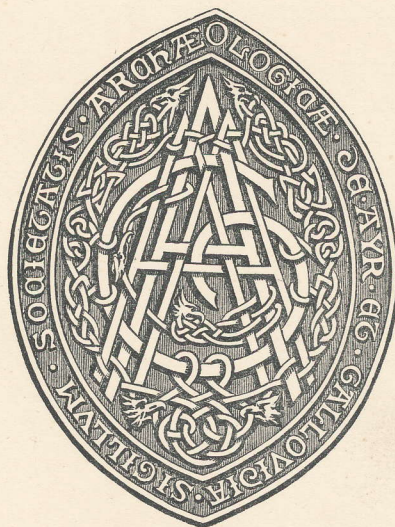


ARCHÆOLOGICAL
AND
HISTORICAL COLLECTIONS
RELATING TO
AYRSHIRE & GALLOWAY

VOL. IX.



EDINBURGH
PRINTED FOR THE AYRSHIRE AND GALLOWAY ARCHÆOLOGICAL ASSOCIATION

MDCCCXCV

1895

ARCHÆOLOGICAL
AND HISTORICAL COLLECTIONS
RELATING TO
AYRSHIRE AND GALLOWAY

PROTOCOL BOOK OF ROBERT BROUN

PROTOCOL BOOK OF ROBERT BROUN

(Continued).

CXV.—PRO THOMA GEORGE ALLANO DUNLOP ET AGNETA
CUMMYNG SPONSA DICTI ALLANI, Etc.

IN Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Januarii die tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter accessit honorabilis vir Jacobus Quhyt unius ballivorum burgi de Irwing ad solum et fundum istius magni edificii sive tenementi terre per prius quondam Archibaldo Georg urbisprefecto dicti burgi hereditarie pertinentis vocati Roxburghe jacentis infra dictum burgum de Irwing ex occidentali latere communis vie regie ejusdem inter tenementum quondam Niniani Barclay ex australi et tenementum quondam Joannis Hustoun nunc vero Joannis Hilhous et tenementum quondam Alexandri Peblis nunc vero Jacobi Patoun ex boreali et tenementum Patricii Bryding ex occidentali partibus ab una et aliis Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dictus quondam Archibaldus Georg pater Thome George latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti s. d. n. regis in toto et integro predicto illo tenemento vocato Roxburghe ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacente Et quod dictus Thomas est

legittimus et propinquior heres ejusdem dicti quondam Archibaldi sui patris de toto et integro predicto illo tenemento terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacente Et quod est legitime etatis Et quod totum et integrum predictum tenementum terre cum pertinentiis de prefato s. d. n. rege suisque successoribus tenetur in capite more burgali Propterea prefatus Jacobus Quhyt ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis ejusdem pertinentiis ut supra jacentis memorato Thome Georg tanquam filio legitimo et propinquiori heredi antedicti quondam Archibaldi Georg ejus patris per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum vim formam et tenorem antiquorum infeofamentorum dicti quondam Archibaldi sui patris que de eisdem inde habet (Salvo jure cujuslibet) Tenendi de prefato s. d. n. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Quibus peractis prefatus Thomas Georg non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera pura libera et spontanea voluntate et pro summa quinque centum et quinquaginta mercarum usualis monete hujus regni Scotie illi tempore presentium confectionis per discretas personas Allanum Dunlop alterum ballivorum dicti burgi et Agnetam Cummyng ejus sponsam in pecunia numerata plenarie et integre persoluta Necnon pro observatione et impleione unius ejus partis cujusdam contractus alienationis initi et confecti inter dictum Thomam ex una dictosque conjuges partibus ab altera penes hoc presens infeofamentum subscriptum de data presentium confecti Totum et integrum predictum ejus tenementum terre vocatum Roxburgh ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacens In manibus predicti Jacobi Quhyt ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo et interesse sibi suisve heredibus aut assignatis in et ad predictum tenementum terre seu aliquam ejusdem partem competentibus in favores ac pro hac nova sasina et infeodatione hereditarea ejusdem per dictum ballivum prefatis Allano Dunlop et Agnete Cummyng conjugibus eorumque alteri diutius

