de Estirtiry Kynnarquhy et Faithly cum pertinentiis jacentes infra vicecomitatum de Abirdene Reseruatis inde nobis et heredibus nostris tribus mercatis dictarum terrarum de Casteltoun cum monte castri eiusdem ad faciendum domino nostro Regi seruicium pro dictis terris et baronia de Kynnedward debitum et consuetum Tenendas et habendas . . . dicto Alexandro Lesly et heredibus suis de nobis et heredibus nostris Dominis Insularum et Baronibus de Kynnedward in feodifirma et hereditate imperpetuum . . . Soluendo annuatim . . . nobis et heredibus nostris pro dictis terris et baronia cum pertinentiis viginti et nouem mercas vsualis monete regni Scocie . . . Insuper constituimus . . . dictum Alexandrum Lesly balliuum nostrum dictarum terrarum et baronie de Kynnedward cum pertinenciis Tenendum et habendum idem officium balliuatus cum pertinenciis dicto Alexandro Lesly et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . In cuius rei testimonium presenti carte nostre sigillum uostrum apponi fecimus apud Edinburgh vicesimo secundo die mensis Decembris anno Domini millesimo quadringentesimo septuagesimo octauo Testibus nobilibus et prepotentibus dominis Colino comite Ergadie domino Lorne et Campbell magistro hospicii supremi domini nostri Regis Lachlano Makgilleon de Doward Hectore Makgilleon de Loichbowe Willelmo Makloid de Glenejg Rory Makloide de Leweis Alexandro M^cCaus de Arduamertho et Malcomu Makneile de Geya cum multis et diuersis aliis **Q**UAMQUIDEM cartam pro perpetuo confirmamus Saluis nobis heredibus et successoribus nostris iuribus et seruiciis . . . debitis et consuetis Et prouiso eciam quod presens nostra confirmacio donacioni de dictis terris cum pertinenciis quam de nobis habet dilecta consanguinea nostra Elizabeth comitissa Rossie ad vitam sibi Elizabeth in dampnum aut preiudicium non cedat durante toto tempore vite sue In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . apud Edinburgh quarto die mensis Februarij anno Domini millesimo quadringentesimo septuagesimo octauo et regni nostri decimo nono .

Carta Walteri Lesly super terris de Balcomy per resignationem sue matris. ¹—(A.D. 1499.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto familiari seruitori nostro Waltero Lesly vni mariscallorum nostri domicilij filio quondam Alexandri Lesly de Wardris inter ipsum et Isobellam Lauder de Balcomy suam sponsam genitam totas et integras terras de Balcomy cum pertinenciis jacentes infra vicecomitatum nostrum de Fiffe Quequidem terre . . . fuerunt dicte Isobelle hereditarie et quas eadem in sua pura viduitate . . . in manus nostras . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Waltero et heredibus suis quibus deficientibus dicte Isobelle et heredibus suis reuersuras de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . nobis debita et consueta In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Striueling primo die mensis Septembris anno Domini millesimo quadringentesimo nonagesimonono et regni nostri duodecimo .

Carta Johannis Lesly de Wardris de terris de Balcomy per fratris sui Walteri Lesly resignationem. ²—(A.D. 1500.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Johanni Lesly de Wardris totas et integras terras de Balcomy cum pertinenciis jacentes infra vicecomitatum nostrum de Fiffe Quequidem terre . . . fuerunt Walteri Lesly fratris dicti Johannis hereditarie et quas idem Walterus . . . in manus nostras . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Johanni et heredibus suis de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . nobis debita et consueta Reseruato tamen libero tenemento dictarum terrarum de Balcomy cum per-

¹ [From the Registrum Magni Sigilli, lib. xiii., no. 480. MS. Gen. Reg. House, Edinb.]

² [From the Registrum Magni Sigilli, lib. xiii., no. 481. MS. Gen. Reg. House, Edinb.]

tinentiis Isobelle Lawder matri dicti Johannis pro toto tempore vite sue In cuius rei testimonium presenti carte nostre magnam sigillum nostrum apponi precepimus . . . Apud Striueling decimoquarto die mensis Februarij anno Domini millesimo quadringentesimo nonagesimo nono et regni nostri duodecimo .

Carta Johannis Leslie de Warderis. ¹ —(A.D. 1508.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia dedimus . . . et hac presenti carta nostra concedimus et ad feodifirmam dimittimus dilecto nostro Johanni Leslie de Warderis totas et integras terras de thanagio de Kintor subscriptas videlicet terras de le Ouer Dawate et Nether Dawate de Kyntor cum molendinis earundem / terras de Creiche Tavilty Mekil Kynnaldy cum molendino earundem Litill Kynnaldy Petmeddene Nethir Dise et annuis redditibus earundem cum piscariis super aqua de Done infra bondas terrarum predictarum cum lacu et paludibus earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Johannis tanquam heredis quondam Alexandri Leslie de Warderis patris sui hereditarie per cartam et assecutionem eidem Alexandro et heredibus suis in feodifirma per quondam nobilissimum patrem nostrum cuius anime propicietur Deus in minori etate sua factas in agmentacionem rentalis sui . . . Et quas terras . . . idem Johannes in manibus nostris . . . simpliciter resignavit . . . et pro bono et gratuito seruicio nobis per dictum Johannem impenso et impendendo ac in recompensacionem nonnullarum ampliarum summarum pecuniarum per prefatum quondam carissimum patrem nostrum dicto quondam Alexandro compotori suorum rotulorum pro tempore debitarum de quibus dictus Johannes tanquam heres prefati patris sui pro hoc nouo infeofamento nostro nos tanquam heredem et successorem carissimi patris nostri antedicti quitteclamavit et exoneravit imperpetuum dedimus . . . et dimisimus . . . ad feodifirmam . . . dicto Johanni . . . predictas

¹ [From the Registrum Magni Sigilli, lib. xv, no. 15. MS. Gen. Reg. House, Edinb. See above vol. iii., pp. 233-4, where the precept for passing this charter under the Great Seal is, by mistake, referred to the twenty-first year of King James III. (1481) instead of the twenty-first year of King James IV. (1508.)]

terras . . . Tenendas et habendas . . . dicto Johanni et heredibus suis de nobis et successoribus nostris in feodifirma et hereditate imperpetuum . . . Reddendo inde annuatim dictus Johannes et heredes sui reuerendo in Christo patri Willelmo episcopo Abirdonensi moderno et successoribus suis episcopis Abirdonensibus pro decimis denariis dictis Episcopo et cathedrali ecclesie Abirdonensi de prefato thanagio debitis summam quatuor librarum et quatuor solidorum vsualis monete regni nostri et Vicecomiti nostro de Forfar et successoribus suis videlicet heredibus Alexandri Ogiluy de Oucterhous quibuscunque summam trium librarum monete predicte ac nobis et successoribus nostris [summam] quinquaginta vnus librarum duorum solidorum et octo denariorum vsualis monete regni nostri . . . pro omnibus aliis seruitiis oneribus exactiōibus et questionibus quibuscunque In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo-septimo die mensis Junij anno Domini millesimo quingentesimo octauo et regni nostri vicesimo primo .

Carta Johannis Leslie de Warderis. ¹—(A.D. 1508.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia pro bono et gratuito seruicio nobis per dilectum nostrum Johannem Leslie de Warderis impenso et in recompensationem nonnullarum summarum pecuniarum per quondam nobilissimum patrem nostrum cuius anime propicietur Deus quondam Alexandro Leslye de Warderis patri dicti Johannis debitarum tempore quo idem Alexander eiusdem patris nostri Compotorum Rotulator extiterat in rotulis et compotorum libris suis contentarum fecimus . . . dictum Johannem Leslye ballium omnium et singularum terrarum nostrarum regalitatis nostre de Gareauche nunc nobis in proprietate pertinentium jacentium infra vicecomitatum nostrum de Abirdene videlicet terrarum de Glanderstoun cum molendino earundem Tulyfoure Duncanistoune Donydure cum molendino earundem Rochmwriell Knokinbard cum molendino earundem Ardoyn Buchanistoun cum molendino earundem terrarum de Hairlaw Mekle Durno cum molendino earundem Torreys

¹ [From the Registrum Magni Sigilli, lib. xv., no. 43. MS. Gen. Reg. House, Edinb.]

Rihill Warthill et davate terrarum nostrarum de Inuerowry cum molendino earundem cum omnibus suis pertinentiis Tenendum et habendum dictum officium balliuatus siue ballie . . . cum omnibus eschaetis amerchiamentis bludewitis et proficuis dicti officii . . . de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate imperpetuum . . . Insuper cum predictum officium sit res incorporea et dictus Johannes nullas habet terras sibi eum eodem concessas super quibus dictum officium dependere valeat Nos igitur vniuimus . . . dictum officium terris de Warderis dicto Jobanni pertinentibus jacentibus infra regalitatem nostram antedictam ut sit quedam dependencia et pertinencia earundem pro perpetuo infuturum sic quod sasina capienda per heredes ipsius Johannis de prefatis terris de Warderis erit sasina sufficiens et extendet ad dictum officium tanquam dependenciam dietarum terrarum . . . super aliqua parte dietarum terrarum de Gareauche per deliberacionem virge ut moris est . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh decimosexto die mensis Junii anno Domini millesimo quingentesimo octauo et regni nostri vicesimo primo .

Carta Johannis Lesly de Warderis.¹ —(A.D. 1510.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . et ad feodifirmam dimisisse et hac presenti carta nostra hereditarie confirmasse dilecto nostro Johanni Lesly de Warderis omnes et singulas terras nostras de Garvianche subscriptas videlicet terras de Duncanstoune Gillanderistoune cum molendino eiusdem Donydure cum molendino eiusdem Rochmuriell *le Davech* de Ardyne cum molendino eiusdem Warthill Dornoche et *le Mylnetoun* earundem molendinum de Dornoche Hairlaw Inuerowry cum *le Daw* et molendino eiusdem Tullifoure Torreis Knokinbarde cum molendino earundem et Knokmorgin cum omnibus *le outsettis* . . . extendentes nunc in integro in rentali nostro ante presentem nostram assedacionem feudifirme ad summan centum quinquaginta vnius librarum vsualis moucte regni nostri in pecuniis vndecim martas sex duodenas

¹ [From the Registrum Magni Sigilli, lib. xvi., no. 59. MS. Gen. Reg. House, Edinb.]

caponum et quatuordecim duodenas pultrearum jacentes infra vicecomitatum de Abirden in excambium et permutacionem pro terris suis de Balcomy cum manerio et cuniculariis earundem et suis pertinenciis jacentibus infra vicecomitatum nostrum de Fiffe per dictum Johannem nunc in manibus nostris resignatis et sursum redditis nobiscum et cum successoribus nostris in proprietate permansuris imperpetuum Tenendas et habendas . . . de nobis et successoribus nostris in feodifirma et hereditate ac libera baronia et libera foresta imperpetuum . . . adeo libere . . . sicut Comites de Mar possessores dietarum terrarum easdem aliquibus retroactis temporibus liberius possidebant . . . Reddendo inde annuatim . . . nobis et successoribus nostris summam centum quinquaginta vnus librarum vsualis monete predictae . . . vndecim martas sex duodenas caponum et quatuordecim duodenas pultriarum . . . secundum tenorem rentalis nostri antedicti nomine feodifirme tantum in augmentacionem rentalis nostri . . . ad valorem dietarum terrarum de Balcomy nunc sursum redditarum . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh vicesimoseptimo die mensis Marcij anno Domini millesimo quingentesimo decimo et regni nostri vicesimo tercio .

Carta Johannis Leslie de Warderis et sue sponse¹ —(A.D. 1525.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos cum . . . consensu Dominorum Consilii nostri ad hoc per tres regni nostri status in Parlamento nostri electorum . . . confirmasse dilectis nostris Johanni Lesly de Warderis et Anabelle Chalmer sponse sue et ipsorum alteri diucius viuenti in coniuncta infeodacione pro toto tempore vite sue totas et integras terras de Tulifour Tavelte molendinum et *le Mylntoun* de Durnroy cum suis pertinenciis jacentes in regalitate de Gariauch infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dieti Johannis hereditarie et quas idem . . . in manibus nostris apud Edinburgh . . . simpliciter resignauit . . . Tenendas et habendas . . . dictis Johanni Lesley et Anabelle eius sponse ac eorum alteri diucius viuenti in

¹ [From the Registrum Magni Sigilli, lib. xxi., no. 102. MS. Gen. Reg. House, Edinb.]

coniuncta infeodacione ac legitimis et propinquieribus heredibus dieti Johannis quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo die mensis Januarii anno Domini millesimo quingentesimo vicesimoquarto et regni nostri duodecimo .

Carta Alexandri Leslie de Warderis. ¹—(A.D. 1546.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . confirmasse hereditarie dilectis nostris Alexandro Leslie de Werdaris et Margarete Forbes eius coniugi et eorum alteri diucius viuenti in coniuncta infeodacione . . . totas et integras terras de Taviltye cum suis pertinenciis iacentes infra vicecomitatum nostrum de Abirdene Quequidem terre . . . pertinuerunt hereditarie dicto Alexandro perprius hereditarie et quas idem . . . simpliciter resignauit . . . Tenendas et habendas . . . dietis Alexandro Leslie et Margarete eius coniugi ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreatis seu procreandis quibus deficientibus heredibus masculis dieti Alexandri quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Sanctandris decimotercio die mensis Octobris anno Domini millesimo quingentesimo quadragésimo sexto et regni nostri anno quarto .

Carta Willelmi Leslie filii et apparentis heredis Alexandri Leslie de Wardres. ²—(A.D. 1551 et A.D. 1557.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos quamdam cartam

¹[From the Registrum Magni Sigilli, lib. xxix., no. 420; lib. xxx., no. 279. MS. Gen. Reg. House, Edinb.]

²[From the Registrum Magni Sigilli, lib. xxxi., no. 409. MS. Gen. Reg. House, Edinb.]

concessionis factam per Alexandrum Leslie de Wardres suo charissimo filio et heredi apparenti Willelmo Leslie . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Alexander Leslie de Wardres eternam in Domino salutem Noueritis me . . . ob filialem affectionem quam gero et habeo erga charissimum filium et heredem apparentem Willelmum Leslie . . . dedisse . . . prefato Willelmo Leslie suis heredibus et assignatis omnes et singulas terras de Gareanch subscriptas videlicet Terras de Duncanstoun Gillandirstoun cum molendino earundem Terras de Dunnydure cum ipsarum molendino Terras de Rochmureill davatam de Ardwe cum molendino earundem Terras de Warthill et Dornocht et molendinum earundem molendinum de Dornocht Terras de Harlaw Terras de Inuerrowrie cum dauata et molendino earundem Terras de Tullifour Torreis Knokinbarde cum molendino earundem et Knokmorgowne cum *lie oussettis* dependenciis et pertinentiis *foggage fogmaill* de Kirktoon de Vue et West Hall cum *lie tolbeir* de Auchlevin et Bourtie Acetiam totas et integras terras de Thanydoune de Kintor subscriptas videlicet Terras de Ovir Daacht et Nethir Daacht cum molendino earundem firmis et *lie tolbeir* de Kintor Terras de Creyche Taviltie Mekill Kynnaldie cum molendino earundem Terras de Litill Kynnaldy Petmeddene Nethir Dyce et annuus redditus earundem cum piscariis super aqua de Dovne infra limites predictarum terrarum cum lacubus et paludibus earundem et omnibus pertinentiis earundem jacentes infra vicecomitatum de Abirdene Tenendas et habendas . . . de suprema domina nostra Regina et suis successoribus . . . in feudifirma et hereditate ac libera baronia atque libera foresta vt prius imperpetuum . . . Reddendo inde annuatim . . . supreme Domine nostre Regine et suis successoribus . . . pro . . . predictis terris de Garvaucht summam centum quinquaginta vnus librarum vsualis monete regni Scotie . . . vndecim martas sex caponum duodenas et quatuordecim pultriarum duodenas . . . Ac pro . . . terris thanatus de Kintor suprascriptis . . . summam quinquaginta vnus librarum duorum solidorum et octo denariorum . . . ac reuerendo in Christo patri Willelmo Abirdonensi episcopo et suis successoribus Abirdonensibus Episcopis summam quatuor librarum et quatuor solidorum pro decimis denariis thanatus antedicti . . . ac Vicecomiti vicecomitatus de Forfar suisque successoribus [videlicet] et heredibus quondam Alexandri Ogiluy de Ouchterhous quibuscunque summam trium librarum monete antedictae . . . secundum formam et tenorem cartarum per

quondam illustrissimos et inuictissimos Jacobum quartum et Jacobum quintum Scotorum Reges bone memorie quorum animabus propicietur misericordia et omnipotens Deus mihi et predecessoribus meis desuper concessarum . . . Reseruando tamen . . . liberum tenementum proficuum et vsum fructuum . . . predictarum terrarum de Garviaucht . . . terrarumque thanatus de Kintor . . . mihi dicto Alexandro pro toto tempore vite mee Necnon reseruando racionabilem tereiam partem . . . terrarum supraspecificatarum . . . Margarete Forbes sponse mee pro toto tempore vite sue . . . In cuius rei testimonium huic presenti carte mee subscriptione manuali mea vt infra subscripte sigillum meum proprium est appensum Apud Abirdene vicesimoprmo die mensis Julij anno Domini millesimo quingentesimo quinquagesimo primo Coram testibus honorabilibus viris Thoma Menzes de Petfoddelis proposito burgi de Abirdene Magistro Roberto Lummsidene de Cloway Andrea Leslie in Dyce Dauide Mar Georgio Creichtoun de Conze Alexandro Leslie in Creiche Domino Willelmo Thomsoun Magistro Thoma Fynny et Magistro Johanne Kennedy notariis publicis cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Newbottill vige-imoquarto die mensis Julij anno Domini millesimo quingentesimo quinquagesimoseptimo et regni nostri decimo quinto .

Carta confirmationis Alexandri Leslie. ¹ —(A.D. 1554 et A.D. 1585.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quandam cartam

¹ From the Registrum Magni Sigilli, lib. xxxvii., no. 136. MS. Gen. Reg. House, Edinb.

By a charter dated at Wardres, on the twelfth day of April, 1596, William Leslie of Wardres granted to his son Master William Leslie, his lands of Gareoch afternamed, that is to say, Duncanstoun, Glanderstoun with the mill, Dunidure with the mill, Rochmuriell, the davat or Arduie with the mill, Warthill, Durnocht and the mill, the mill of Durnocht, Harlaw, Inuerrowrie with the davat and mill, Tullyoure, and Torreis with the forests of Banuachie and Tullyoure, Knokinbaird and Scottistoun with the mill, Knokmorgin, the foggaige and fogmail of the Kirkton of Wne, and Washall with the tolbeir of Auchlevin and Bourtie, with the hereditary office of bailliary; and also his lands of the Thanedom of Kintore afternamed, that is to say, Over Daach and Nether Daach with the mill, and with the fermes and tolbeir of Kintore Creichie, Taneltie, Mekill Kynnaldie with the mill, Little Kinnaldie, Petmedden, Nether Dyse, and yearly rents of the same, with the fishings on the water of Doue, and the lochs and marshes.—(Registrum Magni Sigilli, lib. xli., no. 111. MS. Gen. Reg. House, Edinb.) Cf. Registrum Magni Sigilli, lib. xli., no. 107; lib. xlviii., no. 326.]

feudifirme et locationis factam per quondam Georgium comitem de Huntly dominum Gordoun et Badyenoch etc. . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Georgius comes de Huntly dominus Gordoun et Badyenoch etc. salutem in Domino sempiternam Noueritis nos . . . locasse et ad feudifirmam ac perpetuam emphiteosin dimisisse . . . Alexandro Leslie filio tertio genito dilecti nostri Alexandri Leslie de Wardres . . . omnes et singulas terras ecclesiasticas nostras de Kirkton Dyss . . . jacentes in baronia nostra de Monymusk infra regalitatem Sanctiandree et vicecomitatum de Abirdene Tenendas et habendas . . . prefato Alexandro Leslie filio tertio genito prenominati Alexandri Leslie de Wardres et heredibus suis masculis Quibus deficientibus Patricio Leslie fratri germano prefati Alexandri Leslie junioris et heredibus suis masculis de nobis et heredibus nostris masculis in feudifirma . . . ac hereditate imperpetuum . . . Reddendo inde annuatim . . . summam trium librarum tresdecem solidorum et quatuor denariorum . . . tanquam pro firmis . . . ab antiquo annuatim persolui solitis Necnon etiam viginti nouem solidorum et quatuor denariorum . . . summam annuatim in solutionem et contentationem gressume . . . ad ratam firmarum duorum annorum pro omni quinquennali locatione . . . Necnon et soluendo et reddendo summam triginta solidorum et octo denariorum . . . pro annua augmentatione rentalis nostri et reuerendissimi in Christo patris Archiepiscopi Sanctiandree . . . per nos . . . secundum tenorem carte nostri soluendi . . . Extendendo in integro . . . ad summam sex librarum tresdecem solidorum et quatuor denariorum . . . Ac faciendó tres sectas ad tria nostra placita capitalia regalitatis annuatim apud Monymusk tenenda Necnon . . . duplicando dictam feudifirmam vnus anni in primo introitu cuiuslibet heredis . . . In cuius rei testimonium huic nostre carte manu nostra propria subscripte nostrum sigillum est appensum Apud Huntly vigesimo primo die mensis Nouembris anno Domini millesimo quingentesimo quinquagesimo quarto Coram his testibus reuerendissimo in Christo patre Willelmo episcopo Abirdonensi Georgio domno Gordoun Joanne Gordoun de Finletter filiis nostris carissimis Willelmo Leslie de Kirkhill Magistro Joanne Leslie cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Falkland octauo die mensis Julij anno Domini millesimo quingentesimo octuagesimo quinto et regni nostri decimo octauo .

Preceptum pro carta Domini Joannis Leslie barronetti de Wardes terrarum baronie ac regalitatis de Leslie in Nova Scotia in America etc. ¹ — (A. D. 1625.)

Preceptum carte facte Johanni Leslie de Wardes heredibus suis masculis et assignatis quibuscunque hereditarie super tota et integra illa parte et portione terrarum regionis et domini Nove Scotie vti sequitur particulariter bondata et limitata videlicet Incipiendo super maris littus per sex miliaria ex occidente ostii illius fluvii nunc Clyde prius vero Sancti Johannis appellati Et inde pergen lo occidentaliter per tria miliaria continue per maris littus ac inde pergen do borealiter in continentem comprehendendo omnimodo tria miliaria in latitudine adversum tria miliaria super maris littore donec ad quantitatem et numerum sexdecem millium acrarum terrarum extenditur Cum castris turribus fortaliciis etc. Quequidem terre aliaque in dicta carta ad Dominum Gulielmum Alexander de Menstrie hereditarie pertinuerunt et resignate fuerunt per ipsum in manibus supremi domini nostri Regis pro hac nova carta et infeodatione hereditarie prefato Johanni Leslie de Wardes desuper conficienda etc. Preterea cum clausula vnionis in vnam integram et liberam baroniam ac regalitatem omni tempore affuturo Baroniam de Leslie nuncupandam Tenendam de dicto supremo domino nostro Rege et successoribus suis de corona et regno Scotie in libera alba firma pro annua solutione vnus denarij vsualis monete dieti regni Scotie super solum et fundum dictarum terrarum nomine albe firme si petatur tantum vel alicujus earundem partis in die festo Nativitatis nostri Salvatoris etc. Et quod vnica sasina apud Castellum de Edinburgh capienda erit sufficiens pro omnibus et singulis terris alijsque particulariter et generaliter superscriptis etc. Et quod dictus Johannes Leslie sui que heredes masculi et assignati antedicti habebunt insignia procedentia e manu armata et nuda conjunctis cum hoc dicto **MUNIT HEC ET ALTERA VINCIT** et cetera in communi forma cartarum Baronettis concessarum etc. Apud Edinburgh primo die mensis Septembris anno Domini millesimo sexcentesimo vigesimo quinto et regni nostri anno primo .

Per signetum .

¹ [From the Registrum Preceptorum Cartarum pro Baronettis Nove Scotie. MS. Gen. Reg. House, Edinb. Cl. Registrum Magni Sigilli, lib., II., no. 109.]

Carta Willelmi Leslie de Balquhane et eius sponse.¹ —(A.D. 1514.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos cum auisamento et consensu carissime matris nostre Margarete Regine Scocie nostre tutricis testamentarie . . . confirmasse dilectis nostris Willelmo Leslie de Balquhane et Elizabeth Ogilyu eius sponse ac eorum alteri diucius viuenti in coniuncta infeodacione totas et integras terras de Syd cum molendino earundem terras de Erlisfeild Segateden et le Wrays cum suis pertinenciis jacentes in comitatu de Mar dominio de Garviauch infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Willelmi hereditarie et quas . . . idem . . . in manibus prefate carissime matris nostre tanquam nostre tutricis testamentarie nostro nomine . . . simpliciter resignauit . . . Tenendas et habendas . . . dictis Willelmo Leslie et Elizabeth Ogilyu eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquiioribus heredibus dicti Willelmi quibuscunque de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Striuelinr septimo die mensis Aprilis anno Domini quingentesimo decimo quarto et regni nostri primo .

Carta Willelmi Leslie de Balquhane et eius sponse etc.² —(A.D. 1522.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos cum . . . consensu carissimi consanguinei et tutoris nostri Johannis ducis Albanie etc regni nostri protectoris et gubernatoris . . . confirmasse dilectis nostris Willelmo Leslie de Balquhane et Mariorie Keith eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione . . . totas et integras terras de Erlisfeild Segydene et le Wrayis cum molendino de le Syde et suis pertinentiis jacentes infra vicecomitatum nostrum de Aberdene Quequidem terre . . .

¹ [From the Registrum Magni Sigilli, lib. xix., no. 45. MS. Gen. Reg. House, Edinb.]

² [From the Registrum Magni Sigilli, lib. xx., no. 92. MS. Gen. Reg. House, Edinb.]

fuerunt dicti Willelmi hereditarie et quas . . . idem . . . in manibus prefati carissimi consanguinei et tutoris nostri nomine nostro . . . simpliciter resignauit . . . Tenendas et habendas . . . prefatis Willelmo Leslie et Mariorie Keith eius sponse et eorum alteri diucius uiuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus legitimis et propinquieribus heredibus dicti Willelmi Leslie quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decemotertio die mensis Februarii anno Domini millesimo quingentesimo vicesimo primo et regni nostro nono .

Carta confirmationis Jacobi Gordoun de Lesmoir et Margarete Ogiluy sue sponse.¹ (A.D. 1547.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos . . . quandam cartam venditionis . . . factam per Johannem Carnegy filium et heredem apparentem Roberti Carnegy de Kynnard . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Johannes Carnegy filius et heres apparens Roberti Carnegy de Kynnard salutem in Domino sempiternam Noueritis me cum consensu . . . Agnetis Wod coniugis mee . . . vendidisse . . . predilectis meis Jacobo Gordoun de Lesmoir et Margarete Ogiluy eius coniugi . . . terras de Erlisfield et Segydene cum pertinentiis cum communia in *tie moss* de Kirkhill uidelicet cum communi pastura in eadem exceptis terris aratis vulgariter *telit land* ac cum focalibus potestate et facultate fodiendi et abduendi eadem ad sustentationem tenentium et inhabitantium dictarum terrarum de Erlisfedell et Segydene jacentes infra vicecomitatum de Aberdene . . . Tenendas et habendas . . . dictis Jacobo et Margarete eius coniugi et eorum alteri diucius uiuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreatis quibus deficientibus Jacobo Gordoun de Craigtollie et suis heredibus masculis quibus deficientibus Alexandro Gordoun de Perslie

¹ [From the Registrum Magni Sigilli, lib. xxxiii., no. 191. MS. Gen. Reg. House, Edin.]

et suis heredibus masculis quibus deficientibus Magistro Willelmo Gordoun et suis heredibus masculis quibus deficientibus heredibus propinquioribus et legitimis dicti Jacobi de Lesmoir quibuscunque a me heredibus meis et assignatis de suprema domina nostra Regina et suis successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . iura et seruicia . . . debita et consueta . . . In cuius rei testimonium sigillum meum proprium cum subscriptione mea manuali presentibus est appensum unacum sigillo et subscriptione dicte Agnetis Wod mee coniugis in signum sue consensus et assensus Apud Colpnay secundo die mensis Januarij anno Domini millesimo quingentesimo quadragesimo sexto Coram hiis testibus Roberto Carnegy de Kynnard Gilberto Reid de Collistoun Alexandro Lyell Domino Jacobo Allasone vicario de Balhelwie Richardo Blantyr et Magistro Dauide Carnegy cum diuersis aliis *QUAMQUIDEM* cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo octauo die mensis Ianuarii anno regni nostri quinto .

Carta Willelmi Leslie et sue sponse.¹ —(A.D. 1551 et A.D. 1554.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos quandam cartam . . . venditionis factam per Johannem Leslie de Buchquhane dilectis nostris Willelmo Leslie filio dicti Johannis et Jonete Forbes eius coniugi . . . ad plenum intellexisse sub hac forma *OMNIBUS* hanc cartam visuris vel auditis Johannes Leslie de Boquhane eternam in Domino salutem Noueritis me . . . vendidisse . . . dilecto filio meo Willelmo Leslie et Jonete Forbes sue sponse . . . totas et integras terras meas quarte partis orientalis dimede occidentalis ville de Syde jacentes infra regalitatem de Garveauch et vicecomitatum de Abirdene . . . Tenendas et habendas . . . prefatis Willelmo et Jonete in coniuncta infeodacione et eorunden alteri diucius viuenti eorundenque heredibus masculis inter ipsos legitime procreatis seu procreandis quibus forte deficientibus heredibus meis masculis quibuscunque de suprema domina nostra Regina et suis successoribus . . . in feodo et

¹ [From the Registrum Magni Sigilli, lib. xxxii., no. 619. MS. Gen. Reg. House, Edinb.]

hereditate imperpetuum . . . Reddendo inde annuatim . . . seruicium warde et releuij et seruicium regium solitum et consuetum . . . In cuius rei testimonium sigillum meum proprium presentibus manu mea subscriptis est appensum Apud Abirdene decimoseptimo die mensis Januarij anno Domini millesimo quingentesimo quinquagesimo presentibus ibidem honorabilibus viris Thoma Menzes de Petfoddellis Gilberto Menzes eius filio Magistris Waltero Leslie et Thoma Davidsoun notariis publicis eum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . apud Edinburgh penultimo die mensis Junii anno Domini millesimo quingentesimo quinquagesimo quarto et regni nostri duodecimo .

Carta confirmationis Domini Thome Gordoun de Cluny militis.¹—(A.D. 1595 et A D. 1597.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quandam cartam . . . factam . . . per Joannem Leslie de Balquhane hereditarium proprietarium et feudifirmarium terrarum subscriptarum . . . dilecto nostro Thome Gordoun de Cluny militi . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Joannes Leslie de Balquhane dominus hereditarius et emphitesta terrarum respective subscriptarum eternam in Domino salutem Noueritis me . . . pro perimptione certe mee partis cuiusdam contractus inter Dominum Thomam Gordoun de Cluny militem ab vna et me parte ab altera de data presentium . . . confecti . . . vendidisse . . . et ad perpetuam feudifirmam dimississe . . . prefato Domino Thome Gordoun de Cluny militi heredibus eius masculis et assignatis quibuscunque omnes et singulas terras meas de Syid molendinum granarum terras molendinarias astrictas multuram eiusdem cum *lie Peill* eiusdem cum colmeto fori vulgo nuncupati *Truelfair* eidem incumbenti Ailhous Croft de syd et Arnbrig terras de Erllis Feidill et Seggydene jacentes in parochia de Kinethmont baronia de Balquhane et vicecomitatu de Abirdene Necnon et terras de Kirkhill et *lie outsettis* eiusdem vocatas

¹ [From the Registrum Magni Sigilli, lib. xli., no. 364. MS. Gen. Reg. House, Edinb.]

Mostoun jacentes in parochia de Kinethmout et vicecomitatu antedicto . . . Et in speciale warrantum predictarum terrarum . . . omnes et singulas terras meas de Logydurnocht Newlandis Cragtowie Cragmylne Netherout de Knokinblewis et nouum molendinum jacentes in parochiis de Logydurnocht Oyne et Invervie respective et infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . a me heredibus meis et assignatis de Balquhane dominis de supremo domino nostro Rege . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . pro predictis terris de Syde molendino . . . et *lie Frill* cum colmeto fori vulgo nuncupati *Truelfiur* antedicto Erllisfedell et Seiggydene summam septem librarum . . . et pro predictis terris de Kirkhill cum pertinentiis summam sex librarum sex solidorum et octo denariorum Et pro predictis terris datis . . . pro warranto . . . summam sedecim librarum . . . In cuius rei testimonium huic presenti carte mee . . . manu mea subscripte sigillum meum est appensum Apud Fetterneir decimo nono die mensis Junii anno Domini millesimo quingentesimo nonagesimo quinto Coram his testibus Joanne Gordoun de Biruko Jacobo Gordoun et Alexandro Bissett seruitoribus dicti Domini Thome Alexandro Middeltoune seruitore Magistri Johannis Chene de Fortrie Magistro Roberto Davidsoun seruitore Magistri Alexandri Irwing aduocati scriba presentis carte et Johanne Leslie apparente de Balquhane QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Falkland vicesimo quarto die mensis Julij anno Domini millesimo quingentesimo nonagesimo septimo et regni nostri tricesimo .

Carta Johannis Gordoun fratris germani Jacobi Gordoun de Knokaspak.¹ —
(A.D. 1590.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos . . . ad feudifirmam seu emphyteosim hereditarie dimisisse . . . dilecto nostro Joanni Gordoun fratri germano Jacobi Gordoun de Knokaspak suis heredibus et assignatis quibuscunque totas et integras villas et terras de Kirkhill et Mostoun cum

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxvii., no. 452. MS. Gen. Reg. House, Edinb.]

earundem *lie outsettis* partibus pendiculis et pertinentiis vniuersis jacentes infra abbaciam de Lundoris et vicecomitatum nostrum de Abirdene Tenendas et habendas . . . de nobis et successoribus nostris in feudifirma seu emphiteosi et hereditate imperpetuum . . . Reddendo inde annuatim . . . nobis et nostris successoribus . . . summam decem librarum monete tanquam firmam antiquam earundem necnon summam viginti solidorum . . . in augmentationem nostri rentalis vnacum debitis et seruitijs prius Abbatibus de Lundoris solui solitis et consuetis . . . preterea duplicando dictam feudifirmam primo anno introitus cuiuslibet heredis . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halierudehous decimo septimo die mensis Decembris anno Domini millesimo quingentesimo nonagesimo et regni nostri vicesimo quarto .

Disposition to George Gordon of Terperse. ¹—(A.D. 1631.)

Be it kent to all men . . . me Alexander maister of Forbes for ane certane soume of money payed . . . to me be George Gordon of Terperse . . . to haue sold and heritably disponed . . . to the said George Gordon his aires and assignies all and hail the tynd shaves of all and hail the toune and lands pertaining heritably to the said George Gordone lyand within the parioch of Kinethmont and shirefdom of Abirdene . . . to be holden of me or my forsaisd or frea me and my forsaisd of my immediat superior few for payment yearly to the minister serving at the queir of the said kirk of the soume of tuantie five pundis money and aught bolls victuall Lykas for the said George Gordon and his forsaisd better securatie theranent I the said Alexander maister of Forbes . . . raitifies . . . all . . . titills of the tynd shaves of the saids lands . . . granted by . . .

¹ [Abridged from the original in the possession of the late Patrick Rose, Esq., sheriff-clerk of Banffshire.]

On the twenty-fourth day of September, 1538, John, abbot of Lindoris, renewed a lease, for nineteen years, of the teind sheaves of the church and parish of Kynnauchmont, to John, lord Forbes, and William, master of Forbes, his son, for payment of £20 Scots yearly. On the seventh day of May, 1553, the lease was again renewed for a further period of nineteen years to William, lord Forbes, and John and William Forbes, his sons, and the longest liver of them, for payment of the same yearly rent.—(Originals in the charter room at Castle Forbes.)

Lord Lendores or other persons whatsoever . . . be thier presents written be George Scott servitar to Maister Alexander Davidson advocat and subscrivit at Aberdene the tuantie third day of November j^m vj^e thretie one years before thir wittneses Alexander Cuming apparent of Culter Patrick Gordon of Badenscoth William Forbes servitor to me the said Alexander maister of Forbes William Gordon servitar to Sir Alexander Cuming of Culter knight.

Will. Forbes wittnes

A. M. Forbes.

A. Cuming wittnes

Pat. Gordon wittnes

Will. Gordon wittnes

Service on Kirkhill etc. ¹ — (A.D. 1693.)

Special service of Francis Gordon as nearest heir of his father Hugh Gordon of Kirkhill in . . . the town and lands of Kirkhill and Mostoune with the tolls in and customs of the markets with the manor place . . . lying within the regality of Lendoirs parish of Kinethmont and shire of Aberdeen according to charter of confirmation under the great seal by Charles 2 to the said Hugh Gordon of Kirkhill his heirs and assignees dated the 8th day of July 1664 Which whole town and lands . . . and others . . . were held of the Lord of Lendoirs and are now held of the King and Queen . . . for yearly payment of six pounds six shillings and eight pence Scots .

¹ [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeea. MS. in archiv. ejusdem.]

THE PARISH OF TULLINESSILL.¹

Instrumentum super assignatione assedationis vicarie de Tulyneestyne obtente a Magistro Hectore Boetio vicario eiusdem. ²—(A.D. 1528.)

Primo Februarii anno [j^m v^c] xxvij^o Eodem die personaliter constitutus discretus vir Dominus Johannes Gillespy vicarius de Aufurrl mediante stipulacione pure et simpliciter dedit jus suum assedationis vicarie de Tulyneestyne Magistro Johanni Duncani obtente per eundem a venerabili viro Magistro Hectore Boetio vicario eiusdem cum omnibus et singulis fructibus eiusdem sicut idem habet . . . durante tempore assedationis sue incipiendo idem Magister Johannes termino inuencionis Sancte Crucis anno xxvij^o Pro quibus fructibus idem Magister Johannes persoluat dicto Domino Johanni inter hunc et terminum Sancti Martini proximum et futurum summam nouem librarum monete Scotie Super quibus dietus Magister Johannes petiit instrumentum Acta apud Abirden hora quarta post n. cridiam presentibus Johanne Baxter et Thoma Patersoune .

¹ [See Collections for a History of the Shires of Aberdeen and Banff, pp. 6286-30.]

In the year 1157, Pope Adrian IV. confirmed Tulinestyn, with the church and other appurtenances, to Edward, bishop of Aberdeen.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 6, 85.) In the year 1376, Alexander, bishop of Aberdeen, erected the parish church of Tholyneestyne into a prebendal church of the cathedral of Aberdeen, the prebendary being bound to provide a perpetual vicar for serving the cure of the parish church, to whom the whole altarage was allotted, and a subdeacon in the choir with a stipend of forty shillings yearly and a proper habit when needed:—(Id., vol. i., p. 119; vol. ii., p. 253.) The vicarage of Tulleenessill was granted to the King's College of the University of Aberdeen in the time of King James IV.—(Fasti Aberdonenses, pp. 140, 143, 171.) In the year 1769, the College sold the patronage of the church to the Earl of Fife.—(Report of the Commissioners appointed for visiting the Universities of Scotland, vol. iv., p. 201.)

The 'schira de Tulyneestyne' is among the possessions of the see of Aberdeen enumerated in the spurious charters of King David I., King Malcolm the Maiden, and King William the Lion.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 4, 7, 8.) In a pleading of about the year 1390, it is affirmed that the charter of the Knight of Forbes 'contenys certane lynmyt meris betwix his land of Forbes and the Bischapis land of Tulyneestyne schir that is to say fra the entryng of the burn of Nessoke in Done at Mongerry to the entry of the burn of Condoll in the burn of Nessoke sua that theyn furth is the meris betwix the Bischape and the Lord of Marr.'—(Id., pp. 248, 249.)

The mill of Tullynessill seems, at one time, to have belonged to the Hospital of St. Peter near Aberdeen.—(Id., vol. i., pp. 226, 233.)

² [Abridged from the General Register House.]

Monitio ballini deputati schire de Tulynestyn quod Johannes Reebe in Mongare non recipiat suum fratrem germanum in domo sua.¹— (A.D. 1551.)

Xxvij^{mo} Junii anno Domini xv^o / quinquagesimo primo Quo die personaliter constitutus honorabilis vir Alexander Gordoun de Strathoun accessit ad personalem presentiam Johannis Reebe in Mongare consultando eundem quod non haberet interesse cum Johanne Reebe suo fratre germano et quod non recipiat eum in domo sua certis ex causis sibi concernentibus quod si contrarium fecerit et incurrere contingit aliquod damnum in societate eiusdem per quoscunque in illo casu quod non vult aliquam accipere partem cum dicto Johanne non obstante quod idem Alexander est ballinus deputatus schire de Tulinestyne in qua idem habitat et hoc premuniendo eundem Johannem Super quibus protestatur et a me notario petiit instrumentum Acta prope Mongare hora postmeridiana prima et similiter Jacobus Paterson petiit instrumentum testantibus Domino de Awsloun Johanne Forbes Johanne Patersone Willelmo Marsar et me notario .

Carta confirmationis Magistri Willelmi Gordoun et sue sponse.²—(A.D. 1556 et A.D. 1585.)

¶ Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quamdam cartam . . .

¹ [From the General Register House.]

² [Abridged from the Registrum Magni Sigilli, lib. xl., no. 231. MS. Gen. Reg. House, Edinb.]

A portion of the land of Tirepressy, called Lurgyndaspok, was in dispute between the Bishop of Aberdeen and the Knight of Forbes, about the year 1390. On behalf of the Bishop it was urged: "The land that Forbes clemys his of Tirepressy is called Lurgyndaspok that is to say the Bischapis Leg the whilk name war nocht likly it suld haf war it nocht the Bischapis . . . Item Tirepressy is and ay has bene twa dauach of land in the Bischapis rentale and to the Kingis wering and war that land fra it that Forbes clemys that is to say Lurgyndaspok the lave war nocht a dauach and a half quharfore his clemis is nocht like to be richtwise . . . Item Ser Jone Broum knycht held quhilom the lands of Tirepressy of the Bischape and the kirk of Aberdeen and that time he had his shepootis and schepherdis housis upon the landis of Lurgyndaspok as portenancez of the laudis of Tirepressy."—(Registrum Episcopatus Aberdonensis, vol. i., pp. 187, 188, 189, 248, 249.)

On the seventh day of August, 1428, Henry, bishop of Aberdeen, let his lands of Tytressy to John Clark and his helpers, during the life time of the said John Clark, for eight merkis

factam per quondam Willelmum miseratione diuina Abirdonensem episcopum . . . dilecto nostro Magistro Willelmo Gordoun filio Jacobi Gordoun de Lesmoir et Margarete Ogilvie sue sponse . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Willelmus miseratione diuina Abirdonensis episcopus salutem cum benedictione diuina . . . Noueritis . . . nos cum . . . consensu et assensu Decani et Canoniorum capituli ecclesie nostre cathedralis Abirdonensis . . . pro nonnullis pecuniarum summis . . . gratanter per honorabilem virum Magistrum

yearly with the accustomed seruices; the lessee being farther bound to build an honest house in which the Bishop might be lodged for our night yearly, and to make a garden, and to plant trees in it.—(Id., vol. i., p. 229.)

On the eleventh day of October, 1550, the Bishop leased, to David Reid, four oxengang of the land and town of Warrestoun, for eighteen years, at the yearly rent of twenty three shillings and four pence in money, the eighth part of a mart, half a sheep, half a boll of oats with the straw, six poultry, three capons, and ten pence for bondage, with arrage, carriage, and other customary seruices.—(Id., vol. i., p. 450.)

On the eleventh day of October, 1550, the Bishop leased, to John Thomsoun, two oxengang of the land and town of Warrestoun, for eighteen years, at the yearly rent of eleven shillings and eight pence in money, the sixteenth part of a mart, the fourth part of a sheep, a firiot of oats with the straw, three poultry, a capon and a half, and five pence for bondage, with arrage, carriage, and other customary service.—(Id., vol. i., p. 450.)

On the first day of December, 1550, the Bishop let, to John Duncanson, two oxengang of the land and town of Warexton, for eighteen years, at the yearly rent of eleven shillings and eight pence in money, the sixteenth part of a mart, the fourth part of a sheep, a firiot of oats with the straw, three poultry, three capons, and five pence for bondage; it being stipulated that the said John Duncanson and Margaret Duncanson his wife, their heirs, assignees, and helpers, should pay yearly, for the other two oxengang, eleven shillings and eight pence in money, the sixteenth part of a mart, the fourth part of a sheep, a firiot of oats with the straw, three poultry, three capons, and five pence for bondage, with arrage, carriage, and other customary service.—(Id., vol. i., p. 451.)

On the first day of December, 1550, the Bishop let, to Alexander Leyth, the lands of for nineteen years, and the lands of Bogyschellocht, extending to eight oxengang, together with the Derrahouse land, for three years, at the yearly rent of forty shillings in money, a sheep, a boll of oats with the straw, twelve poultry, six moorfowls, a stone of cheese, twenty pence for bondage, and for the Derrahouse thirteen shillings and four pence, and six poultry, with arrage, carriage, and other customary service.—(Id., vol. i., pp. 451, 452.)

By charter dated at Huntlie, on the seventh day of May, 1552, George, earl of Huntlie, with consent of his wife Lady Elizabeth Keith, countess of Huntlie, sold to his kinsman, Master William Gordoune, son of James Gordoune of Lesmoir, the lands of Teldow, Brachlie, Ballantobir, Ballantorre, Blairquharraige, Aldinruif, Miltoun, Mekill Croft, and Litill Croft, in the lordship of Obine, and slieriffdom of Aberdeen. The Earl afterwards issued a precept of *clare constat* for sasine of these lands, and of the lands of Ballater, to George Gordoune of Terpersie, son and heir of Master William Gordoune. Both charter and precept were confirmed by King James VI., by charter under the great seal, dated at Halyroodhous, on the twelfth day of December, 1596. (Registrum Magni Sigilli, lib. xl., no. 105. M.S. Gen. Reg. House, Edin.)

Willelmum Gordoun filium honorabilis viri Jacobi Gordoun de Lesmoir et Margaretam Ogilvie eius sponsam persolutis . . . assedasse locasse et ad feudifirmam seu emphiteosim perpetuam hereditarie dimisisse . . . omnes et singulas terras nostras de Tarpersie Warakstoun Bogyshallach cum toftiscroftis pendiculis et pertinentiis earundem more antiquo solitis et consuetis jacentes infra schiram seu baroniam nostram de Tullinessin et vicecomitatum de Abirdene dictis Magistro Willelmo Gordoun et Margarete Ogilvie eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus masculis inter eosdem procreatis seu procreandis Quibus forte deficientibus heredibus masculis seu assignatis dicti Magistri Willelmi quibuscunque Tenendas et habendas . . . cum potestate et facultate terras non cultas arandi lucrandi et appropriandi . . . de nobis et successoribus nostris Abirdonensibus episcopis in feudifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . tredecim libras sex solidos octo denarios et pro marta cum dimidietate marte quadraginta quinque solidos / sedecem solidos octo denarios pro una bolla ordeï et vna bolla farine / et viginti quinque solidos pro quinque bollis auenarum cum pabulo et quindecim solidos pro tribus muttonibus et duodecim solidos pro viginti quatuor caponibus Ac duodecim solidos pro quadraginta octo pultreis Ac etiam sex solidos pro octodecim gallinis siluestribus seu muralibus Neenon sex solidos pro bondagio et seruitiis solitis et consuetis et quadraginta quatuor solidos octo denarios pro gressuma dictarum terrarum cum pertinentiis annuatim iuxta tenorem nostri rentalis Et in augmentationem eiusdem rentalis sex solidos . . . Extendendo in toto ad viginti duas libras quindecim solidos vsualis monete regni Scotie ad duos anni terminos videlicet festa Penthecoses septem libras vndecim solidos et Sancti Martini in hieme quindecim libras quatuor solidos pro inequales portiones quia custume soluuntur in hieme Neenon duplicando dictam summam in introitu cuiuslibet heredis et faciendo tres sectas ad tria placita capitalia tenenda per nos et successores nostros aut eorum balliuos infra palacium nostrum Abirdonense . . . In cuius rei testimonium huic presenti carte nostre manu nostra subscripte sigillum nostrum rotundum et sigillum commune prefati Decani et Canonicorum capituli vna cum manualibus eorundem subscriptionibus . . . sunt appensa Apud ciuitatem nostram Abirdonensem duodecimo die mensis Julii anno Domini millesimo quingentesimo quinquagesimo sexto . . . Coram his testibus Magistro Alexandro Seytoun cancellario

Abirdonensi Thoma Gordoun Joanne Gordoun in Bciny et Magistro Jacobo Gordoun de Lunmay QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Striuling decimo octavo die mensis Augusti anno Domini millesimo quingentesimo octuagesimo quinto et regni nostri decimo nono .

Carta Johannis Leith de Montgarrie.¹—(A.D. 1599.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . . et ad feudifirmam hereditarie dimisisse . . . dilecto nostro Joanni Leyth nunc de Montgarrie fratri quondam Willelmi Leyth de Montgarrie dictique Joannis heredibus masculis . . . quibuscunque Totas et integras terras de Fowlisly cum annexis . . . et presertim illam partem . . . earundem vulgo vocatam *lie Lethintie* cum suis pertinentiis . . . jacentes in baronia de Tullynessill et infra vicecomitatum nostrum de Abirdene Quequidem terre perprius Episcopatus de Abirdene . . . pertinuerunt nunc vero in manibus nostris devenerunt . . . virtute acti nostri annexationis terrarum temporarium omnium prelaciarum aliorumque beneficiorum infra regnum nostrum . . . Tenendas et habendas . . . de nobis et successoribus nostris . . . in feudifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . summam decem librarum tredecim solidorum et quatuor denariorum vsualis monete regni nostri in gressuma annuatim quadraginta duos solidos et octo denarios . . . vnam martam quatuor muttones viginti quatuor capones viginti quatuor pultreas viginti quatuor *lie murefowllis* quatuor bollas farine quatuor bollas auenarum cum pabulo sex solidos et octo denarios . . . pro bondagio et tantumidem pro seruitiis debitis et consuetis Tres solidos et

¹ [Abridged from the Registrum Magni Sigilli, lib. xli., no. 539. MS. Gen. Reg. House, Edinb.]

On the eighth day of May, 1550, the Bishop of Aberdeen let to James Gordoun of Dunmoyis, one half of the town and land of Fowlislie with the appurtenances, extending to two plough-gates, for nineteen years, at the yearly rent of five pounds, six shillings and eight pence in money, half a mart, two sheep, twelve capons, twelve poultry, twelve moorfowls, two bollis of meal, two bollis of oats with the straw, and three shillings and four pence for bondage, with arrage, carriage, and other customary service.—(Registrum Episcopatus Aberdonensis, vol. ii., p. 449.)]

octo denarios in augmentationem nostri rentalis . . . Necnon duplicando predictas pecuniarum summas in introitu cuiuslibet heredis seu assignati . . . et faciendo tres sectas ad tria placita capitalia per nos nostrosque successores seu balliios nostros tenenda infra palaeium nostrum Abirdoneuse . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halierudhous vicesimo septimo die mensis Aprilis anno Domini millesimo quingentesimo nonagesimo nono et regni nostri tricesimo secundo .

Carta confirmacionis Patricij Leythi junioris de Montgarie et sue sponse.¹
—(A.D. 1614.)

Jacobus Dei gracia Magne Britannie Francie et Hybernie Rex . . .

¹ [Abridged from the Registrum Magni Sigilli, lib. xlvii., no. 407. MS. Gen. Reg. House. Edinb.]

On the nineteenth day of August, 1544, by a deed of agreement between the Bishop and Chapter of Aberdeen, touching a lease in perpetuity of certain lands, or the payment of six hundred merks, to James Forbes of Corsindae, for the ransom of the gold and silver work, reliquaries, copes, and other ornaments of the cathedral, carried off and kept by him and his accomplices, it was provided that the Bishop should bind himself to grant to Forbes, in perpetual feu-ferme, the four ploughgates of land called Mongarry, in the parish of Tullynestyne, or the two ploughgates of land called Baquharne, occupied by John Davison deceased, in the same parish, together with other two ploughgates of land belonging to the Bishop as part of the patrimony of his see—(Registrum Episcopatus Aberdonensis, vol. i., pp. 427, 428.) It appears that the robbery took place a little beyond the Bridge of Don, when the Bishop was removing the treasures of his church to a place of greater safety, and that they were ransomed by payment of six hundred merks.—(Id., vol. ii., pp. 195-197.)

In the year 1550, the Bishop let to John Andersone, the alehouse of Montgarit, with the toft, croft, and appartenance, for eighteen years, at the yearly rent of thirteen shillings and four pence, twelve capons, six poultry, six moorfowls, and the accustomed services.—(Id., vol. i., pp. 452, 453.)

By an inquest made at Aberdeen, on the first day of April, 1400, before Gilbert, bishop of Aberdeen, Thomas Nory was served heir of his father, Thomas Nory, in the lands of Corquhorny, in the schire of Tullynestyn, then worth eight merks yearly, but worth ten pounds yearly in time of peace, and held of the Lord Bishop of Aberdeen in chief, for homage and service, three suits of court at the Lord Bishop's three head courts at Rane, and payment of five pounds yearly in name of feuferme.—(Id., vol. i., pp. 202, 203.)

By an inquest made at Rane, on the twenty-eighth day of October, 1418, before the Bishop of Aberdeen, and Sir Andrew Stewart, knight, his bailie, Katharine Nory, Margarete Nory, and Ysabella Nory, being under age, daughters of William Nory deceased, were served heirs of their grandfather, Thomas Nory, in the lauds of Corquhorny, in the schire of Tullynestyn, then worth

Sciatis nos quandam cartam . . . concessam per reuerendum in Christo patrem Petrum miseratione diuina Abirdonensem episcopum . . . dilectum nostro Patricio Leyth filio primogenito et heredi apparenti Joannis Leith de Montgarrie et Cristine Nicolsoon nunc sponse dicti Patricij . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Petrus miseratione diuina Episcopus Aberdonensis salutem in Domino sempiternam Noueritis nos cum . . . assensu Decani et Capituli ecclesie nostre cathedralis Aberdonensis . . . ad feudifirmam seu emphiteosim perpetuam hereditarie dimisisse . . . dilecto nostro Patricio Leyth filio primogenito et heredi apparenti Joannis Leyth de Montgarrie et Cristine Nicolsoon filie legitime natu maxime Magistri Thome Nicolstone nostri commissarij Aberdonensis future coniugi dicti Patricij in conjuncta infeodacione et heredibus masculis inter eos legitime procreandis Quibus deficientibus Alexandro Leyth fratri dicti Patricij inter dictum Joannem Leyth et Jeannam Mortymer ejus sponsam procreato et heredibus masculis de corpore dicti Alexandri legitime procreandis Quibus deficientibus heredibus

ten merks yearly, but worth ten pounds yearly in time of peace, and held of the Bishop and his church in chief, for homage and service, and three suits of court, and yearly payment of five pounds sterling.—(Id., vol. i., p. 217.)

On the sixteenth day of March, 1550-1, the Bishop let, to George Leythe, four oxengang of the land of Colquhony, for eighteen years, at the yearly rent of twenty six shillings and eight pence in money, the sixth part of a mart, half a wether, a goose, three poultry, three moorfowls, half a boll of oats, with the straw, and ten pence for bondage, with arrage, carriage, and other customary service.—(Id., vol. i., p. 452.)

By charter, dated at Aberdeen on the twenty-second day of May, 1588, William Leithe of Lyklicheid grants to John Leithe, elder son of Alexander Leyth of Montgarrie, the lands of Ardoyne, extending to thirteen bovates, and the lands of Buchanstown, extending to seven bovates, lying in the regality of the Garcauch, and sheriffdom of Aberdeen The grant is confirmed by King James VI., by charter under the great seal, dated at Edinburgh on the tenth day of August, 1588.—(Registrum Magni Sigilli, lib. xxxvii., no. 171. MS. Gen. Reg. House, Edinb.)

By charter, dated at Aberdeen on the twenty sixth day of June, 1613, the provost, baillies, council, and community of the burgh of Aberdeen, grant to John Leyth of Montgarrie, burgess of Aberdeen, the lands of Countesswells, Gardyn, and Brutherfeild, lying within the freedom of the burgh of Aberdeen. The grant is confirmed by King James VI., by charter dated at Edinburgh on the eleventh day of February, 1615.—(Registrum Magni Sigilli, lib. xlvii., no. 259.)

By charter under the great seal, dated at Edinburgh on the thirteenth day of June, 1619, King James VI., granted to John Leithe of Quhythnaeh, in liferent, and to Patriek Leyth, his eldest lawful son, in fee, the towns and lands of Courtestoun and Drumgovan, and the lands of Bray, in the parishes of Leslie and Tullinessill, resigned by John, earl of Kinghorne, lord Lyon and Glamis.—(Registrum Magni Sigilli, lib. xlix., no. 171.) Cf. id., lib. l., no. 90. MS. Gen. Reg. House, Edinb.]

masculis dicti Joannis Leyth nomen et arma de Leyth portantibus . . . Omnes et singulas villam et terras nostras de Montgarie cum suis pendiculis et pertinentiis molendinum de Montgarrie cum terris molendinariis et astricta cultura eiusdem vnicum brasina ejusdem ville de Montgarie et brasina vocato Mylnehillcroftum Cravie Dirahous cum omnibus aliis . . .croftis annexis *lic outsettis* . . . excepto illo pendiculo dictarum terrarum de Montgarie vocato Quhythauch . . . Necnon omnes et singulas villam et terras nostras de Foulslie cum omnibus earundem annexis . . . cum pendiculo dictarum terrarum vocato Lethindae jacentes in baronia nostra de Tullienessill . . . Necnon . . . totum et integrum predictum pendiculum dictarum terrarum de Montgarie vocatum Quhythauch . . . Necnon omnes et singulas terras nostras de Colquhornie et Tirriemyllane . . . cumcrofta vocata Sqnyeris Croft jacentes in dicta baronia de Tullienessill et viccomitatu de Abirdene . . . Tenendas et habendas . . . de nobis et successoribus nostris Episcopis Abirdouensibus in feudifirma et hereditate imperpetuum . . . Reddendo annuatim . . . pro firma dictarum terrarum de Montgarie tredecim libras sex solidos et octo denarios vnam martam quatuor muttones quatuor bolls brasii cum bata cuilibet bolle quatuor bolls avenarum quatuor gallinas domesticas viginti quatuor gallinas murales duodecim aucas domesticas sex solidos octo denarios pro bondagio et progressuma dictarum terrarum annuatim quinquaginta tres solidos quatuor denarios Pro molendino de Montgarie terris molendinariis et multuris quadraginta solidos vnum porcum pastum viginti quatuor capones pastos viginti quatuor gallinas domesticas sex gallinas murales pro gressuma annuatim octo solidos Pro brasina de Montgarie cumcrofto Cravie ac *lic Dirahous* cum toftiscroftis et pertinentiis earundem triginta sex solidos octo denarios pro gressuma septem solidos quatuor denarios duodecim capones duodecim pultrias sex gallinas murales Pro Mylnehill decem solidos viginti quatuor gallinas domesticas pro gressuma ejusdem duos solidos pro arreagiis carreagiis et aliis serviciis sex solidos octo denarios Necnon tredecim solidos quatuor denarios in augmentationem nostri rentalis . . . Et pro predictis terris de Foulslie . . . in firma decem libras tredecim solidos quatuor denarios in gressuma annuatim quadraginta duos solidos octo denarios vnam martam quatuor muttones viginti quatuor capones viginti quatuor pultrias viginti quatuor *lic Murefoelis* quatuor bolls farine quatuor bolls avenarum cum pabulo sex solidos et octo denarios pro bondagio et

tantumidem pro seruitiis debitis et consuetis sex solidos et octo denarios in augmentationem nostri rentalis Necnon . . . pro dictis terris de Culquhornie cum pendiculis . . . summam octo librarum . . . pro firma vnam martam tres muttones tres bollas avenarum cum pabulo duodecim gallinas domesticas octodecim gallinas murales sex aucas domesticas quinque solidos pro bondagio pro gressuma annuatim triginta duos solidos pro seruitiis debitis et consuetis tres solidos quatuor denarios et in augmentationem antiqui rentalis decem solidos quatuor denarios Pro terris de Terrynyllane et croftis suis . . . pro firma et gressuma quatuor libras sexdecim solidos dimidiam marte duos muttones duodecim gallinas domesticas duodecim gallinas murales duas bollas auenarum cum pabulo tres solidos quatuor denarios pro bondagio pro seruitiis solitis et consuetis quinque solidos et in augmentationem rentalis nostri tres solidos et quatuor denarios . . . Necnon duplicando dictam summam pecunie . . . in introitu cuiuslibet heredis vel assignati Et faciendo tres sectas ad tria placita capitalia tenenda per nos aut successores nostros seu balliuos infra palatium nostrum de Abirdene vel alibi . . . In cuius rei testimonium presentibus manu nostra et capituli nostri subscriptis sigillum nostrum rotundum vna cum sigillo communi dicti capituli in signum eorum consensus est appensum Apud Abirdene penultimo die mensis Augusti anno Domini millesimo sexcentesimo decimo quarto . . . Coram his testibus Magistro Thoma Nicolsonne commissario de Abirdene Magistro Joanne Leyth commissario substituto Jacobo Mowat et Joanne Dunlop seruitore dicti Magistri Thome presentium scriba QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgum quinto die mensis Jauuarii anno Domini millesimo sexcentesimo decimo quinto ac annis regnorum nostrorum quadragesimo octauo et duodecimo .

ADDITIONS.

THE PARISH OF DEIR OR DEER—(PAGE 3.)

How Columcille and Drostan came from Hi to Abbordoboir, and how Bede the Pict, who was then Mormaer of Buchan, gave them the cities of Abbordoboir and Dear.¹ —(About A.D. 580.)

Columcille, and Drostan the son of Cosgreg [*mac Cosgreg*], his disciple, came from Hi,² as God had shown to them, unto Abbordoboir.³ And Bede the Pict [*Bede Cruthnec*] was High Steward [*Mormaer*] of Buchan before them; and it was he that gave them that city [*in gathraig sain*] in freedom for ever from High Steward [*Mormaer*] and from Chief [*o Thosec*]. They came thereafter to another city, and it was pleasing to Columcille, after it was full of the grace of God [*iarfullan dorath De*]; and he asked of

¹ [Translated from the Celtic, in the hand-writing of the end of the eleventh or beginning of the twelfth century, in the Book of Deir, MS. in the University Library at Cambridge, (604. II—6—32.)

It is hoped that this venerable manuscript will soon be printed for the Spalding Club, under the editorial care of Mr. Bradshaw, of King's College, Cambridge, by whom it was discovered. In the meantime, it has been thought right to give a place, among the Deir Charters in this volume, to the English versions of the Celtic memorials preserved in the Book of Deir, which were published in *The Saturday Review* of 8. December, 1860. In re-printing these translations, a few verbal alterations have been hazarded, such as the substitution of 'High Steward' for 'Grand Mayor,' as the translation of 'Mormaer'; the substitution of 'mortified' for 'sacrificed,' as the translation of 'robaith,' and the like.]

² [Hy, Hy-Columcille, I, Iona or Iona.]

³ [Aberdour in Buchan. The stone sepulchre of St. Drostan was shown here until the Reformation. See above, vol. II., pp. 373, 374. St. Drostan's well is still in repute. See above, vol. II., pp. 373, 374; Collections on the Shires of Aberdeen and Banff, p. 446; Mr. Pratt's Buchan, pp. 175, 176.]

the High Steward, that is Bede, that he would give it to him, and he gave it not, and a son of his took an illness after refusing the clerics, and he was nearly dead. Thereafter the High Steward went to entreat the clerics to make prayer for the son that health might come to him, and he gave in offering to them from Cloc-in-Tiprat to Cloc-Pette-mic-Garnait. They made the prayer, and health came to him. Thereafter Columcille gave to Drostan that city, and he blessed it, and left as his word that who-soever should come against it should not be many-yeared [or] victorious. Drostan's tears came on parting with Columcille. Said Columcille: LET DEAR [that is *Tear*] BE ITS NAME HENCEFORWARD.

Of the offerings made to God and to Drostan.¹ — (About A. D. 1085.)

Comgeall mac Eda gave from Orti to Furene to Columcille and to Drostan.

Moridac mac Morcunn gave Pett mic Garnait and Achad Toche Temne, and it was he that was High Steward [*Mormaer*] and was Chief [*Thosac*].

Matain mac Caerill gave the High Steward's share in Altere, and Cullii mac Batin gave the Chief's [*Toiseg*] share.

Domnall mac Giric and Malbrigte mac Chathail gave Pett-in-Mulenn [that is the *Hollow of the Mill*] to Drostan.

Cathal mac Moreunt gave Achad-na-glerce [that is the *Field of the Clerics*] to Drostan.

Domnall mac Ruadri and Malcolm mac Culeon gave Bidben to God and to Drostan.

¹ [Translated from the Celtic, in the hand-writing of the end of the eleventh or beginning of the twelfth century, in the Book of Deer, MS. University Library, Cambridge.]

Malcoloum mac Cinatha¹ gave the King's share [*cuít Ríig*] in Bidben and the Pett-mic-Gobroig and two davachs of Upper Rosabard [*da dabog Uachtair Rosabard.*]

Malcolum mac Maelbrigte² gave the Delere.

Malsnecte mac Luloig³ gave Pett-Maldnib to Drostan.

Domnall, son of Mac Dubbacin, mortified [*robaith*⁴] all the offerings to Drostan upon giving the whole of it to him.

Cathal mortified in the same way his Chief's share [*acuitid Thoisiq*], and gave a dinner for a hundred every Christmas and every Easter to God and to Drostan.

Cainnech, son of Mac Dobarchon, and Cathal, gave Alterin-Alla-Uethe-na Camone as far as the birch [*beith*] between the two Alterins.

Domnall and Cathal gave Etdanin to God and to Drostan.

Cainnech, and Domnall, and Cathal, mortified all these offerings to God and to Drostan, from beginning to end, in freedom from High Steward and from Chief, to the day of judgement.

¹ [The death of Maelcolaim mac Cinaedha, King of Alban, is recorded by the Irish Annals in A.D. 1034.]

² [The Annals of Tighernac, and the Annals of Ulster, chronicle the death of Maelcoluim mac Maelbrigide mic Ruaidhri, King of Alban, in A.D. 1029.]

³ [In A.D. 1085, the death of Maelsnecta mac Lulagh, King of Murray, is commemorated by the Annals of Ulster.]

⁴ ["We are in darkness," says the translator in *The Saturday Review*, "as to the precise meaning of the legal expression *robaith*, literally 'drowned.' The context, however, seems to show that it is equivalent to 'immolated,' which, in Celtic latinity, seems to mean offered—or, as we should say, granted in mortmain—to a spiritual corporation. It may be applied either to land or to human beings."]

Grants by Gartnait mac Cannech, and Ete, daughter of Gillemichel.¹ —
(About A.D. 1132.)

Gartnait mac Cannech, and Ete, daughter of Gillemichel, gave Pet-mac-Cobrig for the consecration of the Church of Christ and the Apostle Peter, and to Columcille and to Drostan, free from all burthens [*dolodib*], and bound to Cormac, bishop of Dunkeld [*escob Dunicallen*], in the eighth year of the reign of David.² *Testibus istis*: Nectan, bishop of Aberdeen [*escob Ab'b'*], and Leot, abbot of Brechin, and Maledoun, son of Mac Bead, and Algune mac Arcill, and Ruadri, high steward of Mar, and Matalin the judge [*brithem*], and Gillecris mac Cormaic, and Malpeter mac Domnaill, and Domongart the reader [*ferleginn*³] of Turreff [*Turbruad*], and Gillecolum mac Muredig, and Dubni mac Malcolaim.

Gartnait, and the daughter of Gillemichel, gave Ball-Domin in Pet-
Ipair to Christ, and to Columcille, and to Drostan. *Teste* Gille-Calline
the priest, and Feredac mac Malbhricin, and Malgirc mac Tralin.

And the Lord's blessing on every High Stewart [*Mormar*], and on
every Chief [*Tosec*], who shall fulfil [this], and to their seed after them!

Grant by Donchad, son of Mac Bead, son of Hided.¹ —(Before A.D.
1153.)

Donchad, son of Mac Bead, son of Hided, gave Achad Madehor to
Christ, and to Drostan, and to Columcille, in freedom for ever. In
witness whereof Malechi, and Comgell, and Gille-Crist, son of Fingune,
in testimony, and Malcoluim mac Molini.

¹ [Translated from the Celtic, in the handwriting of the early part of the twelfth century, in the Book of Deir, MS. University Library, Cambridge.]

² [The eighth year of the reign of King David I. began on the twenty seventh of April, 1131, and ended on the twenty-sixth of April, 1132.]

³ [As to the office of the Ferleginn in Scotland, see the Miscellany of the Spalding Club, vol. v., append. to pref. pp. 72—77.]

Grants by Cormac mac Cennedig, and by Comgell mac Caennaig, chief of Cland Canan. ¹ —(Before A.D. 1153.)

Cormac mac Cennedig gave as far as Scale Merlec.

Comgell mac Caennaig, chief of Cland Canan, gave to Christ, and to Drostan, and to Columcille, as far as Gort-Lie-Mor [that is *The Great Rock Field*] at the hither end which is nearest to Aldin-Alenn, from Dabaci to Lurchari, both mountain and field, in freedom from Chief for ever; and his blessing on every one who shall fulfil [this] after him for ever, and his curse on every one who shall go against it.

Grant by Colbain, high steward of Buchan, and his wife Eva, daughter of Gartnait, and Donnachac mac Sithic, chief of Clann Morgainn. ¹ — (About A.D. 1150.)

Colbain, high steward [*mormer*] of Buchan, and Eva, daughter [*igen*] of Gartnait, his wedded wife [*a ben-phusta*], and Donnachac mac Sithic, chief of Clann Morgainn, mortified all the offerings to God, and to Drostan, and to Columcille, and to Peter the Apostle, [free] from all burthens [*dolaidib*], for a four davachs' share of what would come upon the chief *mandaidi* [that is, probably, *monasteries*] of Alba [that is *Scotland*] generally, and upon the chief churches. *Testibus his*: Brocein, and Cormac abbot of Turreff [*Turbrud*], and Morgunn mac Donnachaid, and Gilli-Petair mac Donnachaid, and Malachin, and two sons of Matue, and nobles [*mathe*] of Buchan, all in witness hereof in Ellon [*Helan*].

Carta Regis David clericis de Der concessa super immunitate ab omni seculari exactione. ² —(Circa A.D. 1150.)

David · Rex Scottorum omnibus probis hominibus suis · salutes · Sciatis

¹ [Translated from the Celtic, in the hand-writing of the early part of the twelfth century, in the Book of Deir, MS. University Library, Cambridge.]

² [From a copy in the Celtic character of the twelfth century, in the Book of Deir, MS. University Library, Cambridge.]

quod clerici de Der sunt quieti et immunes ab omni laicorum officio et exactione indebita sicut in libro eorum scriptum est . et diracionauerunt apud Banb . et iurauerunt apud Abberdcon . Quapropter firmiter precipio ut nullus eis aut eorum catellis aliquam iniuriam inferre presumat . Teste Gregorio episcopo de Duncallden . Teste Andrea episcopo de Cat . Teste Samsone episcopo de Bre[chin] . Teste Donchado comite de Fib . et Malmori d.AtHotla . et Ggillebrite comite dEngus . et Ghillecomded mac Aed . et Brocin . et Cormac de Turbrud . et Adam mac Ferdomnac . et Gillendrias mac Matni apud Abberdeon.

Sasina de Pettendreich. ¹ — (A.D. 1518.)

Vicecomes de Banff respondebit pro viginti solidis de firmis feodi terrarum de le Manys de Pettendreiche Vuertoun de Pettindreiche Cragmorderte cum molendino et piscariis aque eiusdem cum suis pertinenciis jacentium infra balliam suam existentibus in manibus Regis per spacium sex annorum vltimo elapsorum sasina non recuperata . Et pro xj solidis viij denariis per duplicationem feodifirme earudem Regi debitis per sasinam datam Roberto Pettendreich de eodem apud Edinburgh xx^o Aprilis anno regni Regis quinto Reservato hbertenemento earudem Domino Jacobo Pettendreiche olim Abbati de Dere ratione reservationis sibi desuper facte per cartam Domini Regis coram dicta inquisitione ostensa .

Sasina de Over et Nether Pettendreycht et Craigmvdertie data Johanni Pettendreich. ¹ — (A.D. 1604.)

Vicecomes de Banff respondebit pro xlvij libris de feudifirmis . . . terrarum de Over et Nether Pettendreycht et Craigmvdertie cum molendino de Pettendreich et piscaria in aqua de Dovernie cum suis pertinenciis . . .

¹ (From the Liber Responstonum in Scaccario, MS. General Register House, Edinburgh.)