viventi in conjuncta infeodatione heredibusque inter eos legitime procreandis quibus deficientibus (quod absit) dicto Allano suisque legitimis et propinquioribus heredibus et assignatis quibuscunque in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Jacobus Quhyte ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti Thome resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integri predicti tenementi terre vocati Roxburgh ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis memoratis Allano Dunlop et Agneti Cummyng conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum vim formam et tenorem antedictae resignationis dictique contractus alienationis in omnibus (Salvo tamen et reservato prefato Thome suisque heredibus et assignatis juri redemptionis ejusdem tenementi secundum tenorem reversionum in dicto contractu alienationis particulariter contentorum) Tenendi de prefato s. d. n. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Thomas Georg necnon prefati Allanus et Agneta conjuges ac eorum quilibet pro semet ipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi in area sive clausura ejusdem horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Wallace de Marres Stephano Quhyt seniore et Stephano Quhyt juniore burgensibus dicti burgi Willielmo Campbell incola ibidem et Willielmo Greir et Willielmo Stevinsoun serjandis dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN

ABSTRACT.

FOR THOMAS GEORGE, ALLAN DUNLOP, AND AGNES CUMMYNG,
SPOUSE OF SAID ALLAN.

Notarial instrument narrating that in presence of the notary and witnesses underwritten, an honourable man, James Quhyt, one of the bailies of the burgh of Irvine, personally went to the ground of that large building or tenement of land, formerly pertaining heritably to the late Archibald George, provost of the said burgh, called Roxburgh, lying within the said burgh of Irvine on the west side of the common High Street of the same, between the tenement of the late Ninian Barclay on the south, and the tenement of the late John Houstoun, but now of John Hilhous, and the tenement of the late Alexander Peibles, but now of James Patoun, on the north, and the tenement of Patrick Bryding on the west: And there, because it clearly appeared and was known to him by authentic documents and instruments of seizin, publicly shown and read to him, that the said Archibald George, father of Thomas George, bearer of the presents, died last vest and seized as of fee at the faith and peace of our sovereign lord the king, in all and whole the aforesaid tenement called Roxburgh, with yard and pertinents; and that the said Thomas is lawful and nearest heir of the said Archibald his father, of the said tenement of land; and that he is of lawful age; and that the tenement aforesaid is held of the king and his successors in chief, in burgage manner: Therefore the said James Quhyt, bailie aforesaid, by virtue of his office, did with his own hands give and deliver state, heritable seizin, and also bodily, actual, and real possession of the aforesaid tenement of land, to the aforementioned Thomas George, as lawful son and nearest heir of the said Archibald George, by delivery to him, personally present and accepting, of earth and stone of the ground of the same, according to the force, form, and tenor of the old infeftments which his said father had thereof: Which having been done, the said Thomas George, of his own free will, and for the sum of 550 merks money of this kingdom of Scotland, fully paid to him in counted money, at the time of the making of the presents, by discreet persons, Allan Dunlop, the other bailie of the said burgh, and Agnes Cummyng his spouse; also for observation and implement of his part of a certain contract of alienation made between him and them, of the date