(Abridged from the Liber Responstonum in Scaccario, MS. General Register House, Edinburgh.)

existentibus in manibus supremi domini nostri Regis per spatium trium annorum aut eocirca ultimo elapsorum sasina non recuperata (Que feudifirme extendunt annuatim ad xxxij libras Et pro lxiiij libris per duplicationem feudifirme earundem Regi debitis per sasina[m] datam Johanni Pettendreich de eisdem Apud Elinburgh quarto die mensis Maij anno regni Regis Scotie tricesimo septimo Anglie vero Gallie et Hybernie secundo . 1604 .

Preceptum carte confirmacionis Abbatis et Conuentus de Dere super duabus cartis per quonlam Robertum Regem Scoeie factis.¹ — A.D. 1526.)

Preceptum carte confirmacionis Abbatis et Conuentus de Dere super duabus cartis vna videlicet per quondam Robertum Regem Scoeie facta de omnibus custumis tocuis lane proprie crescencie sue de ouibus suis Xcenon de decima ecclesie parochialis de Dere dum tamen huiusmodi custume xx saccas lane non excedant etc. Alia vero carta siue litera per dictum quondam Robertum Regem facta directa custumariis magne custume burgi de Abirdene etc. Apud Elinburgum xx^{mo} Nouembris anno etc v^o xxvj et regni Regis xiiij

Per signetum

Preceptum sasine de Carnbannocht Auchmonzell et Ardmauchtar.² — (A.D. 1539.)

Johnne be the permissione off God abbot of the abbay off Deir To our louit Robert Maitland Jhonne the Hay in Glakreacht Thome Chein . . . our bailyeis in that pairt . . . greting For samekill as we witht . . . consent of our conuent cheptourly gadderit haue sett in assedacionne to

¹ [From the Registrum Secreti Sigilli, vol. vi., fol. 47. MS. Gen. Regist. House, Edin.]

The charters confirmed were granted by King Robert III. See Robertson's Index to the Missing Charters, p. 142, no. 90.]

² [Abridged from the original in the Ellon charter chest.]

ane rycht honorable man and our speciall louit frend George Gordone of Scheues his ayris assignais and subtenentis ane or ma and to the laigest luffar off thame quhatsumeir and helpis all and hail our landis of Carnebannocht Auchtmonzell and Ardmauchtar with their pertinentis liand within our barony of Deir within the schirefdome of Abirdene for all the termis . . . of nyntene yeris . . . We charge you . . . giff and deliner . . . sesing off all and hail the forsaidis landis . . . Gewin onder our seil and hand writ at the Rayhyll the fourt day of December the yeir of God ane thousand v hundretht and thretty nyne yeris afor thir witnes Dene Michael Petyndrecht wardene Dene Andro Torry Wilyem Blakhall of Barak Robert Maitland of Auchtnacrew George Gordon Berald Innes James Petyndrecht Schir Andro Petyndrecht witht oder diuerss

JOHANNES ABBAS
DE DEYR

The Abbot of Deir ¹—(A.D. 1543.)

Ane protectioun maid to Johne abbot of Deir his kin freyndis and seruandis for all the dais of his lyve in the commoun forme etc. At Edinburgh the ferd day of Maij the yeire of God j^m v^c xliij yeris.

Litera pro Roberto Keith super abbacia de Deir in commendam. ²—(A.D. 1543.)

Maria Dei gratia Regina Scotorum reverendissimo patri ac domino Domino Rodulpho cardinali Carpensi salutem. Quia abbacia de Deir Cistercii ordinis per resignationem Joannis moderni abbatis in manibus Sanctissimi Domini nostri brevi est vacatura. et ad illustrem nobis consanguineum Jacobum Arranie comitem. cui post obitum earissimi patris nostri in nostram adultam etatem delata est regni moderatio. spectat nominare quem sua Sanctitas preficiat eidem monasterio. atque

¹ [From the Registrum Secreti Sigilli, vol. xvii., fol. 56. MS. Gen. Regist. House, Edinb.]

² [From the Epistolae Regum Scotorum, vol. ii., p. 156. Edinb. 1724.]

is delegerit et literatura et familie splendore insignem Robertum Keith comitis Marescalli germanum · rogamus impensius Paternitas tua reverendiissima velit hunc nostrum Robertum nostro nomine Sanctissimo commendare simul ut indulgentiori gratia abbatiam illi in commendam

Literæ pro Dompno Michaeli Pettendrecht pensionario de Deir. ¹—(A.D. 1545.)

Sanctissimo Paulo III. Pontifici maximo Maria Scotorum Regina salutem · Nos solenius plerumque commendatitias ad Sanctitatem vestram dare literas · que sane a nobis ita proficiscuntur ut nolimus cuiquam fieri secus quam equitas postulet nec quicquam aliud nunc expetitur · Dicuntur enim quedam pensiones assignate super vectigali Deir monasterii Cisterciensis quarum rescissionem novus ille Commendatarius putatur moliri et precipue eam que Dompno Michaeli Pettendrecht ejusdem monasterio professo est assignata · qua in re placeat jubere literas Apostolicas huic professo ita concedi ut jus utrique partium ex aequo dici et neutra merito queri possit · quod certo putamus isthic fieri citra nostram admonitionem · Ceterum Deus optimus maximus tuam sospitet Sanctitatem tam ad cleri quam laici statum in melius componendum · Datum ex Sterlingo et illustris Principis Jacobi Arranie comitis nostri et regni tutoris manu signatum Edinburgi ad 10. Kalendas Aprilis MDXLV.

Carta confirmacionis Alexandri Keith de Glakreoch. ²—(A.D. 1554 et A.D. 1555 et A.D. 1557.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos quandam cartam . . . factam per dilectos nostros oratores Robertum commendatarium monasterii nostri de Deir et couentum eiusdem . . . ad plenum intel-

¹ [From the *Epistolæ Regum Scotorum*, vol. ii., p. 245. Edinb. 1724.]

² [Abridged from the *Registrum Magni Sigilli*, lib. xxxii., no. 309. MS. Gen. Regist. House, Edinburgh.]

lexisse sub hac forma OMNIBUS hanc cartam visuris . . . Robertus permissione diuina commendatarius monasterii de Deir neonon conuentus eiusdem nostro conuentu capitulariter congregatus . . . [Noueritis nos . . .] ad feudifirmam et emphiteosim perpetuam dimississe . . . Alexandro Keith in Glakreoch et heredibus suis legitime procreatis seu procreandis de corpore suo quibus deficientibus heredibus suis et assignatis quibuscunq̄e Omnes et singulas terras nostras de Glakreoch et Litill Elraik cum earundem pertinentiis iacentes in dominio nostro de Dere et infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . de nobis et successoribus nostris abbatibus commendatariis et conuentu de Deir in feudifirma seu emphiteosi et hereditate imperpetuum . . . Reddendo inde annuatim . . . pro terris de Glakreoch cum pertinentiis sex libras tresdecim solidos quatuor denarios monete Scocie duodecim capones vnum arietem Et pro terris de Litill Elraik cum pertinentiis quatuor libras eiusdem monete sex capones et vnum arietem et in augmentationem nostri rentalis . . . viginti sex solidos octo denarios eiusdem etiam monete . . . Et pro ariagiis cariagiis et bondagiis earundem terrarum cum pertinentiis prestabit et prestabunt duos equos per spacium trium dierum ad laborandum in laboribus necessariis dicti nostri monasterii videlicet inducendo decimas focalia frumenta ligna et lapicidia cespites et alia necessaria pro edificatione reparacione et restauratione dicti nostri monasterii ecclesie claustrum edificiorum et domorum eiusdem vna cum sufficienti seruitore ad laborandum eum eisdem duobus equis . . . Proniso tamen quod quoties huiusmodi seruus cum huiusmodi equis laborat . . . tam idem seruus quam huiusmodi equi sustententur impensis nostri monasterii . . . Et quod grana crescentia super memoratas terras . . . deuenient molientur et multuram solitam et consuetam soluent apud nostrum molendinum domini nostri de Deir . . . Et quod tenentes et occupatores dictarum terrarum . . . in exercitiis Regiis seruiant balliuo nostro hereditario qui fuerit pro tempore et suis deputatis suam potestatem habentibus sufficienter armati eorum propriis expensis iuxta modum et consuetudinem patrie . . . Et quilibet heres ipsius Alexandri in suo primo anno introitus . . . dictam feudifirmam duplicabunt et iuramentum fidelitatis seu homagii nobis et successoribus nostris prestabunt orthodoxam seu catholicam fidem nos et successores nostros terrasque nostras possessiones et decimas

dicti nostri monasterii manutenebunt et defendant prout congruit vassallo Necnon tres sectas ad tria nostra placita capitalia seu curias nostras domini de Deir annuatim prestabunt . . . In cuius rei testimonium huic presenti carte nostre manu nostra subscripte apud civitatem Parisiensem vicesimoprimo die mensis Decembris anno Domini millesimo quingentesimo quinquagesimo quarto Coram testibus Magistris Jacobo Annand Waltero Rait Johanne Elller et Alexandro Annand eum diuersis aliis Sigillum etiam commune dicti nostri monasterii vuacum subscriptionibus manualibus nostri conuentus eiusdem Apud dictum nostrum monasterium de Deir est appensum tertio die mensis Februarii anno Domini millesimo quingentesimo quinquagesimo quarto Coram testibus Magistro Georgio Middiltoun Magno Keith Monano Hog et Johanne Stevinsoun cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . apud Linlithqw vigesimotercio die mensis Januarii anno Domini millesimo quingentesimo quinquagesimosexto et regni nostri decimo quinto .

The Erll Merscheallis charter and seasing of the salmond fischeing vpoun the watter of Vgy.¹—(A.D. 1560.)

Ane charter maid be Robert commendatar of the Abbay of Deyr and convent tharof To Williame erll Merscheall lord Keyth his airis and assignais qubatsumeuir Off all and hail the saidis Commendatar and convent salmond fischeing vpoun the watter of Vgy with the pertinentis lyand in the lordschip of Deir within the schirefdome of Abirdene To be haldin of the saidis Commendatar and convent and thare successouris in feufferme and heretage Paying tharfore yerlie twenty pundis money of this realme togidder with xx schillingis in augmentation of the rentall at twa termes in the year Witsounday and Mertymes in winter be evin portionis and doubling the said feufferme at the entrie of ilk air . . . With ane precept of sesing in the end of the said charter direct to

¹ [From the Abbreviationes Cartarum Feudifirme Terrarum Ecclesiasticarum. MS. Gen. Regist. House, Edinburgh.]

Heurie Myddiltoun William Boig and Andro Keith baillies namit tharin Datit at the said Abbay of Deir the xxv day of May the yeir of God j^m v^e threscore yeiris Before thir witness Maisteris George Myddiltoun Johnn Robertsoun notaris publict Alexander Merscheall.

Ane instrument of sesing thereupon vnder the signe and subscription manuell of Master Johnn Robertsoun notar publict Datit the xxvij day of May the yeir forsaid Befor witness Alexander Keyth of Carnis Maister Gilbert Keith vicar of Longley Henry Durame and William Broun.

Carta Roberti nuper commendatarii de Deir et Georgii Mariscalli comitis. ¹ —(A.D. 1587.)

Apud Halyrudhous 29 Julii 1587 anno regni 21. Jacobus Dei gratia Rex Scotorum memor boni et fidelis servitii quondam progenitoribus suis per predicesores Georgii Comitis Mariscalli domini Keyth etc. belli et pacis temporibus impensi ac etiam constantis perseverantie illustris Comitis Mariscalli familie in antiqua sua affectione erga Regis et regni

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxvj no. 406. MS. Gen. Register House, Edinburgh.]

In General Hutton's Monastic Collections, MS. Advocates' Library at Edinburgh, there are copies of the following deeds:

1. Lease by John, abbot of Deir, to James Pendrecht and his son Andro, of Mckill Achrathe, for nineteen years, dated 30. May, 1512.

2. Lease by John, abbot of Deir, to John Charlis, of a fourth part of the lands of Carnedell, in the barony of Deir, for nineteen years, dated 30. May, 1542.

3. Lease by John, abbot of Deir, to Andro Innes, of the Bruntland, with the Chapel croft, in the barony of Deir, for life, dated 31. March, 1543.

4. Charter by Robert, abbot of Deir, to John Innes, son of the deceased William Innes in Benwallis, of the lands of Benwallis and Elrick, resigned by Margaret Gordon, widow of William Innes, dated 12. November, 1548.

5. Lease by Robert, commendator of Deir, to William, earl Marischal, of the teind sheaves of Kynedward, for nineteen years, dated 29. May, 1549.

6. "The sett landis be Schir Patrick Ogstone," about 1546.

7. "The sett of the cottar and fischer landis of Peterugy," without date.

8. Lease by Robert, commendator of Deir, to William, earl Marischal, of the teind sheaves of Deir, dated 8. April, 1560.]

servitium etc. et quod suis magnis sumptibus ejus avunculum Robertum nuper Commendatarium monasterii de Deir et conventum ejusdem resignare et dimittere per eorum procuratorii literas effecerit omnes terras etc. dicto monasterio et patrimonio ejusdem spectantes. Et quod proprietas majoris partis earundem alias in feudifirma locata fuit prefato Comiti ac per Regem et matrem ejus confirmata ac cetera dictarum terrarum aliis antiquis possessoribus earundem etiam in feudifirma locata fuerunt. Concessit prefato Roberto nuper Commendatario monasterii de Deir in libero tenemento seu vitali reddito neenon dicto Georgio Mariscalli Comiti suisque heredibus masculis et assignatis in feodo et hereditate omnes terras dominia baronas molendina piscarias et alia jura et emolumenta dicto Monasterio spectantia videlicet Maneriem de Deir ab antiquo Monasterio de Deir nuncupatam cum domibus edificiis pomariis et aliis suis pertinentiis infra precincturam dicti loci cum terris dominicalibus *lie Cuthill Terras de Clerkhill* Quartailhous ac molendinum fullozum earundem Molendinum de Crechie cum terris molendinariis multuris et sequelis ejusdem Terras de Dennis Mekill Auchrydie Auelmunzell Carnannoeh cum molendino et multuris Terras de Littill Auchrydie Craignilne cum molendino terris molendinariis multuris et sequelis ejusdem Glaukriauch Lyttill Elrig Aulmad cum molendino terris molendinariis et multuris ejusdem Badforsky cum molendino terris molendinariis multuris et sequelis ejusdem Aucherb Cryalie Skillemarno Auchmacher Altrie Byffie *lie Raw* de Byffie et Parkhous de Byffie Burnehill Molendinum de Bruxie cum multuris ejusdem cum novo molendino de Bruxie super aqua de Inuerugie Skroghill *lie Kirktoon* de Deir Benwallis Mekill Elrik cum molendino terris molendinariis multuris et sequelis ejusdem Fechill Monkishill *lie Grange* de Raahill *lie Fischertoun* de Peterhead cum portis anchoragiis et piscariis earundem Caikinche Monkisholme Ovir Alterlandis de Fovorne Annum redditum tres librarum sex solidorum octo denariorum levandum de Tulloch Annum redditum triginta tres solidorum quatuor denariorum de Toukis levandum annum redditum quadraginta solidorum de Sachoke et Kinmondie levandum Tenementa et domos infra burgum de Abirdene dicto Monasterio spectantes Salmonum piscariam de Inuerugy in aqua salsa et recenti Molendinum Monasterii de Deir infra muros ejusdem *lie Kirktoon* de Deir omnes jacentes infra vicecomitatum de Abirdene Terras de Barrie infra

vicecomitatum de Banff cum tenentibus tenandriis feudifirme firmis etc. ac cum decimis garbalibus et aliis decimis proficuis et emolumentis ecclesiarum parochialium de Deir Petervgie Fovorne et Kinedwart ac singularum terrarum infra parochias ejusdem situatas omnes jacentes infra diocesim de Abirdene unitas et annexatas dicto Monasterio cum omnibus juribus privilegiis et pertinentiis Quasquidem terras etc. Rex in vnum temporale dominium ac feodum nobile et laicum erexit et incorporavit prefato Roberto durante vita sua et prefato Georgio comiti Mariscalli suisque heredibus masculis et assignatis in feodo cum titulo et denominatione Domini de Altrie concedendo ipsis titulum honorem et statum liberi Baronis ac Domini Parlamenti votum et suffragium in omnibus Parlamenti etc. Ac etiam suppressit dictam Abbaciam et Monasterium de Deir et omnes terras decimas etc. eidem spectantes et ad quas Rex tanquam patronus aut alio quovis modo jus aut titulum habuit et renunciavit titulum ejus ad tertiam partem fructuum dicte Abbacie etc. et concessit quod taxabuntur cum Baronibus et temporalibus Dominis Et quia terre de Kethinche alias Caikinche in dicta parochia de Petervgie ad litus maris satis apte et commode pro portu situata fuerunt concessit prefatis Roberto etc. privilegium Portum erigendi in terris de Caikinche ubi magis commode haberi poterit cum pecunia portuaria *lie hevín-siluer* parvis custumis anchoragiis et omnibus devoriis et casualitatibus ad liberum portum spectantibus Ac etiam licebit prefatis Roberto etc. villam super prefatis terris de Caikinche edificare quam villam erigendam Rex erexit in liberum Burgum Baronie cum potestate dictis Roberto etc. ballivos portus custodes et officarios necessarios creandi et deponendi Ac etiam confirmabunt infeofamenta dictarum terrarum etc. legitime facta per Abbatem dicti Monasterii aut quemcunque alium per Regem et predecessores confirmata et quod feudifirmarii possidebunt prefatas terras etc. pro solutione devoriarum et servitiorum in eorum infeofamentis contentarum prefatis Roberto etc. qui habebunt jus proprietatis et superioritatis quod Abbates et conventus dicti Monasterii prius habuerunt Preterea pro Verbi Dei predicatione et sacramentorum administratione etc. Rex erexit rectoriam siue personatum in quacunque dictarum ecclesiarum parochialium de Deir Petervgie Fovorne et Kynedward quarum unusquisque rector glebam et mansionem sue parochialis ecclesie habeat et apud eandem ecclesiam continuam facere residenciam

tenebitur et cure inservire quorum rectorum unusquisque pro suo stipendio et sustentacione preter dictas glebam et mansionem habebit annualem redditum victualium et pecunie de promptioribus fructibus devoriis et emolumentis ecclesiarum quibus providebitur ad quantitatem subscriptam videlicet Rector siue Minister de Deir habebit tres celdras farine avenatice et 200 marcas monete Minister de Petervgie habebit tres celdras farine avenatice et 100 marcas et Minister de Fovorne habebit tres celdras farine avenatice et 100 marcas et Minister de Kynmedward habebit duas celdras farine avenatice et 100 marcas solvendas ipsis per dictos Robertum etc. vel per magis respondentes tenentes et parochianos dictarum ecclesiarum respective Et similiter concessit dictis Roberto etc. jus et patronatum dictarum ecclesiarum et rectoriarum earundem Insuper concessit quod vnica sasina apud fundum de Altrie deliberanda sufficiens erit pro integro dominio etc. Tenendas de Rege et suis successoribus in feodo dominio et libera baronia Reddendo annuatim 140 libras in festo Penthecostes nomine albe firme.

Carta confirmacionis Johannis Gordoane de Lungar super terris de Kynmundeis. ¹—(A.D. 1506.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam vendicionis . . . factam per dilectum nostrum Alexandrum Setoune de Touchfraser militem dilecto nostro Johanni Gordoane de Lungar . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Alexander Setoune de Touchefraser miles et dominus terrarum de Kynmundeis salutem in Domino sempiternam / Noueritis me . . . vendidisse . . . honorabili viro Johanni Gordoane de Lungar omnes et singulas terras meas de Kynmundeis cum suis pertinentiis videlicet villam de Kynmundy le Myllhill le Myllbrekis Pettymercus et Kynknokky cum singulis suis pendiculis et annexis jacentes infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . a me heredibus meis et assignatis de supremo domino nostro Rege et suis successoribus in

¹ [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 197. MS. General Register House, Edinburgh.]

feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicium debitum et consuetum . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum Apud Edinburgh decimosexto die mensis Aprilis anno Domini millesimo quingentesimo sexto Coram hiis testibus Willelmo Scot de Balwery milite Roberto Innes de Inuermerky Jacobo Gordoune de Auchmyliny Johanne Setoune Johanne Innes Willelmo Pantoune et Johanne Gray notario publico cum multis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . Saluis . . . juribus et seruiciis . . . debitis et consuetis . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh [*cetera desunt.*]

Carta confirmacionis Johannis Gordoun de Lungar super dimedietate terrarum de Kindrocht. ¹—(A.D. 1531.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . venditionis factam per Franciscum Gordoune partionarium terrarum de Kindraucht et Sathlee Johanni Gordoune de Lungar suo fratri germano . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Franciscus Gordoune partionarius de Kindrocht et Sathlee eternam in Domino salutem Noueritis me . . . alienasse . . . honorabili viro ac fratri meo germano Johanni Gordoune de Lungar heredibus suis et suis assignatis omnes et singulas dimedietates partes terrarum de Kindrocht cum earum pertinenciis necnon tercias partes terrarum de Sathlee cum suis pertinenciis jacentes in baronia de Kynedward et intra vicecomitatum de Abirdene pro fauore et singulari dilectione quam habui erga eum . . . Tenendas et habendas . . . de supremo domino nostro Rege et successoribus suis in feodo et hereditate imperpetuum . . . Reddendo inde . . . wardam et releuium ac seruicium consuetum . . . In cuius rei testimonium sigillum meum proprium huic presenti carte mee est appensum vna cum subscriptione Magistri Johannis Gordoun notarii cum manu mea ducente pennam apud Petlorge die

¹ [Abridged from the Registrum Magni Sigilli, lib. xxiv., no. 153. MS. General Regist. House, Edinburgh.]

mensis secundo Julii anno Domini millesimo quingentesimo tricesimo primo presentibus Duceano Gordoune in Knavin Jacobo Gordoun in Davachit Roberto Forbes Domino Andrea Synson Magistro Johanne Gordoun notario QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis . . . juribus et seruiciis . . . debitis et consuetis . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . apud Edinburgh octauo die mensis Octobris anno Domini millesimo quingentesimo tricesimo primo et regni nostri decimo nono.

Carta confirmacionis Johannis Gordoune de Petlurg super terris de Crevethyn. ¹—(A.D. 1541.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam vendicionis . . . factam per dilectum et fidelem nostrum consiliarium Thomas Erskin de Brechin militem nostrum secretarium dilecto nostro Johanni Gordoun de Petlurg . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Thomas Erskin de Brechin miles ac supremi domini nostri Regis secretarius Salutem in Domino sempiternam Noueritis me dedisse . . . honorabili viro Johanni Gordoun de Petlurg heredibus suis et assignatis totas et integras terras meas de Crevethin cum singulis suis pertinentiis jacentes in parrochia de Dunblait et baronia de Strabogy infra vicecomitatum de Abirdene in verum et legitimum excambium omnium et singularum terrarum de Hiltoun cum portu et piscatione earundem ac singulis suis pertinentiis jacentium infra vicecomitatum de Kincardin Tenendas et habendas . . . de supremo domino nostro Rege et suis successoribus in feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicia debita et consueta . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum vnacum subscriptione mea manuali apud Edinburgh vicesimo octauo die mensis Maij anno Domini millesimo quingentesimo quadragésimo primo Coram hiis testibus Jacobo Cleland de eodem Johanne

[Abridged from the Registrum Magni Sigilli, lib. xxvii., no. 227. MS. General Register House, Edinburgh.]

Robertoun de Ernok Magistro Johanne Gordoun burgense de Abirdene Alexandro Gordoune Edwardo Buthquhannane Donaldo Fultoun Magistro Johanne Burnat et Alexandro Maknele notariis publicis cum diuersis aliis Quamquidem cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Striueling penultimo die mensis Maii anno Domini millesimo quingentesimo quadragesimo primo et regni nostri vicesimo octauo.

Carta Johannis Gordoun filii et heredis apparentis Johannis Gordoun de Petlurg et Jonete Ogily sue sponse.¹—(A.D. 1543.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos . . . dedisse . . . dilectis nostris Johanni Gordoun filio et heredi apparenti Johannis Gordoun de Petlurg et Jonete Ogily sue sponse ac eorum alteri diutius viuenti in coniuncta infeodacione et heredibus suis . . . totas et integras terras subscriptas videlicet terras de Ovir Kynmundy Kynknoke et Milbrek cum tenentibus tenandriis et liberetenencium seruiciis earundem ac suis pertinentiis exceptis multuris dictarum terrarum iacentes in baronia de Kynedwart infra vicecomitatum de Abirdene Quequidem terre . . . fuerunt dicti Johannis Gordoun de Petlurg perprius hereditarie et quas idem . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Johanni Gordoune juniore et Jonete Ogily sue sponse ac eorum alteri diutius viuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreatis seu procreandis quibus deficientibus heredibus masculis dicti Johannis Gordoun de Petlurg quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh septimo die mensis Decembris anno Domini millesimo quingentesimo quadragesimo tertio et regni nostri primo.

[Abridged from the Registrum Magni Sigilli, lib. xxix., no. 216. Ms. General Register House, Edinburgh.]

Sasina terrarum de Crevethin Gilkemstoun Kindrocht etc. ¹—(A.D. 1546.)

Vicecomes de Abirdene respondebit pro xx libris de releuio . . . terrarum de Crevethin . . . iacentium in parochia de Drumblait et baronia de Strathbogy . . . Et pro xij libris vj solidis viij denariis de releuio . . . terrarum de Gilkemstoun cum molendino . . . Ac pro viij libris de releuio . . . dimedie partis terrarum de Kindrocht et tercie partis terrarum de Saithlie . . . iacentium in baronia de Kynedward . . . Necnon pro xxiiij libris de releuio . . . terrarum de Mylhill Petymercus et molendini de Mylbrek . . . iacentium infra baroniam de Kyn[monde] . . . Regine debitis per sasina[m] datam Johanni Gordoun de eisdem apud Edinburgh vicesimo quarto Maij anno regni Regine quarto.

Sasina terrarum de Crevethin Kindrocht etc. ²—(A.D. 1548.)

Vicecomes de Abirdene respondebit pro x libris de firmis terrarum de Crevethin . . . existentibus in manibus Regine termini Sancti Martini vltimo preteriti sasina non recuperata Et pro xx libris de releuio earundem Et pro vj libris xij solidis iiij denariis de firmis . . . terrarum de Gilkemstoun et molendini eiusdem . . . existentibus in manibus Regine dicti termini ratione predicta Et pro xij libris vj solidis viij denariis de releuio earundem Act pro iiij libris de firmis . . . terrarum dimedie partis terrarum de Kindrocht et tercie patris terrarum de Saithlie . . . existentibus in manibus Regine supradicti termini ratione prenotata Et pro viij libris de releuio earundem . . . Ac pro xij libris de firmis . . . terrarum de Mylhill Pettemarcus et molendini de Mylbrek . . . existentibus in manibus Regine prelibati termini ratione suprascripta Et pro xxiiij libris de releuio earundem Regine debitis per sasina[m] datam

¹[From the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh.]

²[From the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh. Seisin was given on the fifteenth day of May, 1540. (Original instrument in the Pitligo charter chest.)

[On the second day of July, 1551, letters of legitimation, under the great seal, were granted to William Gordoun, George Gordoun, bastard sons, and to Margaret Gordoun, bastard daughter, of John Gordoun of Petlurg.—(Registrum Magni Sigilli, lib. xxx, no. 718.)]

Johanni Gordoun de eisdem apud Edinburgh quarto Maij anno regni Regine sexto Cuins pater Johannes Gordoun de Petlurg interfectus fuerat in conflictu contra Anglos x Septembris vltimo elapsi.

Sasina terrarum de Kynmowndie etc. ¹—(A.D. 1579.)

Vicecomes de Abirdene respondebit pro xxviiij libris de releuio totarum et integrarum terrarum de Kynmowndie Kynknockie Mylnbrek cum pendiculis et pertineneciis jacentium infra baroniam de Kynmowndie et balliam suam Regi debitum per sasina datam Joanni Gordoun de eisdem Apud Edinburgh vicesimo quarto die mensis Augusti anno regni Regis decimo tertio.

Carta Domini Joannis Gordoune de Petlurge militis. ²—(A.D. 1588.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . . dilecto nostro Joanni Gordoune de Petlurge militi et heredibus suis masculis de corpore suo legitime procreatis sen procreandis Quibus deficientibus legitimis et propinquioribus suis heredibus masculis quibuscunque cognomen et arma de Gordoune gerentibus hereditarie Totas et integras terras et baroniam de Kinnmudie terras subscriptas continentes videlicet villam et terras de Kilmudie cum manerie . . . terras de Mylnhill Mylnbrek cum molendino . . . terras de Dowrie terras de Pittymareus Smalburne Kinknokie Burnegreinis alias Barraksait et Pettindreychtissait . . . jacentes infra vicecomitatum nostrum de Abirdene . . . incorporatas . . . perprius in vnam baroniam dictam Baroniam de Kynmuddy nuncupatam . . . terras

¹ From the Liber Responsonum in Seaccario. MS. General Register House, Edinburgh.

² Abridged from the Registrum Magni Sigilli, lib. 1., no. 71. MS. General Register House, Edinburgh.

By a charter, under the great seal, at Halyrudehous, on the twenty-third day of September, 1580, King James VI. granted to John Gordoun of Petlurg, and Issobell Forbes, his wife, in conjunct fee, and their heirs male, the lands and barony of Kynmowndie, namely, the lands of Mylnmudie, Kynknocke, Mylnbrek, Mylnhill, and Pittemareus, with the manor, mills, &c., resigned by the said John Gordoun; to be held of the King in fee and free barony.—[Registrum Magni Sigilli, lib. xxxv. no. 239.]

de Carwechin continentes . . . villam et terras de Carwechin Thorne-ways Corsystane . . . Peirismylne molendinum et terras molendinarias . . . jacentes in baronia de Straythbogy parochia de Drumblait infra vicecomitatum nostrum predictum / Villam et terras de Gilcumstoun cum molendino . . . infra dictum nostrum vicecomitatum / Totas et integras tres quartas partes et vniam tertiam partem vnus quarte partis dimedietatis terrarum et baronie de Drumblait videlicet terras de Sleauche cum *lie Park* earundem Adamestoun Siluerhillok Wistrone Muthillok Boigheid Newtoun tertiam partem terrarum de Garrie cum molendinis . . . jacentes in dicta baronia de Drumblait infra vicecomitatum nostrum de Abirdene Quequidem terre et baronia . . . perprius hereditarie pertinerunt prefato Domino Joanni Gordoun per ipsum tente de nobis et successoribus nostris . . . Necnon dedimus . . . predicto Domino Joanni Gordoune et heredibus suis masculis prescriptis hereditarie . . . binam partem terrarum de Chapeloune terciam partem terrarum de Wedderburne binam partem terrarum de Brunehill cum molendino . . . tertiam partem terrarum de Thomastoune et binam partem terrarum de Cumalegy . . . jacentes in dicta baronia de Drumblait . . . Quequidem perprius . . . pertinerunt Domino Georgio Halyburtoune de Pitcur militi per ipsum tente de nobis et successoribus nostris . . . Et nunc prefati Domini Joannes Gordoune et Georgius Halyburtoune . . . simpliciter resignarunt . . . omnes . . . prenomatas terras . . . Insuper pro bono fideli et gratuito seruicio nobis per prefatum Dominum Joannem Gordoune de Pitlurge militem impenso . . . incorporauimus totas et integras dictas terras et baroniam . . . in vniam integram et liberam baroniam . . . Baroniam de Kilmundie nuncupandam . . . et ordinamus quod maneries dicte ville de Kymundie nunc edificata vel edificanda principale erit messuagium predictae baronie . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo hereditate et libera alba firma imperpetuum . . . Reddendo . . . vnum par calcarium deauratorum annuatim ad Festum Penthecostes apud dictum maneriem siue messuagium de Kymundie nomine albe firme si petatur tantum . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Ballinbreyeh vigesimo primo die mensis Octobris anno Domino millesimo quingentesimo octuagesimo octauo et regni nostri vicesimo secundo .

Sasina baronie de Kynmundie data Joanni Gordoun de Petlurg.¹—
(A. D. 1600.)

Viccomes de Abirdene respondebit pro duobus paribus calcarium deauratorum per duplicationem albefirme . . . terrarum et baronie de Kynmundie terras subscriptas continentium . . . videlicet villam et terras de Kynmundie cum maneria . . . terras de Mylnhill Milbreke cum molendino . . . Dures . . . Pettimarkhous Smalburne Kinknokie Burnegrainis alias Barrakseat et Pettindreicheseat . . . Crevethin Thornyewray Corsiestane . . . Piriesmylne cum molendino . . . et tres quartas partes et vnam tertiam partem quarte partis dimedietatis terrarum de Drumblait videlicet terras de Sliache cum *lie Park* Adamestoun Siluer Hillok Weistroune Mvtchillok Boighead Newtoun et tertiam partem terrarum de Garie cum molendinis . . . et binam partem terrarum de Cheppeltoun tertiam partem terrarum de Wedderburne binam partem terrarum de Brunchill cum molendino . . . tertiam partem terrarum de Thomastoun binam partem terrarum de Comalegie . . . incorporatas in vnam integram et liberam baroniam Baroniam de Kynmundie nuncupatam cuius baronie maneria de Kynmundie est principale messuagium . . . Regi debitis per sasinam datam Joanni Gordoun de Petlurg de eisdem Reseruando tamen Domine Issobelle Forbes matri dieti Joannis suum vitalem redditum dietarum villarum et terrarum de Kynmundie cum maneria . . . terrarum de Mylnehill Milbreke cum molendinis . . . Dwris Petimarkhous Smalburne Kinknokie Burnegrainis alias Barrakseat et Pettindreicheseat . . . durante vita sua . . . Apud Edinburght quarto die mensis Nonembris anno regni Regis trigesimo quarto . 1600 .

Copy of an Account of the Great Straloch's children, writ with his own hand, and of his eldest son's children, writ with his own hand, their respective births and deaths, but some of the last which

¹ [Abridged from the Liber Responionum in Scaccario. MS. General Register House, Edinburght.]

happened after the fathers' deaths filled up by the Advocate's hand, as transmitted to me from Aberdeen by Dr. James Gordon, November 22, 1739. ¹

Sir John Gordon of Pitlurg, knight, was born the 2nd of April, 1547, and died the 16. of September 1600, and lies buried at the Kirk of Botarie. Dame Isabella Forbes, daughter to the Lord Forbes, his lady, was born the 16. of October 1548, and died the 27. of March 1622, and lies buried at New Aberdeen.

[Their son] Robert Gordon of Pitlurg, called the Great Straloch, was born at Kilmundy, September 14, 1580, and married at Kincairne Oneil, December 20, 1608. His lady, Katherine Irving, daughter to Irving of Lenturk, of Drum's family, was born at Mairdrum, November 26, 1588.

The Great Straloch's eldest son, Robert Gordon of Pitlurg, was born, Sunday, September 25, 1609, at Tulloch in Lequhell parish, and died at Straloch April 18, 1681. His lady, Katherine Burnet, daughter to Sir [Alexander] Burnet of Leys, was born at Inncernie, on Deeside, October 11, 1617, and died at Strathhogie, March 10, 1682.

The Great Straloch's [other children:]

2. John was born at Aberdeen, June 1, 1611: of Feehil, famous for his writing tales. He died at Kilmundy, 1698.
3. William was born at Kilmundy, January 23, 1613, and died at Paris in October, 164[9]: a pretty gentleman of great wit and humour, but immoderately given to his pleasures. *The Great Straloch's third son William, and the first Lord Aboyn, who had been faithful adherents to Montrose in the war, went both to Paris in*

[From a transcript made from the original, in the possession of his kinswoman, a relative of the Straloch family, by Mr. Thomas Gordon Beveridge, Aberdeen, in March 1846.

The words printed in italics are written in another and later hand than the rest.]

1646, after Montrose was obliged to disband, and were so overwhelmed with grief, on hearing of the King's murder, that they died in October after, the one within a few days of the other.

4. Alexander was born at Kilmundy, Monday, March 14, 1614, and died there May 10, 1615.
5. Isabel was born at Kinmundy, the 27. of March 1615: *married to Urquhart of Craighous in Ross-shire.*
6. Mary was born at Kilmundy, Wednesday, April 10, 1616: *married to Maitland of Pitrichie.*
7. James was born at Kymundie, on Saturday, May 17, 1617: *parson of Rothiemay, father to Technury, whose genius turn'd to astronomy and geography.*¹
8. George was born at Straloch, Saturday, June 13, 1618, and died there, April 2, 1636.
9. Alexander was born at Straloch, August 16, 1620, on Wednesday, and died there, June 9, 1705. *This Pitlurg's tutor, a worthy honest man.*
10. Jean was born at Straloch, Friday, October 19, 1621: *married to Middleton of Johnston in Aberdeenshire.*
11. Barbara was born at Straloch, December 20, 1622: *married to Alexander Menzies of Kilmundy, but had no children.*
12. Hugh was born at Straloch, Sunday, January 11, 1624.
13. Arthur was born at Straloch, April 5, 1625, and died at Aberdeen,

¹ This "History of Scots Affairs from 1637 to 1641," was printed for the Spalding Club in 1840-1.

March 31, 1680: father to the Lady Birkenbog, and Robert of famous memory.¹

14. Anne was born at Straloch, Munday, the 29. of May 1626: *married to Bisset of Lessindrum, and died in 1714.*
15. Patrick was born at Straloch, Saturday, February 16, 1628, and died there, November 10, 1649.
16. Margaret was born at Straloch, Wednesday, July 22, 1629, and died there, November 13, the same year.
17. Lewis, or Doctor Lewis, was born at Straloch, April 8, 1631, and died at Aberdeen, September 27, 1704: a learned, judicious, good man.

The Great Straloch's eldest son's children:

1. William was born at Straloch, October 7, 1639, at six in the afternoon, and died the same year, in the beginning of December.
2. Robert Gordon of Pitlurg, my grandfather, was born in Straloch, January 23, 1641, at five in the morning, and died there August 22, 1682. His lady, Jean Maitland, daughter to Sir Richard Maitland of Pitrichie, my grandmother, *died at Kilmundy, November 26, 1741, aged ninety-six: a virtuous good woman.*
3. John was born in Pitlurg, February 20, 1643, in the morning: *father to Doctor John, father to Doctor James, heir male in 1744.*
4. Katherine was born in Pitlurge, September 7, 1644, about four in the morning: *she was Lady Arbuthnot.*

¹The founder of "Robert Gordon's Hospital" at Aberdeen.

5. George was born in Pitlurg, December 28, 1645, about sunset, and died there, July 16, 1647.
6. Ann was born in Pitlurg, February 18, 1647, about twelve or one afternoon, and died there, April 30, 1648.
7. James was born at Pitlurg, April 22, 1648, about five in the morning, and died at Straloch, December 20, 1676.
8. Alexander, the Advocat, was born in Pitlurg, November 25, 1649, at ten at night, and died at Aberdeen.
9. Thomas was born in Pitlurg, July 2, 1651, about six in the morning, and died there, April 24, 1652.
10. Thomas was born in Pitlurg, April 17, 1653, about eleven before noon, exactly in the time of the change.
11. Elisabeth was born in Pitlurge, May 18, 1655, about two in the morning, and died the first of September that same year.
12. Charles was born in Pitlurg, June 7, 1657, at seven in the morning.
13. Jean was born in Pitlurg, November 19, 1659, about nine in the morning.

Auchmedden, November 29, 1739.

Sasina de Auchmakoy et Oykarne. ¹—(A.D. 1514.)

Vicecomes de Aberdene respondebit pro xij marcis vj solidis viij denarius

¹From the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh.

le firmis terrarum de Auchmakoy et Oykarne termini Sancti Martini vltimo preteriti existentibus in manibus Regis sasina non recuperata Et pro viginti septem marcis de releuio earundem Et pro xiiij solidis iij denariis de firmis vnus anni redditus duarum marcarum leuandi de duabus partibus terrarum de Sauthlic dicti termini Sancti Martini similiter existentibus in manibus Regis sasina non recuperata Et pro duabus marcis de releuio eiusdem Regi debito per sasinam datam Alexandro Buchane de eisdem nono Marci anno regni Regis primo.

Sasina de Mekle Auchmokoye et Oykorn. ¹—(A.D. 1556.)

Vicecomes de Abirdene respondebit pro xx libris de releuio terrarum de Mekle Auchmokoye et Oykorn cum tenentibus et tenandriis earundem Et pro xxvj solidis viij denariis de releuio vnus anni redditus duarum marcarum de bina parte terrarum de Saithlie iaentium in baronia de Kynedward infra balliam suam Regine debitis per sasinam datam Alexandro Buchane de eisdem Saluo tamen et reseruato libero tenemento seu vitali reddito dietarum terrarum de Oykorn Katherine Dumbrek pro toto tempore vite sue Apud Edinburgh quarto Nonembris anno regni Regine decimo quarto.

Sasina de Mekill Auchmacoy et Ockorne. ¹—(A.D. 1582.)

Vicecomes de Abirdene respondebit pro lxxx libris de firmis totarum et integrarum terrarum de Mekill Auchmacoy et Ockorne cum tenentibus tenandriis et liberetenencium seruiciis earundem et suis pertinenciis iaentium infra balliam suam Existentibus in manibus supremi domini nostri Regis per spatium quatuor annorum et vnus termini vltime elapsorum aut cocirca ratione warde et sasina non recuperata respectiue videlicet per spatium quatuor annorum ratione warde et vnus termini sasina non recuperata Et de xx libris de releuio earundem Necnon pro

[From the Liber Responsionum in sceaccario. MS. General Register House, Edinburgh.]

vj libris de firmis superioritatis vnus anni redditus duarum mercarum annuatim leuandi de bina parte terrarum de Saithlie jacentium infra baroniam de Kinedwart et balliam suam predictam Existentibus in manibus dieti Domini Regis per spacium predictum racione qua supra Et pro xxvj solidis viiij denariis de releuio eiusdem (Resernato tamen per omnia vitali redditu Elizabeth Seytoun matri Alexandri Buchan de Auchmacoy dictarum terrarum et superioritatis cum tenentibus tenandriis et liberetenencium seruiciis earundem durante toto tempore vite sue) Regi debitis per sasinam datam dicto Alexandro Buchane de eisdem Apud Edinbrought tertio die mensis Februarii anno regni Regis decimo quinto 1581.

Sasina de Allathane. ¹ —(A.D. 1532.)

Vicecomes de Abirdene respondebit pro xx libris de releuio totarum et integrarum terrarum baronie de Allathane cum suis pertinentiis jacentium infra balliam suam Regi debito per sasinam datam Johanni Pantoun de eisdem Apud Edinburgh xvij Octobris anno regni Regis vicesimo.

¹ [From the Liber Responsonum in Seaccario. MS. General Register House, Edinburgh.]

PARISH OF NEW DEER OR AUCHREDDIE.—(PAGE 48.)

Carta W. de Fedreth et C. de Moravia de ecclesia de Duffus. ¹—A.D. 1294.)

Omnibus hanc cartam visuris . . . Willelmus de Fedreth et Cristina de Moravia uxor sua salutem . . . Noverit universitas vestra . . . nos . . . dedisse . . . Deo et Beate Marie Virgini et Omnibus Sanctis et Sancte Trinitati de Elgyn et Domino Archebaldo Dei gratia episcopo Moraviensi et omnibus successoribus suis omne jus advocacionis presentationis seu patronatus quod nos habemus . . . in ecclesia Sancti Petri de Doffus seu in vicaria vel capellis ejusdem . . . In cujus rei testimonium sigilla nostra presenti carte sunt appensa . Datum apud Kinedor in Moravia die Martis proximo ante Festum Apostolorum Symonis et Jude . anno Domini . m^o . cc^o . nonagesimo quarto . . .

Carta Archebaldi episcopi Moraviensis concessa Willelmo de Fedreth et Domine Christiane de Moravia uxori sue. ¹—A.D. 1294.)

Omnibus hanc cartam visuris . . . Archebaldus permissione divina Moraviensis episcopus salutem . . . Noverit universitas vestra quod quia Willelmus de Fedreth et Domina Cristiana de Moravia uxor sua de omnibus arreragiis et defectibus in quibus nobis capitulo et ecclesie nostre tenebantur ratione subtracte pensionis annue quam solvere debebant pro terra de Logy juxta ecclesiam de Duffus . et pro terra de le Hermitdykys . et pro situatione seu firmatione molendini in tenemento nostro de Uchtyrspiny . et etiam pro effusione sanguinis et injuria irrigata per dictam Cristianam et suos in ecclesia Sancti Petri de Duffas in vigilia Omnium Sanctorum proxime preterita . nobis et ecclesie nostre predictae plenarie satisfecerint . ideoque omnem sententiam sequestrationis . . .

¹ | Abridged from the Registrum Episcopatus Moraviensis, p. 144.

contra eosdem super dictis terris vel molendino penitus revocamus . . . concedentes . . . quod dicti W. de Fedreth et Domina Cristiana et etiam heredes ejusdem Cristiane habeant . . . ita plenarie . . . predictas terras et molendinum sicut per aliquam cartam . . . pro rata portionis hereditarie quam habent . . . in tenemento de Duffhus aliquo tempore plenius . . . habuerunt . . . Reddendo inde annuatim nobis et successoribus nostris duos solidos sterlingorum in Festo Nativitatis Beati Johannis Baptiste et faciendo forinsecum servitium Domini Regis si quod ad dictas terras pertineat . Promittimus etiam quod nos et successores nostri episcopi supradictis Willelmo et Cristiane et heredibus ejusdem Cristiane erimus in jure suo consulentes et favorabiles . In cujus rei testimonium sigillum nostrum autenticum una cum communi sigillo capituli nostri presenti carte est appensum . Datum apud Kynnedor in Moravia die Sabbati proximo ante Festum Omnium Sanctorum . anno Domini millesimo . cc^o . nonagesimo quarto . . .

Carta Georgii Craufurde.¹ —(A.D. 1519.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . . dilectis nostris Georgio Craufurd nepoti et heredi apparenti Willelmi Craufurd de Fedrat et Jonete Irwin eius sponse . . . totas et integras terras de Mekle Crechy cum pertinentiis jacentes infra vicecomitatum nostrum de Abirdene . Quequidem terre . . . fuerunt dicti Willelmi per prius hereditarie . Et quas idem . . . in manibus . . . cancellarii nostri dilecti Jacobi Glasguensis archiepiscopi . . . simpliciter resignavit . . . Tenendas et habendas . . . dictis Georgio Craufurd et Jonete Irwin eius sponse et ipsorum alteri diuicini viuenti in coniuncta infeodatione et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus legitimis et propinquioribus heredibus dicti Georgii quibuscunque de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . cum curiis et earum exitibus hereditariis et merchetis mulierum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta

¹ [Abridged from the Registrum Magni Sigilli, lib. xx, no. 85. MS. General Register House, Edinburgh.]

. . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh quarto die mensis Marci anno Domini millesimo quingentesimo decimo octavo Et regni nostri sexto.

Carta Alexandri Bisset et Margarete Gray eius sponse. ¹ — A.D. 1528.

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . factam per Georgium Craufurd de Feddraucht dilecto nostro Alexandro Bisset burgensi burgi nostri de Abirlene et Margarete Gray eius sponse . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Georgius Craufurd de Feddraucht eternam in Domino salutem Noneritis me . . . vendidisse . . . prouido viro Alexandro Bissat burgensi de Abirdene et Margarete Graye sponse sue secum in coniuicta infeodacione Omnes et singulas terras meas de Creechey cum vniuersis suis pendiculis et pertinenciis et precipue illud outset le Auld Bray vulgariter vocatum jacentes in baronia seu dominio de Feddraucht infra vicecomitatum de Abirlene . . . Tenendas et habendas . . . prefato Alexandro et Margarete sponse sue et eorum alteri diucius viuenti et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus heredibus propinquioribus legitimis ipsius Alexandri et suis assignatis quibuscunque a me heredibus meis et assignatis de supremo domino nostro Rege et suis successoribus Regibus Scocie in feodo et hereditate inperpetuum . . . Reddendo inde supremo domino nostro Regi . . . seruicium inde debitum et consuetum quantum pertinet ad easdem soluendum et consuetum forinsecum seruicium tantum . . . In cuius rei testimonium sigillum meum proprium presentibus est appensum Apud Abirdene sexto die mensis Februarii anno Domini millesimo quingentesimo vicesimo septimo Coram hiis testibus venerabili et egregio viro Magistro Alexandro Hay rectore de Turref ac commissario generali Abirdonensi Magistro Andrea Tulydaff Johanne Ruthiriusl Willelmo Rolland juniore burgensi de Abirdene Georgio Hay Magistris Willelmo

¹ [Abridged from the Registrum Magni Sigilli, lib. xxii., no. 67. MS. GEORGE B. 21-30 House, Edinburgh.]

Hay Roberto Menzeis et Johanne Nicholson notariis publicis cum diversis aliis . . . QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Abirdene septimo die mensis Februarii anno Domini millesimo quingentesimo vicesimo septimo et regni nostri decimo quinto.

Carta Georgii Craufurd et Jonete Irwin eius sponse.¹—(A.D. 1528.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilectis nostris Georgio Craufurd de Fedderat et Jonete Irwin eius sponse . . . omnes et singulas terras de Quyltis et Actanfort cum suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Georgii prius hereditarie et quas idem Georgius personalter in manibus nostris apud Abirdene . . . simpliciter resignavit . . . Tenendas et habendas . . . dictis Georgio et Jonete eius sponse et eorum alteri diucius viventi in coniuncta inféodacione et heredibus inter ipsos legitime procreatis seu procreandis Quibus deficientibus heredibus dicti Georgii quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et servicia . . . debita et consueta . . . In cuius rei testimonium magnum sigillum nostrum huic presenti carte nostre apponi precepimus . . . Apud Abirdene decimo die mensis Februarii anno Domini millesimo quingentesimo vicesimo septimo Et regni nostri decimoquinto.

Decret of the Lordis of Counsale for Jhone Knox of that Ilk aganis George Craufurd of Federat.²—(31. May 1538.)

In the actioun and causs persewit be Jhone Knox of that Ilk aganis George Craufurd of Federat That quhair thair is ane decret arbitrale

¹ [Abridged from the Registrum Magni Sigilli, lib. xxii., no. 68. MS. General Register House, Edinburgh.]

² [Abridged from the Acta Dominorum Concilii et Sessionis, voll. x., fol. 85, 86. MS. General Register House, Edinburgh.]

On the fourth day of August, 1553, Queen Mary, by charter under the great seal, confirmed to

off the date at Abirdene the viij day of August the yer of God j^m v^e xxxij yeris betuix him on that ane part and the said George for him self and William Craufurd his broder and Nichole Craufurd his fader broder on that vthir pairt decerning the said George to pay to him the sowme of iiij^e merkis and to infest him in fewferme heretablie in all and hale the landis of Auchyanch liand in the barony of Federat within the scherifdome of Abirdene . . . And howbeit the said Jhone Knox hes fulfillit the samin for his pairt to the said George nochtbeles he will nocht fulfill his pairt thairof to the said Jhone without he be compellit . . . The said Jhone comperand be Maister Hew Rig his procuratour and the said George being lauchfully warnit hereof *apud actu* oft tmez callit and nocht comperit The Lordis of Counsell ordanis lettres to be direct *simpliciter* chargeing the said George Craufurd to fulfill the said decreet arbitrale of the dait forsaid to the said Jhone Knox for his pairt in all puntis and artikles efter the tenour tharof . . .

Sasina baronie de Fedderat. ¹—(A.D. 1573.)

Viccomes de Abirdene respondebit pro lxxx libris de releuio totarum

George Craufurd of Federat, and to Agnes Ogiluy, his wife, the lands and town of Culchie of Federat, in the barony of Federat, and sheriffdom of Aberdeen, to be held of the Queen.—(Registrum Magni Sigilli, lib. xxxi., no. 108.)

On the fourteenth day of January, 1552-3, George Craufurd of Fedderay sold to Alexander Fraser of Philorth, his heirs and assignees, the lands of Mekill Creychtie, in the barony of Fedderay, and sheriffdom of Aberdeen. The charter, dated at Fedderay, is witnessed by Thomas Menzes of Petfoddelis, provost of Aberdeen, Alexander Menzes, his son, Gilbert Menzies, the elder, burgess of Aberdeen, David Fraser, and Master William Fraser, notary public. The sale was confirmed by Queen Mary, by charter under the great seal, at Falkland, on the fourth day of August, 1553.—(Registrum Magni Sigilli, lib. xxxi., no. 125.)

On the ninth day of November 1561, Alexander Fraser of Philorth granted to William Craufurd (*nepos*) and heir apparent of George Craufurd of Fedderay) and to Christian Fraser his wife, to the longer liver of them, and to the heirs lawfully begotten between them, the lands of Mekle Creychie, in the barony of Fedderay, and sheriffdom of Aberdeen, to be held of the Queen. The charter, dated at Philorth, is witnessed by Master Arthur Tailfeifer, rector of Cremond, Thomas Fraser and John Fraser, sons of the said Alexander Fraser of Philorth, William Gordon, Sir William Walker, and Andrew Dalgarno. The grant was confirmed by Queen Mary, by charter under the great seal, at Edinburgh, on the sixth day of December 1561.—(Registrum Magni Sigilli, lib. xxxii., no. 590.)

¹ [From the Liber Responsum in Seaccario. MS. General Register House, Edinburgh.]

et integrarum terrarum et baronie de Fedderet subscriptarum videlicet Maneriei de Fedderet cum molendino eiusdem Terrarum de Auldquhat Quhyitstanis Mekill Balmakellie Irnesyde Auchquhat Mekill Auchyeocht Litle Auchyeocht Broclaycht Schevaldo Actamfurde Pondircroft Corbis-hill Mekle Allathyne cum molendino eiusdem Corsgyecht Brovinhill Quhit-carnis Quhyithill Wittinshill Clochcan Bruntbray cum molendino toftis et croftis *lie outsettis* partibus pendiculis annexis connexis tenentibus tenandriis et liberetenencium seruitiis earundem cum turre fortalicio et manerie de Fedderet jacentium infra baroniam de Fedderet et balliam suam Necon totius et integre superioritatis terrarum de Dragy Glenbeg et Goacht cum molendinis *lie outsettis* partibus et pendiculis jacentium infra balliam suam predictam per annexationem Regi debito per sasinam datam Willelmo Craufurd de eislem Apud Edinburght decimo tertio die mensis Aprilis anno regni Regis sexto.

Carta Alexandri Irwyne de Drum super baronia de Fedderat.¹ —(A.D. 1573.)

Omnibus hanc cartam visuris . . . Willelmus Craufurde de Fedderat eternam in Domino salutem Noueritis me . . . vendidisse . . . honorabili viro Alexandro Irwyne de Drum heredibus suis et assignatis quibus-

¹[Abridged from the Registrum Magni Sigilli, lib. xxxiv., no. 10, where it is engrossed in a charter of confirmation by King James VI., dated at Halieruidhous, on the ninth day of November, 1573.

By a charter dated at Aberdeen, on the sixteenth day of May, 1573, (witnessed by Robert Allardes, Alexander Craufurd servant of the granter, John Irwyn son of James Irwyn of Petmvrchie, and Master George Barelay, burgess of Aberdeen), William Craufurd of Fedderat sells to Gilbert Irving of Cullairly, brother-german of Alexander Irving of Drum, his lands of Auldquhat, in the barony of Fedderat, and shire of Aberdeen. The sale was confirmed by King James VI., by a charter under the great seal, which also grants to Gilbert Irving the nonentries of the lands during the space of sixty years, or thereby, since the decease of the *procurator* of William Craufurd now of Fedderat. (Registrum Magni Sigilli, lib. xxxiv., no. 9.)

By a charter dated at Drum, on the second day of February, 1582-3, (witnessed by Gilbert Irving of Auldquhat, brother-german of the granter, John Irving of Kincoussie, Andrew Irving domestic servant of the granter, Master James Irving, brother-german of the granter, and Master John Balgray, notary public) Alexander Irving of Drum grants to his elder son and heir apparent, Alexander Irving, his heirs and assignees, the barony of Fedderat, together

cunq̄ue Totam et integram baroniam meam de Fedderat videlicet manerium de Fedderat cum turre et fortalicio eiusdem molendinum granorum de Fedderat terras molendinarias astrictas multuras dicti molendini villas et terras respectiue de Schowado Auchtamfort Pundlarecroft Culche Stevinsburne Quhiteboig Corbishill cum molendino granorum eiusdem Allathin Piktillim Matrunbray Corsgycht Quhitestanis Auldquhat Meikle Bathmakellie Bromehill Quhyteairnis Quhithill Iruesyde cum molendino fullonum eiusdem Auchquhacht Wiethinshill Broklay Meikle Auchyoiche Gerschehill Litill Auchyoiche Meikle Creechie Bruntbray Clochcan Annoq̄hy cum molendino granorum eiusdem cum omnibus et singulis suis pendiculis et pertinenciis annexis et connexis tenentibus tenandriis et liberetenencium seruciis earundem jacentes infra dictam baroniam de Fedderat et vicecomitatum de Abirdene . . . Tenendam et habendam . . . a me heredibus meis et assignatis de supremo domino nostro Rege et suis successoribus . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . jura et serucia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte mee . . . sigillum meum proprium armorum est appensum apud Abirdene decimo die mensis [anno Domini millesimo quingentesimo septuagesimo tercio Coram hiis testibus Magistris Georgio Middeltoun Willelmo Georgio Fraser de Kirktoone de Durris et Magistro Johanne Balgray.

with the sunny half of Kindrocht and Denend, in the parish of Rathyne. The grant was confirmed by King James VI. by a charter under the great seal, dated at Halyruidhous, on the thirteenth day of April, 1583.—(Registrum Magni Sigilli, lib. xxxv., no. 809.)

The sunny half of the lands of Kindrocht and Denend, in the parish of Rathyne, was sold to Alexander Irving of Drum, by William Cwmyng of Inveraloquhy, by a charter dated at Drum, on the seventeenth day of September, 1576, witnessed by John Meldrum in Tollykairne, Patrick Meldrum in Auchquhortye, Thomas Kuymming in Kildathie, Master William Davidson, burgess, Johu Ros, Andrew Irwing, and Master John Balgray.—(Registrum Magni Sigilli, lib. xli. no. 447.)

The lands of Auldquhat, Quhiteairnis, and Stewinsburne, in the barony of Feddrat, were sold to Alexander Irving of Drum, by Alexander Irving of Auldquhat, with consent of Anne Irving, his wife, by charter dated at Drum and Fortrie, on the eighteenth and twenty-second days of May, 1623, witnessed by James Irving of Broklay, Master William Davidson of Ord, and James Ros. The sale was confirmed by King James VI., by charter under the great seal, dated at Edinburgh, on the twelfth day of June, 1623.—(Registrum Magni Sigilli, lib. l. no. 229.)

Sasina de Culsche et Annoquhy. ¹—(A.D. 1576.)

Vicecomes de Abirdene respondebit pro xij libris de firmis totarum et integrarum terrarum de Culsche cum pertinentiis existentibus in manibus Domini Regis per decessum quondam Agnetis Ogilvie coniuncte infeodatrici earundem per spacium vnus anni et vnus termini vltime elapsorum sasina non recuperata Et pro viij libris de releuio earundem Et pro xiiij libris de firmis terrarum de Annoquhy cum molendino pendiculis et pertinentiis jacentium infra baroniam de Fedderet et balliam suam tanquam partium et pendicularum eiusdem baronie Existentibus in manibus Domini Regis per decessum quondam Georgii Craufurd de Fedderet aui Willelmi Craufurd nunc de Fedderret per spacium trium annorum et vnus termini vltimo elapsorum ratione qua supra Et pro iij libris de releuio earundem Regi debito per sasina datam dicto Willelmo de eisdem Apud Edinburght decimo die mensis Martii anno regni Regis nono.

Sasina terrarum de Towy Auchroddy etc. ²—(A.D. 1559.)

Vicecomes de Abirdene respondebit pro xl libris de firmis terrarum de Mekille Siggat cum molendino de Sigget et multuris eiusdem et terrarum de *lie Manis* de Towy cum castro et manerie eiusdem ac terrarum de Towy Turnocht Baldulsy Wodtoun Auld Myln . . . necnon quatuordecim bouatarum terrarum de Mekill Drumquhendill et terrarum de *lie outsettis* de Ardlane terrarumque de Auchroddy cum tenentibus tenandriis etc. . . . existentibus in manibus Regine termini Sancti Martini vltimo transacti sasina non recuperata Et pro lxxx libris de releuio earundem

¹ [From the Liber Responsonum in Seaccario. MS. General Register House, Edinburgh.]

² [From the Liber Responsonum in Seaccario. MS. General Register House, Edinburgh.]

On a tablet in the east wall of the chancel of the ruined church of Gamery, is this inscription—
 Patricius · Berclay · s · hoc · me · fieri · fecit · Ille faect · honorabilis vir · Patricius
 Berclay · dominus · de · Tolly · qui · obiit · die · mensis · anno · Domini ·
 millesimo · quingentesimo · et · Joueta · Ogiluy · eius · sponsa · que · obiit · sexto
 die · mensis · Januarii · anno · Domini · millesimo · quingentesimo · quadragesimo · sep-
 t'imo.]

Regi et Regine debitus per sasinam datam Waltero Barclay de eisdem apud Edinburgh quarto Marci annis regni Regis et Regine primo et decimo septimo.

Sasina terrarum de Anchroddie Towy etc. necnon baronie de Caircok. ¹
—(A.D. 1587.)

Viccomes de Abirdene respondebit pro lxxx libris de releuo . . . terrarum de Mekle Segget cum molendino . . . necnon . . . terrarum maneriei de Towy cum turre fortalicio et loco maneriei ac molendino . . . acetiam . . . terrarum de Tolleturnay Petdouslie Wodtoun Auldmyln cum suis pendiculis . . . necnon quatuordecim bouatarum terrarum de Mekle Drumquendlie molendini terrarum molendinariarum . . . acetiam . . . terrarum borealis dimedietatis terrarum de Drumquendlie terrarum nuncupatarum lie outsettis earundem necnon terrarum de Ardleane terrarum de Auchroddie cum omnibus suis pendiculis . . . Regi debitus per sasinam datam Patricio Barclay de eisdem Apud Edinburgh vltimo die mensis Aprilis anno regni Regis vicesimo.

Viccomes de Perth respondebit pro xl libris de releuo omnium et singularum terrarum et baronie de Caircok cum molendino piscariis et siluis earundem et singulis suis pertinentiis jacentium infra balliam suam Regi debitas per sasinam datam Patricio Barclay de Towie de eisdem Apud Edinburgh decimo octauo die mensis Maii anno regni Regis predicto.

¹ [Abridged from the Liber Responsionum in Scaccario MS. General Register House, Edinburgh.]

PARISH OF STRICHEN.—(PAGE 61.)

Carta Andree Chalmer et Cristine Fraser sponse sue.¹ —(A.D. 1558)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilectis nostris Andree Chalmer filio et heredi apparenti Johannis Chalmer de Strathechin et Cristine Fraser sponse sue . . . totas et integras terras de Strathechin cum molendino granorum et fullonum tenentibus tenandriis ac liberetenencium seruiciis earundem Ac totam et integram quartam partem omnium et singularum terrarum de Rosseviot cum omnibus suis pertinenciis jacentem in regalitate de Garyauch infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Johannis Chalmer hereditarie et quas idem . . . in manibus nostris . . . simpliciter resignavit . . . Et quas . . . nos pro bono et gratuito seruicio nobis per dictum Andream impenso . . . creauimus . . . in vnam integram ac liberam baroniam omnibus temporibus affuturis Baroniam de Strathechin nuncupandam ordinantes maneriem de Strathechin fore principale messuagium eiusdem baronie . . . Tenendas et habendas . . . dictis Andree et Cristine sponse sue et ipsorum alteri dincius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus dicti Andree quibuscunque de nobis et successoribus nostris in feodo et libertate ac libera baronia imperpetuum . . . cum curiis et earum exitibus bludwitis herezeldis et merchetis mulierum cum furca fossa sok sak tholl theme infangtheif outfangtheif pit et gallouss . . . Reddendo inde . . . iura et seruicia . . . debita et consueta Reservato tamen libero tenemento . . . predictarum terrarum . . . dicto Johanni Chalmer pro toto tempore vite sue ac racionabili tertia parte earundem sponse sue cuiusque cum contigerit In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh octauo die mensis Nouembris anno Domini millesimo quingentesimo vicesimo octauo et regni nostri decimo sexto.

[Abridged from the Registrum Magni Sigilli, lib. xxii., no. 265. MS. General Register House, Edinburga.]

Carta Gilberti Chalmer et sue sponse. ¹—(A.D. 1554.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos quandam cartam . . . factam per dilectum nostrum Andream Chalmer de Straithechin . . . ad plenum intellexisse sub hac forma · OMNIBUS hanc cartam visuris . . . Andreas Chalmer de Straithechin salutem . . . Noueritis me . . . vendidisse . . . dilecto meo filio naturali Gilberto Chalmer et Jonete Pettendreich eius sponse . . . omnes et singulas terras meas dimedietatis vmbrales terrarum de Awquhorthy cum suis pertinentiis vna cum superioritate totius et integre dimedietatis solaris terrarum de Awquhorthy [cum] tenentibus tenandriis et liberetenencium seruiciis earundem ac suis pertinenciis iacentes in parochia de Rathen infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . dictis Gilberto et Jonete sue sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis Quibus forte deficientibus heredibus dicti Gilberti quibuscunque et suis assignatis de suprema domina nostra Regina et suis successoribus Regibus seu Reginis in feodo et hereditate imperpetuum . . . cum curiis et earum exitibus amerchiammentis eschaetis herezeldis bludewitis et merchetis mulierum . . . Reddendo inde . . . seruicium debitum et consuetum . . . In cuius rei testimonium sigillum meum huic presenti carte mee subscriptione mea manuali subscripte est appensum Apud Straithechin sexto die mensis Julii anno Domini millesimo quingentesimo quinquagesimo quarto Coram testibus Alexandro Scot Willelmo Franx Patricio Scot et Magistris Johanne Fraser vicario pensionario de Rathin et Willelmo Fraser notariis publicis cum diuersis aliis · QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo die mensis Nouembris anno Domini millesimo quingentesimo quinquagesimo quarto Et regni nostri duodecimo.

[Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 351. MS. General Register House, Edinburgh.]

Sasina de Auchquhortie.¹ —(A.D. 1573.)

Viccomes de Abirdene respondebit pro iij libris iij solidis de releuo totius et integre vmbialis dimedietatis terrarum de Auchquhortie cum pertinentiis Necnon superioritatis solaris dimedietatis dictarum terrarum de Auchquhortie cum pertinentiis cum tenentibus tenandriis et libere-tenencium seruiciis cum pertinenciis jacentium infra parochiam de Rathin et balliam suam Regi debitis per sasinam datam Willelmo Chalmer de eisdem Apud Edinburght xiiij^o die mensis Aprilis anno regni Regis sexto.

Sasina terrarum de Auchquhorteis data Joanni Chalmers.² —(A.D. 1613)

Viccomes de Abirdene respondebit pro xl solidis monete regni Scotie de firmis terrarum de Auchquhorteis cum molendino . . . infra parochiam de Rathin . . . existentibus in manibus supremi domini nostri Regis termini Penthecostes vltimo preteriti sasina non recuperata Et pro iij libris diete monete de releuo earundem dicto supremo domino nostro Regi debitis per sasinam datam Joanni Chalmers de eisdem Apud Edinburgh tertio die mensis Junii annis regni Regis quadragesimo sexto et vndecimo . 1613.

Carta Alexandri Chalmer et Elizabeth Johnnestoun sue sponse.³ —(A.D. 1554.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos dedisse . . . dilectis nostris Alexandro Chalmer nepoti et heredi apparenti Andree Chalmer de Streyehene et Elizabeth Johnnestoun sponse dicti Alexandri

¹ [From the Liber Responionum in Scaccario. MS. General Register House, Edinburgh.]

² [Abridged from the Liber Responionum in Scaccario. MS. General Register House, Edinburgh.]

³ [Abridged from the Registrum Magni Sigilli, lib. xxxii., no. 380. MS. General Register House, Edinburgh.]

. . . totas et integras terras de Streyehin cum molendinis multuris terris molendinariis annexis connexis *lie outsettis* piscariis tenentibus tenandriis liberetenencium seruiciis earundem ac suis pertinenciis jacentes in baronia de eodem et infra vicecomitatum nostrum de Abirdene Quequidem terre . . . dicto Andree Chalmer perprius hereditarie pertinebant Et quas idem . . . in manibus clarissime matris nostre Marie Regine Dotarie ac regni nostri Regentis . . . simpliciter resignauit . . . Tenendas et habendas . . . dictis Alexandro et Elizabeth eius coniugi ac eorum alteri diucius uiuenti in coniuncta incoflatione heredibusque inter ipsos legitime procreatis seu procreandis Quibus deficientibus legitimis et propinquioribus heredibus dicti Alexandri quibuscunq; de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo . . . jura et seruicia . . . debita et consueta Saluo . . . libero tenemento ac vitali reddito . . . prescriptarum terrarum . . . dicto Andree et Cristine Fraser eius coniugi eorumque alteri diucius uiuenti pro omnibus eorum vite diebus . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Peblis decimo quarto die mensis Decembris anno Domini millesimo quingentesimo quinquagesimo quarto Et regni nostri decimo tercio.

Carta confirmacionis Thome Fraser, ¹—(A.D. 1555)

María Dei gracia Regina Scotorum . . . Seiatis nos quandam cartam factam per Alexandrum Chalmer dominum feodi terrarum de Strathochin dilecto nostro Thome Fraser . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris . . . Alexander Chalmer feodatarius terrarum de Strathochin eternam in Domino salutem Noueritis me . . . vendidisse . . . dilecto consanguineo meo Thome Fraser filio honorabilis viri Alexandri Fraser de Philorth heredibus suis et assignatis omnes et singulas terras meas de Burrayhill Humleis Carne Fairnybray Anchorarie Qubitelull cum molendino vulgariter nuncupato *le Corne Mylne of Strathochin* et astrictis multuris eiusdem et suis pertinenciis jacentes in

¹ [Abridged from the Registrum Magui Sigilli, lib. xxxii., no. 249. MS. General Register House, Edinburgh.]

baronia de Strathechin infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . de suprema domina nostra Regina et suis successoribus . . . in feodo et hereditate imperpetuum . . . cum curiis et earum exitibus amerciamentiis eschaetis herezeldis bludewitis et merchetis mulierum . . . Reddendo inde . . . sernicium . . . debitum et consuetum . . . In cuius rei testimonium presenti carte mee subscriptione mea manuali subscripto sigillum meum proprium est appensum Apud ecclesiam de Phillorth vndecimo die mensis Maii anno Domini millesimo quingentesimo quinquagesimo octavo Coram hiis testibus Eduardo Fraser Thoma Criste Dauide Lemman Domino Willelmo Walear et Magistro Dauide Brody notario publico . QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo octavo die mensis Julii anno Domini millesimo quingentesimo quinquagesimo octavo Et regni nostri decimo sexto.

Carta confirmationis Thome Fraser. ¹—(A.D. 1558 et A.D. 1559.)

Franciscus et Maria Dei gracia Rex et Regina Scotorum Delphinus et Delphina Viennensis . . . Sciatis nos quandam cartam . . . factam per Alexandrum Chalmer feodatarium de Strathechin . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Alexander Chalmer feodatarius de Strathechin salutem . . . Noueritis me . . . vendidisse . . . dilecto consanguineo meo Thome Fraser filio honorabilis viri Alexandri Fraser de Phillorth . . . omnes et singulas terras dominicas siue dominicales de Strathechin cum molendino fullonum vulgariter nuncupato *The Walkmylne of Strathkin* cum pendiculis et pertinentiis earundem jacentes in baronia eiusdem infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . a me et heredibus meis de suprema domina nostra Regina et suis successoribus . . . in feodo et hereditate imperpetuum . . . Reddendo . . . sernicium . . . debitum et consuetum . . . In cuius rei testimonium huic presenti carte nostre subscriptione mea

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 509. MS. General Register House, Edinburgh.]

manuali subscripte sigillum meum proprium est appensum Apud Faythlie sexto die mensis Decembris anno Domini millesimo quingentesimo quinquagesimo octavo Coram his testibus Magistro Willelmo Fraser Edwardo Fraser Roberto Fraser Georgio Scott in Kyninmond et Magistro Dauide Brode notario publico cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh secundo die mensis Augusti anno Domini millesimo quingentesimo quinquagesimo nono Et regnorum annis primo et decimo septimo.

Carta Thome Fraser de Strachin et sue sponse.¹ —(A.D. 1573.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos . . . dedisse . . . dilecto nostro Thome Fraser de Strechin et Issobelle Forbes eius coniugi eorumque alteri diucius viuenti in coniuncta infeodacione et heredibus inter eos legitime procreatis seu procreandis Quibus deficientibus legitimis et propinquioribus heredibus dicti Thome quibuscunque hereditarie Totas et integras terras et baroniam de Strechin cum superioritate de lie Newtown de Strechin vnacum turre fortalicio molendinis multuris siluis piscariis . . . et singulis aliis suis pertinentiis jacentes infra vicecomitatum de Abirdene Que prius hereditarie pertinerunt dicto Thome Et quas ille in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate ac libera baronia imperpetuum . . . Reddendo . . . iura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxiv, no. 6. MS. General Register House, Edinburgh.]

By charter under the great seal, dated at Edinburgh, on the twenty-fifth day of January, 1590-1, King James VI. granted to Thomas Fraser of Knokie, and to the heirs male lawfully begotten between him and Elizabeth Forbes, his wife, whom failing to his heirs male and assignees, the lands and barony of Strachin, and the superiority of the town and lands of Newtown of Strechin, with the tower, etc., which formerly belonged to Katherine Fraser and Violet Fraser, daughters and heirs of the deceased Thomas Fraser of Strechin, and were by them resigned in the King's hands.—(Registrum Magni sigilli, lb. xxxviii, no. 269. See also Registrum Magni Sigilli, lib. xviii, nn. 378, 379.)

magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh octauo die mensis Octobris anno Domini millesimo quingentesimo septuagesimo tertio et regni nostri septimo.

Sasina baronie de Strechin data Thome Fraser. ¹—(A.D. 1612.)

Vicecomes de Abirdene respondebit pro xij libris monete Scotie de releuio . . . terrarum et baronie de Strechin . . . et presertim terrarum dominicalium de Strechin cum turre fortalicio hortis eiusdem . . . molendino granorum de Strechin . . . molendino fullonum de Strechin . . . terrarum et villarum de Burrahill Humleiskairne Fairnybray Achnary Quhythill Torquhat Halkhill Newhill Brounsyde . . . Newtown de Strechin . . . cum nouo molendino granario de Strechin . . . infra parochiam de Rethin . . . in vnam liberam baroniam . . . incorporatam Baroniam de Strechin nuncupatam . . . supremo Domino nostro Regi debitis per sasinam datam Thome Fraser nunc de Strechin apud Edinburgh quarto die mensis Novembris annis regni Regis quadragesimo sexto et decimo . 1612.

[Abridged from the Liber Responionum in Scaccario. MS. General Register House, Edinburgh.]

PARISH OF PETERHEAD.—(PAGE 66.)

Localitie of the augmentioun for the Kirk of Peterhead, ¹—(*Circa*
A.D. 1630.)

The old stipend of Piterhead is thrie chalderis meill ane hundreth thrittie foure merkis of siluer with the vicarage as the same is presentlie possessit be the Minister for serving the cure at the said Kirk and for furnessing of the elementis to the communionie · The new augmentatione condiscendit vuto is twa chalder beir and ane chalder meill to be payit out of the landis followis according to this divisione · *videlicet* ·

Out of the Earle Merschellis lands of Torterstoun Auchtigall Inuer- nettie Collilaw Grange Clerkhill and Piterheid	22 bollis ·
Out of the landis of Boddome and Blak House (Alexander Keith) ·	7 bollis · 1 firloft · 3 pekis ·
Out of Myresyde (Sir William Keijth of Ludqubarne)	2 bollis · 2 firloftis · 1 peck ·
Out of Balmure (Alexander Keith) ·	3 bollis · 3 pekis ·
Out of Little Coklaw (Nathanieel Keith)	3 bollis · 3 pekis ·
Out of Denis (John Keith of Gla- chria)	1 boll · 3 pekis ·
Out of Ailhousehill (Frances Fraser of Kimmundie)	2 firloftis · 2 pekis ·
Furth of Duniehillis (Thomas and Mr William Robertsones) ·	1 boll · 2 pekis ·
Furth of Mekle Coklaw Newseat Clubscorss and Glendevine (Wil- liam Scattoun of Vdney) ·	6 bollis · 2 firloftis · 3 pekis ·

[From the original in the General Register House, Edinburgh.]

Sir

My Lord agrees with this divisione and localitie for the augmentatione As for the old stipend he is oblist in payment of it himself I rest

Your seruand

R Keith

To his loueing brother
Mr James Aikenheid
Advocat

Resignacio Georgii de Narne. ¹—(A.D. 1472.)

Be it maide kende til al men . . . me George of Narne of Sandfurde til haue mad . . . honorable and virchipful menn Johnn of Ogistounc of the Crag Alexander of Setoun of Meldrum Alexander of Murray of Culberdy William of Petyndrych of that Ilke Robert Stewart of Latheris and Alexander Cumyng of Ernyschede . . . my . . . procuratouris . . . to resyug and upgyf in the hands of ane honorable and mychty lord George erle of Huntle and lord Gordon of Bathyenach al and hail the landis of Balmvyr Coklaw and Trotarstone with thar pertinentis liand within the serefdoume of Abirdene perteneande til me be ryecht of here-tage . . . be thir my present lettres to the quhilkis in vitnessyng for euermar induryng I haue hung my proper seel at Perth the twenty day of the moneth of June the yher of God a thousand four hundreth sevinte and tua yeris befor thir vitnes Schir James of Ogilvy of Deskfurd James Innes of that Ilke Valter Ogilwy of Auchlevin and Beiraldus Innes George of Dumbar Villiam of Guthre and John Chernsid witht otheris diners.

Instrumentum super alienacione quarte partis terrarum de Balmur Trotarstone Coklaw Buthlaw Deneside et Mylnhill. ¹—(A.D. 1472.)

In Dei nomine Amen . . . Cunetis pateat . . . quod anno incarnationis

¹ [Abridged from the original in the Scabster charter chest. Part of the seal remains, but is defaced.]

[Abridged from the original in the Scabster charter chest.]

Dominice millesimo quadringentesimo septuagesimo secundo mensis vero Junii die vicesima tertia . . . In mei notarii publici et testium subscriptorum presencia personaliter constituta honorabilis domina Joneta Fentoune junior filia et vna heredum quondam Walteri Fentoune domini de Bakay cum consensu . . . Willelmi Haket carissimi sponsi sui . . . fatebatur et concessit in puram et perpetuam alienacionem omnes et singulas quartas partes terrarum suarum de Balnwr Trotterstoune Coklaw Butklaw Deneside et Myln hill cum molendino cum . . . earundem pertinenciis . . . jacentes infra vicecomitatum de Abirdene dari . . . honorabili viro Alexandro de Dunbar de Westfield militi heredibus et assignatis suis a dicta Joneta heredibus et assignatis suis imperpetuum . . . Quasquidem concessionem et alienacionem . . . dicta Joneta tactis sacrosanctis Dei ewangeliiis corporale prestitit juramentum quod nunquam . . . contra dictas concessionem et alienacionem . . . aliquatenus deuenire aut contradicere . . . Acta erant hec apud Cultuthir in oratorio eiusdem hora quinta vel eacirca post meridiem . . . presentibus ibidem prouidis uiris Georgeo de Dunbar Roberto Andersoune Roberto Haket Johanne Kibbil Thoma Kello et Roberto Moir testibus cum multis aliis ad premissa vocatis specialiter et rogatis.

Et ego Johannes Duncani Sanctiandree diocesis publicus auctoritibus Imperiali et Regali notarius [*etc. in forma communi.*]

Resignacio Willelmi Haket et Jonete de Fentoune sponse sue.—¹ (A.D. 1472.)

Vniuersis pateat per presentes me Jonetam de Fentoune juniorem filiam et vniam heredum quondam Valteri Fentoune domini de Bakay . . . cum consensu . . . Willelmi Haket carissimi sponsi mei fecisse . . . honorabiles et prouidos viros Johannem Ogstoune de Crag Alexandrum Murray de Cowberny Georgeum de Lesly Willelmum Prenderlath de eodem Johannem Scheuale Willelmum Smowt Thomam Smowt Johannem Murray et Georgeum de Dunbar meos . . . procuratores . . . ad

¹ [Abridged from the original in the Scrabster charter chest.

The seal of Janet of Fentoune remains: it shows three crescents on a shield, with the circumscription S. IONETE FENTON MINORIS, as described in H. Laing's *Scottish Seals*, p. 63, no. 327. The seal of her husband, William Haket, is gone.]

resignandum . . . in manibus nobilis et potentis domini Georgei comitis de Huntle domini Gordoune et Badenaeh omnes et singulas quartas partes terrarum nearum de Balmwr Trotterstoune Coklaw Buthlaw Deneside et Alehoushill cum molendino ac . . . pertinenciis quas de dicto Domino Comite tanquam domino superiore . . . teneo in capite . . . In cuius rei testimonium sigillum meum vnacum sigillo dicti Willelmi Haket sponse mei in testimonium sui consensus . . . presentibus sunt appensa apud Perth vicesimo tercio die mensis Junii anno Domini millesimo quadringentesimo septuagesimo secundo.

Instrumentum saisine de Tortarstoun Coklaw etc. ¹—(A.D. 1472.)

In Dei nomine Amen Anno Incarnacionis Dominice millesimo quadringentesimo septuagesimo secundo mensis vero Julii die octauo . . . In mei notarii publici et testium subscriptorum presencia personaliter constitutus prouidus vir Willelmus Pettindreche de eodem balliuus nobilis et potentis domini Georgii comitis de Huntle domini le Gordoune et de Badyenache sufficienter constitutus . . . per vnam literam in pergamento scriptam . . . sigillatam vero sigillo dicti Domini Comitis rubea cera alba impressa quamquidem literam michi notario publico . . . tradidit perlegendam dictamque literam tenui perlegi et wlgariter exposui quibus factis . . . dictus balliuus . . . tradidit . . . sasinam . . . hereditariam . . . omnium et singularum terrarum de Tortaristoune de Coklaw et de Balmure et de molendino de Tortaristoune cum suis pertinenciis jacentibus infra vicecomitatum de Abirdene nobili viro Domino Alexandro de Dunbar de Westfield militi per tradicionem terre et lapidis . . . Acta erant hec super fundo predictarum terrarum . . . presente venerabili in Christo patre et domino Willelmo permissione diuina abbate de Dere et Thoma de Kynnarde de Culbyn Andrea Knox de eodem Willelmo Murrave armigero Alexandro Qubithel Gilberto Fordice et Thoma Cristisone cum multis aliis . . .

Et ego Johannes Kemlok presbiter Brechinensis publicus Imperiali et Regali autoritatibus notarius [*etc. in forma communi.*]

¹ [Abridged from the original in the Scrabster charter chest]

Instrumentum super terris de Coklaw Balmur et Tortarstoune, ¹ —(A.D. 1473.)

In Dei nomine Amen . . . Cunctis pateat . . . quod anno ab incarnatione eiusdem millesimo quadringentesimo septuagesimo secundo / Indictione sexta mensis Februarii die vero nona . . . In mei notarii publici et testinum subscriptorum presencia personaliter accesserunt nobiles domini et viri Johannes dominus Dernle Dominus Alexander de Dunbar de Westfeild miles et Magister Gilbertus Haye de Vry procuratores nobilis et potentis domini Alexandri comitis de Huntle domini Gordoune et Baidienache ad presenciam nobilis et potentis domini Andree domini Avandale cancellarii Scotie et . . . procuratorio nomine quo supra humiliter petierunt a dicto Domino Cancellario tanquam nomine Regis terras de Coklaw Balmur et Tortarstoune cum pertinenciis alias in manibus domini nostri Regis recognitas ad plegium dimitti Offerentes nomine prefati Comitis facere pro eisdem terris id quod de jure facere tenetur Et solemniter protestarunt nomine quo supra quod detencio ipsarum terrarum sub recognitione non cederet sibi Domino Comiti de Huntle in preiudicium penes firmas et proficua earundem . . . Acta erunt hec infra burgum de Edinburgh in hospicio Episcopi Abirdonensis hora quasi decima ante meridiem . . . presentibus ibidem reuerendo in Christo patribus Thoma episcopo Abirdonensi Willelmo episcopo Orchardensi nobilibus et prepotentibus dominis Colino comite de Ergile domino Lorn David comite Craufurdie Magistris Archibaldo de Qubitelaw decano de Dunbar secretario David Guthre de eodem Domino Johanne Laing thesaurario et Domino Willelmo Knollis preceptore de Torfichin milite cum multis aliis testibus . . .

Et ego Alexander Scot Sanctiandree diocesis publicus Imperiali et Regali autoritatibus notarius [*etc. in forma communi.*]

[Abridged from the original in the Serabster charter chest.]

Sasina de Ravinniserag etc. ¹ —(A.D. 1522.)

Vicecomes de Abirdene respondebit pro xv libris de firmis dimedietatis terrarum de Brodland Mylhill Rothnoquhy Karnes Karniglass cum molendino de Creichmont et suis pertinenciis jacentis infra balliam suam existentibus in manibus Regis termini Sancti Martini vltimo elapsi sasina non recuperata Et pro ij denariis argenti per duplicationem albefirme eiusdem dimedietatis terrarum Regi debitis per sasinam datam Margarete Keith de eadem apud Edinburgh secundo Junii anno regni Regis nono.

Vicecomes de Abirdene respondebit pro iij libris de firmis dimedietatis terrarum de Ailhousshill Scottis Myll Ravinscrag cum pertinenciis jacentis infra balliam suam existentibus in manibus Regis termini Sancti Martini vltimo preteriti sasina non recuperata Et pro ij denariis argenti per duplicationem albefirme eiusdem dimedietatis terrarum Regi debitis per sasinam datam diete Margarete de eadem dimedietate terrarum apud Edinburgh die et anno regni Regis predictis.

Idem Vicecomes respondebit pro tanta summa firmarum et tanta duplicatione albefirme alterius dimedietatis predictarum terrarum Regi debita per sasinam datam Elizabeth Keith sorori diete Margarete de eadem apud Edinburgh die et anno regni Regis prescriptis.

Carta confirmacionis Johannis Keithe de Ravynniserag. ² —(A.D. 1543.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam . . . factam per consanguineam nostram Margaretam Keith

¹ [From the Liber Responsonum in Senecario. MS. General Register House, Edinburgh.]

² [Abridged from the Registrum Magni Sigilli, lib. xxviii., no. 551. MS. General Register House, Edinburgh.]

On the first day of April, 1589, George earl Marischal, lord Keith and Inverngy, confirmed and granted of new to John Keith, eldest lawful son and apparent heir of Andrew Keith of Ravinscrag, the lands of the Mains of Forterstoun; the manor, fortalice, and castle of Ravins-

Mariscalli comitissam ac de Inuerugy dominam . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Margareta Keith comitissa de Marscheall ac domina de Inuerugy salutem . . . Noueritis nos de consensu . . . nobilis et potentis domini Willelmi comitis de Marschell sponsi nostri charissimi dedisse . . . dilecto auunculo nostro Johanni Keith de Ravynniseraig et suis heredibus subscriptis Totas et integras terras de Brodland Rettray et Mylnhill cum pertinentiis terras de Carneglas et Carnes terras de Routhnochy cum molendino earundem de Cremond nuncupato terras de Coklay Dounhillis et Dennis terras de Torterstoun Buthlaw terras de Ailhoushill cum molendino earundem Scottis Mylne nuncupato terras de Ravynniseraig cum rupe et fortalicio seu castro eiusdem cum tenentibus tenandriis ac libereteneccium seruiciis . . . ac piscariis earundem tam in aqua dulci quam salsa et omnibus . . . suis pertinenciis . . . jacentes in baronia nostra de Inuerugy infra vicecomitatum de Abirdene Quequidem terre . . . fuerunt perprius hereditarie dieti Johannis Keith Et quam idem . . . personaliter apud Dumnoter . . . in manibus nostris tanquam in manibus domine

craig, with the mill called Scottis Mylne: the lands of Ailhoushill, Cokley, Dennis, Dounhillis, Thundertoun, the Outhill, and Cranloch, Glendenny, Bouthlaw, and Newsait; the lands of Brodland; the lands of Mylnhill, with the mill called the Mylne of Crannoch; the lands of Rothnachie, Carneglas, and Carness, with the fishings as well in fresh water as in salt water, and all other appurtenances, lying in the sheriffdom of Aberdeen, and barony of Inuerugy; to be held of the Earl and his successors in fee and heritage, for payment of four pennies at the castle of Ravynsraig, on the Feast of Penthecost yearly, in name of blench ferme. The Earl's charter (which is witnessed by Sir Robert Keith, Lord Altrie, Sir Andrew Keith, Lord Dingwall, and Master George Fraser) was confirmed by King James VI. by a charter under the great seal, dated at Halyrudhous, on the fifteenth day of December, 1593.—(Registrum Magni Sigilli, lib. xxxix., no. 171.)

By charter, under the great seal, dated at Halyrudelhous, on the second day of February, 1602, King James VI. confirmed to Alexander Keyth of Balmure, and the heirs lawfully begotten between him and Margaret Knowis, some time his wife, the north part of the lands of Logyruif, in the barony of Tullydeff, and sheriffdom of Aberdeen, on the resignation of William Knowis of North Logyruif, the said Margaret Knowis his daughter, and the said Alexander Keyth, then her husband. The lands are described as thus bounded: 'Begynnand at the grit moss syle anent the wall of Logyruif and throw the middle wall lineallie to the heid of the Raidgait descending eist the said gait lineallie throche the lie straucht throw the Brounfauld throw the Mercategait, and throw the Blackfauld of Logyruif lineallie to the south nuke of the Mossfauld of Ratastoun descending south leveand thrie rigis next the marche of Laniestoun quhill it cum to the burne of Orcheartoun eikand mair at the nether end nor at the heid to be in propirte to the said north part of Logyruif to ane loue as the merchis and proppis heiris.—(Registrum Magni Sigilli, lib. xlii., no. 242.)

sue superioris . . . simpliciter resignavit . . . Tenendas et habendas . . . dicto Johanni Keith de Ravynniscrag et suis heredibus masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus Jacobo Keith fratri germano dicti Johannis et heredibus suis masculis de corpore suo legitime procreatis seu procreandis Ac illis deficientibus Johanni Keith de Balmure patrueli dicti Johannis Keith de Ravynniscrag et suis heredibus masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus Jacobo Keith patruo dicti Johannis Keith et heredibus suis masculis de corpore suo legitime procreatis seu procreandis Quibus omnibus (quod absit) deficientibus heredibus masculis dicti Johannis Keith de Ravynniscrag quibuscunque cognominis de Keith et arma nostra de Inuerugy gerentibus de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . nobis et heredibus nostris quatuor denarios vsualis monete Scotie apud dictum castrum de Ravynniscrag in Festo Penthecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium sigillum nostrum proprium vna cum nostra subscriptione manuali necnon sigillo et subscriptione manuali charissimi nostri sponsi antedicti in signum sui consensus . . . ad premissa presentibus est appensus Apud castrum de Dunnoter septimo die mensis Maij anno Domini millesimo quingentesimo quadagesimo tertio Coram hiis testibus Roberto Keith Magistro David Keith Willelmo Keith Alexandro Keith et Magistro Thoma Annand notario publico cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh quinto die mensis Augusti anno Domini millesimo quingentesimo quadagesimo tercio.

Preceptum carte pro Domino Willielmo Keith de Lu-lquharne milite baronetto super terra et baronia et regalitate de Lu-lquharne infra Novam Scotiam.¹—(A. D. 1629.)

Preceptum carte facte per Supremum Dominum Nostrum Regem

¹[From the Registrum Preceptorum Cartarum pro Baronettis Nove Scotie, fol. 67. MS General Register House, Edinburgh. Cf Registrum Magni Sigilli. lib. lli. no 259.

By a charter, under the great seal, dated at Halyrudhous, on the thirty first day of March,

Domno Willielmo Keith de Ludquharne militi heredibus suis masculis et assignatis quibuscunque super tota et integra illa parte et portione regionis et domini Nove Scotie in America bondata et limitata vt sequitur videlicet Incipiendo ex parte maxime boreali baronie et regalitatis de Agnew Domino Patricio Agnew militi hereditarie spectantis super maris littus et illinc pergendo per spacium sex miliarium observando omnimodo tria miliaria in latitudine et predicta baronia de Agnew pro limite ejusdem versus austrum Cum castris turribus fortaliciis etc Quequidem terre resignate fuerunt per ipsum in manibus Supremi Domini Nostri Regis pro hac nova carta et infeodatione hereditaria prefato Domino Willielmo Keith desuper conficienda etc Preterea cum clausula vnionis etc in vniam integram et liberam baroniam et regalitatem omni tempore affuturo Baroniam de Ludquharne nuncupandam Tenenda de dicto Supremo Domino Nostro Rege et successoribus suis de corona et regno Scotie in libera alba firma pro annua solutione vnus denarii vsualis monete dicti regni Scotie super solum et fundum dictarum terrarum nomine albefirme si petatur tantum vel alicujus earundem partis in die Festi Natiuitatis Nostri Salvatoris etc Et quod vnica sasina apud castrum de Edinburgh capienda erit sufficiens pro omnibus et singulis terris edificijs particulariter et generaliter suprascriptis Et quod dictus Willielmus Keith sui que heredes masculi et assignati antedicti habebunt insignia procedentia de manu armata et nuda conjunctis cum hoc dicto **MUNIT HEC ET ALTERA VINCIT** Et cetera in communi forma cartarum baronettis concessarum etc Apud Quhythall vigesimo octauo die mensis Julii anno Domini millesimo sexcentesimo vigesimo nono regni nostri anno quinto.

1630, King Charles I. granted to Sir William Keith of Ludquharne, knight, in liferent, and to William Keith, his eldest lawful son and heir apparent, in fee, the ten merk lands of the barony of Troup, called the lands of Northfeild, with that part of Quhyfeild, which of old belonged to the Mains of Troup, lying in the barony of Troup, and sherrifdom of Banff, on the resignation of William earl Marisbal, lord Keith and Altrie.—(Registrum Magni Sigilli, lib. lli. no. 261.)

PARISH OF ST. FERGUS OR LONGLEY.—(PAGE 72.)

Charter of the Kirktoon of Lungley. ¹—(A.D. 1562.)

ANE charter maid be Maister Gilbert Keith vicar of the parioche kirk of Lungley with consent of noble and potent lordis Williame maister of Merscheall and William erll Merscheall vndoutit patronis of the saide kirk To George Keith first begotten sone and apperand air to the said William maister of Merschaell his airis and assignais Of all and hail the Kirktoon of Lungley callit Over Scottistoun with all and sindrie pertinentis and pendiclis tharof quhatsumeuir *viz*licet Twa fauldis callit Inche Cumming lyand in the the territorie of Blakwatter And ane fauld callit Broklaw lyand on the south part of the north hill of Southessie And ane fald callit Wattis Fauld lyand on the south part of Southessie togidder with the fauld callit Tilledivye thair lyand in the parochin of Lungley within the schawedome of Banff with all thair pertinentis pertening in patrimony to the vicar and kirk forsaid To be haldin of him and his successouris vicaris thairof Paying thairfore yeirlic the sovne of sax pundis money of this realme . . . Reseruing the tak and assedatioun grantit be the said vicar of all and sindrie the forsaidis landis for the space of nyntene yeris to the said William erll Marischeall quhais entrie thairto wes at the Feist of Whitsunday in the yeir of God j^m v^e lxij yeris With a precept of seising in the end of the said charter dyrect to Andro Falloun baillie nauit thairin Datit at Inuerugy the xxij day of Junij the yeir of God j^m v^e thre score and twa yeris Before witnessis James Keith of Drumtochty Monane Hog in Blerhlyne Maister Myddiltoun burgess and Thomas Smythit with vtheris dyuers

[From the Abbreviationes Cartarum Feudifirme Terrarum Ecclesiasticarum. MS. General Register House, Ldiuburgh.]

Carta tallie terrarum de Kyleleth pro Johanne de Cragy et tribus heredibus masculis quibus deficientibus germano suo Reginaldo Chene pro tempore vite sue. ¹—(A.D. 1267.)

Omnibus hoc scriptum visuris . . . Willelmus Dei gracia Episcopus Sancti Andree salutem . . . Vestra nouerit vniuersitas quod nos . . . dedimus . . . Johanni de Cragy filio quondam Willelmi de Cragy armigero nostro . tribus heredibus masculis de corpore suo proceandis successiue totam terram nostram de Kylelethe . . . Et idem Johannes ac heredes sui predicti soluent nobis et nostris successoribus annuatim pro firma terre predictae decem libras sterlingorum . . . Et facient sectam ad curias nostras de Liston debitas et consuetas . Insuper si

¹ [Abridged from the Registrum Magni Sigilli, rot. iv., no. 33, (MS. General Register House, Edinburgh,) where it is engrossed in a charter of confirmation by King Robert II., given under the great seal at Perth, on the thirteenth of February, 1373.]

Label del Chene appears as a witness to charters granted by William de Vipont to the monks of Coldingham, between the years 1147 and 1160.—(Laine's North Durham, appendix, pp. 36, 37, nn. clv, clvi.)

William de Chesne appears as a witness to a charter granted to the canons of Holyrood, by William de Vipont, the son and heir of Willam de Vipont and Emma de St. Hilary, between the years 1198 and 1214.—(Liber Cartarum S. Crucis, p. 18.)

Reginald Cheyn was one of the barons of Scotland, who, on the eighteenth day of March, 1258-9, made a compact with Lewelin, prince of Wales, and his chiefs, that neither the Scots nor the Welsh should make peace with the King of England, without mutual consent.—(Foedera, vol. i., p. 370, edit. Lond. 1816.)

Sir Richard le Chene, knight, is witness to a charter by Alexander Comyn, earl of Buchan, dated at Kelly, in Buchan, in September, 1261.—(Registrum Episcopatus Aberdonensis, vol. ii., p. 277.)

Sir Reginald le Chen is a witness to a writ by King Alexander III. in 1264. (Compota Camerariorum Scotiae, vol. i., p. 16.)*

'Anno Domini MCCLXVII. Reginaldus le Chene camerarius Regis effectus est.' (J. de Fordun Scotichronicon, lib. x., cap. xxii.) 'Anno Domini MCCLXIX. Reginaldus le Chene camerarius Domini Regis eorum suam reliquit: et Dominus Thomas, filius Thomae filii Ranulphi, vir magnae mansuetudinis et sapientiae, camerarius Domini Regis effectus est.'—(Id. lib. x., cap. xxvi.)

Reginald le Chene, chamberlain, is witness to a charter by King Alexander III., at Elgin, on the twenty-eighth day of November, 1268.—(Original in the charter room of the city of Elgin.)

Reginald le Chen was sheriff of Kincardine or the Mearns in 1264, and sheriff of Kincardine or the Mearns, and fermor of the thanage of Fermartyn in 1266. Reginald le Chen, the father, was sheriff of Kincardine or the Mearns in 1250. Reginald le Chen was sheriff of Invernairn in 1292. (Compota Camerariorum Scotiae, vol. i., pp. 20,* 32,* 33,* 77* ; Registrum Episcopatus Aberdonensis, vol. i., p. 158. Acts of the Parliaments of Scotland, vol. i., appendix to preface, p. 12.)

contingat quod absit quod dictus Johannes sine herede masculo de se genito ad fata decedat volumus et concedimus quod Reginaldus Chene germanus eius pro toto tempore vite sue habeat . . . prelictam terram . . . vt est dictum In cuius rei testimonium sigillum nostrum autenticum vna cum communi sigillo capituli nostri . . . presenti scripto nostro appositum est patenti Datum apud Sanctum Andream in capitulo eiusdem decimo die mensis Julij anno gracie m^{mo} ccc^{mo} sexagesimo septimo.

Carta de terris de Strathnavir concessis ad feodifirmam Domino Reginaldo le Chen minori et Marie sponse sue.¹ —(A. D. 1269.)

Omnibus sancte matris ecclesie filiis . . . Archibaldus Dei gratia Moraviensis episcopus salutem . . . Noverit universitas vestra nos . . . dedisse . . . Domino Reginaldo le Chen minori domino de Duffus et Marie sponse sue filie quondam Friskyni de Moravia et heredibus suis ex ipsis procreatis et procreandis ad feodifirmam totam terram nostram de Strathnavir Cattanensis diocesis . quam nobilis mulier Domina Johanna sponsa Domini Friskyni de Moravia contulit nobis et ecclesie nostre Moraviensi in puram et perpetuam elemosinam ad sustentationem duorum capellanorum in eadem perpetuo ministrandorum . videlicet de Langeval et Rossewal . de tofflys de Dovyv . de Achenedess . de Clibr' . Ardovyv

¹ [Abridged from the Registrum Episcopatus Moraviensis, pp. 139, 140.]

Sir Reginald le Chen, the father, and Sir Reginald le Chen, the son, appear as witnesses to a charter by Alexander Cumyng, earl of Buchan, dated at Kelly on the first Sunday after Candlemas, 1272-3.—(Registrum Episcopatus Aberdonensis, vol. i., p. 34.)

Reginald le Chen is witness to a charter by King Alexander III., at Kynlor, on the second day of December, 1273.—(Original charter in the archives of the city of Aberdeen.)

Sir Reginald le Chen, knight, is witness to a charter by Malise, earl of Strathorne, about the year 1280, along with Alexander Comyn, earl of Buchan, and Sir Freskyn of Murray.—(Liber Insule Missarum, p. xxxiv.; Registrum Episcopatus Moraviensis, p. 465.)

Sir Reginald le Chen, knight, the father, was present with Alexander Cumyn, earl of Buchan, in a court of justiciary, held on the moor of Nigg, in 1281.—(Registrum Vetns de Aberbrothoc, p. 164.)

Sir Reginald le Chyne, knight, is a witness, along with Alexander Comyne, earl of Buchan, and Donald, earl of Marr, to charters by King Alexander III., dated at Kynlor, on the twenty-ninth day of March, 1285, and at Seone on the thirtieth of April, 1285.—(Registrum Magni Sigilli, lib. i., no. 149; Registrum Honoris de Morton, vol. ii., p. 10.)

et Cornefern' . . . Tenendam et habendam sibi et heredibus suis supra-
dictis de nobis et successoribus nostris . . . Reddendo inde singulis
annis ad canoniam de Elgyn . . . duodecim marcas sterlingorum . . . ad
sustentationem duorum capellanorum predictorum . . . In hujus rei
testimonium presenti scripto sigillum nostrum una cum sigillo capituli
nostri fecimus apponi . cum subscriptionibus canonicorum . Datum apud
Kenedor in Moravia [anno gracie] m^o . cc^o . lx . nono . mense Maio.

Conventio inter Magistrum et Fratres domus Hospitalis Jerusolyme de
Torphehin et Dominum Reginaldum dictum le Cheyn militem et
Eustachiam vxorem suam. ¹—(Circa A.D. 1280.)

Cum controuersia mota fuisset . . . super jure patronatus ecclesie de
Houiltre Glasguensis diocesis inter viros religiosos Magistrum et Fratres
Hospitalis Jerusolyme de Torphehin ex parte vna . et Dominum Reginal-
dum dictum le Cheyn militem et Eustachiam dicti militis vxorem
nomine dicte Eustachie ex altera . Tandem pro bono pacis tam dicti
religiosi . . . quam dicti Reginaldus et Eustachia eius vxor super toto
jure quod vtraque pars in dicta ecclesia se habere dicebat . . . ordinacioni
venerabilis patris . R . Dei gracia Episcopi Glasguensis se subposuerunt .
Qui de consensu vnanimi . . . totius capituli ecclesie Glasguensis . ita
ordinauit . quod dicti Magister et Fratres et eorum successores habeant
imperpetuum in puram et perpetuam elemosinam quatuordecim libras
sterlingorum annuas absque omni onere nomine simplicis beneficii in
ecclesia predicta pro jure quod iidem Magister et Fratres in iure pa-
tronatus dicte ecclesie habuerunt . quas quidem quatuordecim libras
recipient . . . per manus rectoris pro tempore ministrantis . . . Et
quod jus patronatus dicte ecclesie penes dictam Dominam Eustachiam
et eius heredes in perpetuum remaneat . . . In cuius rei testimonium
parti huius instrumenti in modum cyrographi confecti penes dictos
Magistrum et Fratres residenti / appensa sunt sigilla venerabilis patris .
R . Dei gratia episcopi Glasguensis et eiusdem loci capituli necnon sigilla
dicti Domini Reginaldi et Eustachie eius vxoris . parti vero dictorum

¹ [Abridged from the Liber S. Marie de Melros, vol. i., no. 327, pp. 288-291.]

Reginaldi et Eustachie appensa sunt sigilla prelieti venerabilis patris · R · Dei gracia episcopi Glasguensis et eiusdem loci capituli neonon capituli de Torphehin.

Conventio inter portionarios de Duffus scilicet Willelmum de Fedreth et Cristianam sponsam suam ex una parte et Dominum Reginaldum le Chene filium militem ex altera.¹ —(A.D. 1286.)

Noverint universi . . . quod anno Domini millesimo · ce^o · octogesimo sexto · die Dominica ante Annunciationem Beate Marie Virginis · in ecclesia cathedrali de Elgyn · talis questio facta fuit inter Willelmum de Fedreth portionarium de Duffhus et Cristianam sponsam suam ex una parte · et nobilem virum Dominum Reginaldum le Chene filium militem ex altera · videlicet quod prefatus · W · et · C · doleerunt . . . prefato Domino · R · quatuor davatas terre quas nunc habent in Strathnavyr · ac etiam omnes alias terras quas quocunque titulo . . . habere poterunt in

¹ [Abridged from the Registrum Episcopatus Moraviensis, pp. 342, 343.]

In 1285, Sir Reginald le Chen, the father, granted to the monks of Arbroath, dwelling in the religious house built on the land of Ardlogy, beside the church of St. Peter of Fyvie, the land of Ardlogy and of Leuchendy. The charter, dated at Aberdeen on the feast of St. Luke the evangelist, 1285, had the seal as well of the grantor as of his son and heir Sir Reginald le Chen. —(Registrum Vetus de Aberbrothoc, pp. 166, 167, 312; Registrum Episcopatus Aberlonensis, vol. i, p. 225.)

Reginald le Chen, the father, and Reginald le Chen, the son, are among the barons of Scotland who, on the fifth day of February, 1283-4, bound themselves to maintain the right of the Maiden of Norway to the Scottish crown.—(Acts of the Parliaments of Scotland, vol. i., p. 114; Foedera, vol. i, p. 638.)

Reginald le Chene, the father, and Reginald le Chene, the son, are among the barons of Scotland who, on the seventeenth day of March, 1289-1290, gave their assent to the marriage of Queen Margaret of Scotland with Prince Edward of England.—(Acts of the Parliaments of Scotland, vol. i., p. 114; Foedera, vol. i, p. 730.)

Reginald le Chen, the father, and Reginald le Chen, the son, were two of the assessors named by Sir John de Balliol, lord of Galloway, and John Comyn, lord of Badenach, in the competition for the Scottish crown, on the fifth day of June, 1291.—(Foedera, vol. i, p. 757; Palgrave's Documents illustrating the History of Scotland, vol. i, p. 7)

Their seals are in the Chapter House at Westminster. The seal of the father shows a bend on a field semé of cross crosslets fitchée, with the legend s DOMINI REGINALDI LE CHEN. The seal of the son shews a shield semé of cross crosslets fitchée, on a bend three escallop shells, with the legend s REGINALDI LE CHEN FILII.—(H. Laing's Scottish Seals, p. 35, nn. 176, 177.)

futuro in tenemento de Strathnavyr · tenendas et habendas a predictis · W · et · C · et heredibus suis eidem Domino Reginaldo et heredibus suis imperpetuum . . . Predictus Dominus · R · et heredes sui pro prefatis · W · et · C · et heredibus eorum facient tertiam partem liberi servitii unius militis pro tenemento quod prefati · W · et · C · et heredes eorum nunc habent in baronia de Duffhus et in baronia de Strathbrok vel . . . habere poterunt in futuro · Faciet etiam dictus · R · et heredes sui sectam ad curiam Domini Regis justiciarii et vicecomitis quantum spectat ad partem ipsos · W · et · C · et heredes suos in tenemento de Duffhus et de Strathbrok nunc contingentem vel in posterum contingere valentem · ita videlicet quod homines dictorum · W · et · C · et heredum suorum venient ad prefatas curias et intererunt et testimonium de dicta secta pro tertia parte ipsos contingente in tenemento de Duffhus et de Strathbrok perhibebunt · Hoc etiam adjecto quod homines et tenentes dictorum · W · et · C · et heredum suorum facient Scoticanum servitium quotienscunque hujusmodi servitium contigerit exigi vel prestari · Salvis etiam prefatis · W · et · C · et eorum heredibus omnibus juribus et libertatibus ad dietas duas baronias de Duffhus et de Strathbrok pertinentibus pro parte ipsos nunc contingente seu . . . in posterum contingere valente · Et ut omnia . . . predicta firma manteneant . . . predicte partes in presentia venerabilis patris · A · Dei gratia episcopi et capituli Moraviensis et aliorum multorum fidedignorum fide media corporale prestiterunt sacramentum . . .

Pro Reginaldo le Chen seniori et Reginaldo le Chen juniori. ¹—(A.D. 1291.)

Edwardus Dei gratia Rex Anglie . . . et superior Dominus regni Scotie venerabili in Christo patri A · eadem gratia Catanensi episcopo cancellario Scotie salutem Mandamus vobis quod per literas sigillo regimini regni Scotie deputato sigillatas custodi foreste de Spe detis in mandatis quod in eadem foresta faciat habere dilectis et fidelibus nostris

¹ [From the Rotuli Scotie, vol. i., p. 5.]

Reginaldo le Chen seniori decem cervos et Reginaldo le Chen juniori sex cervos de dono nostro . . . Teste Rege apud Thresk xxiiij die Augusti anno regni Regis nonodecimo.

Litere pro Reginaldole Chyen patri et Reginaldo le Chyen filio. ¹ —(A.D. 1292.)

Edwardus Dei gratia Rex Anglie . . . et superior dominus regni Scotie dilecto sibi Reginaldo de Chyen patri vicecomiti de Invernarne Kincardin et de Fermartyn Invery salutem Sciatis quod illas quadringentas et decem et novem libras quindecim solidos quatuor denarios et obolum in quibus nobis tenemini de areragiis compoti vestri de tempore in quo fuistis vicecomes comitatum predictorum assignavimus venerabili patri Roberto episcopo Glasguensi . . . Teste Rege apud Rokesburgh xiiij die Decembris anno regni Regis vicesimo primo.

Eodem modo mandatur Reginaldo filio Reginaldi le Chyen patris vicecomiti de Elgyn et de Kentray quod illas centum et quinquaginta et novem libras et decem et novem solidos et quatuor denarios in quibus Regi tenetur de areragiis compoti sui de tempore quo fuit vicecomes comitatum predictorum solvat eidem Episcopo de gracia Regis speciali Teste Rege ut supra.

Pro Reginaldo le Chen filio et Roberto de Chaambroun de Balglignaucht. ¹ —(A.D. 1292.)

Edwardus Dei gracia Rex Anglie . . . et superior dominus regni Scocie dilectis sibi burgensibus de Inernish salutem Sciatis quod de illis quater viginti libris in quibus nobis tenemini de areragiis compoti vestri de firma ville predictae assignavimus dilectis nobis Reginaldo le Chen filio et

¹ [From the Rotuli Scotiae, vol. i, pp. 13, 14.]

Roberto de Chaumbroun de Balgligernaucht centum marcas videlicet cuilibet eorum quinquaginta marcas percipiendas per manus vestras . . . pro feodo suo de duobus annis et dimidio proximo preteritis Quod quidem feodum iidem Reginaldus et Robertus percipere consueverunt singulis annis ex concessione bone memorie Alexandri ultimi Regis Scotie defuncti Et ideo vobis mandamus quod eisdem Reginaldo et Roberto predictas centum marcas solvi faciatis . . . Teste Rege apud Tuggehale xvj die Decembris anno regni Regis vicesimo primo.

Pro Eustachia que fuit uxor Reginaldi le Chen defuncti. ¹ —(A.D. 1296.)

Edwardus Dei gratia Rex Anglie . . . vicecomiti de Are salutem Quia Eustachia que fuit uxor Reginaldi le Chen defuncti ad pacem nostram existens nobis fidelitatis prestitit juramentum tibi precipimus quod si tibi constiterit prefatam Eustachiam uxorem predicti Reginaldi fuisse et eundem Reginaldum ante confederationem inter Johannem de Balliolo nuper Regem Scotie et Regem Francorum et Karolum fratrem suum contra nos initam et contractam obiisse et quod eadem Eustachia alieni de inimicis nostris postmodum non fuerit maritata tunc terras et tenementa que predicta Eustachia ante confederationem predictam tam in dotem quam de hereditate sua in predicto regno et terra tenebat usque ad diem quo terras et tenementa illa capi fecimus in manum nostram eidem Eustachie una cum bladis in terris et tenementis illis existentibus reddi et deliberari faciatis indilate Castris tamen ipsius Eustachie et fortaliciis cum pertinentiis si que habet ordinationi custodis regni et terre Scotie reservatis Teste Rege apud Berewyk super Twedam tertio die Septembris anno regni Regis vicesimo quarto.

Consimiles literas habet eadem Eustachia vicecomitibus de Baent Kirkardin in le Mernes Forfare Invernīs Aberden.

[From the Rotuli Scotiæ, vol. i., p. 26; Foedera, vol. i., p. 845.]

Pro Duncano de Fernydraugh tenente Reginaldi le Chen.¹—(A.D. 1296.)

Edwardus Dei gracia Rex Anglie . . . vicecomiti de Forfare salutem
 Quia volumus quod omnes terre et tenementa que Johannes de Balliolo
 quondam Rex Scotie in dominio tenuit nec non terre et tenementa comitum
 baronum et omnium aliorum in prisona nostra existentium de quocunque
 teneantur et eorum qui nondum ad pacem nostram venerant et insuper
 terre et tenementa omnium illorum qui ad pacem et voluntatem nostram
 venerunt quas quidem terras et tenementa antequam sic ad pacem et
 voluntatem nostram venerant in manum nostram seisiri fecimus in
 manibus nostris remaneant donec aliud super hiis duxerimus ordinandum
 et quod terre et tenementa subtenentium de superius nominatis per
 quecunque servitia teneantur una cum bladis in terris et tenementis
 illis existentibus exceptis castris et fortaliciis cum pertinenciis si que
 habent que in manu nostra volumus retineri eisdem subtenentibus
 reddantur Ita quod hii de subtenentibus illis qui immediate tenent de
 predictis terris et tenementis in manu nostra existentibus nobis faciant
 servitia inde debita et consueta Tibi precipimus quod Duncano de
 Fernydraugh ad pacem nostram existenti tenenti Reginaldi le Chen
 ejus terre et tenementa sunt in manu nostra qui quidem Duncanus
 nobis fidelitatem fecit omnes terras et tenementa sua in manu nostra
 in ballia tua existentia que de ipso Reginaldo tenet . . . reddas et
 deliberes . . . retentis in manu nostra terris et tenementis predicti
 Duncani que antequam ad pacem nostram venit seisita fuerunt in manum
 nostram Teste Rege apud Berewyk iij Septembris anno Regis vicesimo
 quarto.

[From the Rotuli Scotiæ, vol. i., p. 27

On the same day King Edward ordered Reginald le Chen to deliver the castles of Elgyn and Forres to Henry of Ry, clerk, the King's escheator beyond Forth. (Rotuli Scotiæ, vol. i. p. 28.]

Carta Reginaldi le Chen de libero transitu per Strabrock.¹—(Circa A. D. 1296).

Pateat vniuersis per presentes quod ego Reginaldus de Chen miles dominus de Strabroc dedi . . . Deo et ecclesie Beate Marie de Neubotil . . . pro salute anime mee et antecessorum et successorum meorum liberum transitum vie competentis et sufficientis ad asiamentum eorundem per terram meam et baroniam de Strabroe extra segetes et prata in diuertendo de Neubotil ad terram eorum in valle de Clud et retro . Ita quod si contingat in bladis aut pratis dampna fieri . per dictos religiosos vel homines aut eorum animalia . iidem religiosi per visum virorum fidedignorum emendas facient racionabiles . . . In cuius rei testimonium presentibus sigillum meum apposui . Hiis testibus . Domino Willelmo de Sancto Claro tunc vicecomite de Edenbrugh et de Lenlithe . Domino Alexandro de Dalmahoy . Domino Willelmo de Striuelyn militibus . Freskyno de Duffglas . Alexandro de Dalmahoy filio et aliis.

Presentatio capellani castri de Duffous facta per Reginaldum le Chen. 2
—(A. D. 1297.)

Venerabili in Christo patri et amico suo carissimo Domino Archibaldo

¹ [Abridged from the Registrum S. Marie de Newbotle, p. 161.]

On the seventeenth day of July, 1296, at Aberdeen, and again on the twenty-eighth day of August, 1296, at Berwick-on-the-Tweed, Sir Reginald le Chen, knight, swore fealty to King Edward I. of England.—(Ragman Rolls, pp. 96, 119; Palgrave's Documents illustrating the History of Scotland, vol. i., p. 175.)

John Chen, of the county of Edinburgh, swore fealty to King Edward I. of England, at Berwick-on-the-Tweed, on the twenty-eighth day of August, 1296.—(Ragman Rolls, p. 155.)

Henry le Chen, bishop of Aberdeen, (from about 1282 till 1329) swore fealty to King Edward I. of England, at Berwick-on-the-Tweed, on the first day of August, 1291, at Aberdeen, on the nineteenth day of July, 1296, and at Berwick-on-the-Tweed, on the twenty-eighth day of August, 1296.—(Ragman Rolls, pp. 19, 22, 98, 115.) He seems to have been precentor of the cathedral of Aberdeen on the twelfth sixth day of January, 1276-7.—(Registrum Episcopatus Aberdonensis, vol. ii., p. 278.) He was bishop from about the year 1281, till his death at Whitsunday, 1329.—(Registrum Episcopatus Aberdonensis, vol. i., pp. xxvi.—xxviii.; Compta Camerariorum Scotiae, vol. i., p. 145.)

Freslyn de Chen was dean of Aberdeen in December, 1321. (Registrum Episcopatus Aberdonensis, vol. i., p. 47.)

² [From the Registrum Episcopatus Moraviensis, p. 285.]

On the seventh day of April, 1293, King Edward of England gave consent that Reginald le

Dei gratia episcopo Moraviensi suus · R · le Chen eandem quam cordi suo proprio salutem · cum omni obsequio · reverentia et honore · Cum capella de castro nostro de Duffus per mortem Domini Hugonis capellani defuncti vacat de jure et de facto · Dominum Robertum capellanum nostrum una cum consensu Marie sponse nostre ad dictam capellam vobis presentamus · vestram reverendam paternitatem omni affectu rogantes quatenus ipsum ad hoc caritatis intuitu admittere dignemini · tantum si placet facientes ut a Deo condignam mereamini percipere mercedem et a nobis gratias et honores uberiores · In cujus rei testimonium presentibus literis sigilla nostra apposimus · Datum apud Doffus die Jovis proxima ante Festum Purificationis Beate Marie anno Domini · m^o · cc^o · nonogesimo sexto.

Carta Reginaldi le Chen militis de terra iuxta Crumboch. ¹ —(Circa A.D. 1300.)

Omnibus hoc scriptum visuris . . . Reginaldus lec Chene miles salutem . . . Nouerit vniuersitas vestra me pro salute anime mee et patris mei antecessorum et successorum meorum . . . dedisse . . . in liberam puram et perpetuam elemosinam Deo et ecclesie Sancte Trinita[tis] et Sancti Michaelis de Seona . . . totam terram meam prope riuuum de Crumboch ex parte aquilonali Seon quam felicis recordacionis Alexander ter[ci]us Rex Seocie pat[ri meo] dedit · illam scilicet que iacet contigua ex parte orientali terre in qua situatum fuit manerium bone memorie Alexandri bone memorie quondam Comitis de Buchan antequam idem comes fecit escambium cum Domino . . . re . . . pro terra in qua situatum est manerium dicti comitis prope Drumyog iuxta flumen de Tay . . . In cuius rei testimonium presenti scripto et carte sigillum meum apposui · Testibus Dominis Roberto Petro de Fang-

Chen, then a prisoner in England, should be exchanged for John of Kalintir, a prisoner in Scotland.—(Illustrations of Scottish History, p. 36, Glasg. 1834; Chronicle de Lanercost, pp. 489, 490.)

In 1305, King Edward of England appointed Sir Reginald le Chen and Sir John de Vaux, justiciars of Scotland beyond the Mounth.—(Acts of the Parliaments of Scotland, vol. i., appendix to preface, p. 14.)

[From the Liber Ecclesie Sancte Trinitatis de Seon, pp. 106, 107, no. 146.]

fos et Johanne filio Hugonis ortolani capellanis · Roberto dicto Lupello · Gilberto Bel armigeris et multis aliis.

Carta Domine Eustachie de Coluyle relicte quondam Domini Reginaldi le Chene patris super jure patronatus ecclesie de Ouchyltre. ¹—(A.D. 1316.)

Vniuersis Christi fidelibus . . . Eustacia de Coluyle relicta quondam Domini Reginaldi le Chene patris · domina de Ouchiltre / ac vera patrona ecclesie eiusdem loci · Salutem . . . Nouerit vniuersitas vestra me in libera . . . viduitate dedisse . . . Deo et Beate Marie et domui de Melros . . . aduocationem siue ius patronatus ecclesie loci supranominati de Ouchiltre . . . Et vt hec mea donacio . . . stabilis perseueret imperpetuum presenti scripto pro me et heredibus meis sigillum meum est appensum · Et quia sigillum meum est minus cognitum sigillum venerabilis patris Domini Roberti Dei gratia episcopi Glasguensis · vnacum sigillis venerabilium patrum Dominorum Thome et Michaelis abbatum de Kynlos et de Deer necnon et sigillum Domini Roberti de Keth militis vna cum sigillo meo presenti scripto apponi procurauim · Hiis testibus venerabili patre Domino Roberto Dei gratia episcopo Glasguensi · ac Thoma et Michaele abbatibus predictis · Domino Roberto de Keeth milite / Domino Henrico capellano parochiali de Deer / Magistro Petro de Monteforti clerico / Ermigera de Soules · Duncano Page seruiante meo et multis aliis.

Attestacio Domine Eustachie Lachene super jure patronatus ecclesie de Ouchyltre. ²—(A.D. 1316.)

Attestacio Domine Eustachie Lachene super jure patronatus ecclesie de

¹ [Abridged from the Liber S. Marie de Melros, vol. ii. nn. 397, 398, 399, pp. 360, 361, 362.]

The seal of the Lady Eustacia still remains: it is oval shaped, and shows, not on a shield, a cross moline (for Colville) square pierced, between four cross crosslets fitchée (for Cheyne): the legend is S EUSTACIE DE LES CHEN.—(H. Laing's *Scottish Seals*, p. 37, no. 191.)

The grant was confirmed by King Robert I., by charter dated at Dryburgh, on the eighteenth day of July 1316.—(Liber S. Marie de Melros, vol. ii, no. 402, p. 365.)

² [From the Liber S. Marie de Melros, vol. ii, no. 400, pp. 3 3, 364.]

Ouchyltre · videlicet quod auus suus · Dominus Johannes de Coluille · verus illius ecclesie patronus · et dominus eiusdem baronie duos fratres habuit · Willelmum scilicet et Thomam · Idem vero Johannes Willelmo fratri suo dedit ecclesiam de Ouchyltre / Thome iuniori dedit baroniam de Ouchyltre cum pertinenciis · Mortuo Thoma sine herede / hoc est sine filio legitimo · frater suus Willelmus rector ecclesie de Ouchiltre successit sibi in baroniam tanquam heres fratris sui verus et legitimus · Quod factum Domino Johanni primogenito non modico displicebat · nec uolebat aliquomodo sustinere quod frater suus Willelmus et dominus esset baronie de Ouchyltre et rector ecclesie eiusdem · Et ideo contulit jus patronatus dicte ecclesie Hospitali de Torfychyn · de facto quatenus poterat conferri · Willelmus uero nolens ius suum amittere ecclesiam suam defendebat contra illos de Torfychyne · Lite diu durante tandem inter partes erat conuentum quod dictus Willelmus toto tempore suo eis quandam certam pensionem annualem redderet · Istis actis moritur interim Dominus Johannes · Cui successit filius suus legitimus Willelmus / qui desponsauit filiam Domini Johannis de Normanville de qua dictus Willelmus genuit Thomam et Eustaciam istam · Demum moritur Willelmus dominus de Ouchiltre et rector eiusdem · Ipso mortuo accesserunt sorores dicti Willelmi et petebant a nepote earum / uidelicet a Willelmo filio Johannis baroniam illam de Ouchyltre · allegantes quod non poterat et dominus et heres esse · Una istarum erat maritata cum le Marechaz · alia cum le Mautalenz · tertia cum le Herounz · quarta uirgo mortua est · Quod cum perpendisset dictus Willelmus accessit in Angliam et dedit totam illam cum aduocacione dicte ecclesie Eustachie filie sue que tunc etatis erat trium annorum · Quam donacionem ratificauerunt predictae quatuor sorores · Uerumptamen post mortem Willelmi domini de Ouchyltre et rectoris iste Willelmus pater Eustacie quandam Anglicum ad dictam ecclesiam presentauit qui diu eandem pacifice possidens demum moritur · Quo mortuo Dominus Reginaldus le Chemie / maritus Domine Eustacie ex iure uxoris sue contulit illam ecclesiam Domino Johanni Spaldyng · Qui postea ratione alterius beneficij maioris ad quod assumptus erat renunciauit illi ecclesie · Mortuo uero Domino Reginaldo / interim Domina Eustachya Magistrum Symonem de Spaldyng fratrem predicti Johannis de Spaldyng ad dictam ecclesiam presentauit · Illa uero postmodum in legitima uiduitate existens tempore dicti Symonis

ius patronatus siue aduocacionem predictæ ecclesie de Ouehyltre .
 monasterio de Melros simpliciter et absolute contulit . Anno Domini .
 m^o . ccc^o . xvj^o .

Litera confirmacionis concessa Domine Marie le Chien.¹—(A.D. 1312 et
 A.D. 1363.)

Dauid Dei gracia Rex Scottorum . . . Sciatis quod inspeximus [. . .
 literas venerabilis patris nostri Roberti Regis Scottorum in hec verba
 ROBERTUS Dei gracia Rex Scottorum . . . Notum vobis facimus . . .
 quod per nullas conuenciones per nos ordinatas inter Dominam Mariam
 sponsam quondam Reginaldi le Chene militis et Alexandrum Fraser super
 terra de Duffhons quam dictus quondam Reginaldus tenuit / volumus quod
 aliquil preiudicium generetur contra statum hereditatis dicte Domine
 Marie de dicta terra vel in exhereditacionem ipsius aliquatenus conuertatur .
 In cuius rei testimonium has literas nostras sibi fieri fecimus patentes .
 Apud Elgyn vj^o die Nouembris anno regni nostri . vij^o . VOLENTES quod
 dicte [litere] heredibus dicte Marie sint roboris et valoris a leo libere et
 plenarie sicut in eisdem superius plenius continetur . In cuius rei testi-
 monium presentibus literis nostris sigillum nostrum precepimus apponi
 Apud Edinburgh . decimo . viij^o . die Octobris anno regni nostri / trices-
 imo quarto.

Carta Reginaldi le Chene militis.²—(A.D. 1323.)

Robertus Dei gracia Rex Scottorum . . . Sciatis nos delisse . . .
 Reginaldo le Chen militi dilecto et fideli nostro pro homagio et seruitio

¹ [Abridged from the Registrum Magni Sigilli, lib. i., no. 46. MS. General Register House, Edinburgh.]

² [Abridged from the original in the General Register House, Edinburgh.]

Reginald le Chen was one of the barons of Scotland who wrote to Pope John XXII, from Arbroath, on the sixth day of April, 1320, saying that so long as a hundred of them remain alive they would never submit to the dominion of the English.—[Acts of the Parliaments of Scotland, vol. i, p. 114.]

A fragment of his seal remains: it shows on a bend between six cross crosslets fitchèe, three

suo totam terram de Strathbrokis cum pertinenciis in vicecomitatu de Edinburgh quam Maria filia quondam Friskini de Morauia militis sponsa quondam Reginaldi le Chene militis nobis . . . imperpetuum resignauit . Tenendam et habendam eidem Reginaldo et heredibus suis de nobis et heredibus nostris in feodo et hereditate . . . Faciendo inde . . . seruitium debitum et consuetum tempore bone memorie Domini Alexandri Regis Scocie predecessoris nostri ultimo defuncti . In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi . Testibus venerabilibus in Christo patribus Willelmo . Willelmo . et Henrico . Sancti Andree . Dunkeldensis et Aberdonensis ecclesiarum episcopis . Bernardo abbate de Aberbrothoc cancellario nostro . Duncan comite de Fyf . Waltero senescallo Scocie . Jacobo domino de Douglas . Johanne de Meneteth et Alexandro de Seton militibus Apud Sconam vicesimo octauo die Julii anno regni nostri decimo octauo .

Carta Regis Anglie concessa Willelmo de Moubray super terris de Strabrok que fuerunt Reginaldi le Chene et Willelmi de Fedreth. ¹
—(A.D. 1336.)

Edwardus Dei gracia Rex Anglie dominus Hibernie et dux Aquitanie . . . Sciatis quod pro bono seruitio quod dilectus et fidelis noster Willelmus de Moubray nobis hactenus impendit et impendet in futurum ac in recompensationem jacturarum quas idem Willelmus per guerram Scocie sustinuit dedimus . . . eidem Willelmo omnia terras et tenementa

eagles displayed ; the legend seems to have been **R** REGINALDI LE CHEN.—(H. Laing's *Scottish Seals*, p. 35, no. 178.)

Between 1329 and 1371, King David II granted charters to Reginald Chene, of the thanedom of Newdoskis in Kincardineshire or the Mearns; of the lands of Duffus, in Murray; of the fourth part of Caithness, resigned by William Fedreth; and of the lands of Carnefewald and Ardenly.—(Robertson's *Index to the Missing Charters*, p. 33, no. 37; p. 39, no. 39; p. 62, no. 22; p. 68, no. 17.)

Reginald de Chene was taken prisoner at the battle of Halldon Hill in July, 1333.—(Lord Hailes' *Annals of Scotland*, vol. ii. p. 305.)

About 1348, King David II. granted to Henry Cheyne, a yearly payment of forty shillings, from the lands of Straloche and Achstukis.—(Robertson's *Index to the Missing Charters*, p. 32, no. 4.) The grant was revoked in the parliament at Scone in September 1357.—(Compton *Camerariorum Scotiae*, vol. i, pp. 289, 291.)

[Abridged from the *Rotuli Scotiae*, vol. i., p. 411.]

cum pertinentiis que fuerunt Reginaldi de Chene et Willelmi de Fredreth Scotorum inimicorum nostrorum in Strabrok in Scotia et que ad manus nostras per forisfacturam predictorum Reginaldi et Willelmi de Fredreth devenerunt et in manu nostra sic existunt Habenda et tenenda eidem Willelmo de Moubray et heredibus suis de nobis et heredibus nostris ac aliis capitalibus dominis feodi illius per eadem servitia que de eisdem terris et tenementis debebantur antequam ad manus nostras sic devenerunt . . . Teste Rege apud Westmonasterium xxiiij die Martii [anno regni Regis decimo.]

Carta Mariote Cliene sponse quondam Johannis de Douglas.¹—(A.D. 1366.)

David Dei gracia Rex Scottorum . . . Sciatis nos dedisse . . . Mariote Chene sponse quondam Johannis de Douglas medietatem baronie de Strabrok cum pertinenciis infra vicecomitatum de Edynburgh in constabularia de Lynlithcu et quartam partem comitatus Catannie cum pertinenciis infra vicecomitatum de Inuernys Quas vero . . . dicta Mariota . . . nobis apud monasterium Sancte Crucis de Edynburche in presencia diuersorum procerum et baronum regni nostri die videlicet vicesima quinta mensis Maij anno Domini . m^o . ccc^o . lx^o . sexto . . . simpliciter resignauit . . . Tenendas et habendas dicte Mariote et here-

¹ [Abridged from the Registrum Magni Sigilli, lib. i., no. 132. M.S. General Register House, Edinburgh.]

"In William erle of Southerland his dayes [A.D. 1333 —A.D. 1370]," says the Knight of Gordonston, writing about 1630, "lived Renold Cheyn, a Catteynes man, who dureing his tyme, was a great commander in that cuntree; of whom many fables are reported amongst the vulgar sort of people, and cheiflie concerning his hunting, whereia he much delighted. Doubtles the Cheins had sometymes many possessions, and were once of greatest command and power in that cuntree; yet they were never earles thereof. All the lands apperteyning to this Reynold Cheyn were divided among his daughters, which wes confirmed vnto them by King David Bruce, his charter of confirmation. One of Renold Cheyn his daughters wes married to Nicolas Southerland (this Earle William his brother), with whom Nicolas had the Cheines third of the lands of Catteynes, and the third of the lands of Duffus, in Morray, whereby he became laird of Duffus, which his posteritie doth enjoy at this day. But the thirds of Catteynes were given by an accord and aggricment with a daughter from the Southerlands to the Ouphaunt, who manie yeirs afterwards did sell and alienat these lands to the Sinclairs."—(Sir Robert Gordon's Genealogical History of the Earldom of Sutherland, p. 54.)

dibus inter ipsam et Johannem de Douglas procreatis masculis seu femellis quibus forte deficientibus heredibus predictæ Mariote legitimis quibuscunque de nobis et heredibus nostris in feodo et hereditate . . . Faciendo inde servitium debitum et consuetum . In cuius rei [testimonium presenti cartæ nostre sigillum nostrum precepimus apponi . . .] Apud Edynburgh . xxvj^{to} . die Maij anno regni nostri tricesimo sexto.

Carta pro Andrea de Keth et Joneta sponsa sua. ¹—(A.D. 1391.)

Robertus Dei gracia Rex Scottorum . . . Sciatis nos dedisse . dilecto et fideli nostro Andree de Keth . filio et heredi Johannis de Keth de Inuerogy fidelis nostri . et Jonete sponse sue / omnes terras de Strabrok cum pertinenciis . iacentes in constabularia de Lynlitheu infra vicecomitatum de Edynburgh . Que fuerunt dicti Johannis et Marie Chene sponse sue ratione dictæ sponse . Et quas dicti Johannes et Maria . . . in manus nostras . . . simpliciter resignauerunt . . . Tenendas et habendas . . . dictis Andree et Jonete . . . et eorum duciendi uiuenti ac eorum hereditibus inter ipsos legitime procreatis seu procreandis . quibus forte deficientibus veris et propinquioribus heredibus cuiuslem Andree quibuscunque . adeo libere . . . sicut quondam Reginaldus Chene miles et antecessores sui dictas terras . . . tenuerunt . . . Reddendo inde . . . seruicia debita et consueta . In cuius rei testimonium presenti cartæ nostre nostrum precepimus apponi sigillum . . . Apud Scenam quarto die Marci . anno regni nostri primo.

¹ Abridged from the Registrum Magni Sigilli, rot. x., no. 13. MS. General Register House, Edinburgh.

In October, 1365, Reginald Chene, a merchant of Scotland, had letters of safe conduct through England, for himself and six companions.—(Rotuli Scotiæ, vol. i, p. 897.)

In 1381 2, Reginald de Chene held the lands of Centre of the see of Aberdeen, in liferent, for yearly payment of eight pence or a pound of wax.—(Registrum Episcopatus Aberdonensis, vol. i, pp. 135, 141, 142, 143.)

In July, 1440 Andrew Crowedan, a Scot, prisoner in England, had letters of safe conduct to the Scottish border, to gather money for his own ransom, and the ransom of John Chene, a Scot, prisoner in England.—(Rotuli Scotiæ, vol. ii, p. 316.)

In 1461-1464, Ranald Cheyne of Straloch appears in possession of a yearly rent of five pounds from lands in the Castle of Aberdeen. In 1469, Ranald Cheyne was present at a court held at Aberdeen by the Sheriff of Aberdeenshire.—(Registrum Nigrum de Aberbrothoc, pp. 117, 135-138, 160.)

Refutatio presentationis facte ad vicariam de Duffus per Johannem de Keth dominum de Inuerugy et tertie partis baronie de Duffus. ¹ — (A.D. 1398.)

Willelmus miseratione divina episcopus Moraviensis circumspecto viro Domino Alexandro Barbas capellano salutem . . . Quia tempore de ejus initio memoria hominum non existit venerabiles patres et bone memorie predecessores nostri Archebaldus · David · Johannes et Alexander episcopi Moravienses successively perpetuam vicariam ecclesie de Duffus quando et quotiens vacavit in suis temporibus contulerunt diversis . . . absque . . . presentatione patroni ecclesiastici vel secularis · et presertim dominorum baronie de Duffus . . . Unde presentationem factam de vobis ad ipsam vicariam per nobilem virum Johannem de Keth dominum de Inuerugy et tertie partis baronie de Duffus duximus refutamam et refutamam · non intuitu persone vestre · sed quia nullum jus competit presentanti · et istud vobis tra linimus pro responso nostro finali · In hujus refutationis nostre testimonium sigillum nostrum presentibus fecimus apponi · Datum in ecclesia Moraviensi primo die mensis Augusti anno Domini millesimo ccc^o · nonagesimo octavo.

Carta annui redditus de Inuerugy. ² — (A.D. 1473.)

Omnibus hanc cartam visuris . . . Dominus Gilbertus Keith de Inuerugy miles salutem . . . Noueritis me . . . vendidisse . . . nobili viro Alexandro Dunbar de Westfeld militi vnum annum redditum quadraginta

¹ [Abridged from the Registrum Episcopatus Moraviensis, pp. 326, 327.

On the same day the Bishop ordered the rural dean of Elgin, to induct Master John of Innes, canon of Murray, and prebendary of Duffus, into the perpetual vicarage of the parish church of Duffus.

Sir Robert Douglas quotes a charter, in the Marr charter chest, dated the thirtieth day of August, 1487, by which Sir Gilbert Keith of Inuerugy, knight, grants the lands of Percock, in the barony of Kelly, to Gilbert Keith, his youngest son; it is witnessed by William Keith, the eldest son and apparent heir of the granter, and by John Keith and Andrew Keith, sons of the granter.—[Douglas' Baronage, p. 73.] The lands of Pirchock and Ludecain are said to have been granted about 1350, by Sir John Menteth, lord of Arran, to Sir Edward Keith and his wife Christian Menteth, daughter of the granter.—(Douglas' Peerage, by Wood, vol. ii. p. 201.)

² [From the original in the Scrabster charter chest. The seal remains, but is defaced.]

marcarum vsualis monete Scotie exeuntium annuatim . . . de omnibus et singulis terris meis de Inuerrugy cum pertinentiis jacentibus infra vicecomitatum de Banff . . . Tenendum et habendum . . . dicto Domino Alexandro de Dunbar heredibus suis et assignatis de me heredibus meis et assignatis in feodo et hereditate imperpetuum . . . In cuius rei testimonium presenti carte mee sigillum meum est appensum Testibus nobilibus viris Domino Jacobo Ogiluy de Fynletter milite Magistris Gilberto Haye de Vry Johanne Lyon de Curtaston ac Johanne Ogiston de Crag Andrea Keitho Waltero Ogiluy et Jacobo Douglas Apud Edinburghie quarto die mensis Augusti anno Domini millesimo quadringentesimo septuagesimo tertio.

Carta Willelmi Keith de Inuerrugy militis. ¹ —(A.D. 1508.)

Jacobus Dei gracia Rex Scotorum . . . Sciatís nos dedisse . . . dilecto nostro Willelmo Keith de Inuervgy militi omnes et singulas terras de Straloch cum suis pertinentiis jacentes infra vicecomitatum nostrum de Banf Quequidem terre feurrunt dicti Willelmi hereditarie de nobis per seruicium warde et releuü tente Et in manibus nostris recognite ob alienacionem earundem per dicti Willelmi predecessores factam predecessoribus Jacobi Chene de Straloch vltimi possessoris earundem . . . Et quasquidem terras nos pro bono gratuitoque seruicio nobis et successoribus nostris per dictum Willelmum et heredes suos impenso et impendendo de nouo prefato Willelmo et heredibus suis iterum damus . . . ac easdem dicti Willelmi terras et baronie de Inuervgy vniimus . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Cum curiis et earum exitibus herezeldis bludewitis et merchetis mulierum Cum furca fossa sok sak thol theme infangtheiff outfangtheif pit et gallouss . . . Reddendo inde . . . wardan et releuium predictarum terrarum ac maritagium cum contigerit Insuper volumus . . . quod secta curie et seruicium dictarum terrarum et baronie de Inuervgy fienda et facienda in curia vicecomitis nostri de Banf sufficiet pro prefatis terris de Straloch absque aliquo alio speciali seruicio aut

[Abridged from the Registrum Magni Sigilli, lib. xv., no. 60. MS. Gen. Regist. House, Edin.]

secta que pro huiusmodi terris in curia vicecomitis nostri de Aberdene exigi poterit . . . Exonerando etiam vicecomitem nostrum de Aberdene ac suos deputatos . . . de omni petitione alicuius secte seu seruicij pro predictis terris de Straloch in curiis vicecomitatus nostri de Aberdene ac de omni uocatione et amerciatione dicti Willelmi aut heredum suorum pro eisdem terris . . . Etiam dedimus . . . nostram plenariam licenciam . . . prefato Willelmo et heredibus suis ad alienandum dictas terras de Straloch . . . dicto Jacobo Chene et heredibus suis de prefato Willelmo et heredibus suis tenendas hereditarie . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh sexto die mensis Octobris anno Domini millesimo quingentesimo octauo et regni nostri uicesimo primo.

Sasina baronie de Inuerugy etc.¹ —(A.D. 1538.)

Vicecomes de Banff respondebit pro ij^m ij^c xl libris de firmis dimedietatis tocuis et integre baronie de Inuerugy cum tenentibus tenandriis et liberetenencium seruiciis eiusdem et suis pertinenciis jacentis infra balliam suam existentibus in manibus Regis per spacium sexdecim annorum ultimo elapsorum uidelicet decem annorum ratione warde et sex annorum sasina non recuperata Et pro j^c xl libris de releuio eiusdem Regi debitus per sasinam datam Margarete Keithe de eadem Apud Edinburghe uicesimo octauo die mensis Maij anno regni Regis uicesimo quinto.

Idem vicecomes respondebit pro ij^m ij^c xl libris de firmis alterius dime-dietatis dicte baronie de Inuerugy cum tenentibus tenandriis et libere tenencium seruiciis eiusdem et suis pertinenciis jacentis infra dictam balliam suam existentibus in manibus Regis per spacium sexdecim annorum ultimo elapsorum uidelicet undecim annorum ratione warde et quinque annorum sasina non recuperata Et pro j^c xl libris de releuio eiusdem Regi debitus per sasinam datam Elizabeth Keith de ea lem Apud Edinburghe uicesimo nouo Maij anno regni Regis uicesimo quinto.

¹ [From the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh.]

Vicecomes de Inuernys respondebit pro ij^m iij^c iiij libris de firmis dimedietatis totarum et integrarum terrarum subscriptarum videlicet dimedietatis omnium et singularum terrarum de Akirgill cum castro et fortificio eiusdem dimedietatis terrarum de Reis totarum terrarum de Subister quarte partis de Myrlandnorne dimedietatis de Vesbister dimedietatis de Harland dimedietatis molendini de Aldwik duarum denariatarum terrarum infra villam de Wik cum quarta parte aque de Wik cum piscaria eiusdem totarum terrarum de Lynaker totarum terrarum de Couggilfwte quarte partis de Tayne dimedietatis terrarum de Stauggirgill duarum partium de Nethirsidobrik quarte partis molendini de Stauggirgill dimedietatis de Sordill quarte partis de Claradayne quarte partis orientis de Myrkill vnus denariate de Rater tercie partis de Twrso cum quarta parte aque et piscariis eiusdem jacentium in comitatu Cathanie infra balliam suam Neenon tenandriarum terrarum subscriptarum videlicet dimedietatis de Bowrowstowne dimedietatis de Libister cum dimedietate molendini eiusdem totarum terrarum de Lwrary quatuor denariatarum terrarum cum obulo in Forsyequheir dimedietatis terrarum cum vna denariata de Greynestane et vnus crofte nuncupate Boill Kak totarum terrarum de Scottis Caldour cum molendino eiusdem totarum terrarum de Norne Caldour trigintarum vnus denariatarum cum obulo in villa de Scail dimedietatis de Banoxskirk septem denariatarum terrarum in villa de Dwne tercie partis de Brabister Dorem quarte partis de Ormillie quarte partis de Brodland Myrkill quarte partis de Subbanister sex denariatarum terrarum cum obulo de Dwnet duarum denariatarum terrarum in Haland dimedietatis terrarum de Resister dimedietatis terrarum de Holand Mak vnus denariate cum quadrante in villa de Ratter sexte partis de Corsbaddie cum quarta parte molendini eiusdem dimedietatis terrarum de Holme totarum terrarum de Swymme cum molendino eiusdem totarum terrarum de Brabister Myr totarum terrarum de Sleiklie dimedietatis de Vlbister totarum et integrarum terrarum de Foree cum castro eiusdem jacentium in comitatu Cathanie infra balliam suam Existentibus in manibus Regis per spacium sexdecim annorum vltimo elapsorum videlicet decem annorum ratione warde et sex annorum sasina non recuperata Et pro j^c xliij libris de releuio eiusdem Regi debitis per sasinam datam Margarete Keith de eadem Apud Edinburgh vicesimo octauo die mensis Maii anno regni Regis vicesimo quinto.

Idem vicecomes respondebit pro ij^m iij^e iiij libris de firmis alterius dimedietatis supradictarum terrarum cum molendino et earundem pertinentiis prescriptis existentibus in manibus Regis per spacium sexdecim annorum vltimo elapsorum videlicet vndecim annorum ratione warde et quinque annorum sasina non recuperata Et pro j^e xliij libris de releuio eiusdem Regi debitis per sasinam datam Elizabeth Keith de eadem altera dimedietate Apud Edinburgh die mense et anno immediate predictis.