hereof, anent this present infeftment, did surrender, and purely and simply resign, renounce, and overgive, by staff and baton, as the custom is, all and whole, the aforesaid tenement called Roxburgh, in the hands of the said bailie, in favour of, and for this new heritable infeftment of the same to be given by him to the said Allan Dunlop and Agnes Cummyng, spouses, in conjunct fee, and the heirs lawfully to be procreated between them, which failing (as may it not be!) to the said Allan and his heirs and assignees whatsoever: Which resignation having been so made, and by the bailie admitted and received, he gave seizin accordingly to the said Allan and Agnes, who were personally present, and received the same with hands joined: Reserving, however, to the said Thomas, his heirs and assignees, the right of redemption of the said tenement, according to the tenor of the reversions particularly contained in the said contract: These things were done upon the ground of the aforesaid tenement, in the area or close thereof, about the third hour after noon of the third day of January 1618, the witnesses there present being William Wallace of Marres, Stephan Quhyt, elder, and Stephan Quhyt, younger, burgesses of said burgh, William Campbell, indweller there, William Grier and William Stevinsoun, serjeants of the same.

CXVI.—PRO MARIOTA CRAWFURD SPONSA FUTURA GABRIELIS
PORTERFEILD DE HALPLAND.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Januarii die vigesimo primo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Gabriel Porterfeild de Halpland super solum et fundum terrarum aliarumque particulariter subtus specificatarum sibi hereditarie pertinentium videlicet et primo super solum et fundum illarum suarum terrarum de Gilles Halpland Lochrihilles et terrarum templariarum vulgo lie Templelandis earundem Necnon super solum et fundum terrarum illarum dominicalium vulgo lie Maynes de Halpland et principalis edificii sui de Halpland omnes jacentes infra parochiam de Dunlop balliatum de Cunyngham et infra vicecomitatum

de Air Et ibidem dictus Gabriel pro observatione et impletione unius ejus partis cujusdam contractus matrimonialis initi et confecti inter eum ab una et Mariotam Crawford sororem germanam honorabilis viri Georgii Crawford junioris de Lefnoreis cum expressis avisamento et consensu dicti sui fratris necnon dictum Georgium pro semet ipso et onus super eum pro dicta ejus sorore acceptantem partibus ab altera de datis apud burgum de Irwing penultimo die mensis Decembris ultimo elapsi et apud locum de Corshill vigesimo primo die mensis Januarii instantis necnon intuitu matrimonii tunc inter eos contracti et breviter Deo favente solempnizaturi propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum terrarum suarum de Gilles Halplandis Lochrihillis et terrarum templariarum vulgo lie Templelandis earundem cum domibus edificiis hortis pomariis annexis connexis partibus pendiculis et singulis suis pertinentiis ut supra jacentium Necnon prefati principalis sui edificii sive domus mansionis de Halpland cum hortis eidem adjacentibus et pertinentibus necnon totius et integri unius annui redditus unius centum librarum usualis monete hujus regni Scotie annuatim levandi et percipiendi ad festum Sancti Martini in Hyeme de totis et integris predictis terris suis dominicalibus vulgo lie Maynes de Halpland prefate Mariote Crawford ejus future sponse in sua pura virginitate in vitali redditu pro omnibus ejus vite diebus per terre et lapidis fundorum dictarum terrarum de Gilles Halpland Lochrihillis et Templelandis earundem et predicti principalis edificii sive mansionis prescripti Necnon terre et lapidis fundi dictarum terrarum dominicalium vulgo lie Maynes de Halpland et unius denarii ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu deliberavit Et hoc in plenaria satisfactione et contentatione sibi dicte Mariote omnis plus vitalis redditus conjuncte infeodationis sive tercie quarumcunque aliarum terrarum hereditatum annuorum reddituum seu aliorum quarumcunque aut sibi tempore presentium pertinentium aut ullo tempore futuro durante vita dicte Mariote ejus future sponse acquirendorum secundum formam et tenorem dicti contractus matrimonialis carteque per dictum Gabrielem dicte Mariote die date presentium confecte Super quibus omnibus et singulis premissis prefata Mariota a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictarum terrarum edificii aliorumque respective prescriptorum

singulatim et successive per se horam circiter terciam post meridiem sub anno die mense regnisque regis quibus supra Presentibus ibidem Alexandro Cunyngham seniore de Corshill Hugone Cunyngham servitore domini Willielmi Cunyngham de Caprintoun militis Joanne Arnot in Maynes et Patricio Langwill in Gillis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MARION CRAWFURD, FUTURE SPOUSE OF GABRIEL
PORTERFIELD OF HALPLAND.