Vicecomes de Elgin et Fores respondebit pro ix^e lx libris de firmis dimedietatis totarum et integrarum terrarum et annuorum reddituum tercie partis terrarum de Duffos cum suis pertinentiis jacentis infra balliam suam existentibus in manibus Regis per spacium sexdecim annorum vltimo elapsorum videlicet decem annorum ratione warde et sex annorum sasina non recuperata Et pro lx libris de releuio eiusdem Regi debitis per sasinam datam Margarete Keith de eadem Apud Edinburgh vicesimo nono die mensis Majj anno regni Regis supradicto.

Idem vicecomes respondebit pro ix^e lx libris de firmis alterius dimedietatis prescriptarum terrarum et annuorum reddituum tercie partis terrarum de Duffos cum suis pertinentiis jacentis infra dictam balliam suam existentibus in manibus Regis per spacium sexdecim annorum vltimo elapsorum videlicet vndecim annorum ratione warde et quinque annorum sasina non recuperata Et pro lx libris de releuio eiusdem Regi debitis per sasinam datam Elizabeth Keith de eadem Apud Edinburgh die mense et anno immediate predictis.

Vicecomes de Linlithqw respondebit pro vj^e xl libris de firmis dimedietatis baronie de Strabrok cum annexis tenentibus tenandriis et libere tenencium seruiciis eiusdem et suis pertinentiis jacentis infra balliam suam existentibus in manibus Regis per spacium sexdecim annorum vltimo elapsorum videlicet decem annorum ratione warde et sex annorum

sasina non recuperata Et pro xl libris de releuio eiusdem Regi debitis per sasina datam Margarete Keith de eadem die mense et anno immediate predictis.

Idem vicecomes respondebit pro vj^e xl libris de firmis alterius dimedietatis predictae baronie de Strabrok cum annexis tenentibus tenandriis et libere tenencium seruiciis jacentis infra balliam suam predictam existentibus in manibus Regis per spacium sexdecim annorum vltimo elapsorum videlicet vndecim annorum racione warde et quinque annorum sasina non recuperata Et pro xl libris de releuio eiusdem Regi debitis per sasina datam Elizabeth Keith de eadem Apud Edinburgh die mense et anno prescriptis.

Carta Willelmi comitis Mariscalli et eius sponse. ¹—(A.D. 1538.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . pro bono fidei et gratuito seruicio nobis per dilectum consanguineum et consiliarium nostrum Willelmum comitem Mariscalli impenso Ac pro nonnullis pecuniarum summis per ipsum nobis persolutis . . . dedisse . . . prefato nostro consanguineo et Domine Margarete Keitbe eius sponse et eorum alteri dincius viuenti in coniuncta infeodacione et heredibus inter ipsos legitimum procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus dicti Willelmi comitis Mariscalli quibuscunque dimedietatem omnium et singularum terrarum et baroniarum subscriptarum videlicet dimedietatem dimedietatis omnium et singularum terrarum de Akergill cum turre et fortalicio earundem dimedietatem dimedietatis terrarum de Reiss dimedietatem omnium et singularum terrarum de

¹ [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 146. MS. General Register House, Edinburgh. See also lib. xxxviii., no. 86; lib. xlvii., no. 45.]

On the twenty-eighth day of April, 1544, Queen Mary granted letters of legitimation under the great seal, to Alexander Keith, bastard, natural son of the deceased William Keith of Inverugy.—(Registrum Magni Sigilli, lib. xxx., no. 18.)

On the twentieth day of December, 1580, King James VI. granted letters of legitimation under the great seal, to James Keyth, bastard, natural son of Andrew Keith of Craig of Inverugy.—(Registrum Magni Sigilli, lib. xxxv., no. 286.)

Subister dimedietatem quarte partis terrarum de Mneland Norne cum dimedietate dimedietatis terrarum de Westbister dimedietatem dimedietatis terrarum de Harland cum dimedietate dimedietatis molendini de Auld-wik dimedietatem duarum denariatarum terrarum jacentium in villa de Wik cum dimedietate quarte partis aque de Wik et piscationum eiusdem dimedietatem terrarum de Lynaker dimedietatem terrarum de Cougiltute dimedietatem quarte partis terrarum de Tayne dimedietatem dimedietatis terrarum de Staugergill cum dimedietate quarte partis molendini de Staugirgill dimedietatem binc partis terrarum de Nedder Sidoleik dimedietatem dimedietatis terrarum de Sordell dimedietatem quarte partis de Claradene dimedietatem dimedietatis orientalis quarte partis terrarum de Myrekyl et vnus denariate terrarum de Ratar dimedietatem tercię partis terrarum de Thurso cum dimedietate quarte partis aque et piscationum earundem cum suis pertinentiis jacentes in comitatu de Cathanes infra vicecomitatum nostrum de Inuernys Neenon dimedietatem dimedietatis terrarum de Borroustoun dimedietatem dimedietatis terrarum de Libister cum dimedietate dimedietatis molendini earundem dimedietatem omnium et singularum terrarum de Lurare dimedietatem quatuor denariatarum et vnus obulate terrarum de Forsur dimedietatem dimedietatis terrarum et vnus denariate terrarum de Greynstane cum dimedietate vnus crofte vocate Boiletaik dimedietatem totalium et integrarum terrarum de Scottis Calder dimedietatem molendini earundem dimedietatem totalium et integrarum terrarum de Norne Calder cum dimedietate triginta vnus denariatarum et vnus obulate terrarum in villa de Skail dimedietatem dimedietatis terrarum de Bannaskirk dimedietatem septem denariatarum terrarum in villa de Dune dimedietatem tercię partis terrarum de Brabister Dorane dimedietatem quarte partis terrarum de Ormellie dimedietatem quarte partis terrarum de Brodland Myrkill cum dimedietate quarte partis terrarum de Subamster dimedietatem sex denariatarum et vnus oblate terrarum de Dunnet et duas denariatas terrarum in Haland dimedietatem dimedietatis terrarum de Resister dimedietatem dimedietatis terrarum de Hollandmaik cum dimedietate vnus denariate et vnus quadrantis *le ferdlingworth* terrarum in villa de Ratter dimedietatem sextę partis terrarum de Corsbaddir cum dimedietate quarte partis molendini earundem dimedietatem dimedietatis terrarum de Holme cum dimedietate totalium et integrarum terrarum de Swynne et molendini earundem dime-

dietatem terrarum de Brabastersmyre dimedietatem totalium et integrarum terrarum de Sleiklic dimedietatem dimedietatis terrarum de Vlbister cum dimedietate omnium et singularum terrarum de Force et castri earundem cum omnibus suis pertinentiis jacentes in dicto comitatu de Cathanes et infra vicecomitatum predictum Aectiam dimedietatem omnium et singularum terrarum annuorum reddituum tercie partis terrarum de Duffhous et castri earundem jacentem infra vicecomitatum nostrum de Elgin et Fores Aectiam totam et integram dimedietatem tocius baronie de Inuerugy cum castro fortalicio molendinis multuris piscationibus tenentibus tenandriis et liberetenencium seruciis aduocationibus et donationibus ecclesiarum et capellaniarum dicte baronie et omnium et singularum aliarum terrarum particulariter suprascriptarum cum suis pertinentiis jacentem infra vicecomitatum nostrum de Banff [Necnon] dimedietatem dimedietatis omnium et singularum terrarum et baronie de Strabrok cum annexis commexis dependentiis tenentibus tenandriis liberetenencium seruciis aduocationibus et donacionibus ecclesiarum et capellaniarum earundem et vniuersis suis pertinentiis jacentem infra vicecomitatum nostrum de Lynlithqw Quequidem dimedietates omnium et singularum terrarum et baroniarum predictarum . . . fuerunt Elizabeth Keithie neptis et vnus heredum quondam Willelmi Keithie de Inuerugy militis ac sororis germane dicte Domine Margarete perprius hereditarie Et quas eadem . . . in manibus nostris . . . simpliciter resignauit . . . Insuper . . . vnimus . . . et incorporamus omnes et singulas prefatas dimedietates totalium et integrarum terrarum et baroniarum prescriptarum . . . in vnam integram et liberam baroniam omni tempore affuturo Baroniam de Inuerugy nuncupandam Ac . . . ordinamus quod castrum de Innerugy nunc edificatum et edificandum erit principale messuagium dicte baronie . . . Tenendas et habendas . . . de nobis et nostris successoribus in feodo et hereditate ac libera baronia imperpetuum . . . Cum curiis et carum exitibus herezeldis bludewitis et mulierum merchetis wraik waith et wair furca fossa sok sak thole theme infangtheif outfangtheif pitt et gallous . . . Reddendo inde annuatim . . . tres sectas ad tres curias capitales vicecomitatus nostri de Banff cum warda releuio et maritagio heredum dictarum terrarum cum contigerint tantum In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Sanctumandream vltimo die mensis Junii

anno Domini millesimo quingentesimo trigesimo octauo et regni nostri vicesimo quinto.

Contract betuix the Erle Merschell and the Lord Forbes. ¹ —(A.D. 1549.)

At Pettislego the xxiiij day of May the yeir of God j^m v^e xlix yeirs. It is . . . aggreit betuix noble and mychtly lordis that is to say William erle Merschell for him self and in name and behalf of Williame maister of Merschell his sone and apperand air gottin betuix him and Dame Margarett Keith countes Merschell eldest dochter and ane of the tua aris of vmquhile Schir Williame Keith of Inuervgy knyecht on that ane part and Williame lord Forbes for him self and in name and behalf of Dame Elizabeth Keith his spous the tothir dochter and air of the said Schir Williame Keith on that vthir part . . . as efter followis That is to say The said Erle sall . . . pay to the said Williame lord Forbes and Dame Elizabeth his spous the soume of xj hundreth markis vsuale money of Scotland . . . in compleit payment of the soume of tua thousand markis promittit be the said Erle to the said Elizabeth for renunciatioun of hir title and rycht of the hail half landis of the lardschip of Inuervgy that pertenuit or mycht pertene to hir be deceis of vmquhile Schir Williame Keith efter the forme of the contractis maid thairvpoun . . . and that in name of tocher for the said Williame lord Forbes mariage with the said Dame Elizabeth . . . And attour the said Erle sall obtene vpoun his expenssis to the said Williame lord Forbes Dame Elizabeth his spous and to thair aris ane heretable few . . . of the landis of Feehill and Monkis Hill with thair pertinentis lyand within the schirefdome of Abirdene of the Commendatour and Convent of Deir to quhome the saidis landis pertenis as part and patrimoney of thair abbay of Deir betuix this and Lambnes nixt for the payment of the auld dewiteis conforme to the rentale and augmentation of fourtie penneis for ilk pleuch and that thair salbe na new takis maid of the saidis landis be the said Commendater and Convent in the mene tyme . . . And siclike the said Erle sall obtene vpoun his expenssis ane assodatioun for the space of nyntetein yeris . . .

¹ [Abridged from the Register of Deeds, vol. i, foll. 397—404. MS. General Register House, Edinburgh.]

of the said Commendater and Convent . . . to the said Williame Elizabeth his airis and assignais of all and hail the teynd schaves of the said Williame lord Forbes barony of Fuddes pertening to him in propirte Togidder with the teyndis of the said few landis of Feehill and Monkis Hill payand for ilk pleuch that pais wictuale thir yeris bigane the soumme of sex merkis vsuale money of Scotland For the quhilkis caussis preceding the said Dame Elizabeth and the said Williame lord Forbes for his interes for thame thair airis and assignais sall ratify afor quhatsumeuir jage spirituale or temporale that pleissis best the said Erle and his airis . . . all alienatiounis resignatiounis renunciatiounis and ouregevynnis of all and hail the hail half landis baytht propirte and tenandry with donatiounis and aduocationis of kyrkis and chaiplanriis mylnis multuris fischeingis castellis towris and fortileeis . . . that the said Dame Elizabeth succedit to or may succeid ony maner of way be the deceis of vnuquhile Schir Williame Keith of Inuerugy knycht or ony vthir hir predeccessoris maid in favouris of the said Erle and his aris . . . And for . . . fulfilling off all and sindry the premissis baytht the saidis partiis are bund oblist and sworn the Halie Ewangelis tuicht . . . In witnes of the quhilkis baytht the saidis partiis hes subscriuit this present contract . . . befor thir witnes ane reuerend fader in God Robert bischop of Orkney honorable men George Meldrum of Fyve knycht Alexander Fraser of Phillorthe Johnne Forbes of Pettislego Johnne Leslie of Baquhane Thomas Mynzeis of Petfoddellis Johnne Forbes of Tolleis Maister Johnne Forbes Maister Johnne Forbes of Barnis Thomas Annand of Auchterelloun Alexander Banerman of Watertown Maisteris Robert Lumisdaill Maister Matho Lunnisdaill of Tulcarne and Maister James Skene notaris publict with vtheris diuers.

WILLIAME ERLE OF MERCSHELL
 WILLIAME LORD FORBES
 ELIZABETH KEITH

Preceptum sasine dimedietatis terrarum de Nodinghame concessum per Comitissam Mariscalli. ¹—(A.D. 1556.)

Margareta comitissa Mariscalli domina Keith ac domina superior dime-
dietetatis terrarum subscriptarum dilectis nostris Alexandro Alexandirsonne
ac eorum cuilibet . . . balliuis nostris in hac parte
salutem Quia per inquisitionem de mandato quondam Supremi Domini
nostri Regis Jacobi quinti cuius anime propicietur Deus per vicecomitem
suum de Inuernys factam et ad capellam suam retornatam compertum est
quod quondam Jacobus Dunbar de Cumnok pater Alexandri Dunbar
latoris presentium obiit vltimo vestitus et sasitus vt de feodo ad pacem et
fidem dicti quondam Supremi Domini nostri Regis de tota et integra dime-
dietetate terrarum de Nedinghame iacentium in comitatu Cathanensi infra
vicecomitatum suum de Inuernys Et quod dictus Alexander est legitimus
et propinquior heres dicti quondam Jacobi patris sui de dicta dimedietate
terrarum cum pertinenciis Et quod est legitime etatis Et quod de nobis
domina superiore eiusdem tenetur in capite . . . Vobis igitur . . . cum
consensu . . . nobilis et potentis domini Willelmi comitis Mariscalli
domini Keith etc nostri charissimi sponsi precipimus . . . quatenus . . .
prefato Alexandro . . . sasiam hereditariam . . . dicte dimedietatis
terrarum . . . juste tradatis . . . In cuius rei testimonium presentibus
manu nostra subscriptis sigillum nostrum est appensum vnacum sigillo et
subscriptioe predicti nostri sponsi in signum sui consensus . . . Apud
Edinburgh decimo octauo die mensis Iulii anno Domini millesimo
quingentesimo quinquagesimo sexto Coram hiis testibus Joanne comite de
Suddirland Thome Mengers de Petfodallas Alexandro Cone de Deray et
Alexandro Keyth cum diuersis aliis

WYLZAM ERLE MERSCHELL
MARGARET KEYTH

¹ [Abridged from the original in the Scrabster charter chest. The seals are gone.]

Sasine was given on the ninth day of November, 1556, by Alexander Alexandersone, bailie of the Countess Marischal, to John Chessome, attorney of Alexander Dunbar of Cumnok, in presence of Finlai Alexandirsonn, Donald Wilzamsoun, Donald Rechesone, Donald Alexandirsonne in Nodinghame, and John Fraser; Thomas Brody, priest of the diocese of Murray, notary public.—(Original in the Scrabster charter chest.)

Sasina terrarum et baroniarum de Inuervgy Troupe Audene Kyntor
Eister Skene Dunnotter Ouras Fethiresso Strathachin Keith etc. ¹ —
(A.D. 1581.)

Vicecomes de Banff neenon Alexander Chalmer de Cultis Alexander Cullane et Magister Robertus Chalmer burgenses de Abirdene vicecomites de Banff in hac parte coniunctim et diuisim per commissionem supremi Domini nostri Regis specialiter constituti respondebunt pro lxxx libris de releuio totarum et integrarum terrarum dimediatatis totius et integre baronie de Inuervgy cum castro et fortalicio molendinis multuris piscationibus aduocationibus et donationibus ecclesiarum et capellaniarum dicte baronie de Inuervgy tenentibus tenandriis et liberetenencium seruitiis earundem Neenon pro lxxx libris de releuio alterius dimediatatis dictarum terrarum et baronie cum pertinentiis Regi debitis per sasinam datam Georgio comiti Mariscalli de eisdem Apud Edinburgh quarto die mensis Nouembris anno regni Regis decimo quinto . 1581 .

Vicecomes de Banff neenon persone antedictae respondebunt pro lxxx libris de releuio totius et integre superioritatis baronie de Troupe Et pro xij libris de releuio superioritatis terrarum de Auchinhamperis Et pro xxvj libris xij solidis iij denariis de releuio superioritatis terrarum de Durne jacentium infra balliam suam Regi debitis per sasinam datam dicto Georgio comiti Mariscalli de eisdem Apud Edinburgh die mense et anno prescriptis.

Vicecomes de Abirdene neenon persone prescripte respondebunt pro jc lxxij libris de releuio totarum et integrarum terrarum et baronie de Audene cum tenentibus tenandriis et liberetenencium seruitiis annexis et connexis earundem jacentium infra balliam suam Regi debitis per sasinam datam dicto Georgio comiti Mariscalli de eisdem Apud Edinburgh die mense et anno predictis.

¹ [From the Liber Responionum in Scaccario. MS. General Register House, Edinburgh.]

Vicecomes de Abirdene necnon persone predicte respondebunt pro xl libris de releuio totarum et integrarum terrarum et baronie de Kintor cum turre et fortalicio eiusdem Terrarum de Auchquhorsk Layluige Lochintullie Tillybyne Tartawy Drunnaheiche cum partibus pendiculis et pertinentiis dicte baronie jacentium infra balliam suam Regi debitis per sasinam datam dicto Georgio comiti Mariscalli de eisdem Apud Edinburght die mense et anno predictis.

Idem vicecomes de Abirdene necnon persone predicte respondebunt pro x libris de releuio totarum et integrarum terrarum de Eister Skene Carlogie cum molendino eiusdem Auchinclocht Fornatt Auchquhoynie cum partibus pendiculis et pertinentiis earundem jacentium infra balliam suam Regi debitis per sasinam datam dicto Georgio comiti Mariscalli de eisdem Apud Edinburght die mense et anno predictis.

Vicecomes de Kincardin necnon persone predicte respondebunt pro decem libris de releuio totarum et integrarum terrarum dimedietatis baronie de Dunnotter cum pertinentiis Et pro xl libris de releuio totarum et integrarum terrarum et baronie de Ouras cum pertinenciis Necnon pro liij solidis iij denariis per duplicationem albefirme officii Constabularie de Kincardin cumcroftis et pertinenciis eiusdem Acetiam pro xij solidis iij denariis de releuio officii Constabularie de Cowy et Durris cumcroftis et pertinenciis eiusdem Et pro xxvj solidis viij denariis de releuio terrarum none partis de Innerbervie vocate Brounsyde cum pertinenciis Necnon pro viij libris de releuio terrarum de Bruntoun et Johnestoun cum pertinenciis Regi debitis per sasinam datam Georgio comiti Mariscalli de eisdem Apud Edinburght quarto die mensis Nouembris die mense et anno predictis.

Idem vicecomes de Kincardin necnon persone prescripte respondebunt pro lx libris de releuio totius et integre baronie de Fetheresso (excepta manerie eiusdem) vnacum piscariis super aquis de Fethiresso et Cowie

Et pro lxxx libris de releuio terrarum de Strauquhin Cowpersaucht cum piscariis earundem super aquis de Dee et Dy jacentium infra balliam suam Regi debitis per sasinam datam dicto Georgio comiti Mariscalli de eisdem Apud Edinburgh die mense et anno prescriptis

Idem vicecomes de Kincardin necnon persone predictae respondebunt pro xij solidis iij denariis per duplicacionem albefirme totius et integre dimedietatis baronie de Dunnottar cum castro eiusdem terris et manerie de Fetheresso baronia de Garwak et piscariis eiusdem super aquis de Vrie et Bervie officio Vicecomitis de Kincardin cum earundem molendinis piscariis forestis siluis aduocationibus donationibus ecclesiarum et capellaniarum earundem cum suis annexis connexis partibus pendiculis et pertinentiis tenentibus tenandriis et liberetenencium seruiciis earundem vnitatum et incorporatarum in vna baronia vocata Baronia de Dunnottar jacentium infra balliam suam Regi debitis per sasinam datam dicto Georgio comiti Mariscalli de eisdem Apud Elinburght die mense et anno prescriptis

Vicecomes de Banf respondebit pro xxx libris de firmis totarum et integrarum terrarum molendinorum piscariarum omniumque aliarum inferius specificatarum videlicet totius et integre dimedietatis dimedietatis totarum et integrarum terrarum de Akerhill cum turre et fortalicio eiusdem [*etc. ut supra*, pp. 618, 619.] jacentium in dominio de Caithnes infra vicecomitatum de Inuernes ac balliam suam per annexationem Existentibus in manibus supremi domini nostri Regis termini Sancti Martini vltimo preteriti sasina non recuperata Et pro lx libris de releuio earundem Necnon pro xij libris vj solidis viij denariis de firmis dimedietatis omnium et singularum terrarum et annuorum reddituum tertie partis terrarum de Duffus cum castro eiusdem jacentium infra vicecomitatum de Elgin et Fores ac balliam suam predictam per annexationem Existentibus in manibus dicti domini Regis termini predicti ratione qua supra Et pro xxvj libris xij solidis iij denariis de releuio eiusdem Acetiam pro xx libris de firmis dimedietatis dimedietatis omnium et singularum terrarum et baronie de

Strabrok cum annexis connexis dependentiis tenentibus tenandriis et liberetenentium seruiciis aduocationibus et donationibus ecclesiarum et capellaniarum earundem cum omnibus suis pertinentiis jacentium infra vicecomitatum de Linlithgow et balliam suam predictam per annexationem vnitarum annexatarum et incorporatarum in vnam integram et liberam baroniam nuncupatam Baroniam de Inuervgy sic quod vnica sasina capienda apud principale messuagium de Inuervgy erit sufficiens pro omnibus supradictis terris molendinis et piscationibus cum pertinentiis absque aliqua alia particulari sasina Et pro xl libris de releuo eiusdem Regi debitus per sasinam datam Georgio comiti Mariscalli domino Keith de eisdem Apud Edinburgh octauo die mensis Marci anno regni Regis decimo quinto . 1581.

Idem vicecomes de Banff respondebit pro xxx libris de firmis alterius dimedietatis omnium et singularum dictarum terrarum molendinorum piscariarum cum partibus pendiculis et pertinentiis earundem suprascriptis jacentium infra dominium de Caithnes vicecomitatum de Inuernes ac balliam suam predictam per annexationem Existentibus in manibus dicti supreni domini nostri Regis termini Sancti Martini vltimo preteriti sasinanon recuperata Et pro lx libris de releuo earundem Necnon pro xij libris vj solidis viij denariis de firmis alterius dimedietatis dicte dimedietatis omnium et singularum terrarum et annuorum reddituum tertie partis terrarum de Duffus cum suis pertinentiis jacentium ut supra Existentibus in manibus dicti domini Regis per spacium predictum ratione qua supra Et pro xxvj libris xij solidis iij denariis de releuo eiusdem Acetiam pro xx libris de firmis alterius dimedietatis dimedietatis omnium et singularum terrarum et baronie de Strabrok jacentium et vnitarum vt supra Existentibus in manibus dicti domini Regis termini predicti ratione qua supra Et pro xl libris de releuo eiusdem dicto domino Regi debitus per sasinam datam dicto Georgio comiti Mariscalli domino Keith de eisdem Apud Edinburgh die mense et anno predictis.

Viccomes de Edinburgh infra constabulariam de Hadingtoun respondebit pro lxxx libris de releuo omnium et singularum terrarum et baronie

de Keith cum turre et fortalicio earundem aduocatione et donacione ecclesie parochialis de Keith Merschell Ac cum officio Mariscalli totius regni Scotie et suis pertinenciis jacentium infra balliam suam Regi debitis per sasinam datam Georgio comiti Mariscalli domino Keith de eisdem Apud Edinburgh quarto die mensis Nouembris anno regni Regis decimo quinto · 1581.

Commissio Justiciarie facta Comiti Mariscalli etc.¹ —(A.D. 1581.)

Commissio Justiciarie facta Georgio comiti Mariscalli domino Keith etc. Willelmo Keith de Lodquharne et Alexandro Keith de Glakreanch et eorum cuilibet ad capiendum et apprehendendum Joannem Murray Willelmum Skyinner et Magnum Park vagabondos et communes fures infra bondas domini de Deir et baroniarum de Inuerugy et Audene degentes Aliosque infra dictas bondas de furto furtique receptione suspectos etc Apud Halierudhous vicesimo octavo die mensis Octobris anno regni Regis decimo quinto · 1581.

Act anent the landis of Inuerugrie and Straloch² —(12. March 1649.)

The Estaites of Parliament haveing taken to their consideratioune the supplicatioune given in to thame be Alexander Dowglas commissioner for the toune of Banff for himself and in name of the rest of the heretouris of the shire of Banff makand mentionne That whairas the landis of Inuervgrie and Strathloche lyand within the said shire of Banff was valued within the said shire and payed loane and taxt conforme with stent and twentie pennies and maintenance layd thairon conforme to the same valuatione and in reference thairto hath put out horse in all tyme bygane and fute levies conforme to rollis giuen vp and do presentlie pay to the fermoraris of the Excyse thair monethlie Excyse as a pairt of the said shyre Notwithstanding of all which the shire and committee of

[From the Liber Responsonum in Seaccario. MS. General Register House, Edinburgh.]

[From the Acts of the Parliaments of Scotland. MS. General Register House, Edinburgh.]

Aberdene vpoune ane act appoynting mantenance to be payed in the shire where they lye locallic¹ as if these landis were a pairt of Banff be annexatioune They did deteine the said supplicantis their mantenance to their great prejudice Supplicating therefore that the saidis Estaites of Parliament might declaire the saidis landis to be lyable in mantenance to the said schire of Banff whereof it is a pairt As also to pay all publick dewis as horse foote or vtheris imposed on thame As at mair lenth is contenit in the said supplicatioune Whilk being remitted to the Committee of Billis to be considerit be thame and to take tryell whidder the saidis landis controvertit lyes locallic within the shire of Banff or Aberdene Who haueing fund by ane chartour vnder the great seall that the saidis landis lyes within the schyre of Banff The saidis Estaitis of Parliament has remitted and remittis to the Committtee of Estaites to try whidder the landis of Inuervgrie and Strathloche hes beine valued and chairged to mak payment in the schire of Aberdene or in the schire of Banff And the saidis Estaites of Parliament declaires that this sall in nawayes prejudice nor hinder the present levie bot that the said shire of Banff is ordained to put out thair horse and fute as they have been in vse to doe formerlie notwithstanding heirof.

[An "Act (nent the nine moneth's maintenance" (passed on the twentieth of February, 1647), ordained "that the lands and tiends shal pay as they lye locally in shires or burghs, conforme to the Act of Convention for the Loane and Taxt, and former Act of Maintenance."—Acts of the Parliaments of Scotland, vol. vi, p. 253.]

PARISH OF CRIMOND.—(PAGE 77.)

The contract of mareage betuix Williame Hay apperand of Ury and Crechmond and the dochter of the laird of Drumtochty,¹—(A.D. 1487.)

This indenture made at Aberdene the xvij day of Julij the yeir of God j^m four hundreth aughty ande sevin . . . beris witnessing . . . that it is . . . accordit betuix ane nobile and mighty lord Williame erle of Eroll lord Hay and Constable of Seotlande Betterage Dunbar the relict of umquhill Maister Gilbert Hay of Ury and Williame Hay son and appering ayr to the saidis Maister Gilbert and Bettarage on the ane part and Archbald Rate of Drumtochty on that uthir part . . . that . . . the said Lord sall . . . enter the said William in the lordschip of Ury . . . lyand in the barony of Erole within the schireffdome of Kincardine . . . whilk the said Maister Gilbert josit and bruiket Ande . . . sall giff ane new infetment of the said haill lordschip of Ury . . . to be haldin of himself and his ayris ward and releif exprimand the pertinentis at lenth with the namys of the townis . . . And eftir the said William be entrit in the samyn he . . . sal God willing haf to his wife Katherine Rate dochter to the said Archbald quhilk mareage he sal fullfill in visage of Haillie Kirk . . . Ande the saide Lord sal caus the said William be lauchfully entrit in the fee of the haill lands of Crechmond . . . lyand within the scherifdome of Aberdene to be haldin of the King eftir the tenor of his moderis infetment reservand the franktenement therof till her for all the days of her life Ande for the fulfilling . . . of the said mareage . . . the said Archbald sal . . . pay to the said Lord the soume of five hundreth merkis of usuale money of Seotland . . . And for the dispenseinge with the said Williame his age and entring of him in the said landis of Ury the ward of the same being unrwn and for the costis . . . to be made apou the entrie of him in the fie of the foirnemyt landis of Crichmond . . . the said William sal . . . pay to the said Lord the

¹ [Abridged from a copy in the charter room at Slaines.]

soume of foure hundreth markis . . . for the payment of the quhilk sum he sall gife ane band . . . that the landis of Monquech twa partis of the landis of Glichnoeh and twa partis of the Karntown . . . sal remain with the said Lord . . . to the tyme he . . . be pairt of the said some . . . Alsua . . . all evidentis of Crichmond and Kilmalumagic sall be put in the handis of Williame Hay of Ardendracht be the sicht of the said Archbald and his ayris thay havand the copyis of the same . . . And attour gif the said William pretendis ony causis of divorce efterwart ony manner of way wherethro the said Katharine Rate beis not his spous nor demanyt as his wife than the said Williame sal pay to the said Archbald . . . ane thousand marks . . . within thre monethis efter the said divorce pretendit . . . And to the keping . . . of all thingis befor expremit ilk ane of the said parteis are oblisit and sworne till othiser the greit bodyly aitht . . . And to the part of thir indenturis remanand with the said Lord the said Archbald hes affixit his awne propir sele . . . befor thir witnes William Hay of Ardendraught Gilbert Hay of Carinmuik Maister Jhone Hay viccar of Cluny Schir Andro Yrland and Schir Jhone Striveling notaris publik

ARCHBALD OF RAT OF DRUMTOCTE

Sasina de Parkereichmond.¹—(A.D. 1513.)

Viccomes de Aberdene respondebit pro quadraginta libris de releuio terrarum baronie de Parkereichmond Regi debitis per saisinam datam Andree Hay de eisdem vij^o Nouembris anno regni Regis primo

Sasina baronie de Cremond.¹—(A.D. 1531.)

Viccomes de Abirdene respondebit pro v^o lxxxvj libris xij solidis iij denariis de firmis baronie de Cremond et dominiij eiusdem cum pertinentiis jacentis infra balliam suam existentibus in manibus Regis per spatium

¹ [Abridged from the Liber Responionum in Scaccario. MS. General Register House, Edinburgh.]

vndecim annorum vltimo clapsorum sasina non recuperata Et pro liij libris vj solidis viij denariis de releuio carundem Regi debitis per sasinam datam Patricio Hay de eisdem Apud Dunde xix^o Octobris anno regni Regis decimo octauo

Carta confirmationis Gilberti Brabaner et sue sponse.¹—(A.D. 1536 et A.D. 1544.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quamdam cartam . . . factam per Johannem Brabaner burgensem burgi nostri de Abirdene . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Johannes Brabaner burgensis de Abirdene salutem . . . Noueritis me . . . pro filiali dilectione quam ergo Gilbertum Brabaner meum filium naturalem legitimum et apparentem heredem ac Isobellam Boyis eius vxorem habeo et gero Et pro magnis pecuniarum summis per reuerendos dominos Magistros Hectorem et Arthurum Boyis mihi et dicto Gilberto in dotem cum eadem Isobella solutis dedisse . . . dicto Gilberto Brabaner et heredibus inter ipsum et prefatam Isobellam procreatis seu procreandis quibus forsan deficientibus heredibus meis legitimis propinquioribus quibuscunque et suis assignatis Totam et integram dimedietatem solarem totius ville de Ouir Cremond vocate Cremond Gortht cum terris pendiculis et pertinentiis eiusdem iacentem in baronia de Cremond infra vicecomitatum de Abirdene Quam dimedietatem . . . ego . . . ab honorabili viro Patricio Hay de Wry mihi Agneti Slugy vxori mee et heredibus ac assignatis nostris emi et comparauit Et ipsa Agnes . . . suam eiusdem dimedietatis . . . partem . . . simpliciter . . . resignauit Tenendam . . . de supremo domino nostro Rege Jacobo Quinto Scotorum Rege inclitissimo et suis successoribus Regibus Scotie in feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicium et reliqua solita et consueta . . . Reseruando . . . mihi Johanni Brabaner Agneti Slugy vxori mee et nostrum diucius viuenti liberotenemento premissae dimedietatis . . . In cuius rei testimonium sigillum meum proprium

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxiii., no. 180. MS. General Register House, Edinburgh.]

huic presenti carte meo est appensum et eandem manu mea ad calamus subseripsi Apud Abirdene decimo octavo die mensis Januarii anno Domini millesimo quingentesimo tricesimo quinto Presentibus honorabilibus viris Gilberto Menzes de Fyndon Thoma Menzes de Petfoddallis Willelmo Lyoun de Cowmaligy Patricio Boyis portionario de Paubride Magistris Duncano Chalmer rectore de Furwy Gilberto Chalmer Thoma Seres Dauide Makesoun et Jacobo Brokkes cum diversis aliis . . . QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo secundo die mensis Martii anno regni nostri secundo .

Sasina baronie de Chremond. ¹—(A.D. 1552)

Viccomes de Abirdene respondebit pro vij^e xx libris de firmis terrarum baronie seu dominiij vulgo *lie lairdschip* de Chremond cum suis pertinentiis jacentis infra balliam suam Existentibus in manibus Regine per spacium tredecim annorum et vnius termini vltimo elapsorum ratione warde Que firme extendunt annuatim ad liij libras vj solidos viij denarios Regine debitis per sasinam datam Willelmo Hay de eisdem Apud Edinburgh quinto Nouembris anno regni decimo .

Carta Willelmi Hay de Vry et sue sponse. ²—(A.D. 1557.)

Maria Dei gracia Regina Scotorum . . . Sciat is nos dedisse . . .

¹ [From the Liber Responsonium in Seaccario. MS. General Register House, Edinburgh.

On the twenty-seventh day of May, 1560, William Hay of Ury and of the barony of Creichmonth, sold to Alexander Fraser of Philorth, his heirs and assignees, the lands of Tulykeraw, Blairnormond, and Park called Park of Creichmond, in the barony of Cremond, and sheriffdom of Aberdeen. The charter dated at Philorth, is witnessed by Alexander Fraser of Outlaw, Michael Ogilvy of Cultis, Thomas Fraser of Kirktoon Tyrie, Masters William Fraser, Robert Andersoun, and David Brody, notary public.—(Registrum Magni Sigilli, lib. xxxi. no. 491)].

² [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 545. MS. General Register House, Edinburgh.

On the twentieth day of May, 1569, William Hay of Vrie, at the request of Janet Wood, his

dilectis nostris Willelmo Hay de Vry et Jonete Wod eius coniugi eorumque alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus dicti Willelmi quibuscunque omnes et singulas terras de Creichmonthgorthie cum suis pertinenciis jacentes in baronia de Cremonth et infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Willelmi perprius hereditarie Et quas idem . . . simpliciter resignauit . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde jura et seruicia debita et consueta . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Striueling primo die mensis Aprilis anno Domini millesimo quingentesimo quinquagesimo septimo Et regni nostri decimoquinto.

Carta confirmacionis Johannis Hay et sue sponse. ¹ —(A.D. 1565.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos quandam cartam . . . factam per Willelmum Hay de Vrye . . . ad plenum intellexisse

wife, granted the lands of the town and lands of Creychmont Gorth, in the barony of Creychmont, and sheriffdom of Aberdeen, to his son and heir apparent, John Hay, and to his heirs and assignees, by a charter dated at Vry, and witnessed by John Duucane, George Cardno, and Robert Neilsoun, notary public. The grant was confirmed by King James VI. by charter under the great seal, at Halyruidhous, on the second day of June, 1571.—(Registrum Magni Sigilli, lib. xxxiv., no. 249.)

On the third day of April, 1588, King James VI. by a charter under the great seal, confirmed and of new granted to John Hay of Vrie, and to the heirs lawful of his body (whom failing to his nearest lawful heirs male bearing the name and arms of Hay), the lands and barony of Creichmound, namely, the lands of Creichmond Park, Blairnormound, Karnekauschie, Tullikerie, Creichmound Haggills with the corn mill, Creichmound Gorthie with the corn mill, and with the penficle called Lochillis, Creichmound Mogat with the corn mill and fulling mill, and with the pendicles called Kerlob, Channerahill, Karne . . . , Blarquatoun, and Berriebra, with the lakos, fishings, etc., and with the advowson, donation, and right of patronage of the benefice of the rectorie and vicarage of the parish church of Creichmound, lying in the said barony of Creichmond, and sheriffdom of Aberdeen; to be held of the King in free barony.—(Registrum Magni Sigilli, lib. xxxvi., no. 492. See also lib. xlv., nn. 250, 251, 252; lib. xlviij., no. 189.)

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 521. MS. General Register House, Edinburgh.]

On the sixth day of November, 1564, William Hay of Vrie sold to his cousin John Hay in

sub hac forma OMNIBUS hanc cartam visuris . . . Willelmus Hay de Vrye salutem . . . Noucritis me . . . vendidisse . . . dilecto consanguineo meo Johanni Hay in Creichmondmogat et Jonete alias Jene Cheyne sue coniugi et eorum alteri diucius viuenti in vitali reddito siue libero tenemento proboque adolescenti Willelmo Hay eorundem filio suisque heredibus et assignatis in feodo et hereditate imperpetuum Omnes et singulas terras meas de Creychmondmogat vnacum molendino et terris molendinariis de Creychmondmogat astrictis multuris et *lie suckin* dicti molendini . . . jacentes infra baroniam de Creichmondpark et vicecomitatum de Abirdene . . . Tenendas et habendas . . . de suprema domina nostra Regina et suis successoribus . . . Reddendo . . . serui-cium . . . debitum solitum et consuetum . . . In cuius rei testimonium sigillum meum proprium vnacum mea subscriptione manuali his presentibus est appensum Apud Krychmond die quarto mensis Junii anno Domini millesimo quingentesimo sexagesimo quinto Coram his testibus Georgio Nisbet Willelmo Hay Thoma Wod QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Julii anno Domini millesimo quingentesimo sexagesimo quinto et regni nostri vicesimo tercio.

Carta balliuorum burgensium et communitatis de Rettray.¹—(A.D. 1564.)

Maria Dei gracia Regina Scotorum . . . Sciatis quia nos intelligentes quod litere summonitionum coram Consilii nostri et Sessionis Dominis ad

Creichmondmogat, his heirs and assignees, his lands of Creichmondmogat with the mill and mill lands of Creichmondmogat, its thrill multures and suckin, by a charter dated at Krychmond, and witnessed by William Hay in Creichmondmogat, Gilbert Blakhall in Drynmis, George Nesbit, Gilbert Hay, and Thomas Wod. The sale was confirmed by Queen Mary, by charter under the great seal, at Edinburgh, on the twenty-seventh day of November, 1564.—(Registrum Magni Sigilli, lib. xxxii., no. 341.)

¹[Abridged from the original in the charter chest of James Cumine, esquire of Rattray, collated with the Registrum Magni Sigilli, lib. xxxii., no. 397. MS. Gen. Regist. House, Edinb.]

noſtre noſtrique aduocati inſtantias necnon ad inſtantiam Andree magiſtri Errolie noſtri donatoris ad nonintroitum ville et terrarum ſubtus ſpecificatarum intente fuerunt aduerſus dilectum conſiliarium noſtrum Wilelmum Mariscalii comitem dominum liberiteneſenti et Wilelmum Mariscalii magiſtrum ſuum filium dominum feodi huiusmodi ville et terrarum et certos alios in dictis ſummonitionum literis ſpecificatos et contentos ad videndum et audiendum villam et terras de Rettray eum pertinentiis iacentes in comitatu de Buchane infra vicecomitatum noſtrum de Abirdene per decretum dictorum Dominorum eſſe et fuiſſe in manibus noſtris et predeceſſorum noſtrum tanquam ſuperiorum earundem ratione nonintroitus a deceſſu quondam Thome Tulloch de Bonytoun per ſpacium centum annorum vltimo elapſorum ac firmas proficua et deuoria earundem durante dicto ſpacio pertinuiſſe et pertinere nobis et dicto noſtro donatori noſtro nomine Et deficientibus bonis mobilibus ſuper predictis villa et terris diſtinguibilibus pro eiſdem ad videndum et audiendum fundum et proprietatem earundem ſibi pro eiſdem appreciari prout in prefatis literis ſummonitionis deſuper leuatis latius continetur Quequidem ſummonitionum litere coram prefatis Dominis vocate et ad longum racionate exiſtentes poſtquam prefatus noſter conſanguineus ac conſiliarius prefatus ſuus filius et alie perſone contra quas dicte ſummonitionis litere intente fuerunt a dicto nonintroitu abſoluabantur a deceſſu dicti quondam Wilelmi Tulloch ad deceſſum quondam Wilelmi Errolie comitis poſthac per dictos Dominos inuentum extiterat per productionem diuerſarum ſaſinarum coram ipsis per dictum conſanguineum noſtrum et ſuum filium antedictum prefatarum ville et terrarum quod eodem plene tuerunt et nullo modo in nonintroitu eſſe potuiſſent Et nihilominus prefatus conſanguineus noſter pro ſeipſo et dicto ſuo filio requisitioni dictorum Dominorum ipſum eiſdem Dominis ſubmiſit perficere et proſequi quocunque ipsis in dicta cauſa viſum fuerit Quiquidem Domini poſt maturam deliberationem deſuper habitam conſiderantes reipublicam regni noſtri proficuum et vtilitatem inhabitantium dictarum ville et terrarum viſum eſt eis et nobis conſilium dederunt dictas villam et terras in liberum burgum erigere ac multo magis in reſpectu quod eodem villa et terre in loco tam commodo iacent Ac nos conſultationem dictorum Dominorum proſequentes et ocaſionem dictis inhabitantibus prebere fortes domos in eadem villa edificare pro deſenſione et hospita-

tione liegiorum nostrorum eidem reparantium resistentia et correctione
 furum et malefactorum ac pro policia infra dictum burgum habenda. Ex
 autoritate nostra regali et potestate reginali fecimus infeodauimus et
 creauimus . . . dictas villam et terras de Rettray in liberum burgum
 regalem imperpetuum Necnon dedimus . . . inhabitatoribus dicti burgi
 nostram plenariam potestatem elegendi et creandi in eodem annuatim in
 curia capitali post festum Michaelis balliuos et officarios pro regimine et
 gubernatione eorundem ac executione statutorum in eadem fiendorum
 legibus regni nostri concordantium Ac etiam dedimus . . . dictis balliuis
 et communitati communem morum dicti burgi per ipsos omnibus ten-
 poribus affuturis tanquam commoniam eiusdem vtendum et desuper
 prout eis visum fuerit vtilitate et commodo reipublice dicti burgi asse-
 dandum et disponendum Et similiter dedimus . . . burgensibus et
 inhabitatoribus dicti burgi presentibus et affuturis plenariam potestatem
 . . . emendi et vendendi in eodem . . . vinum ceram pannum laneum
 et lineum latum et angustum ac omnes alias merces siue mercimonia
 acetiam tenendi et habendi in dicto nostro burgo pistores coctores carni-
 fices piscatores jugulatores piscium et carnum ac omnes alios artifices
 ad libertatem liberi burgi regalis pertinentes Acetiam concedimus quod
 erunt liberi burgenses infra dictum nostrum burgum cum potestate
 ipsis et balliuis eiusdem habere et tenere in eodem imperpetuum crucem
 foralem ac diem foralem hebdomadatim super diem Martis cum liberis
 nundinis annuatim super decimoquinto die mensis Augusti et octauo die
 mensis Septembris et per octauas earundem cum singulis toloniis customis
 priuilegiis libertatibus commoditatibusque ad liberas nundinas et liberum
 burgum regalem quouis modo . . . spectantibus . . . Tenendas et haben-
 das totas et integras predictas villam et terras de Rettray cum communi
 moro earundem antedicto dictis balliuis burgensibus et communitati pre-
 sentibus et pro tempore existentibus de nobis et nostris successoribus in
 libero burgo regali et hereditate imperpetuum . . . Faciendo inde
 annuatim . . . nobis et successoribus nostris seruicium burgi debitum et
 consuetum tantum In cuius rei testimonium huic presenti carte nostre
 magnum sigillum nostrum apponi precipimus . . . Apud Edinburgh sexto
 die mensis Marci anno Domini millesimo quingentesimo sexagesimo tertio
 et regni nostri vicesimo secundo.

Commissio ad iudicandum filios Rectoris de Crymonth.¹ —(A.D. 1586.)

Commissio iusticiarie facta Magistro Thome Lyoun de Baldowky magistro de Glammis et suis deputatis ad assise cognitioni ponendum per dictamenta accusandum et puniendum Magistrum Samuelem Keith et Georgium Keith filios Rectoris de Crymonth opressores qui iniustum odium et iram contra diuersos et singulos liegios infra bondas de Buquban et Mernis maliciose conceperunt ac pro eorundum damno et interfectionibus expectant etc. Apud Striuiling quinto die mensis Septembris anno regni Regis vicesimo .

¹ [From the Liber Responionum in Seaccario. MS. General Register House, Edinburgh.]

On the first day of July, 1605. Francis, Earl of Erroll, Lord Hay, and Great Constable of Scotland, sold to William Watson in Bilbo, his heirs and assignees, the town and lands of Haddo of Rattray, in the barony of Slaynes, parish of Crimond, and sheriffdom of Aberdeen. The charter, dated at Edinburgh, is witnessed by Patrick Con of Auebry, George Murray, Alexander Daidson, notary public, William Hay, serlvtors of the Earl, and Robert Hay, notary public, writer in Edinburgh. It was confirmed by charter under the great seal, on the thirteenth of July, 1609.—Registrum Magni Sigilli, lib. xlvi., no. 36.]

PARISH OF LONMAY.—(PAGE 81.)

Sasina de Drum Lunmey etc.¹—(A.D. 1528.)

Vicecomes de Abirdene respondebit pro xl libris de firmis terrarum de le Park de Drum cum le Park Wod et molendino eiusdem et terris de Lunmey Terlane et molendinis earundem et suis pertinenciis jacentium infra balliam suam existentibus in manibus Regis termini Sancti Martini vltimo preteriti sasina non recuperata Et pro lxxx libris de releuio earundem Ae pro v libris et dimedietate vnus marte aut valore eiusdem videlicet vij solidis vj denariis de firmis terrarum de Cowle cum pertinentiis existentibus in manibus Regis dieti termini Sancti Martini racione qua supra Et pro xx libris et duabus martis aut valore earundem videlicet xxx solidis per duplicationem feodifirme earundem terrarum de Cowle Regi debitis per sasinam datam Alexandro Irwin de eisdem Apud Edinburgh quinto Januarii anno regni Regis decimo quinto .

¹ From the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.

PARISH OF FRASERBURGH.—(PAGE 83.)

Carta confirmationis super carta Domini Alexandri Fraser militis concessa Alexandro Banerman burgensi de Abirdene de terris de Alesek in baronia de Colly. ¹—(A.D. 1387.)

Robertus Dei gracia Rex Scottorum omnibus probis hominibus tocies terre sue clericis et laycis Salutem · Sciatis nos . . . confirmasse donacionem illam et concessionem quas fecit et concessit Alexander Fraser miles consanguineus noster Alexandro Banerman burgensi nostro de Abirdene de terris de Alesek cum pertinenciis in baronia de Colly infra vicecomitatum de Kyneardyn Tenendis et habendis eidem Alexandro et heredibus suis in feodo et hereditate . . . sicut carta dieti consanguinei nostri sibi exinde confecta in se iuste continet et proportat · Saluo seruicio nostro · In cuius rei testimonium / presenti carte nostre confirmacionis nostrum precepimus apponi sigillum · Testibus venerabilibus in Christo patribus Waltero et Johanne cancellario nostro / Sanetiandree et Dunkeldensis ecclesiarum episcopis / Johanne primogenito nostro de Carric senescallo Scoeie / Roberto de Fyf et de Menteth / Jacobo de Douglas filijs nostris dilectis / comitibus · Archebaldo de Douglas et Thoma de Erskyne consanguineis nostris militibus · Apud Sconam nonodecimo die Octobris / anno regni nostri septimo decimo ·

Carta Domini de Phillortht super medietatibus terrarum de Closerath et de Drumdowle. ²—(A.D. 1406.)

Omnibus hanc cartam visuris . . . Alexander Fraser dominus de Phillortht et de Clogstoune salutem . . . Sciatis nos dedisse . . . dilecte consanguinee nostre Jonete Makgillumquha totas et integras medietates

¹ [Abridged from a transcript in the General Register House at Edinburgh, made in 1811, from the original then in the possession of Charles Bannerman, esquire, Aberdeen.]

² [Abridged from the official transcript, made on the seventh day of May, 1593, in the General Register House at Edinburgh.]

terrarum de Closerath et de Drumdowle cum pertinentiis jacentes in baronia nostra de Clogstoune infra vicecomitatum de Wigtoun Quequidem medietates dietarum terrarum . . . fuerunt diete Jonete hereditarie Et quas eadem Joneta . . . in manibus nostris coram testibus infrascriptis . . . simpliciter resignavit . . . Tenendas et habendas . . . predictae Jonete et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . Faciendo inde nobis et heredibus nostris . . . wardam maritagium et releuium eum contigerint . . . In cuius rei testimonium presenti carte nostre sigillum nostrum est appensum Apud Perth xvj^{to} die mensis Junii anno Domini millesimo quadringentesimo sexto Hiis testibus Johanne Senescalli domino de Coull Alexandro Senescalli domino de Provand Michaele de Narne et Johanne de Ouchiltre .

William Frasare lord of Fylorth sells his lands of the baronies of Colly and Durryes to William de Hay lord of Eroll. ¹—(A.D. 1413.)

Be it madde knawyn . . . me Williame Frasare lord off Fylorth for til haff saulde . . . til a noble lord and mychty William de Hay lord of Eroll and Constable of Scotland his ayris and his assignais / all my landis off the barouryis off Colly and off Durryes / wid tenand and tenandryis and service of fre tenand / lyand widin the schyrrrefdome of the Merenyss . . . For til hald and for til haff . . . of oure Lord the King into fre barouryis . . . In to the whilke landys Dame Elizabeth of Hamylton the wyff whilum of Sir Alexander Frasare is joynte fyffare as now And att what tyme at the forsayde Lady may be trectyt till vpp gyff tha landis till oure Lorl the Kyng / or till our Lord the Ducke our Gouvernour / till infeffe William Frasare in the sayde landys / he beand in lauchfull possession sal resigne the sayde landys in the handis off the our lord for till infeffe the sayde Lord of Eroll frely his ayres or his assignaes . . . In the witness of the whilke thynge my seele is putt to thir present lettres att Perth the tend day of the moneth of October in the yhere of our Lord a thowsand fowre hondreth and threttene .

¹ [Abridged from the original in the charter room at Philorth.]

Carta baronie de Cowie. ¹—(A.D. 1415.)

Robertus dux Albanie comes de Fyfe et de Menteth ac regni Scotie gubernator . . . Sciatis nos dedisse . . . carissimo nepoti nostri Willelmo de Haya de Erole Constabulario Seocie . totas et integras terras baronie de Cowie cum pertinenciis jacentes infra vicecomitatum de Kincardyne / Que quidem terre . . . fuerunt Willelmi Fraser de Fillorth hereditarie / Et quas idem Willelmus . . . in manus nostras . . . simpliciter resignavit . . . Tenendas et habendas . . . de domino nostro Rege et heredibus suis in vnam integram et liberam baroniam in feodo et hereditate in perpetuum . . . Faciendo inde . . . seruicia . . . debita et consueta . In cuius rei testimonium presenti carte nostre magnum sigillum officii nostri apponi precepimus . . . Apud Falklande quarto decimo die mensis Maij anno Domini millesimo quadingentesimo quintodecimo . et gubernacionis nostre nono .

Sasina de Philorth, ²—(A.D. 1516.)

Vicecomes de Abirdene respondebit pro iij^e l libris de firmis terrarum baronie de Philorth cum suis annexis et vnitis cum tenentibus et tenandriis et liberetenencium seruiciis cum pertinenciis jacentium infra balliam suam existentibus in manibus Regis per spacium duorum annorum et vnus termini vltimo elapsorum sasina non recuperata Et pro j^e lxxx libris de releuio earundem Regi debitis per sasinam datam Willelmo Fraser de eisdem apud Edinburgh xvij Aprilis anno regni Regis tertio .

[Abridged from the original in the charter room at Slaines.]

[From the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.]

Carta Alexandri Fraser de Phillorth super piscaria de *lic fische bait*.¹ —
(A.D. 1542.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Alexandro Fraser de Phillorth suis heredibus et assignatis totam et integram piscariam et piscium escula vulgo *lic fische bait* infra maris fluxum infra bondas et limites omnium et singularum terrarum de Carnbulg Faithlie Pitcarlie et Cowburty cum suis pertinentiis jacentium infra vicecomitatum nostrum de Abirdene Quequidem terre dicto Alexandro perprius pertinebant Tenendam et habendam . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . vnum denarium vsualis monete regni Scocie super solo terrarum predictarum in festo Penthecostes nomine albefirme si petatur tantum In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh quarto die mensis Decembris anno Domini millesimo quingentesimo quadragesimo secundo anno regni nostri trigesimo

Carta Alexandri Fraser de Phillorth super burgo baronie de Faithlie² —
(A.D. 1546.)

Maria Dei gracia Regina Scotorum . . . Sciatis quia dilectus noster Alexander Fraser de Phillorth pro nostrorum subditorum eius vicinorum infra vicecomitatum nostrum de Abirdene commorantium commodo portum versus mare infra bondas terrarum suarum de Faythlie in huiusmodi nostro vicecomitatu jacentium in quo naucs et cimbe in hisce partibus per tempestates inuase saluum et securum refugium habere poterint construxit Et propterea . . . pro bono fideli et gratuito seruicio per

¹ [Abridged from the Registrum Magni Sigilli, lib. xxviii., no. 373. MS. General Register House, Edinburgh.]

By charter under the great seal, dated at Aberdeen, on the twelfth day of October, 1546, Queen Mary confirmed to Alexander Fraser of Phillorth and Katherine Menzies his wife, the lands of Kinglasser with the mill of Phillorth, in the sherriffdom of Aberdeen.—(Registrum Magni Sigilli, lib. xxxi. no. 353.)

[Abridged from the Registrum Magni Sigilli, lib. xxx., no. 52. MS. Gen. Reg. House, Edin.]

dictum Alexandrum nobis inde et aliusmodi impenso Necnon pro hospitalitate subditis nostris ad villam de Faithlie et portum eiusdem antedictum venientibus habenda Ex nostris Reginalibus potestate et auctoritate facimus erigimus creamus et constituimus dictam villam de Faithlie in liberum burgum baronie imperpetuum Damasque . . . inhabitatoribus eiusdem . . . potestatem . . . in eodem burgo vinum ceram pannum laneum et lineum latum et aretum pisces *lie pak* et *peill* et omnes alias merces emendi et vendendi ac in prefato burgo pistores brasiatores carnifices omnesque alios artifices ad burgum in baronia necessarios tenendi et habendi Concedimus eciam quod in dicto burgo liberi erint burgenses quibus potestatem committimus . . . balliuos seriandos et ceteros officarios pro eiusdem regimine necessarios annuatim eligendi Ac cum potestate . . . crucem foralem perpetuam et forum ebdomidatum diebus Lune et Sabbati cum liberis nundinis annuatim ad duo anni tempora Festa videlicet Sancti Michaelis archangeli et Sancti Johannis Baptiste et per eorundem festorum octauas tenendi et habendi Cum omnibus tollis libertatibus et denoriis ad liberas nundinas pertinentibus Ac cum omnibus aliis . . . priuelegiis ad liberos burgos in baronia spectantibus . . . Tenendam et habendam huiusmodi villam de Faithlie cum pertinentiis in libero burgo in baronia . . . Cum priuilegio carceres et patibulum conficiendi Cum infangtheif et outfangtheif . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Sanctandris secundo die mensis Nouembris anno Domini millesimo quingentesimo quadragesimo sexto et regni nostri quarto .

Carta Alexandri Fraser de Phillorth super baronia de New Murecroft, ¹
—(A.D. 1550.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . dedisse . . . dilecto nostro Alexandro Fraser de Phillorth suis heredibus et assignatis

¹ [Abridged from the Registrum Magni Sigilli, lib. xxx., no. 462. MS. General Register House, Edinburgh.]

On the fifth day of March, 1582, Patrick Chene of Essilmonth sold to Alexander Fraser of Phillorth, his heirs and assignees, the lands of Kirktown Tyrie, with the mill, multure, etc., [p

totas et integras terras de *lie New Murecroft* de Kirktown Tyrie per bondas . . . subtus specificatas videlicet inter torrentem de Tyrie versus aquilonem ascendendo ad riulum nuncupatum *The Thornystrype* vsque ad summitatem eiusdem versus orientem quiquidem riulus diuidet terras de *Eister Tyrie* a villa de Kirktown Tyrie Et abhinc descendendo a summitate et origine dicti riuli versus occidentem per diuersas metas et congeries lapidum confectas et infixas vsque ad predictum torrentem de Tyrie et suis pertinentiis vnacum superioritate omnium et singularum terrarum de *Ardlaw Bodichail* cum molendino earundem ac suis pertinentiis iacentes in baronia de *Abirdour* infra vicecomitatum nostrum de *Abirdene* et per annexationem in baronia de *Borthuik* infra vicecomitatem nostrum de *Edinburgh* cum tenentibus tenandriis et liberetenenciis seruiciis Quequidem terre . . . fuerunt consanguinei nostri *Johannis domini Borthuik* perprius hereditarie Et quas idem . . . in manibus nostris . . . simpliciter resignauit . . . Insuper . . . pro bono fidei et gratuito seruicio nobis per dictum *Alexandrum Fraser* inpenso . . . erigimus dictas terras . . . in vnam integram et liberam baroniam omni tempore affuturo Baroniam de *New Murecroft* nuncupandam . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate ac libera baronia imperpetuum . . . Reddendo . . . vnam rosam rubeam super solo dictarum terrarum . . . in Festo Sancti *Johannis Baptiste Midsymm*ir nuncupato nomine albefirme si petatur tantum . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud *Elinburgh* vicesimo tercio die mensis *Marcii* anno Domini millesimo quingentesimo quadragesimo nono et regni nostri octauo.

the barony of *Aberdour*, and sheriffdom of *Aberdeen*; to be held of the King for a rose or St. John Baptist's day yearly in name of blench ferme. The charter, dated at *Aberdeen*, is witnessed by *William Cuming* of *Invercralloquhic*, *Walter Ogilwy* apparent of *Dwnlewgowse*, Master *George Barelay*, burges of *Aberdeen*, *Walter Fraser*, brother-german of the said *Alexander Fraser* of *Phillorth*, and *William Chene*, brother-german of the said *Patrick Chene* of *Essilmouth*. It was confirmed by King *James VI.*, by charter under the great seal, at *Halyrudhous*, on the twenty-second day of *April*, 1583.—*Registrum Magni Sigilli*, lib. xxxvi. n. 593. J

Carta confirmationis Alexandri Frasser de Phillorth.¹—(A.D. 1552 et A.D. 1553.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam . . . factam per Joannem Forbes de Petslego . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Johannes Forbes de Petslego eternam in Domino salutem Noueritis me . . . vendidisse . . . honorabili viro Alexandro Frasair de Phillorth suis heredibus et assignatis Totas et integras terras meas de Pettalochy cum suis pertinentiis jacentes infra vicecomitatum de Abirdene inter terras de Pittowleis habentes ad orientem terras de Pettindrum Et hoc in . . . excambium pro certa parte terrarum de Cowburty jacentium infra dictum vicecomitatum per certos limites . . . specificatos in carta vendicionis mihi per dictum Alexandrum Frasair super huiusmodi excambio confecta . . . Tenendas et habendas . . . a me heredibus meis et assignatis de suprema domina nostra Regina et suis successoribus . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . Domine Regine et suis successoribus . . . vnum denarium vsualis monete regni Scotie . . . nomine albefirme si petatur ex eo quod huiusmodi terre de Pittellochy sunt pars et pendicula terrarum mearum de Petslego que similiter tenentur de eadem suprema domina nostra Regina . . . per similis denarii nomine albe firme solutionem si petatur . . . In cuius rei testimonium huic presenti carte mee subscriptione mea manuali subscripte sigillum meum proprium est appensum Apud Abirdene quinto die mensis Julii anno Domini millesimo quingentesimo quinquagesimo secundo Coram testibus honorabilibus viris Alexandro Forbes de Kynnawdy filio meo et herede apparente Magistro Roberto Lumnisden burgense de Abirdene Dominis Richardo Swan et Willelmo Walcar capellanis et Magistro Willelmo Frasser notario publico QUAMQUIDEM cartam . . . pro perpetuo . . . confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precipimus . . . Apud Fatkland quarto die mensis Augusti anno Domini millesimo quingentesimo quinquagesimo tertio et regni nostri vndecimo .

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 127. MS. General Register House, Edinburgh.]

Sasina baronie de Phillorth et terrarum de Faythlie Tyrie etc.¹—(A.D. 1570.)

Vicecomes de Abirdene respondebit pro j^o lxxx libris de releuio terrarum et baronie de Phillorth cum pertinentiis fortalicio manerie annexis con-nexis tenentibus tenandriis et liberetenencium seruiciis jacentium infra balliam suam Ac pro xij libris de releuio terrarum de Faythlie et Tyrie cum pertinentiis Neenon de vij libris x solidis de releuio terrarum de Tullechere Blairmormont Park de Crechtmond cum pendiculis et pertin-entiis Ac pro vj libris xij solidis iij denariis de releuio dimedietatis solaris ville et terrarum de Kyndrocht et Denend eiusdem cum earndem pendiculis et pertinentiis Preterea pro ij denariis monete per duplica-tionem albe firme totarum et integrarum piscationum et piscium esecularum vulgo *fische baut* infra maris fluxum infra bondas omnium et singularum terrarum de Carnbulg Faithlie Pettowlie et Cowburtie cum earndem pertinentiis jacentium infra balliam suam prescriptum Regi debitis per sasinam datam Alexandro Fraser de Pettowleis de eislem Apud Elin-burgh vicesimo tercio die mensis Marcii anno regni Regis tercio .

Carta Alexandri Fraser de Phillorth super baronia de Phillorth.²—(A.D. 1588.)

Jacobus Dei gracia Rex Scotorum . . . Seiatis nos . . . dedisse . . . predilecto nostro Alexandro Fraser de Phillorth suisque heredibus et

¹ [From the Liber Responcionum in Seaccario. MS. General Register House, Edinburgh.]

² [Abridged from the Registrum Magni Sigilli, lib. xxxvi. no. 501. MS. General Register House, Edinburgh.]

On the third day of September, 1583, Robert Innes of Kinkell sold to Alexaaer Fraser of Phillorth, his heirs and assignees, the third part of the town and lands of Faithlie, in the barony of Kinedward and sheriffdom of Aberdeen, to be held, from the seller, of the King. The charter, dated at the Kirk of Deir, is witnessed by Walter Fraser, brother-german of the said Alexander Fraser of Phillorth, Alexander Stewart, and William Pettindreich, his servitors, James Jak and Arthur Forbes servitors of the said Robert Innes of Kinkell, Master David Browdy, and John Simpsoun, notaries public. It was confirmed by King James VI., by charter under the great seal, at Halyrudhous, on the ninth day of April, 1588.—(Registrum Magni Sigilli, lib. xxxvi. no. 500.)

By charter, under the great seal, dated at Edinburgh on the first day of July, 1592. King

assignatis quibuscunque hereditarie Totas et integras terras et baroniam de Phillorth Terras de Abirdour cum pertinentiis jacentes infra vicecomitatum nostrum de Abirdene ac terras de Tibertie et Vtelaw cum pertinentiis jacentes infra vicecomitatum nostrum de Banff omnes ab antiquo in vnam baroniam Baroniam de Phillorth nuncupatam vnitas et annexatas Totas et integras terras de Scattertie cum piscariis et earundem pertinentiis jacentes in baronia de Kinedwart infra dictum . . . vicecomitatum de Abirdene Totas et integras terras de Faithlie et Tyrie cum pertinentiis

James VI. confirmed and of new granted to Alexand'r Fraser of Philorth, the lands and barony of Philorth, and the lands of Abirdour, Tebertie, and Vtelaw, erected of old into the barony of Philorth, and extending in all to twenty pounds of old extent; the lands of Scattertie, with the salmon fishings on the Doverne, the lands of Faithlie and Tyrie, with the port, town and burgh of barony of Faithlie, the lands of the Kirktonn of Tyrie, and the advowson, donation, and right of patronage of the parish churches of Phillorth, Tyrie, and Cremond, all of old incorporated into the barony of Phillorth; the lands of Inneralloquay, with the tower, fortalie, manor, lake, fishing, mill, etc., watercourse from the lake to the mill, the lands of Fortrie of Innerrowrie and the mill called Denend, with the white fishing, wraik and ware, fische bait, etc., extending to three pounds of old extent, lying in the barony of Inneralloquay; the third part of the town and lands of Faithlie, and the shady halt of the town and lands of Kindrecht and Denend, with the mill, etc.; ordaining the burgh and port of Faithlie, to be henceforth called the Burgh and Port of Fraser; and erecting the whole lands and baronies into a barony to be called the Barony of Phillorth, with power to the grantee to build a college or colleges and to erect a university in the said Burgh of Fraser: "Insuper . . . dedimus . . . pleuarium libertatem et potestatem prefato Alexandro Fraser hereditibus suis masculis et assignatis Collegium seu Collegia infra dictum burgum de Fraser edificandi Vniuersitatem erigendi omniaque genera officialium eiusdem conuenientia et correspondentia eligendi locandi et deprimandi Fundationes pro eorum sustentatione et omnia priuilegia quecunque necessaria faciendi et dotandi Lectores principales subprincipales et omnia alia membra necessaria ad voluntatem optionemque Alexandri predicti eiusque heredum et assignatorum masculorum antedictorum faciendi eligendi mutandi et deponendi Leges acta et statuta pro boni ordinis obseruatione faciendi et custodiri cansandi Et generaliter omnia alia et singula immunitatem et priuilegium vnus Vniuersitatis concernentia in amplissima forma et modo debito in omnibus respectibus vt conceditur et datur cuiuscunque Collegio et Vniuersitati infra regnum nostrum erectis seu erigendis faciendi agendi et exercendi"—(Registrum Magni Sigilli, lib xxxvii. no 481.)

On the fourth day of April, 1601, Sir Alexander Fraser of Phillorth and Fraserburgh, knight, had a charter, from King James VI, under the great seal, of new erecting the lands above enumerated and others, into the Barony of Philorth, erecting the town and burgh of Fraserburgh, of old called Faithlie, into a free port, free burgh of barony, and free regality with right to repledge its burgesses and inhabitants, and renewing the power of the Knight of Fraserburgh to build a College and erect a University: "Preterea . . . fecimus . . . predictos villam et burgum de Fraserburgh cum integris terris jacentibus infra bondas ab antiquo nuncupatas Faithlie et omnibus suis partibus pendiculis pertinentiis quibuscunque vnacum turre et fortalicio dicti bargi cum aquaticis molendinis et ventosis ac lacu eiusdem ac cum omnibus et singulis domibus edificijs hortis terris tenementis lie yaris aeris rudiis toftis croftis lie outsettis partibus pendiculis et suis pertinentiis cum omnibus Collegijs et Vniuersitatibus intra eundem in vnum

vnacum portu de Faithlie ac villa et burgo baronie eiusdem cum pertinentiis jacentes infra baroniam et vicecomitatum antedictum Necnon totas et integras terras de Kirktoon Tyrie cum pertinentiis jacentes in baronia de Abirdour infra vicecomitatum . . . de Abirdene . . . vnacum omnibus castris turribus fortaliciis maneriis . . . et suis pertinentiis Quequidem . . . terre et baronia . . . prefato Alexandro Fraser de Phillorth perprius hereditarie pertinuerunt Et quas ipse . . . in manibus nostris . . . resignauit . . . pro hac noua carta et infeodacione sibi suisque herodibus et

liberum portum ac in vnum liberum burgum baronie ac liberam regalitatem cuius libera capella et cancellaria cum omnibus priuilegiis immunitatibus et iurisdictionibus libere regalitatis prefato Domino Alexandro suisque heredibus masculis et assignatis predictis Burgum Portum et Regalitatem de Fraserburgh omni tempore affuturo nuncupandos . . . Ac etiam cum speciali et plena potestate libertate et licentia prefato Domino Alexandro suisque heredibus masculis et assignatis Collegium seu Collegia vnum vel plura infra predictum burgum edificandi et tenendi vniuersitatem erigendi omnia genera officialium eiusdem conuenientia et correspondentia erigendi locandi et deprinandi quoties opus et interesse fuerit fundationes pro eorum sustentatione et omnia alia priuilegia quecumque necessaria faciendi et dotandi Rectores principales subprincipales et omnia alia necessaria membra ad voluntatem et optionem dicti Domini Alexandri suorumque heredum nasculorum et assignatorum predictorum infra dicta Collegia et vniuersitatem faciendi eligendi nominandi locandi mutandi et deponandi Leges acta et statuta pro boni ordinis obseruatione faciendi et constituendi Et eadem omni tempore imperpetuum obediri et obseruari cansandi Et omnia alia et singula immunitatem et priuilegium cuius vniuersitatis concernentia cum omnibus priuilegiis iurisdictionibus et immunitatibus quibuscunque requisitis adeo libere in omnibus respectibus vt conceditur et datur cuiunque libero Collegio et vniuersitati infra regnum nostrum faciendi vtendi et exercendi"—(Registrum Magni Sigilli, lib. xliii. no. 133.)

On the second day of May, 1578, Alexander Fraser, the younger, of Phillorth, sold to Andrew Fraser, son of John Fraser of Querrilbuss, his heirs and assignees, the towns and lands of Over and Nether Pittuleis with the manor place, mills, fishings, etc. in the parish of Aberdour, and sheriffdom of Aberdeen; and the barony of Outlaw, Typpertie, and Skattertie, with the mill, mill lands, and fishings, in the sheriffdom of Banff; and the ploughgate of the town and lands of Kinglasse in the parish of Phillorth, and sheriffdom of Aberdeen; to be held from the seller of the King; reserving the liferent of the seller and of Isobella Gordoun, his wife. The charter, dated at Rothmachie, is witnessed by John Mathesone, notary public, Cuthbert Findlater, servitor to the grantor, John Findlater in Pettullie, and George Barroun, notary public. It was confirmed by King James VI., by charter under the great seal, at Edinburgh, on the eighteenth day of May, 1608.—(Registrum Magni Sigilli, lib. xlv. no. 174.)

On the twenty third day of March, 1598-9, King James VI. granted a charter, under the great seal, to Alexander Fraser (eldest lawful son and heir apparent of Sir Alexander Fraser of Fraserburgh, knight,) and to Margaret Abernethie, his wife, of the lands and towns of Nether Pittuleis, Over Pittuleis, Mill of Pittuleis and Seytoun, with the fishing boats, in the barony of Phillorth, and sheriffdom of Aberdeen; and of the lands of Auld Vtlaw, New Vtlaw otherwise called Brokeistoun, Fattiehead and Greinlaw, lying by annexation in the barony of Phillorth and sheriffdom of Banff, all resigned by the said Sir Alexander Fraser of Fraserburgh, knight.—(Registrum Magni Sigilli, lib. xlii. no. 25.)

assignatis . . . conficienda Insuper nos pro bono fidei et gratuito ser-
uicio nobis per dictum Alexandrum Fraser de Phillorth prestito de nouo
dedimus . . . prefato Alexandro suisque heredibus et assignatis quibus-
cunque totas et integras prefatas terras et baroniam . . . Necnon nos de
nouo ereximus . . . dictam villam de Faithlie in vnum liberum burgum
baronie cum libero portu imperpetuum omni tempore affuturo Cum
speciali . . . potestate prefato Alexandro suisque heredibus et assignatis
balliuos thesaurarium decanum gilde consules burgenses officarios ser-
jandos et quosuis alios officarios necessarios infra dictum burgum pro
huiusmodi regimine faciendi . . . elegendi remouendi imponendi et depo-
nendi Cum . . . potestate burgensibus dicti burgi ad libertatem eiusdem
per prefatum Alexandrum suosque heredes et successores . . . admissis
ad *lie pak peill* et infra dictum burgum emendi et vendendi vinum ceram
pannum laneum et lineum latum et strictum omnesque alias mercantias et
stabule bona (vulgo *lie stapill gudis*) Acetiam cum potestate prefato
Alexandro suisque heredibus . . . infra prefatum burgum pistores brasia-
tores carnifices piscatores piscium venditores allutarios scissores fullones
textrices fabros carpentarios lathamos textores calciarios et omnes alios
artifices necessarios . . . admittendi . . . Necnon cum potestate . . . edi-
ficandi . . . et tenendi . . . pretorium crucem foralem ac fora hebdomada-
tim die Lune et die Sabbati vnacum duobus liberis nudinis bis in anno vide-
licet Sancti Michaelis Archangeli et Sancti Johannis Baptiste cum priui-
legio cuiuscunque nudine forum tenendi pro spatio octo dierum . . .
curias burgales infra dictum burgum et libertatem eiusdem ter in heb-
domada videlicet die Lune die Mercurii et die Veneris . . . tenendi . . .
acta leges et statuta . . . pro obseruatione boni orlnis . . . ordinandi
. . . cum pot et gallois infangtheif et outfangtheif . . . Et preterea . . .
incorporamus totas et integras prefatas terras et baroniam . . . in vnam
integram et liberam baroniam . . . Baroniam de Phillorth omni tempore
affuturo nuncupandam castrum turrim et fortalicium de Phillorth princi-
pale messuagium diete baronie ordinando Insuper nos . . . incorporamus
aduocationem donationem et jus patronatus rectoriarum et vicariarum
ecclesiarum parochialium de Phillorth Tyrie et Cremond infra diocesim de
Abirdene cum omnibus . . . capellanis et prebendis omnium alteragiorum
infra dictas ecclesias . . . situatorum . . . in et ad dictam baroniam de
Phillorth . . . Tenendas et habendas . . . de nobis et successoribus

nostris in feodo hereditate et liberia baronia imperpetuum . . . In cuius rei testimonium huic presente carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halyruidhous nono die mensis Aprilis anno Domini millesimo quingentesimo octuagesimo octauo et regni nostri vicesimo primo .

Act in fauour of the Lard of Phillorthe anent the Colloge of Fraser Brughe. ¹—(16th December 1597.)

Oure Souerane Lord and thrie estaitis of . . . parliament vnderstanding that Alexander Fraser of Fraser Brughe knycht in the yeir of God j^m v^e fourseoir tuelff yeiris obtenit ane new infetment of his hail landis and baroneis of Phillorthe Tepertie Faythlie Tyrie Skattertie and . . . vtheris . . . In the quhilk also the said Sir Alexander hes obtenit the toune and brughe of Faythlie now callit Fraser Brughe erectit in ane frie brughe of baronie . . . with expres libertie to big ane towbuyth . . . and ane hewin . . . To found ane Vniuersitie / big and mak Collegis place maisteris and teachearis with all priuelegis and immvniteis that may pertene to ane frie Vniuersitie with the rest of the patronagis of . . . the personagis and vicaragis of the parochie kirk of Phillorthe Tyrie Kreamounde and Rathyn with all the landis prebendareis and alteragis appertening thairto . . . Sen the quhilk tyme . . . the said brughe hes nocht onlie greatumlie florishit and inressit in bigging repair and resort of peple Sua that sindrie gentilmen of the cuntrey is becummin inhabitantis and burgessis of the saide brughe Bot also the said Alexander vpoun his large and exhorbitant expensis . . . hes biggit ane sure hevin and port . . . As alsua the said Alexander being of deliberat mynde and purpois to erecte ane Vniuersitie within the said bargehe with all priuelegis appertening thereto according to the tennour of his infetment hes [begwn] to edifie and big vp Collegis quhilkis nocht onlie vill tende to the great decoirment of the cuntrey Bot also to the advancement of the loist and tint youthe in bringing tham vp in leirning and vertew to the great honour and weill of oure said Souerane Lord and nationne Quhilk holl

¹ [Abridged from the Acts of the Parliaments of Scotland, vol. iv. pp. 147, 148, 149.]

intention and pollicie maid and to be maid be the said Sir Alexander vpon his exorbitant and large expensis aucht and sulde be furtherit and advancit and the said Sir Alexander not onlie allowit tharintill bot also helpit and supportit to do the samin Thairfoir our said Souerane Lord ande thrie estaitis of . . . parliament for the forther advancement of the said brughe and Collegis and for the sustentatioun and intertenement of maisteris teichearis ande officemen within the Collegis of the samin hes with expres consent and assent of the said Alexander dotit gewin and mortefeit the foirsaidis personagis vicarageis prebendareis chaplanreis and alteragis hailt teyndis small and great landis rowmes and possessionis appertening thairto / proffetit dewteis annuelrentis and emolumentis quhatsumevir and *ad manum mortuam* dispoit the samin to the saidis College or Collegis perpetuallie in al tymis cumming newir to be separatit nor secludit tharfra Bot . . . to be employit to the intertenement and sustentatioun of the maisteris teachearis and officemen serwand in the saidis Collegis To be gewin and distributit be the said Alexander Fraser of Fraser Brughe knycht patron and his airis mail . . . Provyding always the saidis maisteris of the saide College or Collegis ather serve the cure of the saidis kirkis or . . . with advyis of the patron furneis sufficient men for serveing the cure of the saidis kirkis Sua that the parochineris be nocht frustrat of the sacramentis teicheing and preicheing of the word of God . . . Reservand always actioun to Hay of Vrie for the kirk of Cremound . . . befor the iuge ordiner as accordis of the law

Ratification in favours of Alexander Lord Saltoun of the title and dignity of The Lord Abernethy of Saltoun.¹—[22 August, 1670.]

Our Sovereign Lord with advyce and consent of the Estates of Parliament . . . ratifies and approves and . . . perpetually confirms . . . the Letters Patent vnderwrittin . . . CHARLES R Whereas wee have seen Alexander Fraser of Philorth his generall service as air of lyne to the deceast Abernethy Lord Saltoun retoured to our chancellarie And wee

¹ [Abridged from the Acts of the Parliaments of Scotland, vol. viii. p. 33.]

being willing that the said Alexander Fraser and the aires of his bodie already procreat and to be procreat as nixt in blood and linealy descended of the said family and conforme to ther rychts therto may enjoy the title and dignity of the Lord Abernethie of Saltoun in all tyme coming. Therfor wee have not only ratified and approven the forsaid service and retour. Bot also ratific and approve of the said Alexander Fraser his vseing and takeing vpon him as air of line and nixt of blood and linealy descended of the said family the title dignity place and rank therof. And will and declare that the said Alexander and the aires linealy descending of him may vse and enjoy the forsaid title and dignity in all tym coming as any other Lord Abernethy of Saltoun did in any time bygone vse and enjoy the samen and all the honors and priuiledges therto appertaining. Wherof wee will and command all our officers and others our subjects to tak notice. Given at our court at Whytehall the elevint day of July 1670 and of our reign the 22 yeer . . .

PARISH OF PITSLIGO.—(PAGE 104.)

*Carta confirmationis Hugonis domini Fraser.*¹—(A.D. 1536.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . factam per Johannem Forbes de Petslego . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Johannes Forbes de Petslego eternam in Domino salutem Noueritis me . . . vendidisse . . . nobili et potenti domino Hugoni Fraser domino Lovate heredibus suis et assignatis omnes et singulas terras meas et villas de Agaes Estir et Westir cum molendino earundem multuris sequelis et suis pertinentiis jacentes infra vicecomitatum de Inuernyss . . . Tenendas et habendas . . . a me heredibus meis et assignatis de supremo domino nostro Rege et successoribus suis Scotorum Regibus in feodo et hereditate imperpetuum . . . Reddendo . . . jura et seruicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte mee manu mea subscripte sigillum meum est appensum Apud Dunde decimo octauo die mensis Decembris anno Domini millesimo quingentesimo tricesimo sexto Coram hiis testibus Alexandro Forbes de Kynnaldy filio meo et herede apparente Roberto Mylne et Johanne Duncansoun burgensibus de

¹ [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 80. MS. Gen. Register House, Edinburgh.]

On the seventh day of December, 1521, John Forbes of Pitsligo granted to his son and heir-apparent, Alexander Forbes, and to B-atrice Abernethy, his wife, the lands of Knokswole and the lands of the town of Kynnaldy, with the mill, in the barony of Kynnaldy, and sheriffdom of Aberdeen. The charter, dated at Edinburgh, is witnessed by Thomas Urquhart, sheriff of Cromarty, Henry Bannerman of Waterton, John Ogilvy, and Andrew Chalmer. It was confirmed by King James V., by charter under the great seal, at Edinburgh on the eighth day of December, 1521.—Registrum Magni Sigilli, lib. xx. no. 73.)

On the sixth day of November, 1532, King James V. granted a charter under the great seal to John Forbes of Pitsligo, of the four ploughgates (commonly called the four plewis) of the lands of Argathin, the mill of Awfurd, the Wellhous, the Ailhouse of Awfurd, the Cobill-sete, two ploughgates of the lands of Carnaverin, an annual rent of four pounds from Kilstair, two ploughgates of the lands of Straldownok, extending in all to fifty two pounds, four shillings, and eight pence of yearly profits, lying in the barony of Forbes, lordship of Mar, and sheriffdom of Aberdeen, which formerly belonged to John, Lord Forbes, and being appraised from him were sold for the sum of one thousand and forty five pounds, seven shillings and four pence, which the

Dunde Magistris Jacobo Sauchhe David Roberti et David Luyd capellanis ac notariis publicis aliisque diuersis QUAMQUIDEM eartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti earte nostre confirmationis magnum nostrum sigillum apponi precepimus . . . Apud Edinburgh vigesimo die mensis Decembris anno Domini millesimo quingentesimo tricesimo sexto Et regni nostri vicesimo quarto .

Carta confirmationis Joannis Forbes de Petslego. ¹—(A.D. 1552 et A.D. 1554.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos quandam eartam . . . factam per Alexandrum Fraser de Phillorth . . . ad plenum intellexisse sub hac forma OMNIBUS hanc eartam visuris . . . Alexander Fraser de Phillorth eternam in Domino salutem Noueritis me . . . vendidisse . . . honorabili viro Johanni Forbes de Petslego suis heredibus et assignatis totam et integram illam partem terrarum mearum de Conburty infra bondas et limites subscriptos videlicet Begynnand be the eist grite earne of Cowburty and the grite heidery bank And fra thyne lineallie as it is presentlie proppit to the burne of Balgney And sua vp the burne to the strip that diuidit sumtyme the landis of Cowburty and the said Johne Forbes landis callit Archclown And sua vp that strip to the hie gait of

Lords of Council and Session, found due by John, Lord Forbes, to the said John Forbes of Pitsligo, for his relief at the hands of Andrew Fraser of Kilmondi: Lord Forbes was to have the lands back again, on payment of the price and costs, within seven years.—(Registrum Magni Sigilli, lib. xxiv no. 27.)

On the fifteenth day of June, 1548, John Forbes of Petslego, baron of the barony of Kynawde, granted to his grandson (*nepoti*) William Forbes and to Katherine Gordon, his wife (daughter of Alexander Gordon of Stratdown), the lands of Melgoun, with the mill, etc., and the lands of Boig of Danauchmenache with the half of the town and lands of Danauchmenache, in the barony of Kynawde, and sheriffdom of Aberdeen. The charter, dated at Clnoe, is witnessed by Alexander Forbes of Kynawde, the son and heir apparent of the granter, Masters Robert Lummsdane, burgess of Aberdeen, John Abernethy, and William Skeyne, Thomas Gordoune, William Broun, John Wodman, and Master George Ducanson, notary public. It was confirmed by Queen Mary, by charter under the great seal, at the Nunnery of Haddington, on the fourth day of July, 1548.—(Registrum Magni Sigilli, lib. xxx. no. 203.)

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 41. MS. General Register House, Edinburgh.]

the biggit seittis And fra that to the moss northeist And sua fra that moss ouer the said heddry bank as is siclike methit and merchit cum suis pertinenciis jacentem infra vicecomitatum de Abirdene Et hoc in . . . excambium pro terris de Pettalloquhy mihi et heredibus meis per dictum Johannem Forbes hereditarie datis . . . Tenendam et habendam . . . a me heredibus et assignatis meis de Suprema Domina nostra Regina . . . in feodo et hereditate imperpetuum . . . Reddendo . . . sernicium . . . debitum et consuetum . . . In cuius rei testimonium huic presenti carte mee subscriptione mea manuali subscripte sigillum meum proprium est appensum Apud Abirdene nono die mensis Julii anno Domini millesimo quingentesimo quinquagesimo secundo Coram hiis testibus Roberto Lumisden burgense de Abirdene Gilberto Chalmer in Auqhorthy Thoma Fraser Domino Willelmo Walker et Magistro Willelmo Fraser QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh penultimo die mensis Septembris anno Domini millesimo quingentesimo quinquagesimo quarto et regni nostri duodecimo .

Sasina baronie de Petslego. ¹—(A.D. 1556.)

Vicecomes de Abirdene respondebit pro xliij libris vj solidis viij denariis de firmis terrarum baronie de Petslego cum turre siue domo earundem etc existentibus in manibus Regine termini Penthecostes vltimo preteriti

¹ [From the Liber Responsonum in Seaccario. MS. General Register House, Edinburgh.]

On the eleventh day of December, 1559, William, bishop of Aberdeen, granted in feufirme to Alexander Forbes of Pitsligo, his heirs and assignees, the lands of Fingask with the mill, etc. in the shire or barony of Daviot, and sheriffdom of Aberdeen, for yearly payment of £13 6s. 8d., two chalders half of meal and half of malt, a gressum of 53s. 4d., two marts, two muttous, four bolls of oats, four dozen of capons; 40s., one fed pig, twelve capons, thirty barn-door hens, two bolls of malt (called dry-multure-malt) for the mill; 3s. 6d. for bondage and services, with services used and wont; 3s. 4d. for augmentation of rental; doubling the money rent on the entry of each heir; giving three suits at the three courts to be held at Daviot, etc. The charter, dated at the Chanonry of Aberdeen, is witnessed by Master Nicholas Hay, civilist of Aberdeen, Master John Chalmer, Patrick Chalmer, and Master James Clerk, notaries public. It was confirmed by King James VI., by charter under the great seal, at Halyrudelous, on the twentieth day of January, 1575-6.—(Registrum Magni Sigilli, lib. xxxiv. no. 392.)

sasina non recuperata Et pro ij denariis argenteis per duplicationem albe firme earundem Et pro viij libris de firmis dimedietatis terrarum de Dawaucht vna cum superioritate terrarum de Gordy jacentium in baronia de Kynnaudy existentibus in manibus Regine prefati termini ratione predicta Et pro xvj libris de releuo eiusdem Neenon pro xiiij solidis iij denariis de firmis terrarum de Cowburty Beg omnium jacentium infra balliam suam existentibus in manibus Regine prelibati termini ratione suprascripta Et pro xxvj solidis viij denariis de releuo earundem Regine debitis per sasinam datam Alexandro Forbes de eisdem Apud Edinburgh vicesimo octauo Octobris anno regni Regine decimo quarto

Sasina data Willelmo Forbes de Melgoun. ¹—(A.D. 1563.)

Vicecomes de Abirdene respondebit pro ij denariis argenteis per duplicationem albefirme terrarum et baronie de Petslego cum turre siue domo earundem etc. Et pro xvj libris de releuo dimedietatis terrarum de Dawauch vna cum superioritate terrarum de Groddy etc. jacentium in baronia de Kynnaudy Acetiam pro xxvj solidis viij denariis de releuo terrarum de Cowburtebeg etc. omnium jacentium infra balliam suam Regine debitis per sasinam datam Willelmo Forbes de Melgoun de eisdem apud Edinburgh vicesimo quinto Februarii anno regni Regine vicesimo primo .

Sasina data Margarete Forbes heredi seniori quondam Willelmi Forbes de Petslego. ²—(A.D. 1567.)

Vicecomes de Abirdene respondebit pro xliij libris vj solidis viij denariis de firmis superioritatis omnium et singularum terrarum et baronie de

¹[From the Liber Responionum in Scaccario. MS. General Register House, Edinburgh. Seisin was given on the twenty-second day of March, 1563.—(Original in the Pitsligo charter chest.)]

²[From the Liber Responionum in Scaccario. MS. General Register House, Edinburgh. Seisin was given on the fourteenth day of October, 1567.—(Original in the Pitsligo charter chest.)]

Petslego cum turre seu domo earundem tenentibus tenan Irriis liberetenencium seruiciis cum earundem pertinentiis jacentium infra balliam suam existentibus in manibus Regis et sue charissime matris respective termini Penthecostes vltimo preteriti sasina non recuperata Et pro iij denariis argenti per duplicationem albefirme eiusdem Ac pro iij libris de firmis terrarum de Knoksoull Kynawdy cum molendino eiusdem tenentibus tenandriis liberetenencium seruiciis et suis pertinentiis jacentium infra balliam suam prescriptam existentibus in manibus Regis et sue charissime matris termini prescripti sasina non recuperata [Ac] pro vj libris de releuo earundem Regi debitis per sasinam datam Margarete Forbes heredi seniori quondam Willelmi Forbes de Petslego de eisdem Apud Edinburgh decimo quarto Augusti anno regni Regis primo .

Idem Vicecomes respondebit pro xxxvj libris de firmis dimediatatis terrarum et ville de Dawache ac superioritatis terrarum de Grody cum pertinentiis jacentium infra balliam suam existentibus in manibus Regis et sue charissime matris per spatium quatuor annorum et vnus termini vltimo elapsorum sasina non recuperata Et pro viij libris de releuo earundem per sasinam datam diete Margarete Forbes de eisdem die mense anno loco immediate prescriptis .

Sasina data Alexandro Forbes de Petslego. ¹ —(A.D. 1567.)

Vicecomes de Abirdene respondebit pro viij libris de releuo totarum et

¹ [From the Liber Responsum in Scaccario MS. General Register House, Edinburgh.]

On the ninth day of June, 1571, Thomas Menzies of Petfoddellis granted in liferent to Violet Forbes (natural and lawful daughter of Alexander Forbes of Pitsligo), future wife of George Menzies, his grandson (son of Gilbert Menzies, elder son and heir apparent of the graunter), the lands of Flindoun, with the mill, fishings, etc. in the barony of Fyadoun, and sheriffdom of Kincardine, and the lands of Eister Petfoddellis, in the barony of Petfoddellis and sheriffdom of Aberdeen, together with the office of balliary of the same. The charter, dated at Aberdeen, is witnessed by John Cheyne of Straloch, Master Robert Lumisdene of Clowayth, Patrick Menzies of Ferriehill, Master Robert Lumisdene the younger, Master Thomas Menzies of Durne, Andrew King, Master John Kennedy, notaries public. It was confirmed by King James VI., by charter under the great seal, at Hallicrudelous on the twenty-eighth day of January, 1576.—(Registrum Magni Sigilli, lib. xxxiii. no 135.)

integrarum terrarum de Melgone cum molendino terris molendinariis et astrictis multuris eiusdem terrarum de Bog de Dawacht Manaweht cum dimedietate ville et terrarum de Dawacht Manaweht cum earundem pertinentiis jacentium in baronia de Kynaudie infra balliam suam Regi debitis per sasinam datam Alexandro Forbes nunc de Petslego de eisdem Apud Edinburgh nono Octobris anno regni Regis primo .

Sasina terrarum de Cowburtebeg etc. ¹ —(A.D. 1575.)

Vicecomes de Abirdenc respondebit pro j^e lxx libris de firmis superioritatis terrarum de Lathintie cum molendino et pertinentiis earundem existentibus in manibus Domini Regis per spacium octo annorum et vnus termini vltimo elapsorum sasina non recuperata Et pro iiij denariis argenti per duplicacionem albefirme earundem Et pro v libris xiiij solidis iiij denariis de firmis vnus dimedietatis terrarum de Cowburtebeg cum pertinentiis . . . existentibus in manibus Regis per spacium antedictum ratione warde et sasina non recuperata respectine videlicet per tres primos annos earundem racione warde et per reliquos quinque annos et vnum terminum sasina non recuperata Et pro xiiij solidis iiij denariis de releuo eiusdem Regi debitis per sasinam datam Margarete Forbes de iisdem Apud Edinburgh octauo die mensis Junii anno regni Regis octauo.

Vicecomes de Inuernes respondebit pro lxxvij libris de firmis vnus dimedietatis . . . terrarum de Eister et Wester Agas molendini mularum lic suckin et pertinentiarum earundem . . . existentibus in manibus Domini Regis per spacium octo annorum et vnus termini vltimo elapsorum sasina non recuperata Et pro j denario argenti per duplicacionem albefirme eiusdem Regi debitis per sasinam datam Jonete Forbes vni de duabus legitimis et propinioribus heredibus quondam Willelmi Forbes de Pitsligo de eadem apud Edinburgh die mense et anno immediate prescriptis.

¹ [Abridged from the Liber Responsionum in Scaccario. MS. General Register House, Edin.]

Idem Vicecomes de Inuernes respondebit pro lxxvij libris de firmis alterius dimedietatis dictarum terrarum et aliarum predictarum existentibus in manibus Domini Regis per prefatum spacium ratione qua supra Et pro j denario argenti per duplicationem albefirme eiusdem Regi debitis per sasinam datam Margarete Forbes alteri de duabus legitimis et propinquioribus heredibus quondam Willelmi Forbes de Pitsligo de eadem die mense et loco immediate prescriptis.

Carta Alexandri Forbes de Petslego.¹ —(A.D. 1580.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Alexandro Forbes de Petslego suisque heredibus masculis de corpore suo legitime procreatis seu procreandis Quibus deficientibus suis heredibus masculis arma et cognomen de Forbes gerentibus et suis assignatis quibuscunque Omnes et singulas terras et baroniam de Petslego cum turre fortalicio portu et piscariis earundem ac annexis videlicet terris de Mekle Wardres in Gareach cum granorum et fullonum molendinis tenentibus tenandriis liberetenentium seruitiis . . . perprius in liberam baroniam . . . incorporatas jacentes infra vicecomitatum nostrum de Abirdene prefato Alexandro in proprietate pertinentes per alienationem sibi . . . per quondam Willelmum Forbes de Petslego suum fratrem desuper factam et nunc per ipsum immediate tentas de Margareta Forbes seniori filia et vna duarum heredum dicti quondam Willelmi et de Jacobo Forbes de Fechthill sponso dicte Margarete Quiquidem Jacobus et Margareta per nos prius super resignatione dicte Margarete infcodati extant in superioritate dictarum terrarum et baronie . . . Necnon . . . damus . . . dicto Alexandro Forbes de Petslego suisque heredibus masculis et assignatis predictis Totas et integras terras de Melgone cum molendino terris molendinariis et astrictis multuris earundem Terras de Boig de Dawach Menauch cum illa dimedietate ville et terrarum de Dawach Menauch et suis pertinentiis jacentes in baronia de Kynavdy infra . . . vicecomitatum . . . de Abirdene . . . Que dicto

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxv., no. 136. MS. General Register House, Edinburgh.]

Alexandro per prius pertinuerunt ad easdem tanquam heredi masculo dicti quondam Willelmi sui fratris de nobis immediate tentas deseruio et retornato Et similiter . . . damus . . . prefato Alexandro suisque heredibus masculis et assignatis predictis Totam et integram vmbralem dimedietatem terrarum de Knoksoule et Kynawdy cum molendino earundem tenentibus tenandriis et suis pertinentiis vnā dimedietatem de dimedietate ville et terrarum de Dawach ac superioritatem de Girodeis cum suis pertinentiis jacentes infra . . . vicecomitatum . . . de Abirdene Que dictis Jacobo et Margarete sue sponse . . . pertinuerunt Necnon totam et integram dimedietatem terrarum de Cowburty Beg cum pertinentiis jacentem infra . . . vicecomitatum . . . de Abirdene Acetiam totam et integram dimedietatem terrarum de Eister et Wester Agayss cum molendino . . . jacentem infra vicecomitatum . . . de Inuernes Que dicte Margarete tanquam vni duarum heredum dicti quondam sui patris de nobis immediate tenta pertinuit Necnon etiam . . . damus . . . prefato Alexandro suisque heredibus masculis et assignatis predictis totam et integram illam dimedietatem dictarum terrarum de Knoksoule et Kynawdy cum molendino . . . Illam dimedietatem dimedietatis terrarum de Dawach cum pertinentiis et illam dimedietatem dictarum integrarum terrarum de Cowberty Beg cum pertinentiis jacentes infra . . . vicecomitatum de Abirdene Necnon totam . . . illam dimedietatem . . . dictarum terrarum de Agayss cum molendino . . . jacentem infra . . . vicecomitatum . . . de Inuernes Que prius Jonete Forbes [sponse Roberti Dewgud apparenti de Auchinhufe] pertinuerunt ad easdem tanquam vni filie et duarum heredum dicti quondam Willelmi Forbes de Petslego sui patris de nobis immediate tente deseruio et retornate . . . Et quas ipsi pro suis propriis partibus . . . resignarunt Insuper pro bono fideli et gratuito seruitio nobis per dictum Alexandrum prestito . . . de nouo . . . incorporamus vt prius omnes et singulas prefatas terras de Petslego . . . ac terras de Mekle Wardres in Gareach . . . in vnā integram et liberam baroniam omni tempore affuturo Baroniam de Petslego nuncupandam . . . Tenendas et habendas . . . de nobis et successoribus nostris in libera baronia feodo et hereditate imperpetuum . . . Cum curiis et earum exitibus herezeldis bludewitis et mulierum merchetis Cum furca fossa sok sak thole thame infangtheif outfangtheif pitt et gallouss in dicta baronia Redlendo inde annuatim . . . pro prefatis

terris et baronia de Petslego et Wardres . . . unum denarium argenti vsualis monete regni nostri apud dictam turrin in die Festi Penthecostes nomine albe firme si petatur tantum Ae pro dictis terris de Agayss vnun denarium argenti . . . apud Dingwall in die Festi Penthecostes nomine albefirme si petatur tantum Ae pro ceteris aliis terris . . . iura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halierudhous vicesimo tertio die mensis Ianuarii anno Domini millesimo quingentesimo septuage.imo nono et regni nostri decimo tertio .

Sasina baronie de Pitslego. ¹ —(A.D. 1594.)

Viccomes de Abirdene respondebit pro ij^e lxxxxij libris vj solidis viij denariis de firmis totius et integre baronie de Pitslego cum turre fortalicio portu et piscatione eiusdem cum annexis connexis nempe Mekle Wardres iacente in Gareoch cum molendinis granariis et fullonun molendinis tenentibus tenandriis et liberetenentium seruitiis partibus pendiculis et piscatorum terris lie outsettis earundem vnitis et incorporatis in vnam liberam baroniam nuncupatam Baroniam de Pitslego cum priuilegio et potestate sasinam apud turrin et fortaliciun de Pitslego capiendi et sumendi iacentis infra balliam suam Existentibus in manibus supreni domini nostri Regis per spaeium octo annorum aut cocirca vltimo elapsorum sasina non recuperata Que firme extendunt annuatim ad xxxvj libras xij solidos iij denarios Et pro ij denariis argenti per duplicationem albefirme eiusdem Regi debitis per sasinam datam Joanni Forbes de Pitslego Apud Edinburght decimo nono die mensis Ianuarii anno regni Regis vicesimo septimo . 1593.

¹ [From the Liber Responsonum In Scacna io. MS. General Register House, Edinburgh.]

Sasina de Melgoune etc. data Joanni Forbes de Petslego.¹ — (A.D. 1600.)

Vicecomes de Abirdene respondebit pro xxxij libris de releuio . . . terrarum de Melgovne cum molendino terris molendinariis astrictis multuris . . . terrarum de Boig de Donache Menache . . . et terrarum de Dauachemenache . . . ac terrarum de Knokowle et Kynnadie cum molendino . . . vncum superioritate terrarum de Groldies . . . jacentium infra baroniam de Kynnadie et balliam suam Et pro xxvj solidis viij denariis de releuio . . . terrarum de Cuburtiebog jacentium infra balliam suam . . . Regi debitis per sasinam datam Joanni Forbes nunc de Pitsligo de cislem Rescrnatis tamen Margarete Mcintoshche relicte quondam Alexandri Forbes de Pitsligo sua coniuncta infeodacione vitali reddito . . . dictarum terrarum . . . durante toto tempore vite sue Apud Edinburgh septimo die mensis Februarii anno regni Regis tricesimo secundo .

Diploma Alexandri domini Forbes de Pitsligo.² — (A.D. 1633.)

Carolus Dei gratia Magne Britannie France et Hibernie Rex Fideique

¹ [Abridged from the Liber Responionum in Sceacario. MS. General Register House, Edinburgh.]

On the first day of July, 1600, King James VI. granted a charter under the great seal, confirming to John Forbes de Pitsligo, the lauds and barony of Pitsligo; confirming to him and to Christian Ogilvy, his wife, in conjunct fee, the lands and barony of Kynnaldy; of new granting the lands and barony of Pitsligo with its dependencies of Mckill Wardes in the Garioch, and Cowbourty Beg; of new granting the lands and barony of Kynnaldy, containing the town and lands of Kynnaldy, the lands of Melgone, with the mill, etc., Boig, Dawachmenach, Knoksoule, and Kynnaldy, with the mill, etc., Balgranny, Carnemoir, Pittalachie, Boigstonn, Pontalond, with the scheling of Auldvanyche in Bonzeoch, Over Garlet, Nether Garlet, Aleymuck, with scheling and pasture in the hill of Morving called the Bunzeoch etc., and with the superiority of the lands of Groddis; granting the advowson, gift, and right of patronage of the parish churches of Abirdoune and Logy-upon Ythanside; and erecting all the lands, etc., aforesaid into a free barony to be called the Barony of Pitsligo.—(Registrum Magni Sigilli, lib. xliii., no. 166. See also lib. xlviii. no. 375; lib. xlix, nn. 192, 193.)

² [From the Registrum Magni Sigilli, lib. liv., no. 139. MS. General Register House, Edinburgh.]

Defensor Omnibus probis hominibus suis ad quos presentes litere pervenerint Salutem Sciatis quia nos animo nostro recolentes fidelia servitia per prediceessores predilecti nostri Alexandri Forbes de Pitsligo tam tempore pacis quam belli nostris preclarissimis progenitoribus eterne memorie prestata et impensa. Et perfecte intelligentes vetustum et honorificum statum dicte familie de Pitsligo inchoate et continueate progressu multorum prediceessorum dicti Alexandri a quibus ipse linialiter est oriundus. Et similiter animo nostro reuoluentes quam conveniat et expediat omnibus bonis Principibus honore et dignitate prosequi omnes huiusmodi subditos qui vel suis vel prediceessorum suorum egregiis servitiis et illustribus actionibus tesseris Regii favoris et suorum meritorum inveneri apud posteros suos promerere. Igitur dedimus et concessimus tenoreque presencium damus et concedimus prefato Alexandro Forbes de Pitsligo durantibus omnibus sue vite diebus et heredibus masculis de corpore suo legitime procreandis vel eorum heredibus quibus deficientibus heredibus suis masculis quibuscunque cognomen et arma de Forbes de Pitsligo gerentibus titulum stylum honorem et dignitatem domini ac baronis in parlamento regni nostri Scocie et vt in perpetuum et omni tempore affuturo Domini Forbes de Pitsligo appellentur et indigentur. Et vt gaudeant et fruantur omnibus honoribus preeminentis priuilegiis aliisque omnibus prerogatiuis quibus aliquis alius dominus parlamenti dicti regni nostri Scocie fruitur gaudet et possidet. Quo quidem stilo titulo honore et dignitate Domini Forbes de Pitsligo nos prefatum Alexandrum Forbes et suosque predictos investivimus tenoreque presentium investimus ita nominandos honorandos et agnoscendos tanquam Dominos Forbes de Pitsligo semper et omni tempore affuturo in omnibus parliamentis conventibus conciliis aliisque locis vel actionibus quibuscunque privatis seu publicis. In cuius rei testimonium presentibus magnum sigillum nostrum apponi precepimus. Apud Halyruiddous vicesimo quarto die mensis Junii anno Domini millesimo sexcentesimo trigesimo tertio et anno regni nostri nono.

Per signaturam manu Supremi Domini Nostri Regis
suprascriptam.

Sasina tercię partis baronie de Polgony cum terris de Fyngask vna cum cimba et piscaria in portu de Pettindrum. ¹—(A.D. 1525.)

Viccomes de Abirdene necnon Nicholaus Craufurde de Oxingangis Edwardus Litle burgensis de Edinburgh et Magister Thomas Bellendene vicecomes de Abirdene in hac parte respondebunt pro xl libris de releuio tercię partis terrarum et baronie de Polgony cum tenentibus tenandriis et liberetencium seruiciis molendinis multuris et sequelis earundem vna cum terris de Schethyn et Little Meldrum cum pertinentiis molendinis multuris et eorum sequelis et terris de Fyngask vna cum cimba et piscaria in portu de Pettindrum cum pertinentiis eidem baronie de Polgony annexatis et incorporatis iacentium infra vicecomitatum de Abirdene Regi debitis per sasina datam Elizabethę Hepburnę de eisdem Apud Edinburgh secundo Maij anno regni Regis xij^o.

Sasina duarum terciarum partium baronie de Polgony Mureur vna cum duabus tertiis partibus piscarię vnius *ly fische bait* in portu de Pettindrum. ²—(A.D. 1550.)

Viccomes de Abirdene respondebit pro lxxx libris de releuio tercię partis terrarum et baronie de Polgony . . . necnon tercię partis terrarum de Schethin Litill Meldrum tercię partis piscarię vnius cimbe vulgo *ly fische bait* in portu maris de Pettindrum . . . Ac etiam alius tercię partis terrarum seu baronie antedictę videlicet Polgony Mureur vna cum donatione et aduocatione capellanie apud altare Sancti Deuinici infra ecclesiam cathedralem Aberdonensem situatam alternatis vicibus cum vacare contigerit Tercię partis terrarum de Westfeld Schethin Litill Meldrum

¹ [From the Liber Responsonum in Scaccario. MS. General Register House, Edinburgh.]

² [From the Liber Responsonum in Scaccario. MS. General Register House, Edinburgh.]

By a charter, under the great seal, at Edinburgh, on the twentieth day of April, 1550, Queen Mary confirmed to William Auchinlek of Schethin, and Isobell Chene his wife, in coniunct fee, and their heirs, the half of the lands of Fyngase, with the half of the boat in the port of Pettindrum, in the barony of Polgony, and Sheriffdom of Aberdeen.—(Registrum Magni Sigilli, lib. xxx. no. 517.)]

Fingask molendinorum et multurarum earundem . . . vnacum tercia parte piscarie vnus cimbe vulgo *ly fische bait* in portu maris de Pettindrum cum pertinenciis . . . Regine debitis per sasinam datam Willelmo Auchinlek de eisdem Apud Edinburgh duodecimo Marcii anno regni Regine octauo .

Sasina duarum terciarum partium baronie de Polgonie vnacum duabus tertiis partibus piscarie de Pettindrum. ¹ —(A.D. 1598.)

Vicecomes de Abirdene respondebit pro j^c xxxv libris de firmis . . . vnus tertie partis . . . terrarum et baronie de Polgonie . . . tertie partis . . . terrarum de Schethin Litle Meldrum et Fingask . . . tertie partis piscationis vnus cymbe in portu de Pettindrum cum hamo esca piscium et *vie lyn* Acetiam . . . alterius tertie partis . . . prefatarum terrarum et baronie videlicet Polgonie Murcour Westfeild cum aduocatione et donatione capellanie apud altare Sancti Deuinici infra ecclesiam cathedralem de Abirdene fundate alternatis vicibus quando vacare contigerit . . . alterius tercie partis . . . dictarum terrarum de Schethin Litilmeldrum Fingask . . . et alterius tercie partis dicte piscationis vnus cymbe in dicto portu de Pettindrum . . . Ac cum piscationibus tam saluonum quam alborum piscium in littore maris ac in mari versus dictas terras de Polgonie Murcour et Fingask . . . jaentium infra balliam suam . . . Necnon . . . tertie partis bine partis terrarum et baronie de Dunlopy cum molendinis . . . aduocatione et donatione ecclesie de Dunlopy . . . jaentium infra vicecomitatum de Forfar Quequidem . . . sunt erecte . . . in vnam integram et liberam baroniam nuncupatam Baroniam de Schethin . . . Existentibus in manibus supremi domini nostri Regis quo ad feodum per spacium vnus anni et vnus termini aut eacirea vltimo elapsorum sasina non recuperata Et pro lxxx libris de relcuo earundem Regi debitis per sasinam datam Georgio Auchinlek nunc de Balmanno de eisdem Apud Edinburght vicesimo die mensis Februarii anno regni Regis tricesimo primo . 1597.

[Abridged from the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh.]

PARISH OF ABERDOUR.—(PAGE 113.)

Collatio et institutio Magistri Roberti Carnegy rectorie de Abirdour. ¹ —
(A.D. 1557.)

Villelmus miseratione diuina Abirdonensis Episcopus dilecto nostro confratri decano seu presidenti ecclesie nostre cathedralis Abirdonensis siue cuiunque alteri canonico eiusdem ecclesie super executione presentium debite requisito salutem cum benedictione diuina Quia canonicatum et prebendam dicte nostre ecclesie Rectoriam de Abirdour nuncupatam de jure et de facto vacantem per simplicem dimissionem et resignationem venerabilis viri Magistri Daudis Carnegy vltimi rectoris et possessoris eiusdem in manibus nostris factam et per nos receptam et admissam ad presentationem supreme [domine] nostre Regine nostramque collationem ordinariam plenarie spectantem circumspecto viro Magistro Roberto Carnegy clerico Brechinensis diocesis alteriusve per presentationem prefate domine nostre Regine literatorie presentato charitatis intuitu contulimus et conferrimus per presentes sibi que Magistro Roberto per annuli nostri digito suo impositionem prouidimus curam regimen et administrationem eorundem canonicatus et prebende eidem Magistro Roberto plenarie committendo. Vobis igitur et vestrum cuiilibet in virtute sancte obediencie stricte precipiendo mandamus quatenus dictum Magistrum Robertum vel eius procuratorem ad hoc legitime constitutum in et ad realem actuaalem et corporalem possessionem dictorum canonicatus et prebende de Abirdour iuriumque et pertinentiarum eorundem per stalli in choro et loci in capitulo assignationem inducatis et instituatis inductumque et institutum canonicè defendatis autoritate nostra ordinaria sibi que Magistro Roberto de illius fructibus redditibus iuribus obuentionibus vniuersis integre respondere facientes Contradictores et rebelles si qui forsan fuerint eadem autoritate arctius compescendo Recepto tamen primitus juramento corporali ab eodem Magistro Roberto vel procuratore predicto de obseruandis statutis et consuetudinibus

¹ [From the original in the General Register House, Edinburgh.]

bus eiusdem ecclesie per vos qui presentes executi fueritis . In quorum omnium et singulorum fidem et testimonium premissorum has presentes nostras litteras fieri fecimus et per notarium publicum subscribi et publicari mandavimus signetique nostri affixione vnacum nostra subscriptione manuali fecimus Acta erant hec in Palatio nostro Abirdonensi horam circiter quintam pomeridianam vel eocirea vigesimo octauo die mensis Aprilis anno Domini millesimo quingentesimo quinquagesimo septimo indictione decima quinta pontificatus sanctissimi in Christo patris ac domini nostri Domini Pauli diuina prouidentia pape quarti anno secundo Presentibus honorabilibus viris Thoma Menzeis de Petfoddellis Joanne Leslie de Baquhane Magistris Thoma Stewart Andrea Leslie Joanne Carnegy

V^s EP^s AB'DONEN'

Et ego Alexander Lyndesay clericus Sanctiandree diocesis sacra auctoritate apostolica notarius Quia prefatorum canonicatus et prebende collacionis vt premittitur dationi et concessioni vnacum prenotatis testibus interfui Eaque in effectum vidi et audiui Ideoque hanc presentem collacionem subscriptione manuali et signo solitis subscripsi et signaui in fidem premissorum

ALEXANDER LYNDESAY

[*In dorso.*] xiiij Maij 1557 institutio canonicatus de Abirdour data Domino Willelmo Ramsay procuratorio nomine Magistris Roberti Carnegy per Thesaurarium Abirdonensem . . .

Sasina terrarum ecclesiasticarum etc. de Abirdour, ¹—(A.D. 1599.)

Viccomes de Abirdene respondebit pro xvij libris xv solidis de feulfirmis totarum et integrarum terrarum ecclesiasticarum et *lie gleib* cum manso vicarii de Abirdour (exceptocrofto *lie hauch* terrarum ecclesiasticarum de Abirdour nuncupato cum horto et domo construendo ministro dicte ecclesie incumbenti) ac aliarum terrarum eidem manso circumvicin-

[From the Liber Responsonnm in Scaccario, MS. General Register House, Edinburgh.]

arum et adiacentium jacentium ex boreali parte dicte ecclesie juxta molendinum de Abirdour cum hortis domibus edificis desuper constructis et construendis jacentium infra diocesim de Abirdene et balliam suam eiusdem Existentibus in manibus supremi domini nostri Regis per spacium duodecim annorum et vnus termini aut cacirea vltimo elapsorum sasina non recuperata Et pro iij libris per duplicationem seu firmitate earundem Olim de quodam Roberto Carnegy rectore de Abirdour tenebantur nunc vero de dicto supremo domino nostro Rege virtute acti annexationis tenentur Sine Majestati debitis per sasina datam Roberto Ramsay de eisdem Apud Edinburgh vicesimo sexto die mensis Julii anno regni Regis tricesimo secundo . 1599 .

Carta Willelmi domini Borthuik.¹ —(A.D. 1538.)

Jacobus Dei gracia Rex Scotorum . . . Seiatis nos dedisse . . . fido consanguineo ac consiliario nostro Willelmo domino Borthuik et heredibus suis masculis subscriptis Totas et integras terras de *lie Moit* de Lochquhorat et castrum eiusdem Castrum de Borthuik nunc nuncupatum Ae terras subscriptas videlicet . . . dimedietatem terrarum de Middiltoune tres partes ville et terrarum de Buteland . . . infra vicecomitatum . . . de Edinburgh Terras de Borthuik . . . infra vicecomitatum . . . de Selkirk Terras de Lidgeartwood que de nobis tanquam Senescallo Scotie

¹ [Abridged from the Registrum Magni Sigilli. lib. xxvi., no. 153. MS. General Register House, Edinburgh.]

On the tenth day of January, 1543-4, John Lord Borthwick granted to Gawin Borthwick of Fentoune, and the heirs male of his body, whom failing to Michael Borthwick of Glengelt, and his heirs male etc., whom failing to William Borthwick of Soltray etc., whom failing to William Borthwick of Cruikstoun etc., whom failing to Edward Borthwick in Ballincroft etc., whom failing to Thomas Borthwick of Princado etc., whom all failing to the lawful and nearest heirs male of the granter, bearing the surname and arms of Borthwick, the lands of the barony of Borthwick, namely, the Moit of Lochorworth, and the castle of the same called the Castle of Borthwick, the half of Middiltoune, the Buteland, and Heriot Mure in the sheriffdom of Edinburgh; Borthwick, in the sheriffdom of Selkirk; Lytill Ormestoun, Hechpule, and Quhytefeild, in the sheriffdom of Peebles; Hynnturd, in the sheriffdom of Lanark; the lands of the barony of Abirdoure in the sheriffdom of Aberdeen; Lidgertwood and Nantharne, Glengelt, Collelaw, and Bourhousis, with the mills etc., in the sheriffdom of Berwick; reserving to the granter and his heirs, an acre at the east end of the lauds of Nantharne for rendering the service due to his

tenentur . . . infra vicecomitatum . . . de Beruik . . . Terras de Heriot et Heriotmure Terras de Heehtpule et Qulhitfeild . . . infra vicecomitatum . . . de Peblis Terras de Hyndfurd . . . infra vicecomitatum . . . de Lanark Terras et baroniam de Abirdour cum pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Quartam partem terrarum de Buteland . . . infra vicecomitatum . . . de Edinburgh Terras de Litolormstoun . . . infra vicecomitatum de Peblis Terras de Nantharne Glengelt Collelaw et Bourhouss . . . infra vicecomitatum . . . de Beruik Quequidem terre . . . fuerunt prefati consanguinei nostri perprius hereditarie Et quas idem . . . in manibus nostris apud Glenfynlayis . . . simpliciter resignavit . . . Tenendas et habendas omnes et singulas predictas terras . . . incorporatas in vnam integram et liberam baroniam Baroniam de Borthuik . . . nuncupandam dicto consanguineo nostro Willelmo domino Borthuik Johanni Borthuik eius filio et heredi apparenti et heredibus suis masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus Domino Johanni Borthuik de Cinerey militi et heredibus suis masculis de corpore suo legitime procreandis Quibus deficientibus Roberto Borthuik de Gordonishall et heredibus suis masculis de corpore suo legitime procreandis quibus deficientibus Willelmo Borthuik de Crukistounne et heredibus suis masculis de corpore suo legitime procreatis seu procreandis Quibus omnibus deficientibus legitimis et propinquioribus heredibus masculis dieti consanguinei nostri Willelmi domini Borthuik quibuscunque arma et eognomen de Borthuik

overlord. The charter, dated at the Castle of Borthwick, was witnessed by Archibald Borthwick, cousin of the granter, Sir Adam Sinclair, prebendary of Crichton, John Broun and James Lytill, chaplains, John Mosman and Alexander Young, notaries public. It was confirmed by Queen Mary, by charter under the great seal, at Edinburgh, on the fifteenth day of January, 1543-4.—(Registrum Magni Sigilli, lib. xxix., no. 227.)

On the ninth day of December, 1570, William Lord Borthwick sold to William Borthwick, his eldest lawful son and the heirs male of his body etc., the lands, barony, and lordship of Borthwick, containing the lands abovewritten: "Proviso quod dictus Gulielmus etc. teneantur Patricio Cheue de Essilmont heredibus suis et assignatis ad perimplendum omnia que ipse Gulielmus dominus Borthwick iisdem perimplere tenetur penes infeodationem illis faciendam tendissime omnium terrarum diete baronie de Abirdour." The charter, dated at the Castle of Borthwick, was witnessed by Thomas Borthwick of Princado, Walter Scott of Tuschelaw, William Dalgleise of Corsop, and Sir Adam Sinclair, chaplain. It was confirmed by King James VI., by charter under the great seal, at Leith, on the twenty-third day of October, 1571.—(Registrum Magni Sigilli, lib. xxxiii., no. 55.)

gerentibus de nobis et nostris successoribus in feodo et hereditate imperpetuum . . . cum sok sak thol theme infaugtheif outfangtheif pitt et gallouss . . . Soluendo inde . . . vnam rosam rubeam apud castrum de Borthuik ad Festum Saneti Johannis Baptiste Mydsomer nuncupatam nomine albefirme si petatur tantum . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Glenfynlas vicesimo primo die mensis Augusti anno Domini millesimo quingentesimo tricesimo octauo et regni nostri vicesimo quinto .

Lettre of assedatioun of the landis of Clintertie to George Baird of Auchmedden.¹ —(A.D. 1556.)

Be it kend till all men . . . me Johnne lord Borthuik that forsamekile as my weilbelouit seruand George Baird of Auchmedden hes payit . . . to me . . . the sovme of sex seoir of pundis vsuale money of Scotland . . . to be boundin . . . me and my airis to the said George his airis and assignais callit Bairdis to mak seill subseriue and deliuer to thaim ane sufficient lettre of tak . . . of all and haill my landis of Clintertie with the pertinentis lyand in my barony of Abirdour and Borthuik be annexatioune and within the schirefdome of Aberdene occupit be the said George of befoir . . . for nyutene yeris . . . following the Feist of Witsounday in the yeir of God j^m v^e and threseoimyne yeris . . . Pay-and thairfoir yeirlie . . . the sewne of twentie markis money . . . with seruice to be maid be the said George Baird to the said Lord vpon his his awin expenssis quhen he is requirit thairto be the said Lord Togidder with ane barrell of salmond guid and sufficient stuff to be broecht to Leyth vpon the said George expenssis . . . In witnes of the quhilkis thing I haif subseriuit thir presentis with my hand At Borthuik the xxth daye of Februar the yeir of God j^m v^e and lv yeris Befoir thir witness Schir Adam Sinclair Johnne Cranstoun Archibald Borthuik and Arthur Stranquhan with vtheris diuers.

JOHNE L. BORTHIK

¹ [Abridged from the Register of Deeds, vol. i, fols. 284, 285. MS. General Register House, Edinburgh.]

Carta Willelmi domini de Borthuik concessa Patricio Cheyne de Essilmont super baronia de Abirdoure.¹ —(A.D. 1571.)

Omnibus hanc cartam visuris . . . Willelmus dominus de Borthuik eternam in Domino salutem Noueritis nos . . . dedisse concessisse tituloque pure vendicionis alienasse . . . honorabili viro Patricio Cheyne de Essilmont et heredibus suis masculis tallie cognomen et arma de Cheyne gerentibus Totam et integram baroniam nostram de Abirdoure videlicet maneriem et mansionem ecclesiasticam de Abirdour cum toftis croftis et molendino eiusdem villas et terras de Clintartie Ardlayhill Killequharn et Pennand cum earundem villarum et terrarum portubus marinis cymbis piscariis et piscationibus et *lie baithuik* et *lyne* lapicidiis et lapicidinibus terras de Tyrie cum suis toftis croftis molendino et ceteris eiusdem pendiculis . . . terras de Mekill Auchrie Balthangy Middilhill de Balthangy terras de Gullye cum earundem terrarum molendinis . . . multuris et *lie knaiffchip* cum *lie outsettis* . . . et omnibus suis pertinentiis in vnam integram et liberam baroniam omni tempore affuturo Baroniam de Abirdour nuncupandam jacentem infra vicecomitatum de Abirdene Reseruando tamen Cristine Hepburne sponse dicti Patricii liberetenenentum . . .

¹ [Abridged from the Registrum Magni Sigilli, lib. xxxvi., no. 413.]

The charter was confirmed by King James VI. by charters under the great seal, at Leith, on the first day of November, 1571, and at Halyrudhous, on the twenty ninth day of July, 1587. On the fifteenth day of August, 1587, the King of new granted the lands and barony of Abirdoar, with the donation and right of patronage of the parish church of Abirdour, to the same Patrick Cheyne, to be held of Essilmont, and his heirs male of entail bearing the surname and arms of Cheyne of the King, in fee and free barony, for a rose yearly on the feast of St. John Baptist.—(Registrum Magni Sigilli, lib. xxxv. no. 413, 417.)

On the twenty-fifth day of June, 1600, Patrick Cheyne of Essilmouth sold to Master John Cheyne of Pitfichie, his heirs and assignees whomsoever, the lands and barony of Essilmouth, the town and lands of Orchertoun in the barony of Tulliedaff, and the Manis of Abirdour with the corn mill, Killiquharne with the ports, boats, fishings, and quarries, and with the advowson of the rectory of Abirdour, all in the sheriffdom of Aberdeen; and the lands of Fraclatedill, Deill and others in the Foudry of Shetland, with the advowson, gift, and right of patronage of the Archdeaconry of Orkney and Shetland. The charter, dated at Aberdeen, is witnessed by Master Patrick Cheyne of Ferrichill, Mr. Alexander Cheyne in Auld Abirdein, Alexander Cheyne in Toddahill, Walter Maitland, son of the deceased James Maitland of Manlattie, George Barron, notary public, and Patrick Copland, writer of the charter. It was confirmed by King James VI., by charter under the great seal, at Halyrudhous, on the twenty-seventh day of October, 1600.—(Registrum Magni Sigilli, lib. xlii., no. 233.)]

huiusmodi baronie . . . durante toto tempore vite sue . . . concedendo dicto Patricio et heredibus suis antedictis tenentes tenandrias cum libere-tenencium seruiciis . . . predictarum terrarum et baronie . . . Tenendam et habendam . . . a nobis heredibus et successoribus nostris Dominis de Borthuik de supremo domino nostro Rege et suis successoribus . . . in feodo et hereditate imperpetuum . . . cum furca fossa sok sak thole theme infangtheif outfangtheif pit et gallous . . . Reddendo . . . vnam rosam nomine albefirme in festo Diui Johannis Baptiste . . . si petatur tantum . . . In cuius rei testimonium presentibus manu nostra subscriptis sigillum nostrum proprium est appensum Apud Abirdour decimo septimo die mensis Julii anno Domini millesimo quingentesimo septuagesimo primo Coram hiis testibus honorabilibus et discretis viris Patricio Hepburne de Lothues milite Magistro Jacobo Creichtoun de Cranstoun Riddell Jacobo Borthuik apparente de Glengilf Joanne Borthuik eius fratre et germano Magistro Francisco Chene Martino Howesoun burgensi de Abirdene et Magistro Arthuro Cheyne cum diuersis aliis .

Sasina baronie de Abirdoure etc. ¹—(A.D. 1573.)

Vicecomes de Edinburgh respondebit pro jc xxv libris de firmis omnium et singularum terrarum et baronie de Abirdoure cum suis pertinentiis que sunt pars et pendicula domini et baronie de Borthuik jacentium infra vicecomitatum de Abirdene et per annexationem infra balliam suam Existentibus in manibus Domini Regis per spacium duorum annorum et vnus termini vltimo elapsorum vel eocirca sasina non recuperata Que firme extendunt annuatim ad septuaginta et quinque mercas Et pro duabus rosis rubeis per duplicationem albefirme earundem ac omnium reliquarum terrarum domini et baronie de Boirthuik . . . Quequidem . . . per quondam charissime memorie Jacobum Quintum Scotorum Regem . . . incorporate erant in vnam integram et liberam baroniam Baroniam de Boirthuik nuncupandam Cum clausula quod vnica sasina apud Castrum et fortalitium de Boirthuik . . . capienda . . . sufficiens erit pro omni-

¹[Abridged from the Liber Responsonnm in Seaccario. MS. General Register House-Edinburgh.]

bus dictis terris . . . non obstante quod dicte terre et baronia de Abirdoure jacent discontigue et in diuersis vicecomitatibus . . . Regi debitis per sasinam datam Jacobo Boirthuik de eisdem (Reseruato libero tenemento . . . dictarum terrarum domjnii et Boirthuik cum castris turribus fortaliciis etc. exceptis dictis terris et baronia de Abirdoure cum suis pertinenciis Willelmo domino Boirthuik patri dicti Jacobi Boirthuik pro toto tempore vite sue) Apud Edinburgh septimo die mensis Nouembris anno regni Regis septimo .

Carta Andree Fraser super terris dominicalibus de Abirlour cum manerie earundem nuncupata Dundarge etc. ¹—(A. D. 1608.)

Omibus hanc cartam visuris . . . Alexander Fraser junior de Phillothe . . . salutem . . . Noueritis me . . . vendidisse . . . Andree Fraser filio Johannis Fraser de Querrelbus suis heredibus et assignatis quibuscunque Totas et integras terras meas dominicales vulgo *lic Manis* de Abirlour cum manerie earundem vocata Dundarge piscationes et cymbas earundem Terras de Pennane K'liqhahne Clintertie et Arllahill cum molentino multuris et terris moenariis earundem Cum aduocatione donatione iurepatronatus beneficiorum et capellaniarum vnam *lic querrell et querrellheuche* earundem . . . jacentes in parochia de Abir-

¹ [Abridged from the Registrum Magni Sicilli, lib. xv., no. 175, where it is engrossed in a charter of confirmation by King James VI, dated at Edinburgh on the eighteenth day of May, 1608.]

On the third day of November, 1609, Patrick Cheyne of Essilmont (with consent of Master John Cheyne of Pittfichie, and in consideration of certain sums paid to him in name of dower and otherwise by Sir Alexander Fraser of Fraserburgh, knight soldier to Patrick Cheyne, his lawful son (by Madgalen Fraser his wife) his heirs and assignees) the manor place or Manis of Abirdour, with the tower and fortalice of Dundarg, and the towns and lands of Arllahill Killiequherne, Clintertie, Badlisollie, Grendyk, Pennand and its quarry, with the mill of Abirdour, etc., with the white fishing and boats, etc., and the advowson, donation, and right of patronage of the rectory and vicarage of Abirdour, in the barony and parish of Abirdoure, and sheriffdom of Aberdeen, reserving the franktenement of the seller during his life. The charter, dated at Aberdeen, is witnessed by John Cruden, the seller's servitor, Mr. Arthur Watt, advocate in Aberdeen, Mr. John Leyth, advocate in Aberdeen, and Thomas Davidsons, his servitor. It was confirmed by King James VI, by charter under the great seal at Edinburgh, on the twenty-fourth day of July, 1610.—Registrum Magni Sicilli, lib. xvi., no. 150.]

dour et infra vicecomitatum de Abirdein Acetiam . . . medium aratram menm et quintam partem meam ville et terrarum de Tavertie extendentes ad duo aratra dicte ville . . . jacentes infra baroniam de Slaynis et vicecomitatum de Abirdeine . . . Tenendas et habendas a me heredibus meis masculis et assignatis de Patricio Cheyne de Essilmont suis heredibus et assignatis . . . dominis meis superioribus . . . in feodo et hereditate imperpetuum . . . Reddendo inde . . . denoria . . . debita et consueta . . . In cuius rei testimonium huic presenti carte mee . . . manu mea subscripte sigillum meum proprium armorum est appensum apud Rothnachie secundo die mensis Maii anno Domini millesimo sexcentesimo octavo Coram testibus Joanne Makesone notario publico Cuthberto Findlater meo seruitore Joanne Findlater in Pettulie et Georgio Barroun presentis scriba .

Carta confirmacionis Margarete Drummond relicte quondam Johannis Gordoun de Petlurg.¹ --(A.D. 1547.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos . . . quondam cartam donationis factam per Georgium Bard de Glencuthill Margarete Drummond relicte quondam Johannis Gordoun de Petlurg . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Georgius Barde de Glencuthill salutem in Domino sempiternam Noveritis me . . . pro speciali favore quam habeo et gero erga dilectam meam Margaretam Drummond relictam quondam Johannis Gordoun de Petlurg et pro matrimonio inter me et eandem Margaretam Deo annuente contrahendo dedisse . . . predicte Margarete in vitali reddito pro toto tempore vite sue in sua viduitate totas et integras terras meas de Glencuthill cum molendino earundem et suis pertinentiis neenon totas et integras terras meas de Auchmedane cum suis pertinentiis jacentes in baronia de Glendowaquhy et infra vicecomitatum de Abirdeine Tenendas et habendas . . . a me et heredibus meis de suprema domina nostra Regina . . . Reddendo inde . . . jura et servicia . . . debita et consueta

¹ [Abridged from the Registrum M. gni Sigilli, lib. xxx., no. 308. M.S. General Register House, Edinburgh.]

. . . In cuius rei testimonium sigillum meam proprium huic presenti carte mee manu mea subscripte est appensum apud burgum de Perth vicesimo quarto die mensis Januarii anno Domini millesimo quingentesimo quadragesimo sexto Coram hiis testibus Vnfrido Rollok in Findouy Georgio Rollok de Duncrub Dauide Maule Roberto Watsoun Willelmo Baty Dominis Willelmo et Waltero Ramsayis capellanis et notariis publicis cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . apud Edinburgh vigesimo octauo Januarii anno Domini millesimo quingentesimo quadragesimosexto et regni nostri quinto .

Sasina de Auchnagorth data Gilberto Baird de Auchmedden.¹ —(A.D. 1597.)

Viccomes de Abirdene respondebit pro viij libris de firmis totarum et integrarum terrarum dimedietatis vmbrales terrarum de Auchnagorth cum pendiculis et pertinentiis iacentium infra baroniam de Moncoffer et balliam suam Existentibus in manibus supremi domini nostri Regis per spatium quatuor annorum aut eocirea vltimo elapsorum sasina non recuperata Et pro xl solidis de releuio earundem Regi debitis per sasinam datam Gilberto Baird nunc de Auchmeddene de eisdem Apud Edinburgh vndecimo die mensis Aprilis anno regni Regis tricesimo . 1597 .

Sasina baronie de Gleneuthill etc. data Jacobo comiti Moraue.² —(A.D. 1604.)

Viccomes de Abirdene respondebit pro ij^c xl libris de firmis . . . terrarum de Allathane Nethir Ardmoir et Syide cum molendino earundem . . . Carnetrailyeane cum molendino . . . *lie Ailhous* Pethethiseroft . . . Beildeistoun et Glasgow . . . existentibus in manibus supremi domini

¹ [From the Liber Responsonium in Seaccario. MS. General Register House, Edinburgh.]

² [Abridged from the Liber Responsonium in Seaccario. MS. General Register House, Edin.]

noſtri Regis per ſpatium duodecim annorum aut eocirca vltimo elapſorum ratione warle Que firme extendunt annuatim ad xx libras Et de ij^o xl libris de firmis . . . terrarum et baronie de Glencuthill cum molendino ſiluis piſcariis . . . exiſtentibus in manibus . . . Regis per ſpatium predictum ratione qua ſupra Que firme extendunt quoque annuatim ad xx libras Regi debitis per ſaſinam datam Jacobo nunc Moraue comiti domino Abernethy et Downe etc. Apud Edinburgh ſeptimo die menſis Maii anno regni Scotie triceſimo ſeptimo Anglie vero Gallie et Hybernie ſecundo . 1604 .

PARISH OF TYRIE.—(PAGE 122.)

Lettre to Maister Hectour Boyis. ¹ —(A.D. 1526.)

Ane lettre to Maister Hectour Boyis etc. of ane yeirlic pensoun of fyttie pundis to be payit be the Schiref of Abirdene of the Kingis casualeis etc. At Edinburgh the xiiij day of Julij the yeir of God j^m v^c and xxvj yeris et regni Regis xiiij^{to}.

Per signaturam manu Regis .

Litera Magistri Hectoris Boys. ² —(A.D. 1529.)

Preceptum litere Magistri Hectoris Boys sacre theologie professoris super pensione annua quinquaginta librarum monete Scotie semper et quousque ad beneficium centum marcarum per Supremum Dominum Nostrum Regem promotus fuerit sibi annuatim soluenda per custumarios burgi de Abirdene etc. Apud Edinburgh xxvj Julij anno regni Regis xvj.

Per signetum.

Litera Magistri Hectoris Boyis. ³ —(A.D. 1529.)

Jacobus Dei gracia Rex Scotorum Omnibus et singulis burgi nostri de Abirdene custumariis presentibus et affuturis generalibus et specialibus salutem Quia predilecto clerico nostro Magistro Hectori Boys sacre theologie professori ac Collegii nostri Abirdonensis principali pro suo seruicio labore et honore nobis nostroque regno in Cronicarum eiusdem impressione factis vnam annuam quinquaginta librarum monete currentis regni nostri pensionem prius dedimus et concessimus Semper et quous-

¹ [From the Registrum Secreti Sigilli, vol. vi., fol. 70. MS. General Register House, Edin.]

² [From the Registrum Secreti Sigilli, vol. viii., fol. 75. MS. General Register House, Edin.]

³ [From the General Register House, Edinburgh.]

que eum ad beneficium centum mercarum promoverimus. Quequidem pensio per vicecomitem nostrum de Abirdene de nostris casualitatibus prefato Magistro Hectori annuatim persolui ordinata extitit. Et quia malam prefate pensionis solutionem temporibus retroactis memoratus Magister Hector habuit et de eadem minime gratanter persolutus est nostram contra mentem et velle quod est Dedimus igitur et concessimus tenoreque presentium damus et concedimus de nouo dicto Magistro Hectori dictam annuam quinquaginta librarum pensionem sibi de promptioribus dicti burgi nostri de Abirdene custumariis persoluen-dam semper et quousque eum ad beneficium centum mercarum per annum vt premissum est duxerimus promouendum. Quare vobis omnibus et singulis prefati burgi nostri de Abirdene custumariis presentibus et affuturis generalibus et specialibus precipimus et mandamus quatinus vos et vestrum quilibet gratam prefato Magistro Hectori summe antedictę solutionem annuatim durante tempore predicto faciatis et quilibet vestrum faciat. Et eadem vobis in vestris compotis annuatim per nostri Scaccarii auditores gratanter allocabitur prefatis nostris literis coram prefatis auditoribus super compoto in nostro Scaccario semel ostensis et in rotulis eiusdem vt congruit registratis. In cuius rei testimonium magnum sigillum nostrum presentibus apponi precepimus. Apud Edin-burgh vigesimo sexto die mensis Julij anno Domini millesimo quingen-tesimo vigesimo nono. Et regni nostri decimo sexto.

Presentacio Magistri Johannis Garden super rectoria de Tiry.¹ —(A.D. 1536.)

Presentatio Magistri Johannis Gardin super rectoria de Tiry nunc vacante per mortem quondam Magistri Hectoris Boiss vltimi possessoris eiusdem ad presentacionem Domini Regis et collationem Episcopi Abir-donensis spectante etc. Apud Schatelerou xxij die mensis Nonembris anno Domini j^m v^c xxxvj^{to}

Per signaturam

¹ [From the Registrum Secreti Sigilli, vol. x., fol. 177. MS. General Register House, Edin.]

Sasina de Faithle et Tyry.¹ —(A.D. 1515.)

Viccomes de Abirdene respondebit pro triginta marcis de firmis terrarum de Faithlie et Tyry cum pertinenciis existentibus in manibus Regis per spacium trium terminorum vltimo elapsorum sasina non recuperata Et pro viginti marcis de releuio earundem Regi debitis per sasinan datam Laurencio Mersar de eisdem xxiiij^o die mensis Aprilis anno regni Regis secundo.

[From the Liber Responsonum in Scaccario. MS. General Register House, Edinburgh.]

PARISH OF RATHEN.—(PAGE 124.)

Sasina de Inucrelloquhy. ¹ —(A.D. 1537.)

Vicecomes de Abirdene respondebit pro lxxj libris xiiij solidis iij denariis de firmis totarum et integrarum terrarum de Inucrelloquhy cum castro laeu et piscatione eiusdem ac molendino et aqueductu eiusdem cum lie Fortre de Inuervry et pertinentiis Et dimedietatis terrarum de Kindrocht cum pertinentiis jacentium infra balliam suam existentibus in manibus Regis per spacium duorum annorum vltimo elapsorum sasina non recuperata Et pro xxxiiij libris vj solidis viiij denariis de releuo earundem Regi debitis per sasina[m] datam Alexandro Cumming de eislem Apud Edinburgh sexto Maij anno regni Regis vicesimo quinto.

Carta Alexandri Cumyng de Inueraloquhy. ² —(A.D. 1539.)

Jacobus Dei gracia Rex Scotorum . . . Sciat is nos delisse . . . here-

¹ [From the Liber Responsonum in Seacatio. MS. General Register House, Edinburgh.]

² [Abridged from the Registrum Magni Sigilli, lib. xxvii., no. 60. MS. Gen. Reg. House, Edin.]

On the eighth day of August, 1539, Alexander Cummyng of Inueralochy sold to Master Henry Balnavis, and Christian Scheves, his wife, his lands of Estir Cullessy, called the Halhill, with the mills, lying in the lordship and sheriffdom of Fife; to be held of the King in feuferme and heritage for yearly payment of twenty-eight marks, ten boils of oats, and two dozen of poultry. The charter, dated at Edinburgh, is witnessed by Alexander Fraser of Philorth, Thomas Menzeis of Pefodellis, John Keith of Craig, Alexander Irwin of Coull, Master James Watson, Masters David Ramsay, David Balfour, and James Bannatync, notary public. It was confirmed by King James V., by charter under the great seal, at Petlethy, on the tenth day of August, 1539.—(Registrum Magni Sigilli, lib. xxvi., no. 310.)

On the twenty-fourth day of April, 1568, William Cuming of Eneralloquhy sold to Alexander Fraser of Phillorth and his heirs, the sunny halves of the lands of Kindrocht with the Denend of the same, in the parish of Rathin, and sheriffdom of Aberdeen, to be held, from the granter, of the King. The charter, dated at Phillorth, is witnessed by Alexander Fraser of Pittowleis, Master William Fraser of Teclmure, Edward Fraser in Faythlie, and Master David Brodie, notary. It was confirmed by King James VI., by a charter under the great seal at Edinburgh on the seventh day of May, 1569.—(Registrum Magni Sigilli, lib. xxv., no. 411.)

On the tenth day of June, 1574, George Gordoun, parcener of Kindrocht, sold to Alexander Fraser of Phillorth, his heirs and assignees, the shady halves of the towus and lands of Kindrocht and Denend, with the mill, miltures, mill lands, sequels, etc., lying in the barony of

ditarie dilectis nostris Alexandro Cuming de Inueraloquhy et Margarete Fraser eius sponse . . . totas et integras terras de Inueraloquhy cum molendinis toftis croftis cotagiis et piscariis earundem et suis pertinenciis jacentes infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Alexandri perprius hereditarie Et quas idem . . . in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . prefato Alexandro Margarete sue sponse ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis Quibus deficientibus legitimis et propinquioribus heredibus seu assignatis dicti Alexandri quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Falkland vicesimo die mensis Augusti anno Domini millesimo quingentesimo trigesimo nono et regni nostri vicesimo sexto.

Kinedward, and sheriffdom of Aberdeen, to be held of the King. The charter, dated at Aberdeen, is witnessed by Master George Barclay, burgess of Aberdeen, Alexander Fraser of Memsie, Walter Fraser, brother-german of the said Alexander Fraser of Philorth, Master William Robertson, servitor of the said Master George Barclay, Andrew Abircromby, son of the Laird of Birkinbog, and James Jak It was confirmed by King James VI., by charter under the great seal, at Halyruidhous, on the ninth day of April, 1588.—(Registrum Magni Sigilli, lib. xxxvi., no. 499.)

On the eighth day of March, 1600, King James VI., by charter under the great seal, confirmed to Sir Alexander Fraser of Fraserburgh, knight, his heirs male, and assignees, the sunny half of the lands of Kindrocht and Denend, in the parish of Rathen, and sheriffdom of Aberdeen, resigned by Alexander Irvine of Drum.—(Registrum Magni Sigilli, lib. xlii., no. 12.)

On the eleventh day of July, 1607, Sir Alexander Fraser of Fraserburgh, knight, granted in feu to John Forbes of Pitsligo, and Christian Ogilvy, his wife, in conjunct fee, and to their heirs male etc., the lands of Kindrocht, in the parish of Rethin, and sheriffdom of Aberdeen, occupied by James Fraser, second son of the granter; and the towns and lands of Cairnes and Ower Mill of Cremond, with the mill lands etc., in the parish of Lonmay, and sheriffdom of Aberdeen; to be held of the granter, his heirs and successors, lairds of Philorth, in fiefirme, for payment of twenty pounds yearly, if asked only. The charter, dated at Fraserburgh, is witnessed by Alexander Forbes of Pingsk, Walter Fraser, brother-german of the granter, Robert Forbes in Melrose, John Kennedy in Fraserburgh, Magnus Ogstoun, notary public, and Donald Wriquhart, notary public. It was confirmed by King James VI., by charter under the great seal, at Edinburgh, on the thirty first day of August, 1609.—(Registrum Magni Sigilli, lib. xlv., no. 371.)

Sasina terrarum de Inuerallochy etc. ¹—(A.D. 1571.)

Vicecomes de Abirdene necnon Alexander Irwin de Drum Alexander Fraser de Phillorth Willelmus Hay de Vry et Magister Willelmus Fraser de Techmure vicecomites de Abirdene in hac parte respondebunt pro xx libris de firmis terrarum de Inuerallochy cum castro lacu piscatione molendino aque ductu eiusdem Existentibus in manibus Regis per spacium vnus anni vltime elapsi sasina non recuperata Et pro xx libris de releuo earundem Necnon pro j^o lvj libris xij solidis iij denariis de firmis terrarum de Fortrie et Ennerurie etc. jacentium infra vicecomitatum de Abirdene Existentibus in manibus Regis et sue charissime matris per spatium viginti trium annorum et vnus termini vltime preteritorum a bello de Pinkiecleuch in quo Alexander Cuming de Inuerallochy interceptus fuerat ratione warde et sasina non recuperata respectiue videlicet per spacium quatuordecim annorum ratione warde et per spacium nonem annorum et vnus termini sasina non recuperata Et pro vj libris xij solidis iij denariis de releuo earundem Regi debitis per sasinam datam Willelmo Cuming de Inuerallochy de eisdem filio et heredi dicti Alexandri Apud Edinburgh nono Aprilis anno regni Regis quarto.

Ex deliberatione Dominorum Consilii etc.

¹ [From the Liber Responsionum in Seaccar. MS. General Register House, Edin.]

PARISH OF ALFORD.—(PAGE 136.)

Contract betuix my Lord Forbes and Maister Androw Cant minister at Alford anent the peice land in Alford sett to the said Maister Androw only off guidwill. ¹—(A.D. 1617.)

At Aufurd the threttein day of December the yeir of God j^m vj^c and sewintein yeiris It is appointed . . . betuixt ane noble and potent lord Arthur Lord Forbes and Maister Androw Cant minister at Aufurd . . . in manner following That is to say the said noble Lord settis . . . to the said Maister Androw . . . that littill peice of land callit The Dykhous lyand contigue to the gleib of Aufurd stankit about and eastin with ane stank and marched with the said stank as the samen is presentlie kernit havand the said gleib on the wast and the dyk and vnlabored landis on the east and south partis therof . . . within the lordship of Forbes parochin off Aufurd and schireflome of Abirdene . . . to be ioysit . . . be the said Maister Androw during the said noble Lordis will allanerlie payand therfor yeirlie . . . tuentie schillingis Scottis money . . . In witnes qhairoff both the saidis parteis hes subscriuit thir presentis . . . befor thir witnessis James Forbes off To-

¹ Abridged from the original in the charter chest at Haughton.