Instrument narrating that there personally compeared an honourable man, Gabriel Porterfield of Halpland, upon the ground of the lands and others particularly after specified, belonging to him heritably, and namely, first, upon the ground of those his lands of Gilles Halpland, Lochrihills, and Templelands of the same; also upon the ground of those dominical lands vulgarly (called) the Maynes of Halpland; and of his principal edifice of Halpland; all lying within the parish of Dunlop, bailiery of Cunyngham, and sherifffdom of Ayr; and there the said Gabriel, for observation and implement of his part of a matrimonial contract, begun and perfected between him on the one part, and Marion Crawford, sister german of an honourable man, George Crawford, younger, of Lefnorieis, with express advice and consent of her said brother; also the said George for himself, and taking burden upon him for his said sister, on the other part, of the dates at the burgh of Irvine the 30th day of December last, and at the place of Corshill the 21st day of January instant; also for the purpose of marriage then contracted between them, and, God favouring them, to be shortly solemnized, did, with his own hands, give and deliver state and seizin of liferent, and likewise bodily possession, actual and real, of all and whole the aforesaid lands, and of the aforesaid principal edifice or mansion house of Halpland, with the yards adjacent and belonging thereto, and of an annual rent of one hundred pounds usual money of this kingdom of Scotland, to be uplifted yearly at Martinmas from the aforesaid dominical lands or Maynes of Halpland, to the aforesaid Marion Crawford, his future spouse, in her pure virginity, in liferent, by delivery of earth and stone of the grounds of the said lands of Gilles Halpland, Lochrihills, and Templelands of the same, and of the aforesaid principal mansion house; also of earth and stone of the ground of the said

dominical lands or Maynes of Halpland, and of one penny, as the custom is; and that in full satisfaction and contentation to her, the said Marion, of all further liferent, conjunct fee, or terce of whatsoever other lands, heritages, annual rents, or others pertaining to him at the time of these presents, or to be acquired at any time future during the life of the said Marion his future spouse, according to the form and tenor of the said contract matrimonial: Upon which all and sundry the premises, the aforesaid Marion craved public instruments one or more from the notary public: These things were done upon the grounds aforesaid, respectively and successively, about the third hour after noon of the 21st day of January 1618, the witnesses there present being, Alexander Cunyngham, elder, of Corshill, Hugh Cunyngham, servitor of Sir William Cunyngham of Caprintoun, Knight, John Arnot in Maynes, and Patrick Langwill in Gilles.

CXVII.—PRO JEANNA CUNYNGHAME DOMINA HUNTARSTOUN.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Januarii die ultimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et

[The rest is wanting.]

ABSTRACT.

Instrument in favour of Jean Cunynghame, Lady Hunterstoun, dated 31st January 1618.

CXVIII.—PRO HELENA BURNES.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Marcii die decimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Jacobus Quhyt unus ballivorum burgi