By a writing, dated at Aufurd, on the first day of September, 1619 (witnessed by James Bellenden, sen of the Bishop of Dunblane, Robert Lumsden, son of John Lumsden of Cushney, and Peter Garcoch), Adam, bishop of Dunblane, 'whairunto the pryorie of Monimusk is annexed,' acknowledges to have received from Thomas Fraser of Strichen, thirty five marks, money of Scotland, in full payment of the money tithes for the lands of Meikle Endvie, Badevin, and Baudley, with the mill, for the crop and year 1619.—(Copy at Haughton.)

By a writing, dated at Aufurd, on the sixteenth day of February, 1621, 'Maister Androw Cant, minister of God's word at Aufurd,' acknowledges to have received 'from the right honorable the Laird of Streibene,' fourscore sixteen marks, Scots money, 'in full contentatione in viccarage and stipend allotted to the said Maister Androw be the Lordis of Platt, furth of the landis of Baudley, Padivin, and Meikle Endvie,' for the crop and year 1620.—(Copy at Haughton.)

madis John Forbes of Gask and John Forbes servand to the said noble Lord and William Cuik noter

ARTHUR L FORBES

James Forbes witnes
 Johnne Forbes witnes
 W Cuik witnes
 Jhone Forbes wittnes

MR ANDROW CANT with my
 hand wretter of the bodie of
 the contract abouewrettin

Registrat in the Clerk of Registris Register of the Schireflome of Aberdein the aucht day of Januar anno etc. j^m vj^e auchtene yeiris in the auchtie sevint leaf of the first buik

J MOWAT

Registrat in the Register of the Bishoprick of Aberdene be me Walter Robertsonsone clerk kepar of the said Register the tuentie anc day of Januar 1618 yeiris

W ROBERTSOUN

Renunciatioune and grant of redemption Maister Androw Cant and his bairnes in favouris of the Laird of Leslie elder.¹ —(A.D. 1649.)

Be it kend to all quhom it effeires . . . ws Maister Androw Cant sumtyme minister of Gods word at Aufurd and now minister at Abirdeine Maister Alexander Cant minister at Upper Banchrie and Maister

¹[Abridged from the original in the charter chest at Haughton.]

A charter of the town and lands of Walhous etc., granted by Alexander Master of Forbes to Master Andrew Cant, minister of God's word at the Kirk of Aufurd, is dated at Aufurd, on the twenty-ninth day of June, 1625: 'eoram his testibus Magistro Roberto Dunbar, rectore de Touch, Gulielmo Lnmisdcl, Joanne Forbes, servis supradicti Alexandri magistri de Forbes. et Magistro Patrio Lindsay ludmagistro in Aufurd.'—(Original at Haughton.)

A charter of a ploughgate of Ardgethin etc., granted by Alexander Master of Forbes to Master Andrew Cant, minister of God's word at Aufurd, is dated at Polflug, on the twenty-sixth day of October, 1629: 'eoram his testibus Magistro Roberto Dunbar persona de Toneh, Thoma Davidson in Broadhangh, Gulielmo Simson apud Aufurd notario publico, Georgio Ogstoune servo dicti nobilis Alexandri magistri de Forbes.' The charter bears to be written be Master Alexander Garioch, parson of Cuschnie —(Or gual at Haughton.)

Androw Cant my lauchfull sones Sara and Margaret Cantis my lauchfull dochteris with consent . . . of Alexander Jaffray baillie burges of Abirdeine husband to me the said Sara Forsameikle as be contract . . . at Anfuird the twantie nunt day of Junii j^m vi^e twentie fyve yeiris . . . betuixt ane noble and potent lord Alexander now Lord Forbes than styllit Maister of Forbes . . . and me the said Maister Androw Cant minister of Gods word . . . for the soume of fourtein hundreth merkis money . . . the said Alexander than Maister of Forbes . . . oblisst him . . . to have dewlie infest . . . me the said Maister Androw Cant elder and the said Maister Alexander Cant than callit Alexander Cant my sone . . . in . . . the toune and landis of Walhous bog tharof . . . commone pasturage . . . and libertie to win fewall wpone the landis of Argethin and Arschballache . . . and lykwayis in . . . that penclie of the . . . landis of Argethin callit the Auldtoune balkis . . . within the lordschip of Forbes and schirefflome of Abirdene . . . Lyikas . . . be ane wther contract . . . at Petfluig the twantie sext day of October j^m vj^e twantie nyne yeires . . . betuixt the said Alexander than Maister of Forbes . . . and me the said Maister Androw Cant minister of Godis word for myself and in . . . behalff of the said Maister Androw Cant than callit Andro Cant and of wmqubill James Cant my sones . . . and of the saidis Sara and Margaret Cantis my dochteris . . . for the soume of thrie thousand [four] hundreth merkis . . . the said Alexander than Maister of Forbes . . . obleisst him . . . to have infest . . . me the said Maister Androw Cant elder in lyfrent and the saidis Sara and Margaret Cantis . . . in fie in . . . the pleuch of land in Argethin than occupied be Elspet Ross relict of wmqubill John Calder . . . and also to infest me the said Maister Androw Cant elder in lyfrent and the said Androw Cant now callit Maister Androw Cant and wmqubill James Cant in fie . . . in . . . ane croft of land besyd the kirktonne of Aulfuird than occupied be John Calder and in all . . . the croftis of the heid hous of the said kirktonne than occupied be Robert Andersone alias Walker and in ane wthir croft than occupied be Alexander Melgin and in ane wthir croft . . . sumtyme occupied be William Walker bot than tennentles and in ane wthir croft . . . callit Conperis croft ane pairt thair of than occupied be Alexander Robertsons and ane wthir pairt be me the said Maister Androw Cant elder myself and also in ane wthir croft . . . callit Thomsons

croft than occupied be William Simpstone with the Dykhons croft
 And becaus the richt honorable John Forbes of Leslie now is become in
 vice and place of the said Alexander now Lord Forbes of the landis . . .
 abowe wodset . . . be disposicionne thairof maid to him be Thomas Mac-
 kenzie of Pluscarden at quhais instance the hail lordschip and leaving of
 Forbes is apprisit . . . Lykas . . . the said John Forbes having . . .
 peyit . . . the soume of four thousand and aucht hundreth merkis . . .
 contenit in the saidis two . . . contracts . . . Thairfoir wit ye ws . . .
 to have renunciit . . . to . . . the said John Forbes of Leslie . . . all . . .
 the said towne and landis . . . At Aberdene the tuentie day of Maij j^m
 vj^o fourtie nyn yeiris Befoir thir witnessis George Thomsone sone to
 wmquhill Thomas Thomsone burges of Aberdeine Maister Alexander Da-
 vidsone advocat Androw Massie notar publict.

George Thomsone witnes
 M Alexander Davidsone witnes
 A Massie witnes

Mr Androw Cant eller
 Mr Alexander Cant
 Mr Androw Cant younger
 Margavet Cant
 Sarah Cant
 Al Jaffray

PARISH OF KILDRUMMY.—(PAGE 147.)

Carta Morgrundi comitis de Mar de terra in villa de Inuerinche. ¹—
(A.D. 1141—A.D. 1178.)

Morgrundus comes de Mar vniuersis sancte matris ecclesie filiis salutem · Sciant tam posteri quam moderni me dedisse . . . Deo et ecclesie Sancti Andree apostoli et canonicis ibidem Deo seruitibus et seruituris dimidiam carcatam terre in uilla de Inuerinche perpetuo in elemosinam . . . Concedo etiam predictis canonicis ut habeant communem pasturam ad pecunias suas cum pecuniis meis et cum pecuniis hominum

¹ [Abridged from the Registrum Prioratus Sancti Andree, pp. 248, 249.]

The grant was confirmed by Pope Lucius III., in 1183.—(Id. p. 59.)

In 1228, King Alexander II. confirmed to the canons of St. Andrews, among their other possessions: 'ex donacione Comitis Morgrunt de Mar dimidiam carcatam terre in uilla de Inuerioe habentem quater · xx · acras cum crofto habente · vil · acras et communem pasturam in uilla predicta de Inuerine · item ex donacione Dnuecani comitis filii Morgrunt terram et pratum de Dolfgermald.'—(Registrum Prioratus Sancti Andree, p. 235.)

'Earl Morgund' is witness to a charter by King David I. to the monks of Dunfermline, of the lands of Nithbren and Balcristin in Fife, between the years 1147 and 1152; and to a general charter of confirmation by King Malcolm the Maiden, to the same monks, in the year 1154.—(Registrum de Dunfermelyn, pp. 8, 22.) He is spoken of as dead in 1183.—(Registrum Prioratus Sancti Andree, p. 59.)

Between the years 1165 and 1171 'Moregruad earl of Mar' gave the church of St. Maluoehe of Tarland in Cromar, to the canons of St. Andrews, for the weal of his own soul and the soul of the Countess Agnes, his wife, and for the souls of his predecessors and successors; and left the bodies as well of himself as of the Countess Agnes, his wife, to be buried at St. Andrews. Between the years 1153 and 1178 he gave and confirmed to the same canons of St. Andrews, the church of Migvie in Cromar, which had been granted to them by the Countess Agnes, his wife, who appears to have been Countess of Mar in her own right.—(Registrum Prioratus Sancti Andree, pp. 246, 247, 248. See above vol. ii, pp. 14—21.)

He seems to have had three sons: (1.) Malcolm, who, under the style of 'Malcolm, son of Moregrund, earl of Mar,' confirmed his father's grant of the church of St. Maluoch of Tarland to the canons of St. Andrews, between the years 1207 and 1228; (2.) James, who in 1222, had a grant, from the canons of St. Andrews, of their bondman Gillemor Scolgo of Tarland, and before 1226, had obtained possession of the fief of Abernethy in Strathspey; and (3.) Duncan, who between 1222 and 1228, became Earl of Mar, and was the son as well of the Countess Agnes as of the Earl Morgund.—See above vol. ii, pp. 17, 18, 19; Registrum Episcopatus Aberdoensis, vol. i, p. 11; Registrum Episcopatus Moraviensis, pp. 76, 77; Registrum Prioratus Sancti Andree, p. 363.

Lord Hailes has been thought to countenance the belief that there was a Martach earl of Mar in the reign of King Malcolm Canmore (1057—1093). It might otherwise have been needless to

meorum per totam tenuram de Inuermeth pro salute anime mee et Agnetis comitisse sponse mee et pro animabus antecessorum et successorum meorum · Testibus · Ada comitissa · Hela comitissa · Alexandro de Sancto Martino · Hugone Giffard · Willelmo Giffard · Willelmo de Ridal · Willelmo filio Hugonis Giffard · Willelmo uiccomite de Karel.

Carta Agnetis comitisse de Mar de terra in uilla de Inuerinche.¹ —
(A.D. 1141—A.D. 1178.)

Agnes comitissa de Mar · vniuersis sancte matris ecclesie filiis salutem ·

say that Earl Martach and the charter which has been cited to prove his existence are equally fabulous. Nor is there any good reason to suppose that the second Earl of Mar of the peerage writers—the Earl Gartnach—who about 1120, gives his consent to the foundation of the abbey of Seone by King Alexander I.—was Earl of Mar. It seems sufficiently certain that he was Mormaor or Earl of Buchan, and that he lived into the reign of King David I. to appear as a witness of one and the same charter with Earl Morgund. See above pp. 548, 549; Registrum Prioratus Sancti Andree, 370; Registrum de Dunfermelyn, p. 8; Liber Ecclesie de Seon, p. 3.

Earl Morgund is said to have been the son of Gillocher earl of Mar. But this rests only on the letters patent of King William the Lion, first printed by Selden, which I think it is impossible to receive as authentic. The facts which they set forth may, perhaps, be true in part, but as a whole I do not see how they are to be reconciled with what is elsewhere recorded on undoubted authority. Nor do I think that the letters can be successfully defended from the objections taken to them on other grounds,—such as their style, the time and place of granting and the manner of testing. I must therefore believe them to be spurious. It is obvious, at the same time, that they were forged at an early period. The learned and accurate Selden thought them to be in a hand of the time, and they seem to be alluded to in the year 1291. They may have been forged at that time, or, more probably, during the contests for the earldom of Mar, between the Earl in possession and Thomas Durward before 1228, and between Earl William and Alan Durward, in 1257. These contests supply what seems to have been thought wanting,—‘a motive for inventing such a document.’ See Acts of the Parliaments of Scotland, vol. i. pref. p. 13 note; Archaeologia, vol. xix. pp. 241—252.

The first Earl of Mar, certainly known to record is Rothri, Rotheri, or Ruadri. As ‘Earl Rotheri’ he gives consent to the foundation charter of Seone, by King Alexander I. about 1120, and is witness to the great charter of King David to the monks of Dunfermelyn, between 1124 and 1127. As ‘Ruadri mormaor of Mar,’ he appears as a witness to a grant by Gartnait, earl or mormaor of Buchan, to the clerics of Deer, in 1132. See above p. 548; Liber Ecclesie de Seon, p. 3; Parliaments of Scotland, vol. i. p. 45.*

The death of a much earlier Mormaor of Mar is chronicled in the Irish Annals. They number among those who fell on the Irish side in the great battle of Clontarf in the year 1014, ‘Domhnall mac Eimhin mic Cainigh, mormaor of Mar in Alba, and Mhiredach mormaor of the Lennox.’—(Dr. Reeves’ Adamnan’s Life of St. Columba, p. 398; Collectanea de Rebus Albanicis, pp. 270, 271.)

¹ [Abridged from the Registrum Prioratus Sancti Andree, p. 249.]

Sciant tam posteri quam moderni me dedisse . . . Deo et ecclesie Beati Andree apostoli et canonicis ibidem Deo seruientibus et seruituris dimidium carucatum terre in uilla de Inuerinche perpetuo in elemosinam . . . Concedo etiam predictis canonicis ut habeant communem pasturam cum pecuniis meis ad pecunias suas et cum pecuniis hominum meorum in tota tenura mea de Inuermeth pro salute anime mee et Morgrund comitis sponsi mei et pro animabus antecessorum et successorum nostrorum . Testibus Ada comitissa . Hela comitissa . Alexandro de Sancto Martino . Hugone Giffard . Willelmo vicecomite de Karel.

Confirmatio Orabilis comitisse de Mar de ecclesia de Lochres.¹—(A.D. 1171—A.D. 1199.)

Sciant omnes has literas usuri . quod ego Orabilis comitissa de Mar filia Nesii filii Willelmi presens fui quando pater meus Nesius filius Willelmi dedit Deo et ecclesie Sancti Andree apostoli in Scotia . et canonicis ibidem Deo seruientibus et seruituris . ecclesiam de Lochres .

Between the years 1153 and 1178, Agnes, countess of Mar (apparently in her own right) gives the church of St. Finian of Migvie, in Cromar, to the canons of St. Andrews, for the weal of the souls of Earl Morgund, her husband, and of herself, and for the souls of her ancestors and successors. Earl Morgund afterwards gives and confrms the same church to the same canons. See above vol. ii. pp. 19, 20.

The Countess Agnes had, by Earl Morgund, a son Duncan, who became Earl of Mar between 1222 and 1238. He was the father of William, earl of Mar, who in 1268 confirms 'the gift which the Lady Agnes his grandmother, sometime Countess of Mar, made to the Prior and convent of St. Andrews, of the church of Migvie.'—(Registrum Prioratus Sancti Andree, p. 311.)

¹ [Abridged from the Registrum Prioratus Sancti Andree, pp. 287, 288.]

It does not appear whether Orabile, the daughter of Nes, the son of William, was Countess of Mar, in her own right, or in right of her husband before or after her marriage with Robert de Quinci.

About the year 1180, Nes the son of William, and Orabile his daughter and heir, give the church of Losresch in Fife to the canons of St. Andrews.—(Id. pp. 254, 255.)

Between the years 1210 and 1219, Seyer de Quinci, earl of Winchester, with consent of Roger his son and heir, gives to the canons of St. Andrews, three merks of silver yearly from his mill of Lochris (Leuchars), for the souls of his grandfather and grandmother, of his father, Robert de Quinci, and his mother, Orabile.—(Id. pp. 257, 257.)

Between the years 1171 and 1199, Orabilis the daughter of Nes gives the davach of Ietar Haythya to the canons of St. Andrews, by a charter witnessed by Matthew, bishop of Aberdeen, and by G. earl of Mar.—(Id. pp. 291, 291.)

The grant is confirmed by her son, Seyer de Quinci, before the year 1210.—(Id. p. 291.)

cum omnibus predicte ecclesie iuste pertinentibus · in perpetuam elemosinam · cum corpore suo . . . Matheo episcopo de Aberdone presente et teste · et Duncano comite de Fif presente et teste · Presentibus quoque et testibus Michaele clerico · Albino capellano Duncani comitis · Stephano clerico tunc persona eiusdem ecclesie · Philippo presbitero · Duncano filio Hemli camerarii Nesii · et aliis quampluribus · Hanc donationem presens audiui et concessi tanquam heres patris mei · hanc posteris innotesco · Hanc etiam proprio sigillo meo tanquam testis confirmo.

Carta comitis David. ¹—(Circa A.D. 1200.)

Comes David frater Regis Scocie omnibus has literas uidentibus et audientibus sal item · Noueritis me et heredes meos delisse remisisse et

¹ [From the original in the British Museum, printed in *Illustrations of Scottish History from the Twelfth to the Sixteenth Century*, pp. 23, 24. Glas. 1834.]

Gillechrist, Earl of Mar, is found in records throughout the greater part of the reign of King William the Lion, from 1178-80 to 1204-11.—(*Acta Parliamentorum Scotiæ*, vol. i., p. 65*; *Registrum Vetus de Aberbrothoc*, pp. 7, 10, 18, 25, 51, 72, 111, 112; *Registrum Episcopatus Moraviensis*, 10, 11, 38; *Registrum Episcopatus Aberdonensis*, vol. i., p. 11.)

Between the years 1199 and 1207, he seems to have built a Priory at Monymusk, an old seat of Culdees, and to have given to it the churches of St. Andrew of Alford, of St. Marnan of Leochel, of St. Wolok of Ruthven, and of Invernochty in Strathdon. The grant was confirmed by John, bishop of Aberdeen, but failed of effect as to the churches of Ruthven and Invernochty. Earl Gillechrist made a new grant of the church of St. Marnan of Leochel, which was of new confirmed by the bishop of Aberdeen, between 1199 and 1207,—but left the possession of the church still open to dispute. Before the year 1211, Earl Gillechrist gave the lands of Dolbethok and Fornathy to the canons or Culdees of Monymusk. Between the years 1203 and 1214, he gave to the monks of Arbroath the right of patronage of the church of St. Marnan of Aberchirder, which he had contested with King William the Lion, and with Bruce of Douglas, bishop of Murray. See above vol. ii., pp. 190-192; *Collections for a History of the Shires of Aberdeen and Banff*, pp. 173, 174, 176, 177, 588, 589, 602-605; *Registrum Prioratus Sancti Andree*, pp. 359-376; *Registrum Vetus de Aberbrothoc*, pp. 25, 142, 144.

Nothing appears as to the parentage of Earl Gillechrist, except that his legitimacy does not seem to have been challenged by Alan Durward, when, in 1257, he claimed the Earldom of Marr on the ground that Earl Morgund and Earl Duncan were not born in lawful marriage. It was probably after the death of Earl Gillechrist—or at least before 1228—that the dispute arose between the Earl of Mar and Thomas Durward, the settlement of which was among the national records in 1291-2. (See above, pp. 149, 150, 151.) We may be allowed to conjecture, that it was under that settlement that Thomas Durward acquired his vast domains in Mar, stretching from Invercanny on the Dee to Alford on the Don, from Coull on the west to Skene on the east. His right, whatever it was, seems to have been derived from his mother. He confirms to the

quietos clamasse G . comiti de Mar et heredibus suis . Gillecriste filium Gillekucongall et duos Gillecristos et Gillenem et Gillemarte . iij^{or} filios . set eos quietos et heredes eorum ab omnibus mihi uel heredibus pertinentibus . Hiis testibus Malisio filio Comitis Fertet . W . Olifard . duobus Henricis filiis Comitis . Johanne de Wiltone . Kinet iudice . H . de Boiuille . Normanno constabulario . Dunecano maro . et aliis multis .

Carta Thome filii Malcolmi de Lunlyne hostiarii Regis.¹ —(A.D. 1203—A.D. 1214.)

Carta donationis Thome filij Malcolmi de Lunlyne Hostiarii Domini Regis Scotie facta Deo Sancte Marie et monachis de Cupro de una merca

Culdees of Monymusk the grant of ten bolls of malt, and ten stones of cheese, 'which had been made to them by his grandfather and by his mother,' of whom we know nothing more than that she was the wife of Malcolm of Lundin. The church of St. Andrew of Aiford had been given to the canons or Culdees of Monymusk by Gillechrist, earl of Mar. Thomas Durward grants the same church to the same canons or Culdees, but his charter is silent as to the previous grant by Earl Gillechrist. So also, his son Colin Durward, and his grand-daughter Anne and her husband, Philip of Montfichet, in granting the church of Leochel to the canons of Monymusk, ignore the previous grants alike by Earl Gillechrist and by Earl Duncan.—(Collections for the History of the Shires of Aberdeen and Banff, pp. 174, 588, 589, 604.)

¹ [From the Breviarium Antiqui Registri Monasterii de Cupro in Aneagus. MS. in the Library at Panmure.]

'John, son of the Earl of Mar' is a witness to a charter by Malcolm, earl of Fife, to Archibald of Douglas, the son of William of Douglas, of the land of Levingston and the lands of Hirmanston, between the years 1214 and 1226.—(Registrum Honoris de Morton, vol. i., app. p. xxxiv.)

A charter by Walter the son of Alan, to the canons of Scone, between the years 1171, is witnessed by 'Duncan, the son of Moregrund.'—(Liber Ecclesie de Scone, p. 91.)

Between 1222 and 1228, the earldom of Marr devolved on Duncan the son of Earl Morgund and the Countess Agnes. Earl Duncan granted the church of St. Marcan of Leochel, to the Culdees or canons of Monymusk, for the souls of his father Morgrund and his mother Agnes. His title to certain lands having been questioned by 'David, the son of the Earl,' the dispute was settled in presence of King Alexander II. by both claimants agreeing to grant the church of Leochel to the canons of Monymusk. In 1228, King Alexander II. confirmed to the canons of St. Andrews the grant made to them by 'Earl Duncan the son of Morgrund,' of the land and meadow of Dollgermald.

About the year 1230, Earl Duncan granted the church of St. Andrew of Kindroucht in Braemar to the canons of Monymusk. In 1242, 'as heir of Earl Morgrund' he made an agreement with the canons of St. Andrews, as to the church lands of Tarland and Migvie, and the second tithes of the earldom, which had been granted to them by Earl Morgund. Between the years 1239 and 1244, he granted the church of Logie Ruthven (which his predecessor, Earl Gillechrist, had granted to the canons of Monymusk) to the canons of the cathedral of St. Mary and St. Machar

argenti de terra sua de Balelmyremath annuatim solvenda per se et heredes suos . . . Si vero in regno Scotie viam universe fuero ingressus corpus meum ad Cuprum portabitur et ibi sepelietur videlicet in claustro ante ostium ecclesie ubi locum meum elegi . . . Hiis testibus Malcolmmo comite de Fyffe · Gartney comite de Mar et Malcolmmo filio ejus · Willelmo de Bois · Waltero Hostiario de Lundyn et multis alijs ·

This charter of donation is confirmed to the said mounkes be King William · salvo servitio nostro · Apud Forfar tertio die Aprilis · Testibus Gartneo comite de Mar · Malcolmmo filio Comitris Gartnei · David Mariscallo · Philippo de Lunlyne · Alexandro filio Thome ·

Compositio super terra ecclesie de Abirnythy. ¹—(A.D. 1226.)

Noverint omnes . . . quod litigantibus inter se venerabili patre Andrea Moraviensi episcopo ex parte unâ et nobili viro Jacobo filio Morgundi ex alia · super quibusdam terris in feodo de Abirnythy in Strathspe constitutis · scilicet quadam portione terre apud Cuneneges et terre que dice-

of Aberdeen, where he left his body to be buried among his venerable fathers, the bishops buried here. See above vol. ii. pp. 22, 23, 16; Collections on the History of the Shires of Aberdeen and Banff, pp. 603, 604; Registrum Episcopatus Aberdonensis, vol. i. p. 16; Registrum Prioratus Sancti Andree, pp. 235, 268, 332, 362, 363, 367, 368.]

¹ [Abridged from the Registrum Episcopatus Moraviensis, pp. 76, 77.]

The foundation charter of St. Peter's Hospital at Aberdeen, by Mathew, bishop of Aberdeen, granted between the years 1173 and 1199, is witnessed by Gilchrist, earl of Mar, by Fergus, earl of Buchan, and by Malcolm and James, the sons of Morgund.—(Registrum Episcopatus Aberdonensis, vol. i., p. 11.)

A charter by Malcolm, the son of Moregrund, earl of Mar, to the canons of St. Andrews, granted between the years 1207 and 1228, is witnessed by James, the son of Moregrund, and by Duncan his brother.—(Original charter in the Denmylne Collection, printed above, vol. ii., pp. 17, 18.)

'Sir J., son of the deceased M. earl of Mar,' and his brother, 'Sir D., son of the deceased M. earl of Mar,' appear on record in 1222.—(Original charter in the Denmylne Collection, printed above, vol. ii., pp. 18, 19.)

Duncan, earl of Mar, and 'James, the son of Morgund,' are among the witnesses to a charter by King Alexander II. to Ness, his physician, of the lands of Bamf, in the fief of Alyth, dated at Aberdeen on the ninth day of October, 1232.—(Original charter in the charter room at Bamf.)

batur ecclesie de Abyrnythy . et super decimis de cano qui solvi consuevit Regibus de predicto teodo ante predicti Jacobi infeodationem . de consilio et consensu decani et capituli Moraviensis ecclesie ita convenit inter partes . quod predictus Jacobus et heredes sui quieti erunt in perpetuum ab omni exactione et controversia mota seu movenda eis super pretaxatis per predictum Episcopum vel per aliquem ejus successorem Predictus vero Jacobus assignabit ecclesie de Abyrnythy in loco competenti mansum ydoneum et ecclesie propinquum cumcrofto conveniente unius acre . habendum in liberam puram et perpetuam elemosinam cum communibus et debitis aysiamenis parochie . Et . . . pro predicta quieta clamatum solvet predictus Jacobus et heredes sui singulis annis in perpetuum Episcopis Moraviensibus unam marcam sterlingorum Actum in synodo habita anno incarnationis Dominice . m^o . cc^o . xxvi . mense Mayo quinto die ejusdem mensis in ecclesia Sancti Egidii abbatis apud Elgyn.

Carta Regis Alexandri de Dronlay. ¹—(A.D. 1251.)

Alexander Dei gracia Rex Scottorum Sciatis nos confirmasse donacionem illam quam Willelmus comes de Mar fecit Gilberto de Haya de tota terra sua de Dronlaw . Tenenda de prefato Comite et heredibus suis Apud Schon . vicesimo sexto die Julij anno regni domini Regis tercio .

¹[Abridged from the original in the charter room at Slaines.

William, earl of Mar, was the son of Earl Duncan, and the grandson of Earl Morgund and the Countess Agnes. By a charter dated at Falkland, on the twenty-third day of January 1267-8 (witnessed by his sons, Donald and Duncan), he confirmed to the canons of St. Andrews, the gits made to them by his grandfather, Sir Morgund, earl of Mar, of the church of Tarland, and by his grandmother, the Lady Agnes, countess of Mar, of the church of Migvie, and farther granted an acre of land, between the church and the castle of Migvie, for a manse to the vicar or chaplain serving the cure. One clause in his charter glances at the questions which had been raised as to the legitimacy of Earl Morgund: "Et si quid minus legitime per easdem personas predictis Priori et conventui fuerit donatum vel confirmatum super eisdem ecclesiis et terris nos pro nobis et heredibus nostris quod per nos et heredes nostros suppleri poterit supplementum et quantum in nobis est caritatis intuitu predictas ecclesias cum terris damus et confirmamus pro nobis et heredibus nostris predictis Priori et conventui imperpetuum possidendas."—(Registrum Prioratus Sancti Andree, pp. 311—312.)

William, earl of Mar, is enumerated among the great barons of Scotland in the letter of fealty

Carta Regis Alexandri concessa Willelmo comiti de Marr super terra de Tulicultry in feodo de Claemanan, ¹—(A.D. 1262.)

Alexander Dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue salutem · Sciant presentes et futuri quod cum Alevinus de Mes filius et heres quondam Alevini de Mes totam terram suam de Tulicultry cum pertinenciis in feodo de Claemanan quam de nobis tenuit hereditarie per defectum servicii de dicta terra nobis debiti coram pluribus regni nostri magnatibus · scilicet · Alexandro Cumyn comite de Bouchan tunc iusticiario Scocie · Hugone de Abirnythi · Magistro W. Wischard tunc cancellario · Fergusio Cumyn · Willelmo de Abirnythi · Willelmo de Lysuris · et Nicholao de Rutherford · ac multis aliis · die Sancte Trinitatis anno gracia millesimi ducentesimi sexagesimi primi · apud Castellum Puellarum per fustum et baculum nobis reddidisset et totum ius suum quod habuit in dicta terra cum pertinenciis vel habere potuit pro se et heredibus suis in perpetuum quietum clamasset · Nos totam dictam terram de Tulicultry cum pertinenciis Willelmo comiti de Marr dilecto nostro et fideli pro homigio et seruicio suo delimus con-

granted by King Alexander II. to King Henry III. of England, in 1244. He was one of those who were removed from the administration of affairs in Scotland, at the instance of King Henry III. of England, in September, 1255, his rival, Alan Durward, being one of those by whom he was replaced. He was recalled to the King's councils before February, 1257. He is among the magnates of Scotland, who in March, 1258, bind themselves not to make peace or truce with the King of England, without consent of the Prince of Wales and his chiefs. He appears, in November, 1258, along with Alan Durward, among those whom the King of England undertakes to support in the government of Scotland. In November, 1260, he is named among the magnates of Scotland, to whom King Henry III. binds himself to deliver up the child to which his daughter Margaret, Queen of Alexander III., was about to give birth in England—(Foedera, vol. i. pp. 257, 329, 353, 370, 378, 402.)

He was chamberlain of Scotland in the year 1252, and again from the year 1263 to the year 1266. In the year 1270, he was sent to England, along with the Abbot of Dunfermline, on a mission for the recovery of the Earldom of Huntingdon. In the same year his son Donald, was knighted by King Alexander III. at Scone. He himself survived the month of March, 1273. A political adversary gives him the character of being *in malis artibus satis ingeniosus*.—(Compta Camerariorum Scotiæ, vol. i. pp. 16, 23, 47; Registrum Domus de Soltre etc. pp. 35, 45, 46; Acts of the Parliaments of Scotland, vol. i. app. to pref. p. 9; J. de Fordun Scotichronicon, lib. x. capp. x, xxviii; Registrum Episcopatus Aberdonensis, vol. i. p. 34; Raine's North Durham, app. p. 16; Liber S. Marie de Melros, vol. i. p. 309.)

¹ [From a transcript in Macfarlane's Collection of Charters, pp. 217, 218. MS. Adv. Lib. Edin. (34. 3. 25.)]

cessimus et hac presenti carta nostra confirmauimus sine aliquo retene-
 mento . Tenendam et habendam eidem Willelmo et heredibus suis de
 nobis et hereditate nostris in feodo et hereditate per easdem diuisas per
 quas Walterus filius Alani senescallus tunc iusticiarius Scocie et Rogerus
 Auenel tunc vicecomes de Striuelyn predicto Aleuino patri dicti Aleuini
 ex precepto inclite recordacionis Domini Alexandri regis patris nostri
 carissimi assignauerunt et tradiderunt cum incremento quo l per eodem
 Walterum filium Alani et Rogerum Auenel factum fuit Matheo clerico de
 Tulicultry . in nemore in saltibus in planis et asperis in terris et aquis in
 pratis et pascuis in moris et maresiis in stagnis et molendinis . cum socca
 et sacca cum furea cum fossa cum tol et them et infangandethf et cum
 omnibus aliis iustis pertinenciis suis . et cum omnibus natiuis eiusdem
 terre qui die collacionis facte predicto Aleuino patri dicti Aleuini
 extiterant . Per seruicium vnus militis . Saluis nostris elemosinis . Con-
 cessimus eciam eidem Willelmo vt ipse et heredes sui habeant et teneant
 dictam terram in liberam forestam . Quare firmiter prohibemus ne quis
 sine eorum licencia in predicta terra sceet aut venetur super nostram
 plenariam forisfacturam decem librarum . Testibus venerabili patre
 Gamelino episcopo Sancti Andree Alexandro Cumyn comite de Buchan
 iusticiario Scocie . Waltero comite de Menethet . Johanne Cumyn .
 Willelmo de Brechyn . Eustachio de Turribus . Reginaldo le Chen .
 apud Forfar vicesimo primo die Decembris anno regni nostri quarto
 decimo .

Carta Douenaldi comitis de Mar super terra de Drounlay.¹—(A.D.
 1275—A.D. 1297.)

Omnibus hoc scriptum visuris . . . Douenaldus comes de Mar salutem

¹ [Abridged from the original in the charter room at Shlaines.

Walter of Cambhou, in accounting for the issues of the lands and tenements of the deceased Duncan, son of Colbany, Earl of Fife, from the twentieth of November, 1293, till the sixteenth of November, 1295, takes credit for a payment of forty shillings to Elen, countess of Mar, in part of her dowry during the time of the account: 'Et Elene comitisse de Mar pro parte dotis sue . xl . solidi per idem tempus.'—(Contemporary copy in the British Museum, printed in the *Chronicon de Lauercost*, p. 478.)

Mr. Raine, in his pedigree of the family of Muschamp of Wooler, says that Marjory Mus-

. . . Nouerit vniuersitas vestra me dedisse . . . Domino Nicholao de Haya consanguineo meo pro homagio et seruicio suo totam terram meam in tenemento de Dorlaw · quam Dominus Willelmus pater meus quondam debet Domino Roberto Boyrn . . . Tenendam . . . de me et heredibus meis in feodo et hereditate . . . Faciendo . . . forinsecum seruicium Domini Regis in exercitu Scoticano quantum pertinet ad tantam terram . . . Hiis testibus · venerabilibus patribus Dominis Ilugone et Andrea de Seona et de Cupro abbatibus · Dominis Michaela Scoto · Willelmo de Haya de Locherwu · Ada de Retref · et Willelmo Gurlay militibus · Dauid de Rothenach · Willelmo Brun et multis aliis.

Appellatio Comitis de Mar et liberorum hominum Moravie ad Dominum Regem Anglie et ad Coronam Regiam Anglie. ¹—(Circa A.D. 1291.)

Cum vos Domine Willelme Episcopo Sancti Andree et Domine Johannes Cumyn qui vos geritis et tenetis pro Custodibus regni Scocie ad manutenendum et defendendum jura et libertates et consuetudines regni eius-[dem] approbatas [j]am alios subcustodes vestros fecistis autoritate vestra propria et substituitis ad quos substituendos a nobilibus et magnatibus et communitate regni Scocie nulla fuit vobis auctoritas vel potestas attributa · Qui quidem custodes substituti vestri ad terram Moravie que est immeliate in manu Regis Scocie autoritate et potestate eis a vobis

champ (one of three daughters of Robert de Muschamp, baron of Wooler) who was alive in 1249, married Malise, earl of Stratherne, by whom she had four daughters, the eldest of whom Muriel, countess of Mar, died childless in 1291-2, seized of a fourth part of the barony of Muschamp—(History of North Durham, p. 267.)]

¹ [From the original in the Treasury of the Exchequer at Westminster, printed in Sir P. Palgrave's Documents illustrating the History of Scotland, vol. i., pp. 16, 17.]

The appeal was one of several made to the King of England, in the interest of Sir Robert of Bruce, lord of Annandale, whose son, Robert of Bruce, earl of Carrick, afterwards King of Scots, had married Isabella, daughter of Donald, earl of Mar. That earl was one of the assessors named by Bruce in the competition for the crown of Scotland in June, 1292.

² Notandum est, quod a prima dissentionis materia mota inter nobiles viros de Bruce et Balliolo, super jure succedendi in regnum Scotiae, erat ipsum regnum in duo divisum. Assistebant enim Balliolo cuncti Comynenses cum suis fautoribus universis: parti vero Roberti de Bruce, Roberto Glasguensi antistite indissolubili vinculo dilectionis firmiter assidente, sub firma affinitatis confederatione de Marr et Atholiae, cum toto robore suae potentiae, comites adhaeserunt.—(Johannis de Fordun Scotichronicon, lib. xi., cap. xxx.)]

commissa accedentes / terras et villas liberorum hominum Domini Regis
 Scocie ibidem destruxerunt et depredaverunt ac villas predictas et horrea
 plena de blado exarcerunt et bona omnia eorundem hominum Moraue
 secum asportaverunt viros mulieres et pueros parvulos quot attingere
 potuerunt crudeliter interfecerunt . Super quibus injuriis dampnis et gra-
 vaminibus aliq[ue] emende per vos vel per substitutos vestros aliq[uo] modo
 non sunt facte . Propter quod ob defectum vestrum et injuriam predictis
 hominibus Moraue per substitutos vestros illata ego talis in presentia
 vestra constitutus . vice et nomine Domini Doucnaldi comitis de Marr
 unius de septem comitibus Scocie . et eciam nomine predictorum libero-
 rum hominum Moraue consanguineorum parentum et affinium et aliorum
 amicorum suorum et predicti Domini Comitis de Marr . qui dictas injurias
 dampna et exarsiones passi sunt . pro remedio optinendo et emendis con-
 sequendis a vobis Domine Willelme Episcopo Sancti Andree et Domine
 Johannes Cumyn et ab omnibus vobis adherentibus ob defectum vestrum
 et pro eo quod predicta dampna et injurias et exarsiones transsire per-
 misistis impunita et non correctata . ad presenciam Domini Edwardi
 Regis Anglie . et ad coronam Anglie regiam in hiis scriptis appello . et
 presentiam ipsius Domini Regis Anglie peto cum effectu . Supponens pre-
 dictum Dominum Dovenaldum comitem de Marr . omnes consanguineos
 affines et amicos suos et omnes sibi adherentes . et eciam homines
 predictos Domini Regis de Moravia et omnia bona sua et eorundem
 omnium mobilia et immobilia ubicunque fuerint inventa . speciali paci
 proteccioni et defensionis predicti Domini Regis Anglie et corone sue
 regie / ne eis vel aliquibus eorundem aliquod dampnum injuriam vel
 gravameu ulterius faciatis vel in aliquo facere presumatis . [Item quia
 vos] Domine Willelme Episcopo Sancti Andree et Domine Johannes
 Cumyn qui vos pro custodibus regni Scocie tenetis super omnibus damp-
 nis gravaminibus et injuriis predicto Comiti de Marr [consanguineis
 affinibus et] amicis suis supradictis de Moravia sibi adherentibus a tempore
 obitus nobilis memorie Domini Alexandri [quondam] Regis Scocie usque
 in presens per vos et per ballivos [et substitutos vestros] propter patien-
 ciam vestram illatis nullas emendas vel satisfaccionem [fecistis vel
 aliquo modo] facere curavistis . a vobis Domine Willelme Episcopo
 Sancti Andree et Domine Johannes Cumyn et ab omnibus vobis adheren-
 tibus ad predictum Dominum Regem Anglie et ad coronam ipsius regiam
 iterato in hiis scriptis appello.

Litere Duvenaldo comiti de Mar. ¹—(A D. 1292.)

[Edwardus Dei gracia] Rex [Anglie . . .] et superior dominus regni Scotie dilecto et fideli suo Johanni eadem gracia Regi Scotie illustri salutem Quia dilectus nobis Duvenaldus comes de Mar in compoto suo de exitibus ballive sue de Oubyn et Kimnyek coram auditoribus ad hoc assignatis reddito de firmis et redditibus ejusdem ballive de termino Sancti Martini proximo preteriti se oneravit de quibus nobis tenetur plenarie respondere Vobis mandamus rogantes quatinus eundem Comitem firmas et redditus ballive predictae qui a retro sunt de termino predicto ac etiam alia arreragia de quibus se oneravit in compoto supradicto absque impedimento levare et colligere permittatis ut nobis inde plene valeat respondere . Teste Rege apud Rokesburgh viij die Decembris [anno regni Regis vicesimo primo].

Litere Dovenaldo comiti de Mar nuper firmario de Obeyn. ²—(A.D. 1292-3.)

[Edwardus Dei gracia] Rex [Anglie . . .] et superior dominus regni Scotie dilecto sibi Dovenaldo comiti de Mar nuper firmario de Obeyn Cum assignaverimus dilectum nobis Nicholaum de Colle mercatorem nostrum Lucanensem . . . ad arreragia nobis debita de compotis vicecomitum firmariorum et aliorum ballivorum in regno Scotie colligenda et recipienda . Vobis mandamus quod de pecunia in qua nobis tenemini de arreragiis compoti vestri eidem mercatori centum et viginti et quinque libras novem solidos et unum denarium in Octabis Purificacionis Beate

¹ [From the Rotuli Scotiae, vol. i., p. 12.]

On the thirteenth day of June, 1291, Douenald earl of Mar swore fealty to King Edward I. of England, as Overlord of Scotland, at Upsettlington on the Tweed. On the twenty-fourth day of July, 1291, he was present in the monastery of the Friars Preachers at Perth, when King Edward received the fealty of Mary, Queen of Man, and Countess of Strathern. He was present in the chapel of the castle of Berwick-on-the-Tweed, on the third day of August, 1291, when King Edward protested that his consent to try the claims of the competitors for the Scottish crown, within the realm of Scotland, should not prejudice the exercise of his right as Overlord of Scotland, within the realm of England.—(Ragman Rolls, p. 9, 18, 22.)

² [From the Rotuli Scotiae, vol. i., p. 17.]

Marie proximo futuris apud Berewyk supra Twed solvatis . . . Teste Rege apud Novum Castrum super Tynam vij die Januarii [anno regni Regis vicesimo primo].

Litera Regis Anglie Douenaldo comiti de Mar pro servitio ad Vasconiam recuperandam.¹—(A.D. 1294.)

[Edwardus Dei gracia] Rex [Anglie . . .] et superior dominus regni Scotie . . . nobili viro et amico suo carissimo Douenaldo comiti de Mar salutem · Cum tractatus inter nos et Regem Francie habitus fuerit super quibusdam contentionibus et controversiis que fuerunt inter gentes nostras et gentes ipsius Regis Francie supradicti · ob quem tractatum nos obedientiam fecimus ipsi Regi de quibusdam castris et villis de terra nostra Vasconie sub certis conventionibus inter nos et ipsum inde factis · et idem Rex conventionibus illis in nullo articulo observatis totam predictam terram nostram Vasconie in manum suam seisiri fecerit et eam adhuc nobis detineat malitiose in exheredationem nostri et corone Anglie manifestam · Ac nos in istis rebus recuperandis non possumus consilium apponere sine Dei et amicorum nostrorum specialium auxilio · Per quod vos requirimus et rogamus ita specialiter ut valemus quod vos sitis ad nos in propria persona vestra London' primo die Septembris cum equis et armis prompti et parati ad transfretandum nobiscum ita quod vobis ex hoc teneamur regratiari · Et si vos ipsi non possitis tunc personaliter interesse de hominibus vestris ad nos tunc mittere velitis qui prompti

¹ [From the *Poedera*, vol. i., p. 894.

Douenald earl of Mar swore fealty to King Edward I. of England, at Montrose, on the tenth of July, and again at Berwick-on-the-Tweed, on the twenty-eighth of August, 1296.—(Ragman Rolls, pp. 85, 119.) The summons in the text would seem to have been addressed to him in respect of lands held by him in England.

'Duncan, son of the Earl of Mar, of the county of Perth,' 'Christian of Mar, wife of Duncan of Mar, of the county of Inverness,' 'Gilbert of Mar, of the county of Fife,' 'James of Mar, of the county of Aberdeen,' 'John of Mar, one of the bailiffs of the burgh of Linlithgow,' swore fealty to King Edward I. of England, at Berwick-on-the-Tweed, on the twenty-eighth day of August, 1296.—(Ragman Rolls, pp. 123, 129, 131, 158; Sir F. Palgrave's *Documents illustrating the History of Scotland*, p. 153.)

'Gilbert of Mar' swore fealty to King Edward I. of England, at Aberdeen, on the fifteenth day of July, 1296.—(Ragman Rolls, p. 93.)

sint et parati ad transfretandum nobiscum in forma predicta in tantum quod vos ex hoc valeamus commendare - Set melius nobis placeret presentia vestra cum minore gente quam major numerus gentium sine vobis - Teste Rege apud Portesmuth xix die Junii [anno regni Regis vicesimo secundo.]

Litera Regis Episcopo Aberdenensi. ¹ — (A.D. 1297.)

[Edwardus Dei gracia] Rex [Anglie . . .] venerabili in Christo patri H. eadem gratia Episcopo Aberdenensi salutem Super cura et diligentia quas una eum dilecto et fideli nostro Garthneto de Mar circa custodiam vicecomitatus de Aberden ad quam vos et ipse per nos estis assignati haetenus impendistis vobis grates referimus speciales vestre fidelitatis constantiam in hoc plurimum commendantes . Vestram igitur paternitatem rogamus attente quatinus ea que circa dictam custodiam viriliter inchoastis continuatis pro viribus in futurum Ceterum quia ex quorundam relatu didicimus quod quidam malefactores et pacis nostre perturbatores in dictis partibus discurrerent quosdam de ministris nostris interfecerunt et quosdam imprisonaverunt et sic imprisonatos detinent et dilecto et fideli nostro Willelmo filio Warini constabulario castri nostri de Urghard malitiose insidiantur ad castrum illud invadendum et ipsum Willelmum intercipiendum si possint Nos eorum malitiis ne deterius inde contingat quam citius obviare volentes vobis mandamus rogantes in fide et dilectione quibus nobis tenemini firmiter injungentes quatinus vos et prefatus Garthnetus assumpto vobiscum toto posse vestro et totius comitatus predicti ad castrum predictum sine dilatione aliqua accedatis et statum ejusdem videatis taliterque inde de consilio predicti Willelmi provideatis et ordinatis quod castrum illud bene muniatur et custodiatur ita quod eidem castro dampnum seu periculum aliquod non eveniat quoquo modo Et ad malefactores hujusmodi arrestandos et justitandos ita viriliter sicut de vobis confidimus vos geratis quod diligentiam et fidelitatem vestram in hac parte debeamus merito commendare . Teste Rege apud Ospringe xj die Junij [anno regni Regis vicesimo quinto].

¹[From the Rotuli Scotiae, vol. i., no. 41.]

Litera Regis Garthneto filio Comitis de Mar. ¹—(A.D. 1297.)

[Edwardus Dei gracia] Rex [Anglie . . .] dilecto et fideli suo Garthneto de Mar salutem Super cura et diligentia quas una cum venerabili patre H · episcopo Aberdenensi circa custodiam vicecomitatus de Aberden ad quam vos et ipse per nos estis assignati hactenus impendistis et etiam super litera quam dilecto et fideli nostro Gilberto de Umframvill comiti de Anegos transmisistis ejus tenorem per dilectum et fidelem nostrum Andream Rate per credentiam sibi commissam intelleximus evi-lenter vobis grates referimus speciales [*ut supra* p. 703.] Teste Rege apud Ospringe xj die Junij [anno regni Regis vicesimo quinto.]

Litera Regis vicecomiti de Aberden. ²—(A.D. 1297.)

[Edwardus Dei gracia] Rex [Anglie . . .] dilecto et fideli suo Heurico de Lathum vicecomiti de Aberden salutem Quia intelleximus quod quidam malefactores et pacis nostre perturbatores in partibus illis discurrerentes homicidia depredationes et alia enormia perpetrant et de die in diem perpetrare non desistunt in lesionem pacis nostre manifestam Nos ipsorum malitiis obviare volentes vobis mandamus in fide et dilectione quibus nobis tenemini firmiter injungentes quod assumpto vobiscum toto posse vestro et toto posse quod in comitatu predicto et etiam aliunde habere poteritis ad predictos malefactores arestandos et justitiandos adeo viriliter apponatis partes vestras quod diligentiam et probitatem vestram in hoc debeamus merito commendare · Teste Rege apud Ospringe xj die Junij [anno regni Regis vicesimo quinto].

Litera Dovenaldi Comitis de Mar. ³—(A.D. 1297.)

A touz ceuz qui cestes presentes lettres verront ou orront / Dovenald

¹ [From the Rotuli Scotiac, vol. 1., p. 41.]

² [From the Rotuli Scotiac, vol. 1., p. 42.]

³ [From Sir F. Palgrave's Documents illustrating the History of Scotland, vol. i., pp. 187.

counte de Mar / saluz · Come nostre chier Seigneur Edward par la grace de Dieu Roi d Engleterre Seigneur d Irland et Ducs d Aquitaine / par qui commaument nous sumes demorez de cea Trente a sa volonte sicome nous li promismes et jurasmes sur Seintes Ewangeilles / nous eit otreiez de sa grace de aler en Escoce en la compaignie le Counte de Garenne pur nous apparailler pur li servir selonc nostre poer en ceste guerre qu il ad au Roi de Fraunce / nous grauntoms et promettoms loiaument par cestes presentes lettres que nous mettroins nostre loial poer de li servir a sa volonte en la guerre avantdite sicome a nostre Seigneur lyge · E s il avient par aucune aventure que nous ne l faceoms mie / que nous retournerons a nostre Seigneur le Roi avantdit sanz nul delay pur demore en meisme la forme come nous sumes demore avant ces heures par nostre serment avantdit · E a totes cestes choses faire et fournir en touz pointz / nous obligeoms nous et nos heirs et nos assignez et quaut qui nous avoms ou avoir porrons moeble ou noun moeble a la volunte nostre Seigneur le Roi avantdit et de ses heirs · E estre ce nous avoms jure sur Seintes Ewangeilles et seintes reliques et sur le cors nostre Seigneur sacre / et avoms ausint mis nostre seal a cest escrit en tesmoignaunce de totes les choses avantdites · Donces a Westmonstier le vintisme tierz jour de Juyn · l an du regne nostre Seigneur le Roi Edward avantdit / vintisme quint.

Litera Episcopi Abirdonensis Comitis de Buchan et Gartineti filii
Comitis de Mar. ¹—(A.D. 1297.)

Magnifico principi ac domino suo pre cunctis metuendo et reverendo Domino Edwardo Dei gracia Regi Anglorum illustri Domino Hybernie et Duci Aquitanie [Henricus] permissione divina ecclesie Abirdonensis minister humilis Johannes Cumyne comes de Buchan et constabularius

188. The seal appended to the original is an impression from a gem, with an inscription in the Coptic character, surrounded with the inscription, SIGILLUM COMITIS DE MAR.

Donald, earl of Mar, fought against King Edward at Dunbar in April, 1296, and was soon afterwards taken prisoner by the English.—(Chronicon de Lanercost, pp. 175-177; Scalacronica, p. 122; Joannis de Fordun Scotichronicon, lib. xi., cap. xxv.)

¹ [From the original in the Tower, printed in the Chronicon de Lanercost, pp. 435, 496.]

Scotic et Gartinctus filius Comitis de Mar salutem . . . Cum in Moravia et aliis terris quibusdam conjacentibus per Andream filium Domini Andree de Moravia et alios quosdam pacis [inimicos] tumultus jam dudum surrexisset non modicus . Dominacioni vestre patefacimus per presentes quod nos pacem vestram fovere volentes dictum tumultum cassare et ind . . . frenare dictas partes cum sufficiente potencia vestra et nostra ultra montes Scoecie adivimus et ipsas ubique visitavimus et malefactores quesivimus in modis ipsis . . . quod Dominus Andreas de Rathe vobis cum festinacione clarius declarabit Et cum venerimus ad villam de Invernys misimus pro nobilissima Comitissa de Ros quod . . . veniret et suum consilium posse et auxilium nobis adhiberet circa pacis custodiam et regalem justiciam ordinandum et in posterum observandum et quod bona sua . . . tinnaret ut a vobis meritis suis exigentibus gratiam et grates reportaret in futurum . Que nostras supplicaciones benignissime admittens et commodam . . . ens et honorem accessit ad nos et curam suam cum nostra apposuit diligentissimam circa cetera omnia ritissime ordinanda . Et quia in omnibus temporibus . . . diligens fuit et benevola quod vestre Excellencie . . . possumus innotescere nobis humiliter supplicavit ut statum suum curam et diligenciam labores pariter . . . vobis declarare curaremus et testimonium veritati perhibere . Ac nos justis suis supplicacionibus inclinati in fide et fidelitate quibus vobis . . . ndere possumus vel ab aliis suis vicinis majoribus mediis et minoribus attrahere seu inquirere fidelissimam in omnibus quod probat . . . exhibicio eum sit dileccionis et affectionis probacio verissima . Et quia ad dictarum parcium borealium Rossie silicet Ergadie et Insularum custodiam . . . mitem Rossensem . . . itas earundem utilem proclamat necessarium et dilectum dignetur vestra discretio reverenda circa ipsum et patrie vestre custo[diam] . . . securitatem vestram . . . et honorem aliquod ordinare quod vobis ex nunc in expedicionem poterit redundare . Scitur quod si domi stetisset tumultus . . . nullatenus surrexisset . . . Apud Invernys die Mercurii in vigilia Sancti Jacobi apostoli anno Domini . M^o . CC^o . nonagessimo septimo.

Lettre escrete a Roy de Engleterre par le Evesque de Abbirden le Conte de Buchan e Sire Gartheneche fiz le Conte de Marre, ¹—(A.D.1297.)

A tresnoble et tresexcellent prince et lor trescher seigneur Sire Edeward par la grace de Deu noble Rey de Engleterre . . . et Duke de Aquitayne le soens leaus et feas Henri par meime la grace Eveque de Abbirden Jon Cumyn counte [de Buchan et] Garteneche fiz le Conte de Marre com a lor lige seigneur tutte reverence honneur et servise Com Sir Jon Cumyn conte de Bu[chan avant]nome et Sir Alisandre son frere sont aliez a vous par escrete de haster eus de vers vous selonc la tenore de lor escrete ale en . . . la marche le ataynt Sir Andreu de Rat vestre bacheler portant al avant dit Conte vestre bref que il se dust haster vers le north de Eseoce a la compaignie le Euesque et Sir Garteneche avantnomees pur une gerre maliciuse que fu eleuee u pais par ackuns de voz enemis enfreingnanz vestre peez a la quele gerre refrenner et abatir solune le poer que nous poames si hastivement eullir vers cele marche aprochames Si que nous fumes en Launoy sur Spee le mardi devant la feste de la Magdaleyn la nous contrevint Andreu de Morreff o mut grant hoste de

¹ [From the original in the Tower, printed in the Chronicon de Lanercost, pp. 500, 501.

Gartenech, or Gartney appears to have become Earl of Mar not long after the date of this letter (25. July, 1297), and to have died before the end of the year 1305. The Prior of St. Serf's Buch now begins to chronicle the successions of the Earls of Mar :

' Robert the Brws owre Kyng, quhen he
Had of Karryk the cownte,
Befor that he tuk the crowne
Of Scotland, or possessyown,
Erle Gartnays systyr, I herd telle,
That cald he nam wes Ysabelle,
He tuk, and weddyt til his wyt.
On hyr he gat in-til hys lyf
Bot a douchtyr, cald Marjory.
Waltyr Stewart that lady
Tuk to wyf, and cftyr that
Robert Stewart on hyr he gat,
That sum tyme cftyr tuk the crowne
Of Sectland, and possessyown.
¹ Oure King Robert had als wa
Systyrys, and the fyrst of tha
Wes weddyt wyth the Erle Gartnay,
That Erle of Mare wes in his day.
On hyr he gat the Erle Donald,

felons le nombre de queus Sir Andreu de Rate vestre bacheler vous porra mustrer solune ceo que il oi de gent de lor compaignie et la se misterent les avantdit felons en une trop grant foreceletz de more et de boys la a nul hom a cheval aider se poat E sachez que le vauntdit Conte et sont frere sunt demorez u pais [de n]orthe par vos comandemenz de vestre bref et de deuz autre brefs uvertes et closes qui vindrint au Conte par vestre conseil [Dese]oce seelez de vestre seel de Escoce pur la grant mechef que est u pais E pur ceo que ceo serroit trop long escrip-ture maundera vous tuz le poinz et les aventures que sunt avenus et le estat du pais en tuite choses nous vous prions que vous volez creer Sire Andreu de Rate vestre bacheler qui vous porra mustrer le choses en tuit poinz quar il fui personalmente a tuz le fez par qui si vous plect nous volez hastivement vestre volente remander . Notre Seigneur vous garde et vous cresse honors . Ceste lettre fu fest a Inuirys le jor de Sain Jake la apostre.

That wes a stowt man and a bald.
 This Donald eftyr gat Thomas,
 That Erle of Mar sync next hym was:
 Thare come nane ayre of hys body;
 Hys systyr wes hys ayre for-thi.
 And that systyre weddyt was
 Wyth Willame, that Lord wes of Dowglas:
 That Willame but dowt wes he,
 That made of Dowglas a cownte.
 That Willame on that lady gat
 Jamys of Douglas, that eftyr that
 Gert mony of oure fays spurne,
 And syne wes slayne at Ottyrburne . . .
 But foure yhere Erle, I trow, he wes . . .
 Of Mar hys systyr wes his ayre
 And of the Garvyauch. That lady fayre
 Schyr Malcolm: of Drownwod til hys wyf
 Tak, and weddyt hyr in his lyf:
 Barnys on hyr had he name.
 Quhen this Malcolme the dede bad tane,
 The Erle of Buchaneys swyn, Stewart
 Alysandyre, hyr weddyt eftyrwart.
 Seho deyd, and na barne til hym bare;
 Bot he remanyt Erle of Mare.
 He wes all wertwis in hys dede,
 And welle rewlyd that he had to led.'

Wyntownis Orygynale Cronykil of Scotland, book viii. chap. vii. Cf. Johannis de Fordun Scotichronicon, lib. xi. cap. xlii. and the evidence of Ingeram of Wenton, of Andat, a kinsman of the Prior of St. Serfs, printed above, pp. 197, 198.]

L Ordonance pour envoyer le fuiz et heir au Conte de Mar en chastel de Bristeud.¹ —(A.D. 1306.)

Ces sont les nomes de ceux qui ont este contre le Roi en ceste guerre d'Escoce menee par Robert de Brus jadis Conte de Carrik en l'an [du regne nostre seignor] le Roi xxxiiii. les queux sont venuz a la pees por ester a droit . Et ordenez est q il soient enveez en Engleterre pour demourer en prison es chasteux dessouz nomez en la manere dessouz escrite. . . .

Item l'enfant qui est heir de Mar soit enveez a Bristeud et illueques demoege en garde en Chastel de meisme le lieu . Issint totes voies q il puisse aler en dit chastel en jardyn et aillors denz le clos et que le Conestable assigne acun fiable homme et suffisant qi entende a la garde de li et que le Conestable de meisme le Chastel soit chargez de la garde du dit enfant si q il ne puisse eschape en nule maniere mais q il soit hors de fers tant come il est de si tendre age.

Pro custodia Dovenaldi filii et heredis Comitis de Mar.² —(A.D. 1306.)

Dovenald le fuiz et heir au Conte de Mar soit liverez a l'Evesque de Cestre por le faire mettre en chastel de Bristeud por le garder illueques sauvement et seurement . Et qu l'Evesque ordeyne en tiel maniere q il y eit un vallet avisez et seur qui entende au dit Dovenald come son maistre et compaignon.

Ceste ordenance est changee si que par commandement le Roi est demeurez oveque li en son oustel etc.

¹ [From Sir F. Palgrave's Documents illustrating the History of Scotland, p. 353.]

² [From Sir F. Palgrave's Documents illustrating the History of Scotland, pp. 353, 356.]

Donald, earl of Mar remained a prisoner in England, until after Bannockburn. The Chronicle of Lanercost, under the year 1314, writes: 'Circu festum vero Sancti Michaelis [Sept. 29] reddit Comes Herefordiac, qui duxerat sororem Regis Angliac, de Scotia; et redditi sunt pro liberatione ipsius Episcopus Glascensis, et Comes de Marre, qui fuerat nutritus in Anglia. et

Litere Regis Edwardi pro protectione Dovenaldi de Mar.¹ —(A.D. 1319.)

Dovenaldus de Mar qui . . . in obsequio Regis per preceptum Regis profectus est ad partes Scotie habet litteras Regis de protectione . . . usque ad festum Natalis Domini proxime futurum duraturas . . . Teste Rege apud Eboracum xx die Julii [anno regni Regis tertio decimo] · Per ipsum Regem.

Consimiles literas habent subscripti qui cum prefato Dovenaldo profecti sunt ut supra per testimonium ipsius Dovenaldi videlicet · Willelmus de Houlet · Thomas de Langenhill · Robertus filius Thome de Langenhull.

uxor Domini Roberti de Bruce, et soror sua et filia. Comes tamen de Marre, cum venisset apud Novum Castrum, noluit ire cum eis in Scotiam, sed maluit morari in Anglia.—(Chronicon de Lanercost, p. 229.)

[From the *Rotuli Scotiae*, vol. i. p. 201.]

If the Earl of Mar now went to Scotland, he soon afterwards returned to England. In October, 1326, he was keeper of the castle of Bristol, the place of his captivity when a child: 'Donal, count de Marre, estoit en le hour od le Roy Dengleterre et nurry one ly, qi avoit la garde du chastel de Bristow du baillie le Roy, qi le rendy a la Roynne, se troy en souz pays en Escoce.'—(Scalacronica, p. 151.)

It would seem that the Earl of Mar, although the nephew of Bruce, fought under the English banner against the Scots, at Biland, in October, 1322.—(Illustrations of Scottish History from the Twelfth to the Sixteenth Century, p. 55.)

On the deposition of King Edward II., he repaired to Scotland, in the hope, it is said, of there getting help to the enterprise for restoring the dethroned monarch. He was the leader of one of the three Scottish armies which invaded England in the summer of 1327: 'Tertium [exercitum duxit] Comes de Marre, qui per multos annos praeedentes fuerat in curia Regis Angliae educatus, sed post captionem Regis reversus est in Scotiam, sperans eum per adiutorium Scotorum et per aliquos fautores, quos Rex depositus adhuc habebat in Anglia, de custodia eripere et in regnum restituere.'—(Chronicon de Lanercost, p. 259. (f. Scalacronica, p. 154; Barbour's Bruce, pp. 416, 450, (Spalding Club edit.)

Although his sincerity in the Scottish cause seems to have been suspected, he was chosen Warden of Scotland in August, 1332. He fell a few days afterwards at the battle of Dupplin.

'Eodem anno [1331] mortuus est Comes Moraviae, Dominus Thomas Randolfe, qui fuerat Custos Scotiae ordinatus, donec David ad acetatem veniret, et ideo electus fuit in Custodem Scotiae Dominus Dovenaldus comes de Marre, qui tamen semper antea excitaverat Dominum Edwardum de Balliolo, ut veniret in Scotiam et haberet per suum adiutorium regnum suum, sed postquam vidit se electum in Custodem regni adhaesit parti David, Edwardo relicto.'—(Chronicon de Lanercost, p. 267). Cf. Scalacronica, pp. 159, 169; Joannis de Fordun Scotichronicon, lib. xviii. capp. xxii—xxiv.; Wytowntis Orygynale Cronykil of Scotland, book viii. chap. xxvi.; Lord Hailes' Annals of Scotland, vol. ii, pp. 147—151.]

Carta Regis Roberti concessa Dovenaldo comiti de Marr thanagii de Cloveth infra vicecomitatum de Forfar. ¹ — (A.D. 1328.)

Robertus Dei gracia rex Seottorum omnibus probis hominibus tocius terre sue salutem · Sciatis nos dedisse . . . Dovenaldo comiti de Marr nepoti nostro dilecto totum thanagium nostrum de Cloveth cum duabus peciis terre que vocantur Petnoeys infra vicecomitatum de Forfar · Tenendum et habendum eidem Dovenaldo et heredibus suis de nobis et heredibus nostris in feodo et hereditate . . . Reddendo inde nobis et heredibus nostris annuatim dietus Dovenaldus et heredes sui viginti libras sterlingorum ad terminos Penteeostes et Sancti Martini [in] yeme proportionabiliter · Et faciendo inde cariagia et alia minuta seruicia debita et consueta tempore bone memorie Domini Alexandri regis Seotie predecessoris nostri vltimo defuncti pro omni alio seruicio exaccione seculari seu demanda · In cuius rei testimonium presenti carte nostre sigillum nostrum precipimus apponi · Testibus Bernardo abbate de Aberbrothok cancellario nostro · Thoma Ranulphi comite Moraue domino Vallis Annandie et Mannie nepote nostro · Jacobo domino de Duglas · Gilberto de Haya constabulario nostro · Roberto de Keth marescallo nostro · et Alexandro de Seton militibus · Apud Edinburgum sexto decimo die Marcii anno regni nostri vicesimo secundo.

Carta Regis Roberti concessa Dovenaldo comiti de Marre terre de Salklyn infra vicecomitatum de Fyfe. ¹ — (A.D. 1329.)

Robertus Dei gracia Rex Seottorum omnibus probis hominibus tocius terre sue salutem · Sciatis nos dedisse . . . Dovenaldo comiti de Marre nepoti nostro dilecto et fideli terram de Salklyn cum pertinenciis infra vicecomitatum de Fyfe · Tenendam et habendam eidem comiti et heredibus suis de nobis et heredibus nostris . . . adeo libere quiete plenarie et honorifice . . . sicut quondam Johannes comes Atholie dictam terram

[Abridged from a transcript in Macfarlane's Collection of Charters, pp. 213, 214. MS. Adv. Lib. (34.3.25.)]

cum pertinenciis aliquo tempore tenuit seu possedit . ita tamen quod Isabella comitissa Atholie habeat et teneat dictam terram cum pertinentiis modo quo nunc tenet pro tempore vite sue . Faciendo inde dictus comes et heredes sui seruicium debitum et consuetum . In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi . Testibus Waltero de Twynane cancellario nostro . Thoma Ranulphi comite Morauie domino Vallis Annandie et Mannie nepote nostro . Jacobo domino de Duglas Gilberto de Haya constabulario nostro . Roberto de Keth marescallo nostro Scocie . et Roberto Boyd militibus apud Glenluys vicesimo nono die Marcii anno regni nostri vicesimo quarto.

Carta confirmationis Dovenaldi comitis de Mar.¹ —(A.D. 1329—A.D. 1332.)

Carta Dovenaldi comitis de Mar et domini de Strathalueth . . . Deo et Sancte Marie et monachis de Cupro . . . pro salute anime bone memorie Domini Gartineti patris mei quondam comitis de Mar . . . confirmasse donationem illam quam nobilis domina Marjoria comitissa Atholie amita nostra in . . . viduitate sua . . . fecit . . . de advocacione seu jure patronatus ecclesie de Alueth in dyocesi Aberdonensi . . . sicut carta ejusdem domine cum confirmatione Domini David de Strathbolgy filii sui primogeniti et heredis . . . testatur . Testibus Alexandro episcopo Abirdonensi . Johanne episcopo Moraviensi . Domino Johanne Brune milite . David de Mar fratre nostro . et multis alijs.

¹ [From the Brevarium Antiqui Registri Monasterii de Cupro in Aneus. MS. in the library at Panmure.

Marjory, countess of Atholl, was the wife of John, earl of Atholl, the daughter of Donald, earl of Mar and the sister of Gartinet, earl of Mar. Her grant was confirmed by King Robert I. in 1306. See above, vol. ii., p. 312.]

Salvus conductus pro Willielmo de Keth et Godefrido de Ros ducentibus Ricardum Talbot captivum ad marchiam Anglie. ¹—(A.D. 1335.)

[Edwardus Dei gracia] Rex [Anglie . . .] . . . vicecomitibus . . . salutem . Cum Willielmus de Keth et Godefridus de Ros milites cum sexaginta hominibus ad arma de Scotia dilectum et fidelem nostrum Ricardum Talbot per homines de Scotia nuper sub custodia detentum ad partes marchie regni nostri sint ducturi . Vobis . . . mandamus quod prefatis Willielmo et Godefrido . . . non inferatis . . . molestiam . . . Teste Rege apud Notyngham . ii . die Aprilis [anno regni Regis nono.]

¹ [From the *Fœdera*, vol. ii., p. 904; *Rotuli Scotiae*, vol. i., p. 374.

² Richardus Talbot ad Angliam tendens, per Laudoniam iter faciens, sexto Idus Septembris [A.D. 1334] captus est ibidem . . . Dominus Willelmus de Keth de Galstona, cuu turma sua, obviiavit Domino Richardo Talbot, venienti cum magna potentia ad subveniendum suis compatriotis: quem tamen cum complicitibus pro defensione sua lacum quendam intrare coëgit, quos omnes captivos magno pretio, et pro Richardo Talbot duobus millibus librarum perceptis, ad Angliam remisit pedestres.—(Joannis de Fordun *Scotiechronica*, lib. xiii., capp. xxix., xl.)
³ Richard Tallebot estoit par dela les Montes en lez terres del heritage sa femme la feüe Johan de Comyn, quaoit lez nouelis de cest deputisoum, se trey deuers Engleterre, ou en Louues il fust pris.—(Scalacronica, p. 164.)

'Schyre Will, me als of Galstoun
 Of Keth, that wes of gud renown,
 Met Rychard Talbot be the way,
 And set hym to sa hard assay,
 That til a kyrk he gert him ga,
 And clos thare defens to ma.
 Bot he assaylid thare sa fast
 That hym be-bowyd tret at the lnt,
 And twa thowsand pund to pay,
 And left ostage, and went his way.'

(Wyntownis Orygynale Cronykil of Scotland, book viii., chapp. xxviii., xxxiii.) According to some English writers, Sir Richard Talbot was surprised and taken at Panmure in Angus.—(Collins' *Peerage*, vol. iii., pp. 4, 5, edit. 1779.)

He inherited large possessions in Scotland through his wife, Elizabeth, daughter of John Cumyn, Lord of Badenach; and seems to have been made Lord of Mar by King Edward Balliol, probably about the beginning of the year 1334, when that prince put him in possession of the castle of Kildrummy.—(See above, pp. 152, 153.) 'Richard Talbot, lord of Mar,' sat, with Alexander bishop of Aberdeen, Henry de Beaumont, earl of Buchan, and David de Strabolgi, earl of Atholl, in the parliament of King Edward Balliol, at Edinburgh, on the tenth day of February, 1333-4. 'Richard Talbot, lord of Mar,' is one of the witnesses to the charter (dated at Newcastle-on-Tyne, on the twelfth day of June, 1334,) by which King Edward Balliol gives to King Edward III. of England, the counties of Berwick, Roxburgh, Selkirk, Edinburgh, Peebles, and

Pro Isabella comitissa de Marr. ¹—(A.D. 1335.)

[Edwardus Dei gracia] Rex [Anglie . . .] omnibus . . . salutem . Volentes Isabelle comitisse de Marr nunc uxori Galfridi de Moubray que nuper audito rumore quod Scoti adinvicem confederantes de guerra contra nos surrexerunt versus partes Anglie se traxerat et infra regnum nostrum adhuc moratur ad fidem nostram gratiam facere specialem . Concessimus ei omnia bona et catalla que fuerunt prefati Galfridi ubicumque infra regnum nostrum existentia et que pro eo quod ipsum Galfridum dictis Scotis inimicis nostris dicitur adhesisse capta sunt in manum nostram habenda de dono nostro in auxilium sustentationis sue . . . Teste Rege apud novum Castrum super Tynam xxii die Februarii [anno regni Regis nono].

Pro Isabella Seneschal comitissa de Marr. ²—(A.D. 1338.)

[Edwardus Dei gratia] Rex [Anglie . . .] dilecto clerico suo Edmundo de Bereford salutem . Mandavimus vobis quod de firma vestra . . . quam nobis reddere tenemini . . . solvatis dilecte nobis Isabelle Seneschal comitisse de Marr quinquaginta libras pro arrearagiis illorum denariorum quos eidem Comitisse a nobis annuatim concessimus percipiendos . . . Teste Rege apud Westmonasterium iii die Martii [anno regni Regis duodecimo.]

Dumfries.—(Foedera, vol. ii., pp. 876, 888.) A contemporary chronicler speaks of him as being present, under the style of Earl of Mar, at the homage made by King Edward Balliol as King of Scotland, to King Edward III. of England, at Newcastle-on-Tyne, upon the nineteenth day of June, 1334.—(Chronicon de Lanercost, p. 277.) He seems to have kept the title of lord of Mar but for a short time: he appears simply as 'Sir Richard Talbot, knight,' among the witnesses to a charter by King Edward Balliol, dated at Glasgow, on the fifteenth day of September, 1335.—(Rotuli Scotiae, vol. i., p. 728.)

The Prior of St. Serf's Inch describes a jousting between Sir Richard Talbot and Sir Patrick the Grahame in 1331.—(Wyntownis Orygynale Cronykil of Scotland, book viii., chap. xxxv.)

Sir Richard Talbot died on the twenty-third day of October, 1356. His great-grandson, Sir John Talbot, so renowned in the English wars in France, was created Earl of Shrewsbury in 1442. His descendants long numbered the Lordship of Camyn of Badenach among their titles, and still carry the arms of that great house.]

[Abridged from the Foedera, vol. ii., p. 902.]

[Abridged from the Foedera, vol. ii., p. 1019.]

Carta Comitum de Marre concessa Duncano filio Rogeri. ¹—(A.D. 1358—
A.D. 1359.)

Omnibus hanc cartam visuris . . . Thomas comes de Marre dominus de Caueris et de Garuaich ac Camerarius Scochie . . . salutem Vestra nouerit uiuersitas nos concessisse . . . dilecto et fideli nostro Duncano filio Rogeri omnes terras nostras de Abbigelly Ballekallach Botwaglach Tolachavryeh et Tolyocre in Strathdee in comitatu nostro de Marr infra vicecomitatum de Abirdene pro homagio et seruicio suo . . . Tenen las . . . cidem Duncano et heredibus suis de corpore suo . . . de nobis et

¹ [Abridged from a transcript, in the General Register House at Edinburgh, made at the instance of the King's advocate, on the second day of March, 1505-6]

In 1352, Pope Clement VI. granted a dispensation for the marriage of Thomas, earl of Mar, and Margaret, widow of John of Murray. In 1354, Pope Innocent VI. granted a dispensation for the marriage of Thomas, earl of Mar, and Margaret, daughter of the deceased John, earl of Menteith.—(Andrew Stuart's General History of the Stewarts, p. 446.)

² 'Garthenai comes de Marria genuit Dovenaldum comitem, qui cecidit in bello de Duplyn; qui paulo ante Custos Scotiae fuit constitutus: et iste Dovenaldus genuit Thomam comitem de Marr, qui desponsavit heredem de Meneteth; sed postea instigante Diabolo, per exquisitos colores et rationes minus veras, sine prole inter eos habita, diuortium procurauit.'—(Joannis de Fordun Scotchronicon, lib. xi., cap. xiii.)

Thomas, earl of Mar, afterwards married Margaret Stewart, the elder daughter and co-heiress of Thomas Stewart, earl of Angus.

In June, 1351, the Earl of Mar had a safe conduct through England as one of the commissioners for a treaty of peace at Newcastle-on-Tyne. In June, 1357, he had a second safe conduct for himself and twelve horsemen. In October, 1357, he was one of the hostages for the payment of the ransom of King David II. He was still in England in January, 1358-9. He had another passport through England for himself, and thirty persons in his retinue, and three merchants, in March, 1358-9. In August, 1359, he had a safe conduct for himself and a hundred horsemen in his train. He had licence to pass to France with twenty-four horsemen in October of the same year. In November, 1362, he had a safe conduct to the shrine of St. Thomas a Becket at Canterbury, for himself and twelve horsemen. He had passports for himself and twelve horsemen in February, 1362-3, in March, 1362-3, and in February, 1364-5. In July, 1365, he had licence to send eight horsemen of his retinue to Newcastle-on-Tyne with a hundred and twenty oxen, which he had sold to merchants in that town. In September, 1367, he had a passport for himself and twenty horsemen through England on a pilgrimage to St. James's and other shrines beyond sea. He had another safe conduct through England to foreign parts for himself, twelve retainers, and twenty horses, and for Robert of Catencys, his esquire, with four horses, in May, 1368. In October, 1368, he had a passport for himself and twelve esquires, on their way through England in pilgrimage to St. Amiens. In January, 1372-3, he had a safe conduct through England for himself and twenty horsemen. He had a passport for himself and sixteen horsemen in October, 1373.—(Rotuli Scotiae, vol. i., pp. 471, 807, 833, 837, 841, 842, 866, 870, 881, 890, 896, 915, 921, 924, 954, 960.)]

heredibus nostris in feodo et hereditate . . . Faciendo inde . . . tres sectas annuatim ad tria placita capitalia apud lapidem de Mygveth in Cromarr tenenda . . . Saluo forinseco seruicio Domini nostri Regis . . . In cuius rei testimonium presenti carte nostre sigillum nostrum autentium fecimus apponi hiis testibus venerabili in Christo patre Domino Alexandro Dei gracia episcopo Abbirdonensi Willelmo de Kethe marescallo Scocie Domino Johanne de Cromdole doctore decretorum canonico Rossensi Domino Waltero Moyn Laurencio Gilibrand Johanne de Strathechyn Willelmo Liddale tunc vicecomite de Abirdene militibus Domino Johanne de Marre canonico Abirdonensi Andrea de Gariach Johanne de Forbras domino eiusdem Johanne de Butthyrgaske balliuo de Gariach et multis aliis clericis et laicis.

Carta de Rotheneyk. ¹ —(A.D. 1359.)

Omnibus hanc cartam visuris vel audituris Thomas comes de Marre ac dominus regalitatis del Garyvauche salutem in Domino · Noueritis nos dedisse concessisse et hac presenti carta nostra confirmasse Willelmo de Lethe burgensi de Abirden / dilecto nostro et fideli / pro bono et fideli seruicio suo nobis impenso · omnes terras nostras de Rotheneyk · del Harebogge et del Blakeboggys cum earum pertinencijs · jacentes infra regalitatem nostram predictam · Tenendas et habendas eidem Willelmo heredibus suis et assignatis / de nobis et heredibus nostris in feodo et hereditate / absque retinemento quocunque / libere / quiete / plenarie / honorifice / bene et in pace / per omnes rectas metas suas et diuisas in moris muresijs vijs semitis / aquis / stagnis / boscis / planis / pratis / pascuis / et pasturis / cum molendinis et multuris / fabrilibus et bracinis / cum piscacionibus / venacionibus / et aucupacionibus / cum curijs et curiarum exitibus / cum natiuis et fugitiuis dietarum terrarum et eorum sequelis / et cum communi pastura infra forestam nostram de Benchye et cum omnibus alijs libertatibus commoditatibus et aysiammentis tam non nominatis quam nominatis ad dictas terras spectantibus seu spectare

¹ [From the origin] in the possession of John Grant Leslie, esquire, sheriff-clerk depute of Aberdeenshire.]

valentibus quomodolibet infuturum / Faciendo inde domino nostro Regi predictus Willelmus heredes et assignati seruicium debitum et consuetum . Et reddendo inde annuatim nobis et heredibus nostris vnum denarium argenti tantum nomine albe firme in festo Natiuitatis Beati Johannis Baptiste apud manerium nostrum de Inuerowry si petatur / pro wardis maritagijs reuenijs sectis curiarum et molendinorum et pro omnibus alijs seruicijs secularibus / consuetudinibus / subsidijs et demandis que per nos vel heredes nostros de predictis terris cum pertinentijs aliquo modo exigi poterunt aut haberi infuturum . Nos vero Thomas comes predictus et heredes nostri omnes predictas terras cum pertinentijs prefato Willelmo heredibus suis et assignatis contra omnes mortales warantizabimus / acquietabimus / et imperpetuum defendemus . In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi / apud castrum nostrum de Kyndromy secundo die mensis Septembris . anno Domini millesimo tricentesimo quinquagesimo nono . Hijs testibus venerabili in Christo patre Alexandro Dei gracia episcopo Abirdonensi . Domino Johanne de Cromblolde canonico Rossensi . Domino Johanne de Mare canonico Abirdonensi . Andrea del Garvyauche . Johanne de Forbes . Jacobo de Monte Alto et multis alijs.

Confirmacio Regis super terris de Rothenevk. ¹ — (A.D. 1359.)

Dauid Dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue tam clericis quam laicis salutem . Sciatis nos diligenter inspexisse cartam Thome comitis de Marr factam et concessam dilecto et fideli nostro Willelmo de Leth burgensi de Abirden . non abrasam non abolitam non suspectam nec in aliqua sui parte viciatam . tenorem qui de verbo ad verbum sequitur continentem . OMNIBUS hanc cartam visuris vel auditoris Thomas comes de Marr . ac dominus regalitatis del Garvyauche [*etc. ut supra*, pp. 716, 717.] . QUAMQUIDEM cartam donacionem et concessionem in eadem contentas in omnibus punctis articulis et circumstancijs suis forma pariter et effectu approbamus ratificamus et pro nobis et heredibus

¹ [From the original in the possession of John Grant Leslie, esquire, sheriff-clerk-depute of Aberdeenshire.]

nostris ex certa sciencia eidem Willelmo heredibus suis et assignatis imperpetuum confirmamus · Saluo seruitio nostro · In cuius rei testimonium presentibus sigillum nostrum fecimus apponi · Testibus venerabili in Christo patribus · Willelmo episcopo Sancti Andree · Patricio episcopo Brechynensi cancellario nostro · Roberto senescallo Scocie comite de Strathern nepote nostro · Willelmo de Keth marescallo nostro · Roberto de Irskyne · Waltero de Haliburtoun · Johanne Herys · David de Andandia militibus cum multis alijs apud Sconam vicesimo tercio die Octobris anno regni nostri tricesimo.

Note of ane chartour grantit be Thomas Erle of Mar in anno 1359.²

Carta concessa per Thomam comitem de Mar Willielmo de Fentoun domino eiusdem pro seruitio suo impenso de omnibus terris de Towy superiore et Towie inferiore et de Culqware cum pertinentiis in Strath-lone infra comitatum de Mar Tenendis eidem Willielmo heredibus suis et assignatis de dicto Thoma comite de Mar et heredibus suis in feodo et hereditate etc. Reddendo vnum denarium argenti qui vocatur stirlingus apud castrum de Kyndrymmie nomine albefirme ad Festum Penthecostes si petatur tantum Salvo forinsico seruitio Domini Regis quatenus ad dictas terras de jure pertinet etc. De data apud castrum de Kyndrymmie quindecimo die mensis Septembris anno Domini millesimo tricentesimo quinquagesimo nono Testibus venerabilibus in Christo patribus Willielmo Dei gratia episcopo Sanctiandree Dominis Alexandro et Patricio eadem gratia Abredonensi et Breichinensi episcopis Domino Roberto senescallo Scotie et comite de Stratherne Domino Willielmo comite de Douglas Willielmo de Keythe marescallo Scotie Domino Johanne de Crumbdole canonico Rosensi Domino Johanne de Mar canonico Aberdonensi Dancano filio Rogeri ballivo de Marr et multis alijs clericis et laicis.

² [From a copy, in a hand of the beginning of the seventeenth century, in the General Register House at Edinburgh. It has this note: 'This chartour is sealit and hung with ane wovin small cord of greine silk.']

Confirmacio carte Johannis filii Johannis.¹ —(A.D. 1363.)

Dauid Dei gracia Rex Scottorum . . . Sciatis nos approbasse . . . donacionem et concessionem illam quam Thomas comes de Marr consanguineus noster fecit Johanni filio Johannis burgensis de Linlithou de decem libratis terre cum pertinenciis in baronia de Cloueth infra vicecomitatum de Forfar . . . Apud Edynburge quarto die Februarii anno regnij nostri tricesimo terecio .

¹ [Abridged from the Registrum Magni Sigilli, lib. I., no. 35. MS. Gen. Reg. House, Edin.]

In September or October, 1361, King David II. besieged and took the castle of Kildrumy, on occasion of a quarrel with Thomas, earl of Mar, the circumstances of which are not clearly ascertained.

'Rex David, habens in comitatu suo plures de melioribus et nobilioribus regni, recessit in partes aquilonales regni . . . Qui, tempore quo ibidem morabatur, ob quandam discordiam, motam inter ipsum et Thomam comitem de Mar, castrum de Kildromy obsessit. Quo in brevi accepto, ipsum per quandam militem suum Dominum Walterum Monyhe et Ingerammum de Wintoun custodiri pro tempore demandavit. Comes vero, juxta beneplacitum Regis, de regno recessit, sed post dictam tempus repatriavit, et in gratiam Regis receptus est, restitutus sibi castro et possessionibus.'—(Johannis de Fordun Scotichronicon, lib. xiv. cap. xxiv.)

'That ilke yere the Kyng Davy
The castel assegit of Kyldrumy,
For the Erl of Mar Thomas
Past out of the kynrike wes.
That castel deliverit wes to the Kyng.
Of it he gave than the keping
Til Walter Monethe a knyght,
That wes bath manly, wys, and wyeht,
And tyl bald Ingrame of Winton,
A manly sqwyere of renoun.
But quhen the Erle of Mar Thomas
Agane in Scotland enmmyn was.
The King gert that castel fre
Til hym than deliverit be,
Wyth al the law of his land.
This Erle gat in his awne hand.'

(Wyntownis Oryeynale Cronykil of Scotland, book viii, chap. xlv.)

'Le Roy David Deseoce assist meisme la sesoun le chastelle de Kyndromy en Marre, par extorsions qe le Comte de Marre et lez soens auoit fait enniroun au peopple, com luy surmist le Roy; quel chastel ly estoit renduz et pins engagez oue la countee pur mille liures du dit Comte au dit Roy apaier al issu de v. uans, soure peine de lez perdre. Quel mouement mult sourdy pour vn apel de batail qe William de Keth appella le dit Comte en la court le dit Roy, sure quoy furent armez en liees a Edinburgh, la querel illoques pr . . . n mayn du Roy, qi pins seubloit bien uoillannt au dit William qe au dit Comte, tout estoit il son cosyen prochein. Procheinment meisme

Confirmacio carte Alexandri de Lyndesay de terra de Balendolach etc.¹
—(A.D. 1364.)

Dauid Dei gracia Rex Scottorum . . . Sciatis nos approbasse . . . donationem illam quam Thomas comes de Marre fecit Alexandro de Lyndesay de terris baronie de Balwyndoloch et de Rathven cum pertinentiis infra vicecomitatum de Forfare . . . Apud Edynburgehe iij^{to} die Julij anne regni nostri tricesimo quarto.

Carta Johannis Herice super baronia de Trauereglys quam Thomas comes de Marr resignauit.² —(A D. 1366.)

Dauid Dei gracia Rex Scottorum . . . Sciatis nos dedisse . . . dilecto et fideli nostro Johanni Herice militi / totam baroniam de Trauereglys cum pertinentiis infra vicecomitatum de Drumfres / que fuit dilecti consanguinei nostri Thome comitis de Marr et quam idem Comes coram pluribus regni nostri prelatiis et proceribus per fustum et baculum . . . simpliciter resignauit . . . In cuius rei testimonium presenti earte nostre sigillum nostrum precepimus apponi . . . Apud Edynburgehe decimo septimo die mensis Octobris / anno regni nostri tricesimo sexto.

Carta de Drumrossy.³ —(A.D. 1369.)

Omnibus hanc cartam visuris vel aulituris · Andreas Berkelay dominus de Garnetoly · Salutem in Domino sempiternam · Noueritis me de consensu et assensu nobilis et potentis viri ac domini mei · Domini Thome

la sesoun sourdy vn debate entre le dit Roi Dauid Desceoe et William count de Douglas, qauoit la sore le Count de Marre en espouse, pur diuersis mouementz qe au dit Count sembloit qe le dit Roy ne ly monstra pas si bon seignoury com voroit.—(Scalacronica, pp 202, 203.)

¹ [Abridged from the Registrum Magni Sigilli, lib. i., no. 57. MS. General Register House, Edinburgh.]

² [Abridged from the Registrum Magni Sigilli, lib. i., no. 97. MS. General Register House, Edinburgh.]

³ [From the original in the possession of John Grant Leslie, esquire, sheriff-clerk depute of Aberdeenshire.]

comitis de Marre · domini regalitatis del Garwyanche · dedisse concessisse
 necnon precise vendidisse et hac carta mea confirmasse / Willelmo de
 Leth · burgensi de Abirden · omnes terras meas de Drumrossy cum per-
 tinencijs infra regalitatem predictam in vicecomitatu de Abirden pro qua-
 dam summa pecunie / quam predictus Willelmus mihi pre manibus tam ad
 debita quondam Johannis Berkeley patris mei / quam ad mea propria de-
 bita acquitanda / in quibus erga plures dictus quondam pater meus et ego
 extitimus grauiter onerati tempore confectionis presentis carte mee gra-
 tanter et plenarie persoluta · De quaquidem summa pecunie me teneo
 bene pacatum · et prefatum Willelmum et heredes suos quitos clamo per-
 petuis temporibus presentibus et futuris · Tenendas et habendas omnes
 terras predictas eidem Willelmo et heredibus suis ac suis assignatis a me
 et heredibus meis in feodo et hereditate imperpetuum / in pratis pascuis
 et pasturis in aquis stagnis molendinis bracinis moris maresijs / petarijs /
 turbarijs / vijs / semitis / boscis et planis / cum natiuis earundem terra-
 rum et eorundem sequelis / cum curijs et curiarum exitibus / temporibus
 predecessorum meorum debitis et consuetis / et cum omnibus alijs liberta-
 tibus commoditatibus et asiamentis tam non nominatis quam nominatis
 ad dictas terras spectantibus seu spectare valentibus infuturum / libere /
 quiete / plenarie / honorifice / bene et in pace sine aliqua reclamacione
 vel contradictione mei vel heredum meorum aut aliorum quorumcunque
 inde facienda · nomine uel ex parte nostra infuturum · Faciendo inde
 forinsecum seruicium domino superiori dictarum terrarum · Et reddendo
 inde mihi et heredibus meis vnum denarium argenti tantum / apud Drum-
 rossy / ad festum Natiuitatis Beati Johannis Baptiste / nomine albefirme
 si petatur pro warla / releuo / maritagio scctis curiarum et pro omni
 alio seruicio seculari exacione / subsidio seu demanda que per me vel
 heredes meos a prefato Willelmo et heredibus suis ac suis assignatis / pro
 predictis terris cum pertinencijs aliquo modo exigi poterunt vel requiri /
 Volo insuper et renuncio pro me et heredibus meis omni alio iuri sine
 iuris clamore simpliciter et expresse quod mihi vel dictis heredibus meis
 in prefatis terris cum pertinencijs aliquo modo contingere possit infuturum ·
 Ego vero prefatus Andreas et heredes mei omnes terras prelictas de
 Drumrossy cum pertinencijs prefato Willelmo et heredibus suis ac suis
 assignatis tanquam precise venditas / per omnes alias terras nostras red-
 ditus et possessiones quascunque / vbicunque existentes contra omnes

homines et feminas pro predicto vno denario argenti tantum nobis inde annuatim reddendo · warrantizabimus acquietabimus et imperpetuum defendemus · In cuius rei testimonium presenti carte mee sigillum meum apposui apud Abirden decimo quinto die mensis Junij 1 anno Domini millesimo tricentesimo sexagesimo nono · Hijs testibus reuerendo in Christo patre Domino Allexandro Dei gracia episcopo Abirdonensi · Domino Willelmo de Keith milite marescallo Scocie · Domino Johanne de Strathekyn milite · Willelmo de Melgdrum patre · Waltero Byseth · Philippo de Drumbrek · Adam Pyngle · Laurencio de Foty et multis alijs

Confirmacio Comitis de Marre super terris de Drumrossy in la Garwyauche. ¹—(A.D. 1369)

Omnibus hanc cartam visuris vel auditoris · Thomas comes de Marr ac dominus regalitatis del Garwyauche salutem in Domino sempiternam · Sciatis [uos] quandam cartam Andree Berkelay 1 domini de Garnetoly 1 non rasan non abolitam non cancellatam non suspectam · nec in aliqua sui parte viciatam diligenter inspexisse [ac vera]citer intellexisse in hec verba · OMNIBUS hanc cartam visuris vel auditoris · Andreas Berkelay dominus de Garnetoly [*etc. ut supra*, pp. 720—722.] Q[UAMQUIDEM] cartam donacionem [et vendicionem in eadem] contentas · in omnibus suis punctis et articulis modis et circumstancijs vniuersis forma pariter et effectum in omnibus [et per omnia eidem Willelmo et heredibus suis] ac suis assignatis · ratificamus approbamus et imperpetuum confirmamus · In cuius rei testimonium [huic carte nostre confirmationis sigillum nostrum precepimus apponi apud] castrum nostrum de Kyndromy vicesimo die mensis Augusti · anno supradicto ·

Carta Willelmi comitis de Douglas. ²—(A.D. 1371—A.D. 1377.)

Robertus Dei gracia [Rex Scottorum] . . . Sciatis presentes et futuri

¹ [From the original in the possession of John Grant Leslie, esquire, sheriff clerk depute of Aberdeenshire.]

² [Abridged from the Registrum Magni Sigilli, rot. iii., no. 2. MS. General Register House, Edinburgh.]

quod cum Thomas comes de Marr confrater noster totam terram suam de Tulycultry cum pertinentiis infra vicecomitatum de Clacmanane quam de nobis tenuit hereditarie · per fustum et baculum nobis sursum reddiderit . . . et simpliciter resignauit . . . Nos dictam terram de Tulycultry cum pertinentiis Willelmo comiti de Douglas consanguineo nostro dilecto et fideli pro homagio et seruitio suo dedimus . . . Tenendam et habendam eidem Willelmo et heredibus suis de nobis et heredibus nostris in feodo et hereditate. . . .

Carta Willelmi comitis de Douglas et de Marr super confirmatione carte Thome comitis de Marr.¹ —(A.D. 1377.)

U niuersis hoc scriptum visuris . . . Willelmus comes de Douglas et de Mar ac dominus de le Garviauch · salutem . . . Sciatis nos inspexisse . . . quendam cartam quondam Domini Thome comitis de Marr fratris nostri . . . tenorem qui sequitur continentem · OMNIBUS hanc cartam visuris . . . Thomas comes de Marre salutem . . . Nouerit universitas vestra nos dedisse . . . dilecto et fideli nostro Willelmo de Camera pro homagio et seruitio suo nobis impenso et impendendo totam terram nostram de Estir Rothwen in Cromarre infra comitatum nostrum de Marre in vicecomitatu de Abirden Tenendam . . . de nobis et heredibus nostris in feodo et hereditate . . . Reddendo inde tres sectas ad tria placita nostra capitalia tenenda apud Mygweth . . . In cuius rei testimonium presenti carte nostre sigillum nostrum est appensum apud Kyndromy vicesimo die mensis Junii anno Domini millesimo tricentesimo quinquagesimo sexto Illis testibus nobilibus viris et discretis Thoma Senescalli comite de Angus ac camerario Scotie Willelmo de Keth mariscallo Scotie Dominis Waltero Moygne et Laurentio Gilibrant militibus Domino Johanne de Marre rectore ecclesie de Inuernochty Willelmo de Melgdrum tunc vicecomite de Abirden Johanne de Rettree et multis aliis · QUAMQUIDEM cartam . . . imperpetuum confirmamus · In cuius rei testimonium huic carte nostre confirmationis sigillum nostrum apponi precepimus apud castrum nostrum de Kyndromy decimo die mensis Augusti anno Domini millesimo tricentesimo septuagesimo septimo ·

¹ [Abridged from a copy in the General Register House, Edinburgh.]

Carta Margarete Steward comitisse de Marr facta fratri suo Johanni de Sancto Claro domino de Herdmanston de villa de Kynbyrjame.¹
—(A.D. 1379.)

Omnibus . . . Mergareta Steward comitissa de Marr ac filia quondam Thome Steward comitis de Angus salutem . . . Sciatis nos in pura nostra viduitate dedisse . . . dilecto fratri nostro Johanni de Sancto Claro domino de Herdmanston totas terras nostras . . . infra villam de Kynbyriame et territorium eiusdem iacentes . . . cum toto superdominio et seruicio omnium liberetenencium dicte ville nos hereditarie contingentibus . Quarumquidem terrarum superdominii et seruicii Elizabeth Steward soror nostra in sua pura virginitate partem suam nobis sursum reddidit et pro se et heredibus suis in plurium proborum presencia . . . resignauit . Tenendas . . . in feodo et hereditate imperpetuum Reddendo . . . annuatim ad festum Pentecostes vnum denarium nomine albe firme si petatur tantum . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi hiis testibus Domino Wilhelmo comite Vallis de Douglas et de Marr . Dominis Alexandro de Lyndissay domino de Glenesk . Waltero de Halyburton domino eiusdem . Wilhelmo de Lyndissay domino del Byris . Patricio de Hebburne domino de Halis militibus . Alexandro de Ramsay domino de Dalwisy . Alano de Lawedir . Wilhelmo Borthwyk domino de Katkune et multis aliis Datum apud castrum de Temptaloune secundo die mensis Januarii anno Domini millesimo ccc^{mo} septuagesimo octauo .

Transsumptum carte Domine Margarete comitisse de Dowglas domine de Marr et de le Garwyach super capellania de Colyhyll et Petgowny apud capellam Beate Marie Virginis de la Garwyach.²—(A D. 1384 et A.D. 1445.)

In nomine Domini Amen Per hoc presens publicum instrumentum cunctis

¹ [Abridged from a transcript (made in 1750), from the original in the Herdmanston charter chest) in Macfarlane's Collection of Charters, MS. Adv. 1 B., Edinb. (34 3 25)]

² [From the original in the General Register House, Edinburgh.]

It will be observed that the Countess Margaret calls herself the daughter of Donald, *third of*

pateat euidenter quod anno eiusdem millesimo quadragésimo quarto die vero mensis Januarij decimo terció . . . coram reuerendo in Christo patre et domino Domino Ingeramo Dei gracia episcopo Aberdonensi in meí notarij publici et testium infrascriptorum presencia personaliter constitutus discretus vir Dominus Andreas Crabe capellanus perpetuus Beate et Gloriose Virginis Marie de Garwyach quamdam cartam nobilis domine Mergarete comitisse de Dowglas domine de Mar et de la Garwyach in registro pretati reuerendi in Christo patris inscriptam . . . mihi notario infrascripto presentauit et exhibuit ut eandem alta et intelligibili voce perlegerem et in forma publica suis sumptibus et expensis transcriberem / Cuius quidem carte tenor sequitur in hec uerba OMNIBUS hanc cartam visuris uel auditoris Mergareta comitissa de Douglas domina de Marr et de le Garwyach filia quondam bone memorie terciij Domini Donaldi comitis de Marr eternam in Domino salutem Cum alias per inquisitionem in curia nostre regalitatis de le Garwyache de mandato domini nostri quondam Dominj Willelmi comitis de Douglas mariti nostri coram balliio nostro eiusdem per plures fidedignos patrie factam et ad capellam predicti quondam domini nostri retornatam compertum fuit quod Alexander de Berelay filius Willelmi Berelay de Kerkou fuit legitimus et propinquior heres quondam Johannis de Abernethy fratris sui de terris domini de Bourty cum pertinentiis infra regalitatem nostram de le Garwyache antedictam et quod dicte terre de domino superiore de le Garwyach tenebantur in capite Quia idem Alexander in alienis debitis fuerat multipliciter oneratus dictus Alexander concessit et per literam suam obligatoriam fideliter manucepit tempore saysine sue in eislem terris dare ac resignare predicto domino nostro quondam Domino Willelmo primo comiti de Douglas marito nostro ad respectuandum sibi solutionem pro tempore certo releuii sui antedi[ctarum terrarum et] pro diuersis beneficiis per dictum dominum nostrum Willelmo Berelay patri suo et sibiipsi antea diuersimode impensis decem libratas terre de dictis terris suis de Bourty hereditarie a dicto Alexandro heredibus suis et assignatis quibuscunque De quibus quidem decem libratas [terre predic]tus noster quondam Dominus Willelmus maritus noster proposuit capellam Beate

that name, Earl of Mair The current pedigrees make mention only of two Earls of the name of Donald—Earl Donald, the son of Earl William ; and Earl Donald, the son of Earl Gartenech.]

Marie Uirginis de le Garwyach hereditarie infeodare et cum interim incompleta conuencione antedicta de resignacione dictarum decem librarum terre predictus dominus noster quondam Dominus [Willelmus mari]tus noster viam vniuerse carnis fuerit ingressus accessit postmodum ad nostram presenciam in castro nostro de Kyndromy dictus Alexander Berelay cum Willelmo patre suo et secundum formam obligacionis sue antefacte duas partes ville de Petgovny et integram villam de Collyhyll excepto illo campo qui vocatur le Vestfyld in tenemento de Bourty infra regalitatem nostram antedictam pro memoratis decem libratibus terre non vi aut metu ductus sed sua mera et spontanea voluntate pure et simpliciter nobis domine sue superiori earundem coram Domino Willelmo de Lyndesay milite Waltero de Lychton et Johanne Wyshard filio resignauit ac per fustum et baculum et literam patentem resignacionis manualiter sursum reddidit atque dedit Nos vero Margareta predicta comitissa de Douglas et domina de Marr et de le Garwyach merita deuotionis et intentionis dicti domini nostri quondam Domini Willelmi mariti nostri attendentes de infeodalacione dictarum decem librarum terre ad capellam Beate Marie Uirginis de le Garwyach antedictam [in nostra vidui]tate libera in augmentum cultus diuini concedimus et pleno jure nostro donamus pro salute anime predicti domini nostri quondam Domini Willelmi mariti nostri et anime carissimi fratris nostri quondam Domini Thome comitis de Marr et pro salute an[ime nostre et] carissimi filii nostri Jacobi comitis de Douglas domini Vallis de Liddale et pro salute animarum antecessorum et successorum nostrorum et hac presenti carta nostra in puram et perpetuam elemosinam confirmamus Deo et Beate Marie [matri sue et] omnibus sanctis Dei ac cuidam capellano viro ydoneo per nos et successores nostros electo et eligendo antedictas decem libratas terre de duabus partibus ville de Petgovny et de integra villa de Colyhill cum pertinenciis suis excepto illo campo de le Vestfelde antedicta Tenendas et habendas Deo et Beate Marie et omnibus sanctis Dei et eidem capellano per nos et successores nostros electo et eligendo de nobis et heredibus nostris sine assignatis in puram et perpetuam elemosinam . . . absque secta aliqua ad curias nostras de le Garwyach facienda et absque comparencia in curiis justiciarie vel camerarie preterquam de transgressoribus capitalia crimina committentibus qui indictati et arrestati in curiis justiciarie et camerarie nostre

assisam sustinebunt et de aliis lenioribus maleficiis ad curiam dieti capellani libere reuertentur . . . ad quod quidem tenementum . . . volumus quod nos heredes nostri seu assignati pro libito nostre voluntatis personam ydoneam elegamus qui omnia necessaria pro huiusmodi Dei et Sanete Marie matris sue ibidem ministranda et exponenda sumptibus suis et expensis pro suo tempore inueniet et persoluet . . . In premissorum testimonium presentibus sigillum nostrum fecimus apponi vna cum sigillo carissimi filij nostri et heredis Domini Jacobi comitis de Douglas domini Vallis de Lyddale Testibus Domino Adam miseratione diuina episcopo Aberdonensi Dominis Jacobo de Sandilandis Willelmo de Lindesay Patricio de Sandylandis Willelmo de Borthwyk Willelmo de Preston Thoma de Coluile militibus Adam de Glendonwyne Johanne de Mortymar Stefano clerico et pluribus aliis Datum apud Kyndromy in Festo Assumptionis gloriose Uirginis Marie genitricis Dei sepius memorate Anno Domini millesimo trecentesimo octogesimo quarto QUAMQUIDEM cartam visam et deligenter per me inspectam copiaui et in forma publica et de ipsius reuerendi in Christo patris prescripti expresso mandato ad petitionem dicti Domini Andree transumpsi ut huiusmodi tam in iudicio quam extra fides plenaria adhibeatur Super quibus omnibus . . . predictus Dominus Andreas per me notarium publicum infrascriptum sibi fieri peijt publicum instrumentum Acta fuerunt hec in ecclesia cathedrali Aberdonensi sub anno die mense . . . prenotatis Presentibus ibidem venerabilibus viris Magistro Edwardo Crafurde perpetuo vicario de Durnocht . . . Domino Thoma Synelare presbitero necnon Johanne Lyndesay scutifero et Daud Lyndesay cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis

Et ego Laurencius Duncani presbiter Aberdonensis diocesis magister in artibus publicus auctoritate Imperiali notarius [*etc. in forma communi.*]

Litera sasine pro Johanne de Bentlay. ¹ — (A.D. 1385.)

Jacobus comes de Douglas dominus Vallis de Lydail Johanni de

¹ [Abridged from a transcript in the Editor's possession.

The charter was cited by Lord Hailes as proof that 'during his mother's life, Earl James of

Mortuomari balliuo de Strathaluey / Salutem . Quia concessimus ad instantiam karissime matris nostre Domine Margarete comitisse de Douglas et de Marr / nostrum consensum . . . ad infeolandum Johannem de Bentlay in decem libris terre infra baroniam de Strathaluey . . . Vobis mandamus ut . . . eidem Johanni sasinam hereditariam . . . exhibeatis . . . In cuius rei testimonium presentibus sigillum nostrum apponi fecimus tercio die Aprilis anno Domini millesimo . ccc^{mo} . lxxx . quinto .

Confirmacio Jacobi comitis de Douglas et de Marre.¹ —(A.D. 1388.)

Vniuersis Christi fidelibus . . . Jacobus comes de Douglas et de Marre ac dominus baronie de Cauers salutem . . . Nouerit vniuersitas vestra . . . quod cum dudum bone memorie Dominus Willelmus progenitor noster dederit . . . abbati et conuentui monasterii de Melros . . . totum ius patronatus siue aduocacionem ecclesie parrochialis de Magna Cauers infra baroniam suam prenotatam . . . nos Jacobus comes predictus et dominus baronie prefate de Cauers . . . dictam concessionem . . . pro nobis et heredibus ac successoribus nostris . . . confirmamus . . . In quorum omnium testimonium sigillum nostrum presentibus precepimus apponi . Hijs testibus . Dominis Malcolm de Dromond . dilecto fratre nostro . Johanne de Swyntone carissimo patre nostro / et Johanne de Turribus militibus . Murdaco de Gla[yecestre] . Henrico de Weddale clerico nostro apud Etybredscheil . xxvij^o . die mensis Julij . anno Domini . m^{mo} . ccc^{mo} . lxxx^{mo} . vij^o .

Douglas took the style of Earl of Douglas only, and that in the deed wherein his mother is called Countess of Douglas and Marr. Upon her death, he took the title of Earl of Douglas and Marr.¹ —(Additional Sutherland Case, chap. v. sect. 9, pp. 36, 37.)

¹ [Abridged from the Liber S. Marie de Melros, vol. ii. pp. 465, 466, no. 491; pp. 616, 617, no. 587.]

Nine days afterwards the Earl of Douglas and Marr fell at Otterburn, whither he was accompanied by two of the knights who were witnesses to the charter in the text. Sir John of Swinton signalised himself by his strength and valour. Sir John of Tours was among the slain on the Scottish side.]

Carta Georgii de Douglas super comitatu de Angus quem Margareta comitissa de Mar resignavit. ¹ — (A.D. 1359.)

Robertus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . carissimo consanguineo nostro Georgio de Douglas totum et integrum comitatum de Angus vna cum dominiis de Abernethy infra vicecomitatum de Perth et de Boukill infra vicecomitatum de Berwik cum omnibus terris et pertinentiis suis exceptis terris de Ludynehe et de Wester Denathy cum annuo reddito tresdecim solidorum et quatuor denariorum de Baldovane cum pertinentiis in baronia de Kerymore et terris de Litolpoty Petversy Petblay et Petyndy cum pertinentiis in dicto dominio de Abernethy . . . Qui quidem comitatus de Angus . . . ac dominia de Abernethy et de

¹ [Abridged from the Acts of the Parliaments of Scotland, vol. i, pp. 201, 202.]

The following documents are enumerated in a list of the writs and titles of the Earldom of Angus exhibited before the Lords of Council and Session on the seventh day of Mareh, 1588:

- "Ane chart'r maid be Robert King of Scottis of all and hail the landis of Cavers Jedburgh Forrest Bonjeddart etc [to George erle of Angus of the dait the nynt of Nouember and of his regne the aucht yeir [A.D. 1397.]
- "Ane charter of confirmatioun vnder the gret seill maid be Robert King of Scottis quhair the Laird of Calder tailzeis his lving to George earl of Angus of the dait the ix of Nouember and of his regne the aucht yeir [A.D. 1397.]
- "Ane obligatioun maid be the Laird of Calder to George erle of Angus anent the tutorie of his sone and keiping of his hail landis daitit the pennilt day of Merche j^m iiij^e Maister Daud Trabroun notar.
- "Ane confirmatioun of the said obligatioun grantit be King Robert daitit the ix of Nouember vij yeir of his regne.
- "Ane indentour past betuix Margarete countess of Mar and Angus and George Dowglas her sone and James Sandelandis Laird of Calder the xxvij day of July j^m iiij^e lxxxxvij yeiris.
- "Trausumpt of ane charter maid be the Countes of Mar and Angus to Schir Walter Sinclair daitit the xxij of Merche j^m iiij^e xvij yeiris Jolme Jedburgh notar.
- "Certane evidendis declairing the antiquitie of the Dowglasses lang befor King Robert the Bruce.
- "A license grantit to the Erle of Angus callit George to big ane castell in Bruehty daitit the xx of Januar j^m iiij^e liij yeiris past vnder the great seill.
- "Ane charter vnder the gret seill gevin be King Robert to Margarete countess of Angus of the baronie of Effebetoun with the Crag and fischeing of Bruehtie.
- "Ane contract of mariage betuix the Kingis dochter and James erle of Angus quhairin is contenit the sowme of thrie thowsand merkis in tochir daitit the xvij day of October j^m iiij^e and xl yeiris.
- "Indentur past betuix Schir Naleome Drummond lord of Mar and Gareoch and George erle of Angus anent certane landis daitit the vij of Merche j^m iiij^e lxxxxvij."

[Register of Acts and Deereets, vol. 120, foll. 17—25. MS. General Register House, Edin.]

Bankill . . . fuerunt Margarete comitisse de Marr consanguinee nostre carissime . et quem ac que ipsa . . . in propria persona in parlamento nostro tento apud Edynburgh in monasterio Sancte Crucis nono die Aprilis anno Domini millesimo tricentesimo octogesimo nono . . . simpliciter resignauit . . . libero tenemento dietorum comitatus et dominiorum eidem comitisse reseruato pro toto tempore vite sue . . . In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum . . . Apud Edynburgh decimo die mensis Aprilis . anno regni nostri nonodecimo .

Kynalehmunl confirmatio carte. ¹—(A.D. 1403.)

Omnibus . . . Ysabella de Dowglas comitissa de Mar et domina de Garuyach salutem . . . vestra nonerit vniuersitas nos intellexisse quandam cartam Dauid quondam comitis de Garwyach fratris . . . Willelmi Regis Scottorum factam . . . ecclesie . . . de Arbroth . . . super donacione vnius carrucate terre in Kynalehmunl . . . quam donacionem in nostra pura viduitate constituta . . . confirmamus . . . Insuper . . . concedimus ecclesie . . . predicte . . . omne ius iuris et recti clameum que in eadem carrucata terre de Kynalehmunl habemus . . . pro salute animarum quondam bone memorie Domini Willelmi de Dowglas patris nostri et Domine Margarete de Dowglas comitisse eiusdem nostre matris et salute anime nostre et fratris nostri quondam Jacobi de Dowglas comitis eiusdem et predecessorum nostrorum in hac parte . . . In cuius rei testimonium sigillum nostrum presentibus fecimus apponi apud Kyndromy vicesimo vii^o die mensis Mayi anno Domini m^o cccc^o tercio .

Carta Isabelle comitisse de Marre de Bonegedwort. ²—(A.D. 1404.)

Omnibus hanc cartam visuris . . . Isabella de Douglas comitissa de

¹ [From the Registrum Nigrum de Aberbrothoc, pp. 46, 47.]

² [Abridged from a transcript in Macfarlane's Collection of Charters, pp. 447, 449. MS. Adv. Lib., Edin. (34.3.25.)]

Marr et de Garviach sempiternam in Domino salutem · Noneritis nos in nostra pura et libera viduitate ex nostra spontanea voluntate dedisse . . . fidei nostro Thome filio Johannis et dilecte sorori nostre Margarete de Douglas sponse sue totam terram nostram dominicalem de Bongedwort cum pertinenciis cum viginti marcatis terre de terris husbandie iacentibus iuxta terram nostram dominicalem de Bunegedwort · incipiendo ex parte orientali predicte terre husbandie et sic extendendo parti occidentali quousque eisdem de predictis viginti marcatis terre cum pertinenciis plenarie fuerit satisfactum · nobis hereditarie pertinentem in foresta de Jedwort infra vicecomitatum de Roxburgh pro homagio et seruicio dicti Thome nobis impenso et pro toto tempore vite sue impendendo · Tenendas et habendas . . . predictis Thome et Margarete sponse sue sorori nostre et eorum alteri diucius viuenti · et post decessum dicti Thome et Margarete Johanni de Douglas nepoti nostro filio predictorum Thome et Margarete et heredibus dicti Johannis de Douglas de corpore suo legitime procreandis · quibus forsitan deficientebus veris et legitimis heredibus ipsius Margarete de Douglas sororis nostre de corpore suo legitime procreatis seu procreandis · de nobis et heredibus nostris in feodo et hereditate in perpetuum per omnes rectas metas et diuisas suas sine retinemento quocunq̄ue . . . Reddendo in le . . . nobis et heredibus nostris vnum denarium argenti nomine albe firme apud Cyntale in festo Natiuitatis Johannis Baptiste annuatim si petatur pro warda maritagio releuo et pro omni alio seruicio onere exactione consuetudine seu demanda que de dictis terris cum pertinenciis per nos vel heredes nostros exigi poterunt in futurum vel requiri Saluo forensico seruicio domini nostri Regis quantum ad predictas terras de Boneiedwort et dictas viginti marcatas terre husbandie cum pertinenciis de iure pertinet . . . In cuius rei testimonium presenti carte nostre sigillum nostrum est appensum apud Kyndromy decimo die mensis Nouembris anno Domini millesimo quadringentesimo quarto · Testibus nobilibus viris Domino Andrea de Lesly domino de le Syd · Domino Johanne Forbes domino eiusdem militibus · Magistro Henrico de Lichton Duncano de Forbes canonicis Aberdoensis · Alexandro Irwyn domino de le Drum · Domino Johanne Hundby rectore de Kyndromy · Domino Johanne de Kellas capellano nostro et multis aliis.

Carta confirmacionis Willelmi de Camera super terra de Ouirruffane in le Cro de Mar. ¹ — (A.D. 1402.)

Omnibus hanc cartam visuris . . . Isabella de Douglas comitissa de Mar et del Garviache . salutem . . . Sciatis nos in nostra pura viduitate constitutam dedisse . . . dilecto consanguineo nostro Willelmo de Camera domino de Fyndoun . totam terram nostram de Westir Rothven cum pertinenciis . in le Cro de Marr in comitatu nostro de Marr infra vicecomitatum de Abirdene . . . Tenendam . . . de nobis et heredibus nostris . in feodo et hereditate imperpetuum . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi apud Kyn-dromy primo die mensis Decembris anno Domini millesimo quadringentesimo quarto . Testibus venerabili in Christo patre Domino Alexandro episcopo Rossensi . Domino Daud de Lyndesay comite de Crawfordre consanguineo nostro . Magistro Johanne de Innes decano ecclesie Rossensis . Domino Andrea de Lesly milite . Archebaldo de Douglas consanguineo nostro . Willelmo Fraser . Duncano de Forbes canonico Abirdonsi . cum multis alijs.

Commissio ad absolendum Comitissam de Angus et del Marr. ² — (A.D. 1415.)

Johannes prior ecclesie cathedralis Dunelmensis et ejusdem loci conventus dilecto confratri nostro Domino Johanni Aclif priori celle nostre de Coldyngham sacre pagine professori . Salutem in eo qui est omnium vera salus . Quia nobilis et generosa domina Domina Comitissa de Angus et del Marr considerans salubriter et attendens piam et sinceram devotionem quam predecessores sui haberunt penes Deum et Sanctissimam Virginem Mariam ac Beatum Cuthbertum patronum nostrum . volensque

¹ [From the original in the General Register House, Edinburgh.]

The charter was confirmed by Robert, duke of Albany, earl of Fyfe and of Menteth, and Governor of Scotland, by charter under his seal of office, at Falkland, on the twenty-sixth day of October, 1408.]

² [From the Correspondence, Inventories, Account Rolls, and Law Proceedings of the Priory of Coldingham, p. 88. Lond. 1811. (Surtees Society.)]

vestigiis progenitorum suorum ob salutem anime sue et animarum dictorum progenitorum suorum in hoc fortius inherere · boscos et terras de Brokholl Harewode et Denwode cum pertinenciis a nobis diu per se et suos detentos et occupatos intendit · ut per ipsius literas plenius informamur · nobis restituere per suam quietam clamanciam et nos in possessionem dictorum boscorum et terrarum mittere et rescisire · sub condicione tamen ut ipsam et omnes sibi adherentes in hac parte a quibuscumque excommunicacionis et suspensionis sententiis absolvamus · Nos igitur cupientes saluti anime dicte nobilis domine et animarum progenitorum consulere in quantum possumus et mederi · ad absolvendum dictam dominam et quoscunque alios quantum ad nos attinet a quibuscumque excommunicacionis et suspensionis sententiis quas occasione hujus detencionis et occupacionis haecenus incurrebant · facta nobis primitus restitutione et quietam clamancia dictorum boscorum et terrarum · cum alias non dimittatur peccatum nisi restituatur ablatum · vobis auctoritate presencium committimus vices nostras et nostram plenariam potestatem . . . Data in domo nostra capitulari nono die mensis Decembris anno Domini m^o cccc^{mo} quintodecimo ·

Relaxatio Comitisse de Marr de Brokholes etc.¹ —(A.D. 1416.)

Omnibus hoc scriptum visuris . . . Margareta comitissa de Augus et de Marr salutem . . . Sciatis nos in pura viduitate nostra pro salute anime nostre relaxasse Deo et Beate Marie et Sancto Cutliberto Dunelmensi et monachis ibidem Deo seruiantibus . . . totum ius et clamium . . . que habemus . . . in terris et boscis de Brokholis Harewode et Denwode iacentibus infra comitatum Berwyçi . . . Insuper sciatis quod nos et heredes nostri diuisas factas et perambulatas inter Coldyngham et Bonkylle scilicet a Middledenesheued per Mereburnesheued versus occidentem vsque ad Cracockeeresstret et inde per eandem stratam vsque ad Eiford predictis monachis inperpetuum pacifice tenebimus et conseruabimus prout in carta Ranalphi de Bonkyll quam dicti monachi inde habent plenius continetur In cuius rei testimonium sigillum nostrum

¹ [From Raine's North Durham, appendix, p. 35, no. cli.]

presentibus est appensum . Data apud Bagby iuxta Hyrdemanstone quarto die mensis Januarii anno Domini millesimo cccc quintodecimo.

The copie of Baxstairis first chartour. ¹—(A.D. 1403.)

Omnibus hanc cartam visuris vel auditoris Thomas filius Johannis burgensis de Kildrymme salutem in Domino Sciatis me . . . vendidisse Johanni Baxster et heredibus suis et assignatis vnam rodam terrarum cum pertinentiis jacentem ex parte orientali burgi de Kildrymme infra dominium de Mar inter terram Margarete Burges ex parte australi ex parte vna / et terram Thome Donaldley ex parte orientali ex parte altera / cum omnibus suis justis pertinentiis quibuscunque pro quadam summa pecunie mihi plenarie pro manibus persoluta Tenendam et habendam . . . dicto Johanni et heredibus suis et assignatis libere quiete . . . sicut alique terre in dicto burgo liberius tenentur Reddendo inde annuatim . . . Domino de Mar quatuor denarios vsualis monete Scotie pro omni alio seruitio . . . In cuius rei testimonium sigillum Domini Duncani vicarij de Kildrymme presentibus est appensum Testibus hiis Thoma Velche seniore et Thoma Velche juniore Villhelmo Mesone Peris Blanie et Alexandro Hwndbit multisque aliis circumstantibus Apud Kildrymme octauo die mensis Augusti anno Domini j^m ecce quadragesimo tertio.

Followis the chartour that Baxstar hes of Robert Erle of Mar Lord Erskin. ¹—(A.D. 1447.)

Omnibus hanc cartam visuris vel auditoris Robertus comes de Mar et Garvloch ac dominus de Erskine salutem in Domino sempiternam Sciatis nos dedisse et . . . confirmasse Johanni Baxster vnam terram jacentem infra villam de Kyldrymme ex parte orientali ville eiusdem inter montem castri et terram Thome Donaldi ex parte boreali ex parte vna / et terram Thome Rogersone ex parte australi ex parte altera Quamquidem

¹[From a copy, in a hand of the sixteenth century, in the General Register House, Edin.]

terram cum pertinentiis Agnes Burges . . . in manibus nostris . . . simpliciter resignavit . . . Tenendam et habendam . . . prefato Johanni et heredibus suis et suis assignatis de nobis et successoribus nostris Comitibus de Mar in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . [quatuor] denarios vsualis monete regni Scotie ad duos anni terminos vsuales Penthecostes videlicet et Sancti Martini in hieme . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre est appensum apud Kildrymme die vicesimo septimo mensis Martii anno Domini millesimo quadringentesimo quadragesimo septimo Testibus honorabilibus et providis viris Alano de Erskin Thoma de Erskin consanguineis nostris dilectis Waltero Key de Ochter Forfar Johanne Allirdes armigeris nostris et Domino Mattheo capellano nostro cum multis et diversis aliis.

Carta Episcopi Moraviensis super tenemento in burgo de Inuernys quod fuit olim Alexandri comitis de Mar. ¹ —(A.D. 1451.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quod concessimus ad laudem et gloriam Beate Trinitatis Johanni episcopo Moraviensi et successoribus suis Episcopis Moraviensibus et propter grata obsequia quondam genitori nostro recolende memorie per ipsum Episcopum multipliciter impensa et nobis fideliter continuata in pura et perpetua climosina totum et integrum illud tenementum cum pertinentiis jacens in burgo de Inuernys in Vico Pontis eiusdem inter terram quondam Johannis Hay de le Boyne ex parte orientali ex parte vna et terram Johannis Cristini ex parte occidentali ex parte altera extendens se in longitudine ad muros Castri de Inuernys capitans in fronte ad predictum vicum / Quod quidem tenementum fuit olim Alexandri comitis de Marr Et quod ad manus progenitoris nostri supradicti racione bastardie dicti Alexandri peruenit Et quod tenementum cum pertinentiis predictus progenitor noster dicto Episcopo contulit et cum saysiri fecit in eodem et fuit ipsius Episcopi hereditarie Et quod idem Episcopus . . . in manibus nostris . . . sim-

¹ [Abridged from the Registrum Magni Sigilli, lib. iv., no. 154. MS. General Register House, Edinburgh.]

pliciter resignavit . . . Tenendum et habendum . . . de nobis et successoribus nostris in puram et perpetuam elemosinam ac in feodo et hereditate imperpetuum . . . Faciendo inde . . . oracionum suffragia deuotarum . . . In cuius rei testimonium presentibus nostrum magnum sigillum apponi precepimus . . . Apud Edynburgh vicesimo quarto die mensis Julii anno Domini millesimo quadringentesimo quinquagesimo primo Et regni nostri decimo quinto.

Note of ane chartour be John Erle of Mar brother to King James 3. in anno 1475.¹

Carta concessa per Johannem comitem de Mar et de Garioche Duncano Forbes filio Alexandri Forbes de Brughis pro suis seruitiis consilij et fauoribus de omnibus et singulis terris de Over Towy Nether Towy et Culfork cum suis pertinentiis et molendino ejusdem que fuerunt quondam Jonete Pentoun hereditarie jacentibus in comitatu de Mar et infra vicecomitatum de Aberdene Procedens super resignatione prefate Jonete Tenendis de dicto Johanne comite de Mar et heredibus suis comitibus de Mar in libera alba firma vt supra De data apud Aberdein decimo octauo die mensis Nouembris anno Domini millesimo quadringentesimo septuagesimo quinto Coram testibus Willielmo Edmesten de Lintrethyn Magistro Ricardo Forbes decano Abredonensi Alexandro Leslie de Wardres Domino Henrico Proctor de Kyngussy Magistro Andrea Lyale thesaurario Abredonensi.

JHONNE ERLI OF MAR AND GERWYACHT.

Preceptum Johannis comitis de Mar et Garviache pro sasina terrarum de Johnnestoune.² — (A D. 1477.)

Johannes comes de Mar et Garviache dilectis nostris Wilelmo Leithe

¹ [From a copy, in a hand of the beginning of the seventeenth century, in the General Register House at Edinburgh. It has this note: 'This chartour is not seallit.']

[From the original in the General Register House at Edinburgh. Two seals have been appended, but both are lost.]

de Bernis et Alexandro Abirerummy . . . balliuis nostris in hac parte salutem Quia dedimus et concessimus hereditarie dilectis nostris Alexandro Johnnestoune nepoti et heredi Gilberti Johnnestoune de eodem et Agneti Glaster sponse sue et eorum alteri diucius viuenti omnes et singulas terras de Johnnestoune cum pertinentiis jacentes infra regalitatem nostram de Garviache et vicecomitatum de Abirdene prout in carta nostra . . . inde confecta plenius continetur Vobis . . . mandamus quatenus visis presentibus indilate dictis Alexandro et Agneti . . . vel eorum certo actornato lateri presencium . . . sasinam . . . hereditariam dictarum terrarum . . . iuste habere faciatis . . . Et in signum huiusmodi sasine sic per vos . . . tradite sigillum vestrum in secunda cauda post nostrum pendatis . . . In cuius rei testimonium sigillum nostrum presentibus est appensum apud Edinburgh primo die mensis Marcij anno Domini millesimo quadringentesimo septuagesimo sexto .

JHONNE ERLI OF MAR AND GERWYACHT

Instrumentum super redemptione terrarum de Pettodry et tertie partis terrarum de Petskurry. ¹—(A.D. 1505.)

In Dei nomine Amen Per hoc presens publicum instrumentum cunetis pateat euidenter quod anno Incarnacionis Domine millesimo quingentesimo quinto mensis vero Julij die decimo octauo . . . In mej notarij publicj et testium infrascriptorum presencia personaliter constituta prouida mulier Elizabetht Gordoune relicta quondam Henricj Leitht de Barnis in sua pura viduitate concessit se recipisse et habuisse per manus honorabilis virj Johannis Portarfeld de Chapeloune . . . procuratoris nobilis et potentis domini Alexandri domini Erskine summam triscentum mercarum vsualis monete Scotie pro redemptione omnium terrarum de Pettodry cum suis pertinencijs jacentium in regalitate de Garcauche infra vicecomitatum de Abirdene Et summam octoginta librarum vsualis monete Scotie pro redemptione tercie partis terrarum de

¹ [From the original in the General Register House at Edinburgh.]

Petskurry cum suis pertinenciis jacentium in baronia de Balhagarty infra dictum vicecomitatum sibi inpignoratarum pro dictis pecuniarum summis de quibus tenuit se bene contentam et plenarie persolutam . . . Insuper dicta Elizabetht . . . cartas litteras sasine instrumenta aliasque evidencias quascunque sibi factas . . . terras prelibatas concernentes . . . renunciauit cassauit et annullauit imperpetuum . . . Acta erant hec infra burgum de Abirdene in hospicio Thome Leslie vnus balliuorum dicti burgi hora quasi secunda post meridiem . . . presentibus ibidem honorabilibus viris Georgio Leitht de Barnis Willemo Leitht fratre suo dicto Thoma Leslie Magistro Johanne Smolt Thoma Leitht et Alexandro Atkine testibus . . .

Et ego Johannes Stirueling presbiter Sancti Andree diocesis publicus auctoritatibus Imperiali et Regali notarius [*etc. in forma communi.*]

Litera Regis pro Alexandro Elphinstoune et Elizabeth Barlay.¹—(A.D. 1507.)

Jacobus Dei gracia Rex Scotorum vicecomiti et balliuis suis de Abirdene Necnon dilectis nostris Andree Elphinstoune de Selmys Willemo Forbes de Tolleis Johanni Lesly de Wardris Johanni Charteris filio et heredi apparenti Thome Charteris de Cangnor . . . vicecomitibus nostris de Abirdene in hac parte salutem Quia pro bono gratuitoque seruicio nobis et carissime consorti nostre Regine per dilectos familiares seruitores nostros Alexandrum Elphinstoune filium et apparentem heredem dilecti nostri Johannis Elphinstoune de eodem militis et Elizabeth Barlay eius sponsam eam seruitricem dicte carissime consorts nostre impenso . . . et impendendo . . . dedimus . . . dictis Alexandro et Elizabeth eius sponse ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreandis . . . terras nostras de Inuernochty Ballebege cum molendino prato siluis et *le glennys* de Glennochty Inuernethy Ledmakey Culquhony Culquhary in Strathdone Mekle Mygve

¹ [From the original in the General Register House at Edinburgh. A fragment of the seal remains, much defaced.]

Ester Mygve Tulliprony Blalok et Correcreif in Cromar . . . jacentes in comitatu nostro de Mar . . . Necnon . . . terras nostras de Duncanstoune Glandirstoun cum molendino Roehmyreall et Tullefour . . . jacentes in dominio nostro de Garviauch . . . Quasquidem . . . terras . . . nos . . . incorporauimus in . . . baroniam nuncupandam . . . Baroniam de Inuernochty . . . Vobis mandamus quatenus dictis Alexandro et Elizabeth . . . vel suis certis actornatis latoribus presencium sasinam predictarum terrarum et baronie . . . juste haberi faciatis . . . Datum sub testimonio magni sigilli nostri apud Edinburgh octauo die mensis Augusti anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .

Sasina terrarum et baronie de Inuernochy. ¹ —(A.D. 1507.)

In Dei nomine Amen Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnationis Dominice millesimo quingentesimo 7mo mensis vero Augusti die vigesimatercia . . . In meij notarij publicj et subscriptorum testium presenciam personaliter constitutus honorabilis vir Johannes Charteris filius et heres aparens Thome Charteris de Cangnor actornatus nobilis viri Alexandri Elphinstoune de eodem et Elizabethit sponse sue . . . quasdam litteras . . . saisine formam in se continentes a Supremo Domino nostro Rege emanatas testimonio sui magni sigilli roboratas . . . presentauit honorabili viro Johanni Forbes domino directo de Brux vicecomiti in hac parte nominato vigore quarum ipsum Johannem . . . vicecomitem . . . requisit quatenus sibi actornatorio nomine dictorum Alexandri et Elizabeth saisinam . . . terrarum et baronie de Inuernochy cum pertinencijs daret Quasquidem literas per dictum . . . vicecomitem receptas mihi que traditas alta et intelligibili voce perlegi et ad noticiam circumstancium deduxi Post quarumquidem literarum lecturam prefatus Johannes . . . vicecomes . . . accessit ad antiquam maneriem de Inuernochy . . . et . . . saisinam . . . supradictarum terrarum . . . predicto Johanni actornatorio nomine quo supra per tradicionem terre et lapidis tradidit . . . Acta erant hec apud pre-

¹ [From the original in the General Register House at Edinburgh.]

dictam antiquam maneriem de Inuernochy hora quasi vndecima ante meridiem . . . Presentibus ibidem circumspectis honorabilibus ac fidedignis viris videlicet Magistro Willelmo Crechtone rectore de Inuernochy canonicoque [de] Abirdene Dominis Johanne Gardiner et Jacobo Hunter capellanis Andrea Burnet fratre germano Alexandri Burnet de Leis Andrea Strathachin Andrea Meldrum Morgundo Gilquhome Willelmo Forbes et Willelmo Alane cum diuersis aliis . . .

Et ego Jacobus Strathachin presbiter Abirdonensis diocesis publicus Imperiali ac Regia auctoritatibus notarius [*etc. in forma communi.*]

Sasina baronie de Kildremy data Alexandro domino Elphinstoun. ¹ — (A.D. 1514.)

Vicecomes de Aberdene respondebit pro centum libris de firmis terrarum baronie de Kildremy cum turre fortalicio pendiculis annexis tenentibus tenandriis et liberetenencium seruciis earundem vnacum aduocacionibus et donacionibus ecclesie de Inuernochty et capelle de Dene termini Penthecostes vltimo preteriti existentibus in manibus Regis per renunciacionem et dimissionem Elizabeth Berley sponse quondam Alexandri domini Elphinstoune sasina non recuperata Et pro ducentis libris de releuo earundem Regi debitis per sasinam datam Alexandro Elphinstoune de eisdem vndecimo Julij anno regni Regis primo .

Followis ane instrument of seising of Robert Baxster vnder the signe and subscriptioun of Thomas Dalquhy. ² — (A.D. 1527.)

In Deij nomine Amen Per hoc presens publicum instrumentum cunctis

¹[From the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.]

²[From a copy, in a hand of the sixteenth century, in the General Register House at Edinburgh.]

In 1540, there was an action, before the Lords of Council and Session, "at the instance of Vmfra Rollok of Findruy aganis Robert Dugude of Auchinhuif sone and air of vmqhile Wil-

patent evidenter quod anno Incarnacionis Dominice millesimo quingentesimo vigesimo sexto mensis vero Marcij die quarto . . . In mei notarij publici et testium subscriptorum presentia personaliter constitutus discretus vir Robertus Baxster filius et heres quondam Thome Baxster incole de Kildrymme in burgo eiusdem in quadam curia apud dictum burgum tenta per honorabilem virum Alexandrum Forbes heredem et filium quondam Johannis Forbes de Brux pro tempore hoc instanti balliuum coram prefato balliuo et ceteris curie ministris comparuerit vt prenominati burgi moris est vt asseruit prefatus Robertus Baxster heres quondam patris sui antedicti et predictum balliuum pro tribunali sedentem omnia qua decuit reuerentia requisivit quatenus possessionem quatuor rularum terrarum jacentium in dicto burgo inter terras quondam Wilhelmi Forbes de Tollies ab vna versus orientem / et terram Andree Ywill versus occidentem partibus ab altera / secundam morem et consuetudinem dicti burgi daret et deliberaret Quiquidem balliaus huius rei certitudine habere debitam fecit inquisitionem inter incolas huius et quosdam extra burgum qui pro tempore presentes fuerunt et ad assisam electi Quiquidem persone mature avisati et ad premissa determinanda jurati decreuerant vnanimis voce et consensu prefatum Robertum fore verum legitimum et propinquiorem heredem quondam Thome patris sui antedicti et quod quondam Thomas pater suus obiit vltimo possessus in dictis terris absque vilo impedimento aut contradictione quacunque et quod prefatus Robertus fuit legitime etatis Quapropter dictus balliuus debita facta inquisitione et assise deliberacione vt premissum est accessit ad principalem domum illarum terrarum et prefatum Robertum vt moris est in dicto domo realiter investiuit et corporaliter per traditionem terre et lapidis Saluo tamen jure cuiuslibet . . . Acta erant hec in villa de Kildrymme hora vndecima ante meridiem vel eocirca sub anno die mense et pontificatu quibus supra Presentibus ibidem nobilibus et discretis viris videlicet Alexandro Forbes de Groddie / Thoma Strauchin filio et herede apparenti Alexandri Strauchin de Lenturkis / Magistro Johanne Forbes

liam Dugude of Auchneuhif his fader and Jhone Andersounne sone and aire of vruquhile William Andersounne burges of Kildrummy" for the recovery of twenty six oxen, worth four merks each, and other goods.—(Acta Dominorum Concilii et Sessionis, vol. xiii. fol. 38. MS. General Register House, Edinburgh.)]

de Bernes Johanne Peddie in Kildrymme Thoma Andersone et Domino Andrea Clerk notario cum diuersis aliis testibus ad premissa vocatis . . . et propter maiorem securitatem sigillum balliui antedicti presentibus est appensum

Et ego Thomas Dalquhy clericus Abiridonensis diocesis publicus auctoritate apostolica notarius [*etc. in forma communi.*]

Preceptum carte comitatus Moraue et dominiorum de Abirnethy et Straitherne.¹ — (A.D. 1562.)

Maria Dei gracia Regina Scotorum . . . Quia pro specialibus fauore et amore quos erga naturalem nostrum fratrem Jacobum commendatarium Sanctiandree et Pettinweme habemus et gerimus . . . concessimus hereditarie predicto nostro fratri et heredibus suis . . . terras nostras et comitatum Moraue . . . necnon firmas nostras burgales et custumas burgorum nostrorum de Elgin et Fores necnon castrum nostrum de Dernway cum forresta *lie park* et nemoribus earundem ac alia nostra castra turres fortalicia dieti nostri comitatus et piscarias nostras de Spay Findorne Slew Pule et Lossy . . . Et similiter . . . terras nostras et dominium de Abirnethy . . . Et simili modo . . . terras nostras et [baroniam] de Straitherne videlicet terras de Petty Brauchlie et Straitherne . . . acetiam molendinum nostrum de Conische cum iure patronatus . . . ecclesiarum de Petty et Brachlie necnon turrim et fortalicium de Halhill . . . Quequidem terre comitatus domini m et baronia . . . quondam Jacobo Moraue comiti filio naturali charissimi quondam aui nostri perprius hereditarie pertinerunt Et in manibus nostris ob ipsius decessum denegerunt et nobis tanquam patrimonium corone nostre pertinent Tenendas et habendas . . . dicto Jacobo et heredibus suis masculis de corpore suo legitime procreandis de nobis et nostris successoribus Regibus et Reginis Scocie in feodo et hereditate feudifirma et libera foresta in perpetuum . . . Apud Edinburgh penultimo die mensis Januarii anno Domini millesimo quingentesimo sexagesimo primo et regni nostri vigesimo .

Per signetum .

¹ [Abridged from the Registrum Secreti Sigilli, vol. xxxi., foll. 45, 46. MS. General Register House, Edinburgh.]

Legitimatío Jacobi Stewart commendatarii prioratuum Sanctiandree et Pettinweme. ¹ —(A.D. 1562.)

Preceptum legitimationis Jacobi Stewart commendatarii prioratuum Sanctiandree et Pettinweme bastardi filii naturalis quondam excellentissimi principis Jacobi Quinti Scotorum Regis in communi forma etc. Apud Edinburgh quarto Februarii anno etc. lxx^o.

Per signetum .

Preceptum carte comitatus de Mar. ¹ —(A.D. 1562.)

Maria Dei gracia Regina Scotorum etc Quia dedimus et concessimus hereditarie predilecto fratri nostro naturali Jacobo commendatario prioratuum monasteriorum Sanctiandree et Pettinwem et hereditus suis masculis infrascriptis Totas et integras terras nostras et comitatum de Mar videlicet terras de Straithdee Bramar et Cromar cum molendinis piscationibus siluis forestis partibus et pendiculis ac pertinentiis earundem jacentes infra vicecomitatum nostrum de Abirdene Insuper nos pro nobis et successoribus nostris vnimus annectimus creamus et incorporamus totas et integras prenominatas terras de Straithdee Bramar et Cromare cum molendinis piscationibus siluis forestis partibus pendiculis et pertinentiis earundem in vnum integrum ac liberum comitatum omni tempore affuturo Comitatum de Mar nuncupandum Ac similiter facimus et creamus dictum Jacobum fratrem nostrum et heredes suos masculos inferius scriptos in comites omnibus temporibus affuturis tali modo Comites de Mar vocandos ac dando eijs honorem dignitatem locum et vocem in parlimento cum omnibus alijs priuilegijs et facultatibus simili modo sicuti aliqui Comites de Mar de predecessoribus nostris aliquibus temporibus retroactis habuerunt et gauisi fuerunt Et similiter volumus et concedimus ac pro nobis et nostris successoribus pro perpetuo decernimus et ordinamus quod vnica tantum sasina nunc per prefatum Jacobum

¹ [From the Registrum Secreti Sigilli, vol. xxxi., fol. 2. MS. General Register House, Edinburgh.]

et heredes suos masculos infrascriptos omnibus temporibus venturis apud aliquam partem siue particulam earundem capienda stabit et sufficiens erit sasina pro omnibus et singulis terris et comitatu suprascriptis cum molendinis piscationibus siluis forestis partibus pendiculis et pertinentiis earundem sicuti vna specialis et particularis sasina apud quamlibet partem et locum earundem capta fuerat non obstante quod non jacent inuicem contigue sed in diuersis partibus Tenendas et habendas totas et integras memoratas terras et comitatum de Mar videlicet terras de Strathdee Bramar et Cromar cum molendinis piscationibus siluis forestis partibus pendiculis et pertinentiis earundem dicto Jacobo fratri nostro et heredibus suis masculis de corpore suo legitime procreandis Quibus deficientibus nobis et successoribus nostris Regibus et Reginae Scotie iterum reuersuras de nobis et successoribus nostris in feodo et hereditate et liberis comitatu et foresta imperpetuum Per omnes rectas metas suas etc. Reddendo etc. vnum par calcarium deauratorum in Festo Natiuitatis Beati Joannis nomine albefirme si petatur tantum etc. Apud Edinburgh septimo Februarii anno Domini millesimo quingentesimo sexagesimo primo et regni nostri vicesimo.

Per signetum.

Lettre to James erle of Mar of the gift of the mariage of the air of vmquhile Schir Walter Ogiluy of Boyne. ¹ —(A.D. 1562.)

A ne lettre maid to James erle of Mar . . . off the gift of the mariage of Alexander Ogiluy sone and apperand air of vmquhile Schir Walter Ogiluy of Boyne knight And failyeing of him be deceis vnmariit the mariage of ony vther air or airis male or female that sal happin to succceed to the said vmquhile Schir Walter in his landis and heritage . . . At Sanctandrois the secund daye of Aprile the yeir of God j^m v^c lxij yeiris.

Per signaturam.

¹ [Abridged from the Registrum Secreti Sigilli, vol. xxxi., fol. 10. MS. General Register House, Edinburgh.]

Preceptum carte coniuncte infeodacionis Jacobi comitis de Mar et Domine Agnetis Keith eius coniugis. ¹—(A.D. 1562.)

Preceptum carte coniuncte infeodationis Jacobi comitis de Mar et Domine Agnetis Keith eius coniugis super . . . terris de Allathane Acthmore et Syde cum molendino earundem terris de Carnetrailyeane cum molendino et brueriis earundem crofta *lic Pettheis Croft* nuncupata Baldestoun Glasgow . . . infra vicecomitatum de Abirdene . Piscaria vocata *The Kingis Fischcingis* super aquam de Doverne nominata *Thanis Nett* Terris de Glenethill et Auchmedene jacentibus infra baroniam de Glendowache et vicecomitatum de Banff Terris de Ingliston et Esse jacentibus infra baroniam de Auchterhous et vicecomitatum de Forfare Terris de Kittinis jacentibus infra baroniam de Kittinis et dietum vicecomitatum de Forfare Terris de Fortre cum molendino et *lic outsettis* earundem jacentibus infra vicecomitatum de . . . Que fuerunt prefati Jacobi comitis de Mar perprius hereditarie Et quas idem . . . in manibus Regine . . . simpliciter resignavit . . . Tenendis . . . de Regina et suis successoribus . . . Reddendo . . . iura et seruicia inde debita et consueta . . . Apud Edinburgh nono Junii anno etc. lxi^o .

Per signetum

Lettre to James erle of Murray of the gift of the eschete of the tak quhilk the Erle of Huntlie had of the erledome of Murray ²—(A.D. 1562.)

Ane lettre maid to James erle of Murray of the gift of the eschete of the tak and assedatioune quhilk George erle of Huntlie allegit him to haue of the erledome of Murray landis rowmes possessionis mynlis and fischcingis pertenyng thairto customes and burrow males of the burrowis of Elgin and Fores now pertening to oure Souerane Lady be ressoune of

¹ [Abridged from the Registrum Secreti Sigilli, vol. xxxi., fol. 33. MS. General Register House, Edinburgh.]

² [Abridged from the Registrum Secreti Sigilli, vol. xxxi. fol. 56. MS. General Register House, Edinburgh.]

eschete throw being of the said Erle denuncit oure Souerane Ladies rebell and put to the horne be vertew of hir Graces vthiris lettres for non compering befor hir Hienes and Lordis of hir Secrete Counsale to ansuer to sik things as suld be laid to his charge . . . At Abirdene the xix day of October the yeir of God j^m v^c lxij yeiris

Per signaturam

Commissio Justiciarie pro Jacobo Moraue comite. 1^o—(A.D. 1566.)

Commissio Justiciarie facta est Jacobo Moraue comiti intra bondas vicecomitatum de Abirdene Banff Elgin et Forres Narne et Inuernyss ad iustificandum omnimodas personas infra bondas dictorum vicecomitatum commorantium que integros pisces *lie smoltis* siluestres bestias occidunt virides arbores amputant seu huiusmodi excoriant intra dictas boudas contra tenorem Actorum Parlamenti etc. Apud Edinburgh tercio Octobris anno Domini millesimo quingentesimo sexagesimo sexto .

Obligacioun betuix my Lord Erskeine and the Abbot Halierudhous. 2^o — (A.D. 1565.)

Be it kend till all men . . . me Johne lord Erskeine that forsamekill as it hes plesit the Quenis Maiestie to gif and dispone to me heretable the erldome of Mar and landis pertening thairto propirte and tenandrie as in the infetment maid thairapoun at mair lenth is contenit Nochttheles I . . . bindis and oblissis me and my airis that I nor my airis or assignais sall neuer clame nor pretend entres nor heretable rycht to the landis of Cabroelit the landis and barony of Cluny and the landis of Logy and Dawane in propirte or tenandry nor of ony vthiris landis within the boundis of Mar quihilkis hes bene or may appeir to haue bene ane pairt or dependencie of the said erldome of Mar disposit alreddy be the Quenis

¹ [From the Liber Responsonnm in Scaccario. MS. General Register House, Edinburgh.]

² [Abridged from the Register of Deeds, vol. vii. fol. 137. MS. General Register House Edinburgh.]