de Irwing super solum et fundum istius dimedietatis partis prati et terrarum vocati Ruidmeidow extendentis ad duas acras terrarum aut eo circa cum pertinentiis jacentis infra territorium dicti burgi cujus una pars inter terras quondam Niniani Barclay ex orientali et terras Thome Boyd ex occidentali partibus et altera pars ejusdem inter terras dicti Thome Boyd ex orientali et terras perprius Jacobi Tran nunc vero heredis quondam Andree Tran ejus fratris ex occidentali partibus ab una et aliis Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publica sibi ostensa perlecta et demonstrata Necnon quia per deliberationem condigne inquisitionis de mandato dicti s. d. n. regis coram preposito et ballivis dicti burgi de Irwing debite facte compertum est quod quondam Joannes Burnes burgensis dicti burgi pater Helene Burnes latricis presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti s. d. n. regis in tota et integra predicta illa dimedietate sive dimedia parte dictarum terrarum et prati vocati Ruidmeidow extendente et jacente ut supra Et quod dicta Helena est una ex duabus filiabus legitimis et propinquioribus heredibus portionariis ejusdem dicti quondam Joannis sui patris de tota et integra predicta illa dimedietate sive dimedia parte predicti prati et terrarum cum pertinentiis et quod est legitime etatis Et quod eadem dimedietas sive dimedia pars de predictis preposito ballivis consiliariis et communitate dicti burgi in feudifirma et hereditate tenetur prout in extractu deservitionis et retornatus in premissis ac infeofamento dicti quondam Joannis sui patris ejusdem coram dicto ballivo ostensis perlectis et demonstratis latius in se proportant Propterea prefatus Jacobus Quhyt ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integre juste et equalis dimedietatis sive dimedie partis predictae dimedietatis predictarum terrarum et prati vocati Ruidmeidow cum singulis suis pertinentiis ut supra jacentis memorate Helene Burnes tanquam une ex duabus filiabus legitimis et propinquioribus heredibus portionariis ejusdem dicti quondam Joannis sui patris per terre et lapidis fundi eorundem provido viro Jacobo Gib civi civitatis Glasguensis tanquam vero certo et indubitato actornato et eo nomine dicte Helene traditionem et deliberationem ut moris est dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem infeofamentorum dicti quondam Joannis sui patris ejusdem (salvo jure cujuslibet) Tenende de prefato

preposito ballivis consulibus et communitate dicti burgi eorumque successoribus in feudifirma feodo et hereditate imperpetuum Reddendo inde annuatim feudifirme firmas divorias in antiquis infeofamentis dictarum terrarum contentas ac pro eisdem perprieus solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Jacobus Gib actornatus antedictus et eo nomine dicte Helene quo supra a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda predictae dimedietatis sive dimedie partis predictarum terrarum et prati respective singulatim et successive per se ex eo quod non simul sed discontigue jaceat horam circiter terciam post meridiem sub anno die mense regnisque regis quibus supra Presentibus ibidem Alexandro Montgomerie mercatore et Joanne Bowtoun burgensibus de Irwing Jacobo Wilsoun in Balmoir Willielmo Greir et Willielmo Stevinsoun serjiandis dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR HELEN BURNES.

Notarial instrument narrating that there compeared personally an honourable man, James Quhyt, one of the bailies of the burgh of Irvine, upon the ground of that half part of the meadow and lands called Rood meadow, extending to two acres of land or thereabouts, lying within the territory of the said burgh, of which one part lies between the lands of the late Ninian Barclay on the east, and the lands of Thomas Boyd on the west; and the other part thereof between the lands of the said Thomas Boyd on the east, and the lands formerly of James Tran, but now of the heir of the late Andrew Tran his brother, on the west: And there, because it was plainly known to him by authentic documents and instruments of seizin, publicly shown and read to him; also because by the deliverance of a worthy inquest made on the mandate of the king, before the provost and bailies of the said burgh, it was found that the late John Burnes, burgess of the said burgh, father of Helen Burnes, bearer of these presents, died last vest and seized as of fee, at the king's faith and peace, in all and whole that aforesaid half part of the said lands and meadow, called Rood meadow; and that the said Helen