Maieste to Robert commendator of Haliruidhous and his airis And de-
claris that the samin is nocht sall nocht nor suld nocht be comprehendit
vnder the said infestment maid to me of the said hail erldome and landis
thair of . . . In wites heirof I haif subscriyvit thir presentis with my
hand at Dunkeld the xxvij day of Junij the yeir of God j^m v^o lxx yeiris
Befoir thir witness nobill and mychtie lordis Henric erle of Ross lord of
Ardmannocht Johnne erle off Athoill Johnne lord Flemyng with vtheris
diuers

JOHNE LORD ERSKYNE.

Sasina comitatus de Mar et baronie de Kellie. ¹—(A.D. 1573.)

Vicecomes de Abirdene necnon Magister David M^gill aduocatus Joannes
Craigingelt de eodem Cristopherus Murray et Duncanus Narne vice-
comites de Abirdene in hac parte per commissionem specialiter constitui
respondebunt pro vj^o lxxj libris xij solidis iij denariis de firmis totius et
integri comitatus de Mar continentis terras subscriptas videlicet Strath-
done Bramar Cromar et Strathdee cum omnibus et singulis aliis terris
earundem pertinentibus ex antiquo Acetiam omnium et singularum
terrarum domini et regalitatis de Garreache cum omnibus et singulis
castris turribus fortaliciis maneriebus siluis molendinis piscationibus parti-
bus pendiculis feudifirmis cum annexis connexis tenentibus tenandriis
liberetenentium seruitiis aduocatione donacione et iure patronagii ecclesi-
arum beneficiorum et pertinenciis quibuscunque dicti comitatus domini et
regalitatis respectiue . . . Existentibus in manibus Regis termini Sancti
Martini vltimo preteriti ratione warde Regi debitis per sasinam datam
Joanni comiti de Mar domino Erskin etc. virtute literarum dispensationis
Domini Regis desuper concessarum dispensando cum sua minori etate de
eisdem Apud Edinburght decimo septimo die mensis Martii anno etc.
septuagesimo secundo et regni Regis sexto .

Vicecomes de Abirdene necnon persone prescripte vicecomites de Abir-
dene in hac parte respondebunt pro xxx libris de firmis . . . terrarum et

¹ [Abridged from the Liber Responsionum in Scaccario. MS. General Register House, Edin.]

baronie de Kellie cum molendinis multuris pendiculis tenentibus tenandriis libere tenencium seruiciis earundem et suis pertinenciis jacentium infra dictum vicecomitatum de Abirdene Existentibus in manibus Regis termini Sancti Martini vltimo preteriti racione warde Regi debitis per sasinam datam Joanni comiti de Mar domino Erskin virtute literarum dispensationis Domini Regis desuper concessarum cum eo circa suam minorem etatem de eisdem Apud Edinburgh xvij Marcij anno regni Regis predicto

Sasina ville et burgi in baronia de Kildrummy.¹ —(A.D. 1577.)

Viccomes de Abirdene respondebit pro lxvij libris xvj solidis viij denariis de feudifirmis totius et integre ville et burgi in baronia de Kildrummy cum firmis burgalibus annuis redditibus et burgalibus earundem cum suis pertinenciis jacentium infra comitatum de Mar et balliam suam Existentibus in manibus Domini Regis et sue matris respectiue per spacium viginti nouem annorum et vnus termini vel eocirca vltime elapsorum sasina non recuperata Que feudifirme annuatim extendunt ad quadraginta sex solidos octo denarios Et pro iij libris xij solidis iij denariis per duplicationem feudifirme eiusdem Regi debitis per sasinam datam Roberto domino Elphingstone de eadem Apud Edinburgh septimo die mensis Junij anno regni Regis decimo

Lettre of tak to the Maister of Elphinstoun.² —(A.D. 1580.)

Ane lettre of tak maid to . . . Alexander Maister of Elphinstoun his airis an l assignais . . . of the teindschevis and vtheris teindis fructis proflittis emolimentis and dewiteis alsweil of personage as vicarage pertenying to the common kirkis of Kildrymme Logymar Glenbuchet and Cabroche lyand within the dyocie and schirefdome of Abirdene For . . .

¹ [From the Liber Responsionum in Scaccario. MS. General Register House, Edin.]

² [Abridged from the Registrum Secreti Sigilli, vol. xvii., fol. i. MS. General Register House, Edinburgh.]

nynetene yeiris nixt . . . following . . . the Feist of Beltane nixtoem in the yeir of God j^m v^e fourescoir ane yeiris . . . Paying thairfoir yeirlic . . . to Oure Souerane Lordis Collectour . . . the somme of sex scoir sex pundis xiiij schillingis iiij pennis . . . At Striueling Castell the xxvj day of August the yeir of God j^m v^e lxxx yeiris.

The Erle of Mar and Lord Erskyne thair declaratioune.¹ —(A.D. 1629.)

Decimo septimo Februarii 1629. Sederunt Domini Sessionis Durie vice-
praesident, Forresterseat, Reidhous, Chesteris, Inuerteil, Inuerpeffer, New-
bay, Newhall, Balmanno, Kilcreucht, Prestoungrange, Fodderous, Erskyne,
Scottistarvet, Balcomie. The quhilk day my Lord Erle of Mar . . . pro-
duced in presens of the saidis Lordis ane lettre direct vnto thame from
His Maiestie quhairof the tenour followis RIGHT TRUSTY and weilbeloved
[*etc. ut supra*, pp. 310, 311]: AND for obedience of the said letter exhib-
ited also the declaratioun following, and publicklic in presens of the haill
Lordis sitting in judgement the said Erle of Mar and Johne lord Erskyne
his sone subseryved the samyn declaratioun with thair handis Quherof
the tennour followis WE Johne erle of Mar and Johne lord Erskyn: my
sone for obedience of His Majesties letter direct to the Lordis of Sessioun
declairis that quhatsoevir sall be the event of the actiones of improbatioun
and reductionn persewit at our instance aganes the vassallis of Mar and
Gareoche it sall nawayis prejudge the Kingis Maiestie of any intres his
Maiestie may pretend quhensoevir the samyn sall appeare . . . In witnes
quhairof writtin be Maister Thomas Cunnyngame servitour to Maister
David Prymrois advocat we have subseryvit thir presentis with our handis
At Edinburgh the sevintene day of Februar 1629 Befoir thir witnessis
Schir William Scot of Elie knyecht and Maister Alexander Gibsone twa of
the ordinar Clerkis of Sessioun *Sic subscribitur* MAR ERSKYNE S W SCOT
witness M A GIBSONE witness . . . WITH the quhilk declaratioune the
Lordis haifing weil and sufficientlie advysit they fand the samyn satisfiet
the desyre of His Majesties letter . . . and orlained the samyn to be

¹ [From the Books of Sederunt of the Lords of Council and Session, vol. v. foll. 20, 21. M.S. General Register House, Edinburgh.]

inacted in thair Buikis of Sederunt . . . Lyk as . . . His Maiesties Advocat . . . approved the same declaratioune as agreable to the will and tennour of His Maiesties letter forsaid . . .

Sasina baronie de Brux et terrarum de Sonahard data Alexandro Forbes. ¹
—(A.D. 1531.)

Vicecomes de Abirdene respondebit pro viij^c libris de firmis . . . terrarum de Brux Machirhalch Newtoun Glencarwe Glenconre et Ord cum dimedietatibus terrarum de Fychlie Sonabotht et Estir Drumnavach cum pertinentiis . . . incorporatarum baronie de Brux existentibus in manibus Regis per spacium octo annorum ante tercium diem mensis Octobris vltimo elapsi ratione warde Et pro l libris de firmis earundem . . . existentibus in manibus Regis termini Sancti Martini dehinc immediate sequentis sasina non recuperata Et pro j^c libris de releuio earundem Neenon pro j^c xx libris de firmis . . . terrarum de Sonaheid cum molendino . . . existentibus in manibus Regis per dictum spacium octo annorum . . . ratione warde Et pro vij libris x solidis de firmis earundem . . . existentibus in manibus Regis termini Sancti Martini dehinc immediate sequentis sasina non recuperata Et pro xv libris de releuio earundem Regi debitis per sasina datam Alexandro Forbes de eisdem Apud Edinburgh xv^{to} Nouembris anno regni Regis decimonono.

Sasina baronie de Bruxthis data Johanni Forbes. —(A.D. 1573.)

Vicecomes de Abirdene respondebit pro xl libris de releuio . . . terrarum et baronie de Bruxthis cum turre fortalicio manerie ortis partibus pendiculis outsettis annexis connexis eiusdem videlicet dimedietate terrarum de Litill Auchry totis et integris terris de Mekill Byitbe cum tenentibus tenandriis et liberetenencium seruiciis earundem . . . Et pro

¹[Abridged from the Liber Responsonum in Scaccario. MS. General Register House, Edinburgh.]

xiiij libris vj solidis viij denariis de releuio . . . terrarum de Gellan cum molendino eiusdem . . . Regi debitis per sasinam datam Joanni Forbes de eisdem Apud Edinburgh tertio Nouembris anno regni Regis septimo.

Sasina baronie de Brux data Joanni Forbes.¹ —(A.D. 1599.)

Vicecomes de Abirdene respondebit pro j^m i^e xix libris vj solidis vsualis monete . . . de firmis . . . terrarum et baronie de Brux cum turre fortalicio manerio molendinis . . . Existentibus in manibus . . . Regis per spacium nouemdecem annorum et vnus termini aut eacirca vltimo elapsorum sasina non recuperata Que firme extendunt annuatim ad lvii libras viij solidos . . . Et pro ij libris stirlingorum per duplicationem albefirme earundem Acetiam pro ij^e lxxxvij libris xvj solidis de firmis dimedietatis terrarum de Wdochis et integrarum terrarum de Mekill Byithe dimedietatis terrarum de Littill Auchrye . . . Existentibus in manibus . . . Regis per spatium nouemdecem annorum et vnus termini aut eocirca vltimo elapsorum ratione warde et sasina non recuperata respectiue videlicet per spatium octodecem annorum et vnus termini sasina non recuperata Et pro xiiij libris viij solidis de releuio earundem Regi debitis per sasinam datam Joanni Forbes de Brux de eisdem Apud Edinburgh quarto die mensis Maii anno Domini 1599.

¹[Abridged from the Liber Responionum in Seaccario. MS. General Register House, Edinburgh.]

PARISH OF CUSHNY.—(PAGE 318.)

Carta confirmationis Thome comitis de Marre pro Jacobo de Monte Alto super terra de Estirfowlys. ¹—(A.D. 1356.)

Omnibus hoc scriptum visuris vel audituris Thomas comes de Marre salutem in Domino Noueritis nos inspexisse . . . quondam cartam bone inemorie quondam Domini Willelmi de Monte Alto militis nobis presentatam per dilectum et filelem nostrum Jacobum de Monte Alto . . . tenorem qui sequitur continentem . . . OMNIBUS hanc cartam visuris vel audituris Willelmus de Montealto miles dominus de Feryn eternam in Domino salutem Noverit universitas vestra me dedisse . . . dilecto et fideli fratri meo Domino Bernardo de Monte Alto militi pro servicio suo mihi impenso totam terram meam de Estirfowlys in comitatu de Marre infra vicecomitatum de Abirdein Tenendam et habendam sine aliquo retinemento . . . sicut ego dictam terram de Estirfowlys cum pertinentiis de domino meo Comite de Marre teneo et possideo . Reddendo duodecem denarios argenti apud Estirfowlys quolibet anno ad festum Sancti Martini in yeme si petantur tantum . . . Salvo forinseco servicio domini nostri Regis quantum ad dictam terram de jure pertinet Et excepto quod dictus Dominus Bernardus et heredes sui facient communem sectam curie domini mei Comitis de Marre pro dicta terra de Estirfowlys . In cujus rei testimonium presenti carte mee sigillum meum est appensum Testibus Dominis Reginaldo le Chene Andrea de Garwyauch Ricardo de Balvery Thoma de Rettree Willelmo de Laudonia Willelmo de Rothnach militibus et multis aliis . QUAMQUIDEM cartam . . . ratificamus . . . In cujus rei testimonium presenti scripto nostro sigillum nostrum fecimus apponi apud Abirdene ultimo die mensis Julii anno Domini millesimo tricentesimo quinquagesimo sexto Testibus Thoma Senesealli comiti de Angus Willelmo de Keth marescallo Scocie Magistro Gilberto Arnstrang Domino Johanne de Marre canonicis ecclesie Abirdonensis Domino Laurencio Gylibrand milite Andrea de Garwyauch et multis aliis.

¹ [Abridged from a transcript in the library at Aldbar.]

Litera Johannis de Moucht pro resignacione terrarum de Estir Fowlis Mouchthe in manibus Domine Ysabelle domine de Mar et del Garwyach. ¹—(A.D. 1404)

Pateat universis per presentes me Johannem de Moucht dominum de Fowlis fecisse . . . dilectos meos et speciales Dominum Andream de Lesly Bernardum de Mortimer Johannem de Abircrumby et eorum quemlibet . . . proenratores meos . . . ad resignandum . . . omnes terras meas de Estir Fowlis Mouchthe cum pertinentiis jacentes infra dominium de la Mar in manibus magnifice domine mee Domine Ysabelle domine de Mar et del Garwyach . . . Ratum et gratum habentem quicquid predicti Andreas Bernardus et Johannes vel eorum aliquis duxerit vel duxerint In cujus rei testimonium sigillum meum presentibus est appensum apud Lesley iij die mensis Septembris anno Domini millesimo quadringentesimo quarto.

Sasina terrarum de Fowlis Mowat Balchemy Knokreauch Balnakelly etc. data Johanni Lumisden. ²—(A.D. 1563.)

Vicecomes de Abirdene respondebit pro lxxxj libris de firmis terrarum de Fowlis Mowat Balchemy Knokreauch cum molendinis etc tenentibus tenandriis et libere tenentium serviciis earundem jacentium in baronia de Cusny infra balliam suam Existentibus in manibus Regine per spacium tredecim annorum vltimo preteritorum racione warde et vnus termini sasina non recuperata Et pro vj libris de releuo earundem Regine debitis per sasinam datam Johanni Lumisden de eisdem Apud Edinburgh nono Augusti anno regni Regine vicesimo primo.

Idem vicecomes respondebit pro xl solidis de firmis terrarum de Balna-

[Abridged from a transcript in the library at Aldbar.

On the first day of January, 1401-2, John Mowat, the son and heir of William Mowat, lord of Foulesmouat, deceased, granted the lands of Fowles Mowat, in the earldom of Mar, to Sir George Lesley of Fithkill.—(MS. Notes of Leslie charters.)

² [From the Liber Responsonium in Seaccario. MS. General Register House, Edinburgh.]

kelly etc. jacentium in baronia de Cusny et infra balliam suam Existentibus in manibus Regine termini Penthecostes vltimo elapsi sasina non recuperata Et pro iij libris de releuo earundem Regine debitis per sasinam datam prenominato Johanni Lumisdem de eisdem Apud Edinburgh die mense et anno immediate predictis.

Sasina terrarum de Halheid et Corquhinderland data Roberto Gordoun. ¹
 --(A.D. 1554.)

Vicecomes de Abirdene respondebit pro iij^c xxxvj libris de firmis terrarum de Halheid et Corquhinderland jacentium in baronia de Cusny . . . Existentibus in manibus Regine et predecessoris sui per spacium viginti octo annorum vltimo elapsorum partim racione warde et partim racione nonintroitus videlicet per spacium duorum primorum annorum racione warde et per spacium aliorum viginti sex annorum antedictorum sasina non recuperata Et pro xij libris de releuo earundem Regine debitis per sasinam datam Roberto Gordoun de eisdem Apud Edinburgh decimo sexto Junii anno j^m v^c liiij et regni Regine duodecimo.

Sasina terrarum de Halheid et Corquhinderland data Roberto Gordoun. ¹
 --(A.D. 1557.)

Vicecomes de Abirdene respondebit pro iij^c lxxvj libris de firmis terrarum de Halheid et Corquhinderland jacentium in baronia de Cusny infra balliam suam Existentibus in manibus Regine et quondam sui patris . . . per spacium triginta annorum et vnus termini vltimo preteritorum partim racione warde et partim racione nonintroitus . . . videlicet per duos primos annos . . . racione warle et per reliquos huiusmodi annos sequentes vsque ad conflictum de Pinkinleuch videlicet ad decimum diem mensis Septembris anno Domini j^m v^c quadragesimoseptimo racione nonintroitus et per nouemdecim dies extunc inde proxime et immediate sequentes

¹ [From the Liber Responsonum in Scaccario, MS. General Register House, Edinburgh.]

racione warde Et per reliquos inde annos et dies hucusque sasina non recuperata Et pro xij libris de releuio earundem Regine debitis per sasina datam Roberto Gordoun de eisdem Apud Edinburgh decimo Februarii anno regni Regine decimo quinto .

PARISH OF LEOCHELL.—(PAGE 347.)

Sasina de Enyngteir.¹—(A.D. 1575.)

Viccomes de Abirdene respondebit pro iiij libris de firmis terrarum de Enyngteir cum molendino earundem et pertinentiis jacentium infra balliam suam Existentibus in manibus Domini Regis termini Penthecostes vltimo elapsi sasina non recuperata Et pro viij libris de releuiu earundem Regi debitis per sasinam datam Joanni Mortimer de eisdem Apud Edinburgh vicesimo quarto Maij anno regni Regis octauo .

Sasina baronie de Oneill data Patricio Forbes.¹—(A.D. 1554.)

Viccomes de Abirdene respondebit pro xij libris monete vnacum duabus lie martis precium cuiuslibet earundem quindecim solidi de firmis terrarum de Oneill Corss Kincragy Muretoan cum molendino et brasina earundem annexatarum etc. in vnam baroniam nuncupatam Baroniam de Oneill . . . Existentibus in manibus Regine per spacium vnus anni vltimo preteriti sasina non recuperata Et pro xxiiij libris monete cum quatuor lie martis precii antedieti per duplicationem feodifirme earundem Regine debitis Aceciam soluendo Episcopo Aberdonensi et suis successoribus summam viginti sex solidorum et octo denariorum dicte monete pro secundis decimis earundem per sasinam datam Patricio Forbes de eisdem Apud Edinburgh decimo sexto Junii anno j^m v^{co} liiij Et regni Regine duodecimo .

Preceptum carte confirmacionis pro Elizabeth Strathauchin super villa et terris de Kyncragy.²—(A.D. 1562.)

Preceptum carte confirmacionis super carta et donacione in eadem con-

¹ [From the Liber Responsonium in Scaccario. MS. General Register House, Edinburgh.]

² [Abridged from the Registrum Secreti Sigilli, fol. xxxi., vol. 112. MS. Gen. Reg. House, Edin.]

tenta facta per Patricium Forbes de Cors Elizabeth Strathauchin filie Johannis Strathauchin de Thorntoun in vitali relditu pro omnibus sue vite diebus tantum de . . . villa et terris de Kyncragy cum pertinentiis jacentibus in baronia de Oneill et infra vicecomitatum de Abirdene Tenendis de nobis et successoribus nostris regni Scotie Regibus et Reginis . . . Apud Abirdene sexto die mensis Nonembris anno etc. lxij^o.

Per signetum etc.

Sasina baronie de Oneill data Willelmo Forbes.¹ —(A.D. 1568.)

Viccomes de Abirdene respondebit pro vj libris vna marta vel xv solidis pro pretio eiusdem de firmis terrarum de Oneill Corss Kincragy Mvrtoun cum molendino et brasina eiusdem etc. vnitarum . . . in integram et liberam baroniam nuncupatam Baroniam de Oneill . . . existentibus in manibus Regis termini Sancti Martini vltime preteriti sasina non recuperata Et pro xxiiij libris quatuor martis vel xv solidis pro qualibet marta per duplicationem feodifirme earundem Regi debitis per sasinam datam Willelmo Forbes de eisdem Apud Edinburgh decimo sexto Februarii anno regni Regis primo .

Sasina baronie de Oneill data Patricio Forbes.¹ —(A.D. 1598.)

Viccomes de Abirdene respondebit pro xxiiij libris vsualis monete . . . vnacum quatuor martis vel quindecim solidis pro qualibet marta per duplicationem feodifirme . . . terrarum de Oneill Corss Kincragie Mure-toun cum molendino et brasina eiusdem . . . incorporatarum in . . . Baroniam de Oneill . . . Regi debitis per sasinam datam Patricio Forbes nunc de Cors de eisdem Reseruando tamen Elspethe Straithauchin relicte quondam Willelmi Forbes de Cors patris dicti Patricii . . .

¹ [Abridged from the Liber Responsiouum in Scaccario. MS. General Register House, Edinburgh.]

vitaletm redditum dietarum terrarum maneriei de Corss et terrarum de Kineraigie pro toto tempore vite sue Apud Edinburgh vicesimo tertio die mensis Octobris anno Domini 1598 .

Band and obligatioun be Jhone Strathanehin of Lenturk.¹—(18. June 1555.)

In presens of the Lordis of Counsale comperit Jhone Strathanehin of Lenturk and gaif in this band and obligatioun vnderwrittin subseriuit be the Quenis Grace Marie Dowrear and Regent of this realm and be him self and desyrit the samin to be . . . registrat in the Buikis of Counsale . . . Off the quhilk the tenour followis FORASMUKLE as it is cleirlic . . . knawin to the Quenis Grace and Lordis of Secrete Counsale that Johnne Strauchin of Lanturk being inditit in the last Justice Air of Abirdene baldin in the samin in the moneth of Julii in the yeir of God j^m v^e lij yeris for mony and diuers grite crymes and offensis quhairthrow the said Johnne than wes fugitiue and no wyss wald enter to vnderly the lawis bot of his awin consent oblesit him betuix that ilk tyme and the feist of Sanct Michaell nixt thairefter to remoif him self furth of this realme and to remane furth of the samin in all tyme cuming vnder the paine of ane thousand pundis the quhilkis ordinance and oblesing he as yit contempnandlie dissobeyit Quhairthrow the Lordis of Secrete Counsale . . . directitt thair lettres contrar him to furthfill the samin . . . And als the said Johnne sen syne hes perseuerit in his evill deidis and mynd contrar William lord Forbes and his freindis . . . and in speciall contrar Maister Duncane Forbes and Johnne Forbes his bruder . . . accusand thame for airt and pairt and participant of stryking of fals conye . . . and . . . hes vtterlie fallit to preive and verefy the samin and suay put the said Maister Duncane and Johnne to greit labouris and expenss and oppin sclander for the quhilkis caus he aucht to be puneist with all regoure . . . Nochttheles the Quenis Grace and Consall for certaine motevis mouand thame and als of the said Johnnis awin supplicatioun

¹[Abridged from the Register of Deeds, vol. i., foll. 151, 152. MS. General Register House, Edinburgh.]

. . . decernis him to . . . depart of this realme within xl dayis wynd wedder and schippis seruand and for to remane frathinfurtht perpetually out of the samin and nocht to enter nor returne againe without speciall license and consent of the Quenis Grace . . . And geif I the said Johne . . . kepis the poincttis of the premissis the Quenis Grace dischargeis me of the actioun and cryme anent the tresonable burning of the Place of Kyldrimmy and all vtheris offences bigane And in vereficatioune of the quhilk I haue subscriuit thir presentis with my hand At Elinburgh the xiiij day of Junii the yeir of God j^m v^o lv yeiris *Sic subscribitur*

MARIE R

JOHNNE STRAUCHIN of Laneturk with my hand

PARISHES OF FORBES AND KEIRN.—(PAGE 371.)

Carta Regis Roberti concessa Cristino de Forbes militi. ¹ —(A.D. 1325.)

Robertus Dei gracia Rex Scottorum · omnibus probis hominibus tocius terre sue salutem · Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse Cristino de Forbes militi dilecto nostro · pro homagio et servitio suo · terciam partem davate de Ardach et terciam partem davate de Skeeth cum pertinentibus in baronia de Deskeforde · Tenendas et habendas eidem Cristino et heredibus suis de nobis et heredibus nostris in feodo et hereditate . . . Faciendo inde . . . Scoticanum servicium inde debitum et consuetum · In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi · Testibus Bernardo abbate de Abirbroth cancellario nostro · Thoma Rannulphi comite Moravie domino Vallis Annandie et Mannie nepote nostro · Hugone comite de Ross · Waltero senescallo Scoeie · Jacobo domino de Duglas et Alexandro Fraser camerario nostro Scoeie militibus · Apud Seonam vicesimo septimo die mensis Martij anno regni nostri vicesimo.

Lord Forbes *contra* Erle Huntlie. ² —(A.D. 1573.)

XXVII Junii anno Domini etc. lxxij · Scederunt Domini Sessionis Orchadensis Dunfermling Boyd Provand Decanus Moraviensis Magister Robertus Pont Clerici Registri Justiciarie Lundy Magister Thomas M^calyeane

Auent our Souerane Lordis lettres purchest at the instãnce of Wiliame lord Forbes and Johnne maister of Forbes for thame selffis thair kyn freindis and dependaris aganis George erle of Huntlie lord Gordoune and

¹ [Abridged from the original in the charter room at Castle Forbes.]

² [Abridged from the Register of Acts and Decrets of the Lords of Council and Session, vol. li., foll. 210, 211, 212. MS. General Register House, Edinburgh.]

Badyenach etc. schiref principall of the schireflome of Abirlene and Maister George Bisset his deput and all vtheris his schiref deputis of the samin Makand mentioune That quhair it is notourlic [kn-twin] to the Lordis of Connsale and to the hail realme how that during the tyme of thir lait trublis ye immediatlic efter the first abstinence quhen all our Souerane Lordis liegis efter the said trouble wes put in esperance and quietnes ane grit nummer of the said complenaris kynnismen frein lis and tennentis wer erewellie slane thair houssis and bigingis rewinnit and cassin down thair wodis and forestis cuttit and distroyit thair guleis plenising outsyecht and insyecht reft and spulyeit be the said George erle of Huntly lord Gordoune etc. Adame Gordoune of Auchindoun his brother germane and vtheris assemblit with thame in greit nummer of thair causing command assistance and rathibitioun And howbeit thay haif reconcilit thame selfis to our said Souerane Lordis auctorite be thair outward obedience yit the harmis and iniurie quhilkis the saidis complenaris hes sustenit in thair personis and guleis ar nocht redressit and quhill the samyn dependis the saidis complenaris can nocht haunt nor resort amangis the saidis personis bot vpoun thair awin gaird and man awaitt vpoun sie as James erle of Mortoun lord Dalkeith etc. regent to our Souerane Lord his realme and legis and with aduiss of Parliament hes appoyntit to tak tryell in all the sailis complenaris caussis Nochttheles the said George erle of Huntly as schiref principale of the schireflome of Abirlene To quhilkis iurisdictioun the maist part of the saidis complenaris are subieet be ressonne of thair inhabitationis daylie and continewallie arreistis callis and persewis the saidis complenaris thair kyn freindis tennentis and seruandis befor him and his deputis howbeit thay can nocht of ressonne and equitie for the caussis foirsaidis be iugeis to thame . . . in ony caus criminale or ciuile . . . The said Williame lord Forbes and Johnne maister of Forbes . . . being personally present and the said Erle Huntly and his saidis deputis compeirand be Mr. David Borthuik thair procuratour . . . The Lordis of Connsale hes exemit and exemis the said Williame Lord Forbes Johnne Maister Forbes thair kynnismen freindis tennentis seruandis and dependaris following That is to say Williame Forbes of Fetter[bu]s Catherine Barclay relict of vmqhill Arthur Forbes of Balfour Johnne Forbes of Brux Alexander Forbes of Eneuernatie Williame Forbes of Sawok Duncan

Forbes of Boith Johnne Forbes of Tolleis Duncane Forbes of Finnicloist James Forbes of Cowlic Williame Forbes of Ardgeith Duncan Forbes of Ledmakay James Forbes of Balquharnie Johnne Forbes of New Patrick Forbes of Pitalloquhy Alexsander Forbes of Carnycullie Williame Forbes of Cors Patrik Forbes Coultis Alexsander Forbes of Auchintoull Williame Forbes of the Barnis Johnne Forbes of Abersnethok Johnne Forbes of Boyulie Williame Forbes of the Hill Bray James Forbes of Corsinday Maister Duncane Forbes of Monymwsk George Forbes of Kynmvkis Johnne Forbes of Abircatie Johnne Forbes of Finouch Thomas Forbes of Elrok Williame Forbes in Tolly Williame Forbes in Sthainstoun Gilbert Forbes in Kynneller Arthur Forbes thair Maister Alexsander Forbes in Fargaisen Robert Forbes in Echt Johnne Forbes fear of Echt Johnne Forbes of Sounahony Johnne Forbes in Bennaecraig Williame Forbes in Ailhous Wall James Forbes of Craigtoun Johnne Forbes of Ardmurdo Williame Forbes of Tolquhone Williame Forbes of Tullagony Williame Forbes of Cluny Alexsander Forbes of Petslego Williame Forbes of Auchanasie Alexsander Forbes burges of Abirdene Robert Forbes burges of Abirdene George Johnnestoun of that Ilk Gilbert Johnnestoun of Standandstanis Williame Johnnestoun of Caismyln Johnne Lumisden of Cusny Johnnestoun of Cremond Williame Gerraucht of Canstair Johnne Caddell of Asloune Robert Coultis of Auchterquhoull Alexsander Burnet of Cluney Maister Thomas Burnet of Tulytaichlie Maister Matho Lumisden of Tulpcarne Alexsander Reid in Colche Johnne Thomsone of Waster Disblair Mycheall Fraser of Staniewod Alexsander Bannerman of Wattertoun Johnne Dortie burges of Abirdene Johnne Blak thair Johnne Roy Grant of Carroun Alexsander Tullidaff of Renistoun Williame Strathauchin of Glenkindie Robert Stewart of Portestounne Peter Boyd of Dullidrane Alexsander Skene of [that] Ilk Robert Stewart of Werquhat Robert Dagnid of Auchinhive Maister James Skene of Wester Cors Johnne Wod of the Myln of Fintrie Maister Robert Lumisden of Clowaith Alexsander Irwin of Beltie Thomas Michell of Banabeg Patrik Lumisden of Colleistoun Alexsander Lumisden at the Brig of Done Johnne Burnet burges of Abirdene and Patrik Skene in Tullinghilt with all thair barnis housald men seruandis tennentis and inhabitaris of thair proper landis rowmeis heritageis and possessionis fra the saidschir of principale of the said schirefdome of Abirdene his deputtis

office of iurisdiction with all actiounis intentit or to be infentit aganis the foirsaidis personis criminale or ciuile . . . And . . . ordainis all actiounis to be persewit be the said Lord Forbes an l personis foirsaidis or aganis thame be quhatsumeuer persone or personis induelleris of the said schirefdome to libell and intent thair actiounis . . . befor the Lordis of Counsale . . . And this ordour to indure ay and quhill the saidis Lordis of Counsale tak farther ordour in the foirsaidis caus . . .

Ane commission grantit to certane Lordis to deeyde in ane caus betuix the Gordounis and the Forbesis.¹—(25. July 1578.)

Anent Our Souerane Lordis lettres purchest at the instance of William Lorde Forbes Johnne Maister of Forbes William Forbes of Forderbus Johnne Forbes of Fynnachie Maister Duncane Forbes of Monymusk Johnne Forbes of Abireatrie / ande remanent thair kin frein lis and dependaris and speciallie the auld kyndlie possessouris of the landis ande baronie of [Ke]ige and Monymusk aganis George Erl of Huntlie Adam Gordoun of Auchindoun Patrik Gortoun in Moynes his curatouris . . . makand mentioun That quhair the said William Lord Forbes his collegis and vtheris foirsaidis and thair predicessouris hes bene possessouris ande occupyaris of all and haill the saidis landis ande baronie be thame selffis and thair tennentis of thair only imputing and outputting at thair plesour as principall an l auld kynllie possessouris and tennentis thairof vnder the Archiebischopis of Sanctandrois to quhome the samin appertenis as ane part of thair patrimonie in all tymes bigane past memorie of man preceeding the pretendit infetment of fewferme thairof maid to vmquhile George Erl of Huntlie gudschire to George now Erl of Huntlie in maner following quhill that vmquhill Danide Cardinal Archiebishop of Sanctandrois for the tyme haueing contractit ane new familiaritie with George sumtyme Erl of Huntlie for sum grite effairis quhilkis thai had thair to be intreaitit anangis thame selffis maist vnkinllie set the saile compleneris native rowmes over thair heidis to the said George Erl of Huntlie his airis and assignayis The said Cardinall and Archiebishop

¹ [Abridged from the Acts of the Parliaments of Scotland, vol. iii., pp. 112—114.]

always liking that thairby the saidis complenaris sulde not haue bene
 removit or heichtit by thair auld dewteis payit to him and his predi-
 cessouris Bot only to haif schawin his fauour and lufe to the said vm-
 quhile Erll Quha alsua vpoun consideratioun that the saidis complenaris
 wer sa aulde kyndlie possessouris and bruikaris of the saidis landis and
 baronie vnder the saidis Archiebischopis and mony of thair freindis borne
 thairon Sua that the samin being kirklandis he culd pretend to haif na
 forder prevelege nor dewtie of thame bot as the saidis Archiebischopis gat
 of befoir conforme to the aulde and louabill consuetude anent kirklandis
 Sua in that respect the said vmquhile Erll was for worthie considera-
 ciounis movit to infest certane of the principallis of the said compleneris
 heritabill and set takis to vtheris ilk ane for thair kyndlie rowmes
 quhairby thai bruikeit and vsit the samin landis be thame selfis and thair
 tennentis in thair names continewalie sensyue but molestatioun or truble
 thair never being quest'ioun of removing intentit aganis thame or ony of
 thame befoir quhill of lait occasion and querrell borne amangis thame for
 thair constant profession ande trew abyding of the richteous cans of
 defending of Our Souerane Lordis auctoritie and royall persone in tymes
 bygane Quhen as the saidis enemeis ande declarit traitouris socht [to]
 haif bereft and inioyit the supreme place of his Grace gubernament It hes
 plesit George now Erll of Huntlie and vtheris of his surname and
 freindis in quhome his vmquhile fader transferrit his right of diuers of the
 saidis landis to mak warningis to the saidis compleneris to remove fra the
 saidis anle and kyndlie possessionis Quhairvpoun they haif persewit
 actionis aganis thame befoir the Lordis of Sessioun and intendis to haif
 thame removit thairby thinkand vnder cullour of law to put thame
 thairfra Albeit the intiencioun of the saidis George Erll of Huntlie and his
 saidis freindis and kinnismen persewaris of the saidis removingis be
 altogidder to displace the saidis compleneris of thair saidis native rowmes
 for thair trew and thankfull seruice done to our Souerane ande his
 derrest moder in tyme of hir auctoritic and namelie at sic speciall tymes
 as the Erles of Huntlie planelie rebellit as in the moneth of October or
 thairby the yeir of God j^m v^e lxiij yeiris Quhen as the said George Erll
 of Huntlie deit with displayit baner aganis our Souerane Lordis derrest
 moder And in the lait rebellious begun be George Erll of Huntlie fader
 to the said George Erll of Huntlie quha now is / aganis oure saide

Souerane Lord and his auctoritie royall for defence and mentenance quhairof ane grite nowmer of the saidis compleneris name and freindschip spendit thair lyffis in the battellis at Tullieangus and Craibistane sum of thair housiss wyffis and bairnis being thairin wer alluterlie wraikit and brout The vtheris touris castellis ande fortalices pertening to thame maist barbarouslie rewinit thair mowable guidis insight and plenessing and kattell spulzeit ande away takin thair orcheardis vodis policeis yairdis and planting cuttit and distroyit The maillis fermes and dewteis of thair landis intromettit with and disponit and that for the maist pairte in manifest contempt of our Souerane Lordis auctoritie efter the conclusioun of the abstinance takin at Leyth the last day of Julij the yeir of God j^m v^e lxxij yeiris aganis the said abstinance thair awin consent and ayth and aganis the law of all natiounis And albeit at last quhen the forces of the said Erl and rest of his adherence failyeit in sic sort as thay could not langar abide the rigour of our said Souerane Lordis auctoritie than arysing thay acceptit the conditionis of pacificatioun than concludit at Perth in the moneth of Februar the yeir of God j^m v^e lxxij yeiris and ratefeit and appreit in the Parliament haldin at Edinburght in the moneth of Aprile thairefter to the conditionis of the quhilk pacificatioun our saide Souerane Lord nor his estaittis vald never condiscende to it [bot] vpoun prouisioun that the haill iniureis ande attemptatis committit of befor . . . suld be reparit to the simpill availl And to that effect iugis and places of sitting wer appointit and tyme of the space of yeir and day lykways appointit to the persute and finissing of the proces thairanent And albeit the saidis compleneris dide exact diligence as is notourlie knawin that they behuiffit to rais compulsaturis in the saidis materis vnder the pane of horning with Our Souerane Lordis lettres to denunce thame rebellis yit the maist pairt of thame being personis of estait caussit the saidis lettres to be suspedit And sua that the saidis compleneris having consumit without proffitt the tyme appointit for thair jugement They thairefter gaif plane ansucr that efter the outtryning of the yeir and day thay had na jurisdiction And sua wes the saidis compleneris travellis and expensis loist and thair expedience of administratioun of iustice frustrat . . . And nochttheles the said Erl of Huntlie his fader and his freindis haiffand all thair sutes aganis the saidis compleneris / ressaut frie expeditioun befor the Lordis of Sessioun jugeis arbitratouris that all infeitmentis of landis

disponit to thame be ressonne of thair foirfaltouris lede aganis thame and specialle of the saidis landis of Kieze and Monymusk of lang tyme retreitit notwithstanding that the saidis compleneris thairfoir debursit grite sowmes of money and thairwith all ar left vureparit of thair saidis dampnagis luiking for na vther recompence hot be this thair lait sute to be removit fra thair saidis landis and possessiounis quhilkis ar thair native and kyndlie rowmes . . . The said Johne Maister of Forbes being personalie present and the remanent personis . . . comperand be . . . thair procuratouris And the saidis George Erll of Huntlie and the saidis Adame Gordoun of Auchinloun and Patrick Gerdoun his curatouris comperande be Maister Thomas Craige thair procuratour quha fand cautoun videlicet Alexander Gordoun of Aberyeldy and Johne Gordoun of Petlurge / that he and his curatouris sulde held ferme . . . the jugement and defence of the saide caus . . . And thairefter all thair richtis ressonis allegationis of the partie comperand harde sene and vnderstand first befor the Lordis of Artielis and thairefter be the Kingis Maiestie and thrie estaitis in Parliament and thay thairwith being ryplie aduisit The Kingis Grace and thrie Estaitis of Parliament present hes gevin . . . Robert Erll of Buchane / William Lorde Ruthven / Robert Lorde Boyd / Alexander Commendatar of Culross / Maister Thomas Makalyeane of Cliftounhall and Maister Robert Creychtoun of Eliok aduocate or ony four of thame coniunctlie in ingeis vnsuspect to sitt and deeyde in the saidis caussis ellis intentit be the saidis persewaris vnto the final ende and decision thairof quhome thai ordane to sitt for takin cognitioun thairintill within the tolbuith of Edinburgh . . . the first day of Nouember nixt-tocum . . . and to gif furth thair decrete . . . within aughtene monethis eftir the said first day of Nouember nixt-tocum videlicet befor the first day of Maij in the yeir of God j^m v^e fourseoir yeiris . . .

Act tucelching the proceedingis in the caussis betuix the Gordonis and Forbessis.¹ —(11. November 1579.)

Anent the supplicatioune gevin in be Williame Lord Forbes Maister

¹ [Abridged from the Acts of the Parliaments of Scotland, vol. iii. pp. 164, 165.

In the petition which led to this act, the Forbeses affirm that the lands of Keig and Monymusk were "gevin in Godbairne gift to the Erie of Huntly be the Cardinall."]

Duncane Forbes of Monymusk Williame Douglas of Glenbervie for thame selffis and remaneut thair colligis kyn freindis seruandis and dependaris . . . Oure Souerane Lord with auise of the thrie estaitis of this present parliament fyndis and declairis that incaiss the saidis persewaris dois sufficient diligence for persute of the said caus befor the jugcis ellis appointit . . . betuix this and the first day of Maij nixtocum That the saidis actionis sall not prescriue . . . And in the meantyme . . . dischairges the Lordis of Counsale and Sessioune to proceed . . . in ony actionis . . . perseweit aganis the saidis compleneris be thair aduersaris concerning thair kyndlie rowmes of the baronyis of Keg and Monymusk . . . quhill the saidis . . . commissionaris . . . gif thair decret . . .

Decret Arbitrale betuix the Erle of Huntlie and his freindis and the Lord Forbes and his freindis. ¹—(A.D. 1582.)

We James be the grace of God King of Scottis odman and ourman commonlie chosin be our rycht traist cousing George Erle of Huntlie Lord Gordoune and Badyenach with . . . assent of Johne Gordoune of Lochinvar and Patrick Gordoune of Auchindoun knichtis curatouris to the said Erle . . . for thame selffis and takand the burding on thame for the haill kyn freindis servandis and partakeris of the said Erle of Huntlie on the ane part And our traist cousing Williame Lord Forbes and Johne Maister of Forbes his sone and appeirand air for thame selffis and taking the burding on thame for the haill kin freindis servandis and partakeris of the said Lord Forbes on the vther pairt The said parties hawand submittit all quarrellis deidlie fedis and caussis debatable als weill criminale as ciuile that hes fallin out and happnit betuix thaim sen the first day of September the yeir of God j^m v^o lxxi yeiris to the personis vnderwritin that is to say For the pairt of the said Erle of Huntlie his name freindis and partakeris forsaidis Robert commendater of Dun-

¹ [Abridged from the Register of Deeds, vol. xx, part ii, foll. 386, 389. See also vol. xxii, foll. 49, 50.]

See in the Acts of the Parliaments of Scotland, vol. iii, pp. 230–232, an “Act anent debetabiliteis betuix the Gordons and Forbessis,” and an “Act of compromis betuix the Gordons and Forbessis,” both passed on the twenty-ninth day of November, 1581.]

fermling our Secretar Mark commendater of Newbotle and Alexander Hay Clerk of Registre And for the pairt of the said Lord and Maister Forbes thair name freyndis and partakeris aboue writtin George Erle Merschell Patrik Lord Lyndesay of the Byris and Maister James Hali-burtoun provost of Dundee And the saidis personis chosyn for bayth the saidis partiis at the leist the maist pairt of thame on ethir syl having convenit heard and considerit the saidis debatable caussis deidlie fedis and controuersies . . . And thai be thair different deereitis having reportit in presens of ws and our consale the materis and pointis quheirin the variance stude . . . We thairfoir efter consideration of the said report and different decretis . . . decernis decrettis and with avyss of sic of our consale as we haif callit on to ws . . . pronouncis that the samen Jhone Maister of Forbes and his complices being with him at the tyme of the slauchter of vmquhile George Gordoun of Geich sall within the space of fourtye dayis . . . do sick honouris suffrage and homage for the said slauchter as we sall prescrve and appoint vnto the said Erle of Huntlie as cheif to the said vmquhile Lard of Geich and to his fader brothir and successour and sic of his barnis as sall happin to be present for the tyme . . . and als . . . sall . . . pay . . . to the wyff dochter kyn and freyndis of the said vmquhile Lard of Geich and vmquhile Patrik Gordoun his servand the soun of four thousand pvn dis money of this realm within . . . yeir and day . . . to be distribut amangis tham at the sicht . . . of . . . the Erle of Huntlie quha sall procure . . . ane sufficient letter of slanis thairfoir subseriuit be him self and the wiff dochter and freyndis of the said vmquhile Lard of Geich And alsua we decerne . . . that the said Lord and Maister of Forbes thair freindis and dependeris samony as hes infestmentis and vtheris rychtis proceeding frome the Erle of Huntleis predecessouris or his fader brothir of ony part or portioun of the landis and baronyis of Keig and Monymvsk sall peaceable bruk and possess the same according to thair infestmentis and rychtis . . . And for the hail remanent of the saidis landis of Keig and Monymvsk occupiit and possessit be the saidis Lord and Maister of Forbes be thaim selfis thair freyndis men tennentis and servandis We decern . . . tham to flit and remoit thairfra with the mylnis and pertinentis thairof as being lauchfullie warnit befor the Fest of Witsunday last bipast in this instant yeir of God j^m v^o four scoir tua yeiris . . .

And to suffer the said Erle of Huntlie and his saidis fader brothir and vtheris freyndis havand rycht to enter thairto and peaceable to bruik and joiss the same as thair heretage at thair plesour in tyme cuming . . . And assolyeis the said Lord and Maister of Forbes thair freyndis men tenentis serwandis coffaris and occupiaris quhatsumener of the saidis landis mylnis and pertinentis of the samyn for the violent occupacioun tharof sen the Fest of Witsonday in the yeir of God j^m v^o threscoir sixtene yeris to the space of sex yeris bigane or thairby and of all vtheris yeiris and termes preceding the dait heirof And mairattour we decern . . . the said George Erle of Huntlie vmquhile Adam Gordoun of Auchindowne Schir Patrik Gordoun now of Auchindowne his fader brothir and all vtheris the said Erlis surname of Gordoun and vtheris kyn freyndis allies assistaris men tennentis serwandis and parttakeris with his said vmquhile fader and the said vmquhile Adam and vtheris thair freyndis the tyme of the saidis trublis and sensyne to be assolyeit . . . of all actionnis caussis slauchteris mvtilationis . . . spulyeis and vtheris offensis als weill criminale as ciuile allegit committit and done be the Gordonis and thair forsaidis aganis the saidis Forbeses and thair forsaidis als weill contentit in the claimes gevin in and producit be the said Lord and Master of Forbes William Forbes of Cors Patrik Forbes his brother Alexander Skeyn of that Ilk Elspet Forbes relict of vmquhile Alexander Ca Mell Maister Duncane Forbes of Monymusk Jhone Forbes of Litell Abireate William Forbes of Chapelhill Williame Gareauch of Kinstair Jhone Forbes of Towis Jhone Calder of Aslovn Jhone Forbes of Eicht William Forbes of Bernis Jhone Forbes of Finzeauch Alester Forbes of Straithgarnick Williame Forbes of Brunthill Alexander Forbes of Petslego and vmquhile Alexander Banerman of Wattertoun . . . as of all and syndry quhatsumenir vtheris actionis spulyeis crymes and offences criminale or ciuile quhilkis the said Lord and Master of Forbes and thair speciall freyndis and dependaris forsaidis . . . hes hed or ony wyss may haif . . . for ony deid cryme or occasioun begune preceeding the dait heirof . . . And as to the movable geir and vtheris wrangis and iniureis specifeit in the claimes gevin and persewit be the said Erle of Huntlie his kyn freyndis and partakaris contrair the said Lord and Maister of Forbes and thair freyndis We assolye the saidis Lord and Maister and thair freyndis simpliciter thairfra and decernis thame quite thairof in tyme cuming Quhilkis

honouris and suffrages being in effect performit and fulfillit We ordane the said Erle of Huntlie to accept the said Lord and Maister of Forbes and thair kyn freyndis servandis and parttakaris to leif in freindschip kyndnes and gud nychtbourheid thairefter as gif the saidis trublis deidlie feidis and controuersies had never occurit . . . In witnes of the quhilk thing we togidder with sic of our privy consale as vnder subscrivis being callit to ws for thair avis in the premissis hes subscriuit the premissis with our handis At Perth the sext day of July the yeir of God j^m v^e fourscoir tua yeiris Befeir thir witness Esme duik of Levnox erle of Dernlie lord of Torbolton Dalkeyth and Obeinye etc. James erle of Arrane lord Evane and Hamilton Jhone erle of Montros lord Grahame James lord of Doyn with vthers diuers

JAMES REX
ARRANE
MONTROS

JAMES LORD OF DOYN
GOWRIE

Sasina baroniarum de Forbes Awfurde Fuddes etc. ¹—(A.D. 1593.)

Viccomes de Abirdene neeon Alexander Irwing junior de Drum et Magister Patricius Chene . . . viccomites in hac parte . . . respondebunt pro j^o lx libris de relicuo . . . terrarum et baronie de Fuddes in se continentis villas et terras de Fuddes Moir Fuddes Beg Cultir Cullan Auchnacant cum molendino et brueriocrofta earundem terras de Pettinuk et Blairschilie vnacum aduocacione donatione et jure patronatus capelle Sancte Marie et suis pertinentiis Et . . . vnus annui redditus quinque librarum vsualis monete . . . de terris de Archedlie . . . Neeon . . . terrarum de Larie et crofte earundem vocate Coriauchtan terrarum de Strathgarnik et Kirkton cum molendinis . . . jacentium in baronia de Obyn . . . incorporatarum in vnam baroniam Baroniam de Fuddes nuncupatam . . . Acetiam . . . terrarum et baroniarum de Forbes et Awfurde Carndard Kearne cum fortalicio eiusdem jam nuncupato Dryminour Et . . . terrarum et baronie de Fintrey Mекle Fintrey Blaktoun

¹[Abridged from the Liber Responionum in Seaccario. MS. General Register House, Edinburgh.]

Balcors Littertie Carnehill Tillymald Allathin Acetiam vnus annui redditus decem solidorum vsualis monete . . . de terris de Elene . . . Necnon molendini de Kynedward fortalicii de Kynedward hortorum et lie Greynis eiusdem . . . Vnacum officio Coronatoris predicti vicecomitatus de Abirdene Cum aduocacione donatione et jure patronatus prebendarie de Forbes capellanie de Arschballocht et Sancte Anne . . . Regi debitis per sasinam datam Joanni domino Forbes de eisdem Apud Edinburgh vicesimo die mensis Octobris anno regni Regis vicesimo septimo - 1593 -

PARISH OF TOWIE OR KINBETHOK.—(PAGE 426.)

Sasina dimedietatum de Fethle Sonnaboth et Ester Drummelloche data Johanni Forbes. ¹—(A.D. 1517.)

Viccomes de Abirdene respondebit pro lxxij libris vj solidis viij denariis de firmis dimedietatis terrarum de Fethle et dimedietatis terrarum de Sonnaboth et dimedietatis terrarum de Ester Drummelloche cum suis pertinenciis jacentium infra balliam suam existentibus in manibus Regis per spacium quinque annorum et vnus termini hanc datam immediate precedentium sasina non recuperata Ex eo quod Johannes Forbes asserit se non obtinuisse sasina de dimedietatibus terrarum predictarum cum pertinentiis per aliud preceptum de capella supremi domini nostri Regis prius deliberatum quamuis securitas firmarum et releui earundem intratur in Rotulis nostri Seaccarii ut in eisdem continetur Regi debitis per sasina datam dicto Johanni de eisdem apud Edinburgh vicesimo quarto die mensis Februarii anno regni Regis quarto .

Sasina de Ovirtowis Nethertowis Colquhork etc. data Alexandro Forbes. ¹
—(A.D. 1527.)

Viccomes de Abirdene respondebit pro xxj libris de releuio terrarum de Ovirtowis Nethertowis Colquhork cum molendinis et earundem pertinentiis jacentium in comitatu de Mar et infra balliam suam Regi debitis per sasina datam Alexandro Forbes de eisdem apud Edinburgh tercio die mensis Junij anno regni Regis xiiij^{to}

Viccomes de Abirdene respondebit pro x libris de firmis trium quartarum parcium cum tercia parte quarte partis omnium et singularum terrarum de Overtowis Nedir Towis Colquhorsk cum moleniis et earundem per-

¹ [From the Liber Responsonum in Seaccario MS. General Register House, Edinburgh.]

tinentiis jacentium in comitatu de Mar et infra balliam suam existentibus in manibus Regis termini Penthecostes proxime sequentis tercium diem mensis Junii anno Domini millesimo quingentesimo vicesimo septimo Ex eo quod Alexander Forbes asserit se non obtinuisse sasinam de dictis terris per aliud preceptum de capella Regia sibi prius deliberatum quamvis securitas releui earundem dicto tercio die intratur in Libro Responsonum in Scaccario remanente ut in eodem continetur Regi debitis per sasinam datam dicto Alexandro de eisdem Apud Edinburgh septimo die mensis Augusti anno regni Regis decimo quarto .

Sasina baronie de Tolleis data Joanni Forbes.¹ —(A.D. 1583.)

Vicecomes de Abirdene respondebit pro j^e xliij libris de firmis . . . terrarum et baronie de Tolleis videlicet Nethir Tolleis cum manerie de Myd Tolleis et Over Tolleis cum molendinis . . . terrarum de Culfork Cowfuird et Auldoun . . . terrarum burgalium ville de Kildrymmie neenon terrarum de Ardmurdo cum molendinis . . . et salmonum piscationibus nuncupatis *The Tott of Bulky* super aqua de Done . . . Existentibus in manibus . . . Regis per spacium trium annorum aut cocirea vltimo elapsorum ratione warde et sasina non recuperata respective videlicet per spacium vnus anni ratione warde et per spacium duorum annorum sasina non recuperata Et pro xlvij libris de releuo earundem (Resernato tamen vitali reddito omnium . . . dictarum terrarum . . . Joanni Forbes de Tolleis pro toto tempore vite sue) Regi debitis per sasinam datam Joanni Forbes de eisdem Apud Edinburgh decimo nono die mensis Februarii anno regni Regis decimo sexto . 1582 .

Sasina baronie de Tolleis data Joanni Forbes.¹ —(A.D. 1588.)

Vicecomes de Abirdene respondebit pro xlviii libris de releuo . . . terrarum et baronie de Tolleis videlicet Nethir Tolleis cum manerie de Myd

¹ [Abridged from the Liber Responsonum in Scaccario MS. General Register House, Edinburgh.]

Tolleis et Over Tolleis cum molendinis . . . terrarum de Culfork Cowfurd et Auldton . . . terrarum burgalium ville de Kildrymie necnon terrarum de Ardmurdo cum molendinis . . . et salmonum piscationibus nuncupatis *The Pott of Bulky* super aqua de Done . . . Regi debitis per sasinam datam Joanni Forbes de eisdem (Reservato tamen vitali reddito omnium . . . dictarum terrarum . . . Joanni Forbes de Tolleis patri suo pro toto tempore vite sue) Apud Edinburgh vicesimo secundo die mensis Februarii anno regni Regis vicesimo . 1587.

Sasina dimedietatis de Faithlie et Sunnabothe ac terrarum de Sunnahard data Alexandro Forbes de Tolleis.¹ —(A.D. 1613.)

Viccomes de Abirdene respondebit pro ij^c lxiiij libris vsualis monete regni Scotie de firmis . . . terrarum solaris dimedietatis ville et terrarum de Fathlie et Sunnabothie ac terrarum de Sunnahard cum molendino . . . jacentium infra dominium de Mar . . . Existentibus in manibus . . . Regis per spatium triginta trium annorum aut ecirea vltimo elapsorum sasina non recuperata Et pro viij libris monete predictae de releuio earundem . . . Regi debitis per sasinam datam Alexandro Forbes nunc de Tolleis de eisdem Apud Edinburgh primo die mensis Martii annis regni Regis quadragesimo sexto et decimo . 1613.

Sasina dimedietatis de Fechille et Synnabotht data Johanni Caldor.² — (A.D. 1538.)

Viccomes de Abirdene respondebit pro x libris de releuio dimedietatis solaris de Fechille et Synnabotht jacentium in dominio de Stradoun infra balliam suam cum earundem pendiculis et pertinentiis Regi debitis per sasinam datam Johanni Caldor de eadem Apud Edinburgh secundo Martii anno regni Regis vicesimo quinto.

¹ [Abridged from the Liber Responsonum in Scaccario. MS. General Register House, Edinburgh.]

² [From the Liber Responsonum in Scaccario. MS. General Register House, Edinburgh.]

PARISH OF GLENBUCKET.—(PAGE 449.)

Contract betuix Jhone Gordoun apperand of Carrinburrow and Alaster Thomesone alias Mwesone of the Kirktoun of Glenbuchyete. ¹ —(A.D. 1591.)

At Edinburgh the nyntene day of August the yeir of God j^m v^c fourscoir allevin yeiris it is . . . aggreit betuix the right honorable Johnne Gordoun apperand of Carrinburrow on the anc pairt and Alaster alias Alexander Thomesone alias Mwesone oy and air at the leist apperand air of vnuquhile Alexander Thomesoun alias Mwesoun of the Kirktuon of Glenbuchyete his guidschir on the vthir part . . . as efter followis That is to say the said Alexander Thomesoun alias Mwesoun . . . hes sauld . . . to the said Johnne Gordoune his airis and assignais quhatsumecuir all and hail the toune and landis callit the Kirktoun of Glenbuchyete . . . For the quhilkis caussis the said Jhone Gordone . . . oblissis him . . . to pay . . . to the said Alexander Thomesone alias Mwesone . . . the soume of twa hundreth merkis vsuall money of this realme . . .

[Abridged from the Register of Deeds, vol. xxxviii, ff. 345 MS. Gen^l Register House, Edinburgh.]

PARISH OF AUCHINDORE.—(PAGE 451.)

Sasina terrarum de Auchindour. ¹—(A.D. 1529.)

Viccomes de Abirdene respondebit pro xl libris de firmis totarum et integrarum terrarum de Auchindour cum pertinentiis jacentium in baronia de Drum infra balliam suam existentibus in manibus Regis per spacium vnus anni vltimo elapsi sasina non recuperata Et pro xl libris de releuo earundem Regi debitis per sasinam datam Alexandro Irwyn de Drum de eisdem Apud Edinburgh xxij Aprilis anno regni Regis decimo sexto.

Preceptum carte Willielmi Gordoun de Auchindoir et Clare Chene eius coniugis super terris de Johannis Leyis. ²—(A.D. 1562.)

Preceptum carte coniuncte infeodationis Willielmi Gordoun de Auchindoir et Clare Chene eius coniugis super . . . terris de Johannis Leyis extendentibus ad quadraginta solidatas terrarum antiqui extentus cum molendino earundem . . . jacentibus in dominio de Gareauch et infra vicecomitatum de Abirdene Quequidem terre . . . fuerunt prefati Willielmi perprius hereditarie Et quas idem . . . in manibus . . . Regine . . . apud Abirdene personaliter . . . resignauit . . . Tenendis . . . de . . . Regina et suis successoribus . . . Reddendo . . . iura et seruicia inde debita et consueta . . . Apud Abirdene decimonono die mensis Octobris anno Domini etc. v° lxiij°.

Per signetum.

¹[From the Liber Responsorum in Scaccario MS. General Register House, Edinburgh.]

²[Abridged from the Registrum Secreti Sigilli, vol. xxxi., fol. 57, 58. MS. General Register House, Edinburgh.]

PARISH OF CABRACH OR STRATHDOVERN.—(PAGE 460)

Lettre to James Strathauchin of Lesmordy of the gift of the eschete of Alester Mcgrasycht. ¹ (A.D. 1562.)

Ane lettre to James Strathauchin of Lesmordy his airis and assignais off the gift of the eschete of all gudis movable and vmovable cornis cattele dettis money and vtheris gudis quhatsun euir quhilkis pertenit to vmquhill Alester Mcgrasycht at the mill of Lesmordy and now pertening to oure Souerane Lady be priuilege of hir crowne and lawis of hir realme And fallin . . . in hir Hienes handis be ressonne of eschete throw being of the said vmquhill Alester borne bastard and sua deceissand without lauchfull barnis of his body gottin or lauchfull disposition maid be him of his gudis in his lyf tyme . . . At Ediuburgh the first day of August the yeir of God j^m v^c lxij yeris.

Per signaturam.

¹ [Abridged from the Registrum Secreti Sigilli, vol. xxxi, fol. 35. MS. General Register House, Edinburgh.]

PARISH OF STRATHDON OR INVER-
NOCHTIE.—(PAGE 467.)

Decreet of the Lordis of Counsale and Sessioun in the caus betuix the
Persoun of Inuernochty and the Priour of Monimvsk. ¹—(11. July
1554.)

ANent Our Souerane Lordis lettres purchest at the instance of Maister
Jhone Elphinstone persoun of Inuernochtie aganis ane venerabile fader
in God Dauid priour of Monimvsk makand mentioun That quhair at the
last justice air of Abirdene that the said Priour Maister Duncane Forbes
fermarar thairof and the said Maister Jhone submittit thame to the Lordis
Compositouris then present for the tyme anent certaine debaitis and con-
trouersiis amangis thame Quha decernit thairvpoun that the said Maister
Duncane termiorer forsaid suld refond content and pay to the said Priour
the soume of ane hundreth merkis monei of this realme in compleit pay-
ment of all the fructis bipast And for the mair sure payment to the said
Priour of the soume of xij scoir markis yeirlie to be payit to him conform
to his assedatioun maid be the said Priour to the said Maister Duncane
The saidis Lordis Compositouris ordanit the said Maister Johnne Elphin-
stoun yeirlie to mak payment to the said Priour indwring his lyftyme
notwithstanding that the said Maister Duncan had sex yeiris takis thairof
to ryn for yeirlie payment of the forsaid soume allanerlie And the said
Maister Jhone tuik securitie of the said Maister Duncan for payment of
the samin to him And becaus the said Maister Johnne wes successour to
the said Priour thair orland him that he suld caus vphald the diuine
seruice quhilk of veritie is better donne and ma novmer is put thairto nor
wes thir ten yeris hygane And als ordanit the said Maister Jhone suld
caus reporell and bete the Plaece of Monymvsk quhilk is allaterlie brint
exceptand ane part thairof als distroyit with fyre throcht negligence of
the said Priour and his seruandis the quhilk the hailf fruittis of the said

¹ [From the Register of Acts and Decrees of the Lords of Council and Session, vol. 8 fol.
531. M.S. General Register House, Edinburgh.]

Abbay indoring the space of thrie yeris will nocht do the samin And the said Maister Duncan hes the hail fruttis foirsaidis for thre yeris to rin except the payment of the said xij^{xx} markis contenit in the said Priouris assedatioune mail to him thairto and the mynd of the saidis Lordis Compositouris wes that the said Maister Johne sa some as he [enterit] vnto the fruttis and profettis of the said benefice subd caus vphald the diuync seruice and hete the said Place quhilk he is rady at all tymes to do Quhilk delinerance wes gevin be the foirsaid Lordis Compositouris be ane instrument tane in the handis of Maister Robert Lumisdane schewin befor the saidis Lordis of Counsale Becaus the said Maister Jhone hes causit mak deligence to know gif the samin be registrat vnder forme of decrete and can nocht apprehend the samin quhilk on na wyss is registrat And alwyss the said Priour hes obtenit lettres in all the four formes for non fulfilling of the samin and be that throcht generale claussis contenit in the samin videlicet to caus vphald the diuync seruice quhilk is mair sufficientlie done nor wes thir duers yeris by past And als to haue biggit and reperalit the Place thairof quhilkis the said Maister Jhone hes name of the fruttis and can nocht be biggit in the space of thre yeris beaus the samin is vterlie distroyit he hes chargit the said Maister Jhone thairto on thre dayis and fra thre dayis to thre dayis And . . . intendis to put him to the horne wranguslie . . . The said Maister Jhone Elphinstoun comperand be Maister Jhone Spens his procuratour and the said Priour comperand be Maister David Borthuik his procuratour THE LORDIS OF COUNSALE assolzeis the said Priour fra the petitioun of the said Maister Jhone and fra all the punctis and articlis contenit in the said lettres at this tyme as it is now libellit and decernis him quite thairtra in tyme to eum And thairfor ordanis the said Priour lettres to haif effect and to be put to executioun for ocht that thai haif yit sene . . .

Sasina terrarum de Glenkynlie etc. data Willelmo Strathachin.¹—
(A.D. 1565)

Viccomes de Abirdene respondebit pro xxiiij libris de releuo terrarum

¹ [From the Liber Responsonum in Scaccario, MS General Register House, Edinburgh.]

molendini et siluarum subscriptarum videlicet terrarum de Glenkyndie cum molendino eiusdem terrarum de Ardlar siluarum de Auldnakeit et Luchory etc. jacentium in dominio de Mar infra balliam suam Regi et Regine debitis per sasnam datam Willelmo Strathauchin de eisdem Apud Edinburgh vicesimo secundo Aprilis annis regnorum Regis et Regine primo et vicesimo quarto.

Laird of Glenkindie contra Laird of Haddo and vtheris. ¹ —(A.D. 1649)

Twentie Seventh of Aprile 1649 . . . Anent the citation issued fourth at the instance of Alexander Straehan of Glenkindie before the Estates of Parliament or Committee thereof makand mention That quhere in Apryle 1644 the persones vnderwrittin did conveene themselffes and there complices in ane most barbarous and violent way in contempt of the lawes of this kingdome haveing no reason but onlie because the persewer was ane Covenanter contrare to there wicked plotts against the Covenant did come to the persewers house of Achnagat and there with forehammers breake vp the vthir and inner yates and doores and then entred the house and brake vp the coffers kists and vther lockfast places and plundered the haill moveable goodes money and silver work beeing within the said house together with the meale malt and whyte oats within the girnells and horse and nolt eiferspecifeit That is to say Ane thousand pounds of silver Ane thousand merks worth of silver work Four oxen worth twentie four pounds the peice Four horse and mares worth fyftie merks the peice Ten score bolles of meale pryce of the boll eight pounds Sextein bolles of whyte oates pryce forsaid as the meale Ten bolles of malt at nyne pounds the boll Twentie eight furnished beds with all sort of cloathis pertaining thereto pryce of ilk furnished bed ane hundreth pund Tua new greene boord cloathes pryce of ilk ane fourtie pund Ten counter cloathes pryce of ilk ane tuentie merks Threttie sex cushings pryce of ilk ane four pund Ten linnen and dornick boord cloathes pryce of ilk ane eight pund Four round boord cloathes pryce of ilk ane thrie pund Ten dison of linnen and dorn ck

¹ [Abridged from the Register of the Committee of Estates, MS. General Register House, Edinburgh.]

servets pryce of ilk dison twelff pund Four dison of round servets pryce of the dison sex pund Ten drinking towells pryce of the peice twentie shillings Eight washing towells pryce of the peice thirteen shillings and eight pence Item ane black figured velvet gowne with the doublet and skirt of plane black velvet layed over with silver lace in all pairts pryce thereof eight hundreth merks Ane gowne of iboured tafetic layed over with silk lace pryce thereof thrie hundreth merks Item ane gowne of silke burred pryce ane hundreth pund Thrie floured silke waskings pryce of the peice ane hundreth merks Sex stand of cloathes sex hundreth pund Twa hewed plaides pryce of the paire sextein pund Fyve hattes pryce of each one thereof ten pund Twa hundreth elnes of cloath to be a pavilion pryce of the elne twelff shilling Four tunn quart stoupes pryce of the peice sex pund Twentie speares pryce of the peice twentie shillings Fyve dison of plaites pryce of ilk dison threttie sex pund Four dison of penter trunshers ilk dison thrie pund Sex dison of timber trunshers pryce of the dison ten shillings Sextein pottes pryce of the peice four pund Sex pannes pryce of each one overhead four pund Thrie crookes pryce of ilk one sex pund Sex paire of tongs pryce of the paire twentie shillings Twa goose pannes pryce of ilk ane four pund Four spittes pryce of ilk ane thrie pund Twa paire of axes pryce of the paire eight pund Twa yron laddles pryce of ilk one twentie shilling Twa branderis pryce of ilk ane threttie shilling Ane kitching axe thirty shilling Ten brasen chandlers pryce of ilk one four pund Twelff stone weight of goad yron at threttie sex shillings the stane Ten stone weight of quhyte candle at fyve pund the stane Ten stane weight of tauch four pund the stane Four carcasses of salt beafe at twentie pund the carcase Ane great puncheon full of salt fish pryce sextein pund Ane boil of salt pryce ten merks Sex staine weight of cheese forty shillings the stane Threttie nyne lockes quhereof eight great yron lockes at sex pund the peice of the great yron lockes and the rest at twentie shillings ilk lock Item ane brew lead thriescore pund Ten dison of capous sex pund the dison Item bee breakeing of yates doores and timber plenishing within the place burneing of dailes and timber work and plenishing demolishing of glasse windowes and iron stanchells of skaith in that sort thrie hundreth merks Fourtie cines of linnen at twelff shillings the elne Sextein shirts at fourtie shilling the shirt Tua looking glasses at sex pund the peice Item the furnishing of tua

plughes iron and timber work at twentie pund Item ane girdelel sex pund Item sextie pund worth of bookes Item ten oxen . . . pryce of the peice sex pund Qubilkis . . . were all taken away from the persouer . . . be the persones vndernamit *videlicet* Hendrie Broune in Kellie George Dewgat there John Godisman thair Muister Thomas Gordoune in Achleuchries John Gordone of Achleuchries James Eleis thare James Reith in Tarves James Couper in Schives Alexander Reid there John Fynnle there James Byres there William Ramsay in Westertoun of Achleuchries John Fynnle there George Black in Nethirbarnes John Stot in Abirdene Francis Hay in Kellie with his wife [Agnes] Cossie and his sonne James Hay George Hay in Schives John Ogilvie of Achannachie George Adamsonne in Flwires George Gelles of Achiuhoofe John Williamsonne of Hauches in Strathyla Adam Schives there George Gordone of Leitichistoun Alexander Gordone of Oxhill Alexander Gordone of Coqharroch James Gordone there Robert Stewart of Fornachtie Adam Duff at Clunybeg Alexander and John Duffes his sonnes John Scot in Old Aberleine and John Gordone of Haldø and remanent complices . . . The Committee of Estates do hereby remitt and recommend the forsaid persute to the Shereff of Aberdene and his deputtis with full power to them to proceed and minister justice and cognosce deeyde and finallie determine therentill. . . .

Sasina de duabus Inverernanis et Edinglasse data Katherine Makalloune et Mariorie M^cKalloine. ¹—(A.D. 1559.)

Vicecomes de Abirdene respondebit pro xij libris de releuio dimedietatis terrarum de duabus Inverernanis et Edinglasse cum annexis con-

¹ [From the Liber Responsonum in Seaccario. MS. General Register House, Edinburgh.]

On the eighth day of March, 1552-3, King James V. granted a charter, under the great seal, to Agnes Grant, widow of the deceased John Makallan; in Inverernane, and to Thomas Cuning her husband, of six bovates of the sunny half of the lands of Crabstoune, in the shierifdom of Aberdeen, a prised from James Gordon of Abirgeldy, for one hundred and twenty-six marks due by him as surety for William Gordoune of Nathurdale, for a hundred wethers (at five shillings each), sixty rams and barren sheep (at four shillings each), and eighty lambs (at two shillings each), reft by him and his accomplices, from the said Agnes Grant, from her lands of Caryhall, etc.—(Registrum Magni Sigilli, lib. xxv., no. 39.)

nexis etc. jaentium in comitatu de Mar infra balliam suam Regine debitis per sasinam datam Katherine Makalloine de eadem seniori sorori et vni duarum heredum quondam Johannis M^oKalloine de Inuerernanis Saluo et reseruato vitali redditu eiusdem Agneti Grant sponse quondam Johannis M^oKalloine pro toto tempore vite sue Apud Edinburgh penultimo Martii anno Domini millesimo quingentesimo quinquagesimo nono Et regni Regis et Regine annis primo et decimoseptimo.

Idem Vicecomes respondebit pro xij libris de relenio alterius dimedietatis predictarum terrarum de Inuerernanis et Edinglasse . . . Regine similiter debitis per sasinam datam Mariorie M^oKalloine alteri sorori et vni duarum heredum dicti quondam Johannis M^oKalloine de eadem Saluo . . . vitali redditu eiusdem Agneti Grant . . . Apud Edinburgh die mense et anno immediate prescriptis. . .

CORRECTIONS.

- Page 6, line 3, *for exceptas read excerptas*
Page 41, line 5, *for Faichlic read Saithlic*
Page 62, line 36, *for Sancte read Sancti*
Page 70, line 7, *for listoun read [t]istoun*
Page 117, line 27, *for 1423 read 1428*
Page 118, line 2, *for Mames read Maines*
Page 120, note, line 6, *for Achrye read Achrye*
Page 121, note, line 10, *for Alexander lord Forbes read Alexander Forbes*
Page 143, note, line 3, *for Mydhills read Mydhills*
Page 161, note, line 2, *for ni read in*
Page 199, line 10, *for militis read militis*
Page 205, line 2, *for terra read tercia*
Page 327, line 13, *for singlas read singulas*
Page 396, note, line 5, *for or read of*
Page 438, note, line 6, *for John read Jonet*
Page 441, note, line 4, *for fori seco read forinseco*
Page 450, note, line 6, *for Ediub.]] read Edinb.]*
Page 467, note, line 12, *for May read May 1361*
Page 486, note, line 33, *for Lord Forbes read lord of Forbes*
Page 563, note, line 3, *for 1540 read 1548*
Page 567, line 20, *for writing read witty*
Page 582, line 1, *for 1558 read 1528*
Page 602, line 9, *for questio read couuentio*
Page 603, line 12, *for et read ad*
Page 616, line 16, *for feurunt read fuerunt*
Page 656, note, line 5, *for mill read mill*
Page 691, note, line 5, *for toappear read to appear*
Page 691, note, line 6, *for charter read chart'r*
Page 691, note, line 27, *for Parliaments read Acts of the Parliament*
Page 694, note, line 15, *for 1171 read 1171 and 1223*
Page 729, note, line 5, *for Bonjeddart read Bonjeddart*
Page 732, line 2, *for 1402 read 1404*
Page 734, line 3, *for 1403 read 1443*
Page 762, line 36, *for saidschir ef read said schiref*
Page 775, line 10, *for Kirktuon read Kirktoon*