is one of the two daughters and heirs-portioners of the said John her father, of all and whole that aforesaid half or half part of the meadow and lands aforesaid; and that she is of lawful age; and that the said half part is held of the aforesaid provost, bailies, councillors, and community of the said burgh, in feuferme and heritage, as the extract of service and retour in the premises, and the infestment of the said late John her father, shown and read before the said bailie, do more fully proport: Wherefore, the said James Quhyt, bailie, in virtue of his office, did with his own hands give state and heritable seizin, and also bodily, actual and real possession of the said just and equal half of the aforesaid half of the lands and meadow called the Rood meadow, to the said Helen Burnes, as one of the two daughters and nearest heirs-portioners of the said deceased John, by delivery of earth and stone of the ground of the same, to a prudent man, James Gib, citizen of Glasgow, as true, certain, and undoubted attorney, and in name of the said Helen: To be holden of the provost, bailies, councillors, and community of the said burgh, and their successors, in feuferme, fee, and heritage, for rendering yearly the feuferme duties contained in the old infestments of the said lands: These things were done on the grounds of the said half part of lands and meadow, respectively, singly, and successively, because it does not lie together but discontinuously, about the third hour after noon of the 13th day of March 1618, the witnesses present being Alexander Montgomerie, merchant, and John Bowtoun, burgesses of Irvine, James Wilsoun in Balmoir, William Greir and William Stevinsoun, serjeants.

CXIX.—PRO ELIZABETHA BURNES.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Marcii die decimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Jacobus Quhyt unus ballivorum burgi de Irwing super solum et fundum istius dimedietatis sive dimedie partis prati et terrarum vocati Ruid meidow extendentis ad duas acras terrarum aut eo circa cum pertinentiis jacentis infra territorium dicti

burgi cujus una pars inter terras quondam Niniani Barclay ex orientali et terras Thome Boyd ex occidentali partibus et altera pars ejusdem inter terras dicti Thome Boyd ex orientali et terras perprius Jacobo Tran pertinentes nunc vero heredi quondam Andree Tran ejus fratris germani ex occidentali partibus ab una et aliis Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata Necnon quia per deliberationem condigne inquisitionis de mandato brevis regii coram preposito et ballivis dicti burgi debite facte compertum fuit quod quondam Joannes Burnes burgensis dicti burgi de Irwing pater Elizabethhe Burnes latricis presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti s. d. n. regis in tota et integra predicta illa dimedietate sive dimedia parte predictarum terrarum et prati vocati Ruid meidow extendente et jacente ut supra Et quod dicta Elizabetha est una ex duabus filiabus legitimis et propinquioribus heredibus portionariis ejusdem dicti quondam Joannis sui patris de tota et integra predicta illa dimedietate sive dimedia parte predictarum terrarum et prati vocati ruid meidow cum singulis suis pertinentiis extendente et jacente ut supra Et quod est legitime etatis Et quod eadem dimedietas sive dimedia pars de predictis preposito ballivis consulibus et communitate dicti burgi de Irwing in feudifirma et hereditate tenetur Prout in extractu deservitionis et retornatus in premissis ac infeofamento dicti quondam Joannis sui patris ejusdem coram dicto ballivo ostensis perlectis et demonstratis latius in se proportionant Propterea prefatus Jacobus Quhyt ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integre juste et equalis dimedietatis predictae dimedietatis sive dimedie partis predictarum terrarum et prati vocati Ruidmedow cum singulis suis pertinentiis ut supra jacentis prefate Elizabethhe Burnes tanquam une ex duabus filiabus legitimis et propinquioribus heredibus portionariis ejusdem dicti quondam Joannis sui patris per terre et lapidis fundi ejusdem provideo viro Jacobo Gib civi civitatis Glasguensis illius conjugis tanquam vero certo et indubitato actornato et eo nomine dicte Elizabethhe sue sponse traditionem et deliberationem ut moris est dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem infeofamentorum dicti quondam Joannis sui patris ejusdem (Salvo jure cujuslibet) Tenende de prefatis preposito ballivis consulibus et communitate dicti burgi eorumque succes-

soribus in feudifirma feodo et hereditate imperpetuum Reddendo inde annuatim feudifirme firmas aliasque divorias in antiquis infeofamentis dictarum terrarum contentas ac pro eisdem perprieus solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Jacobus Gib actornatus antedictus et eo nomine dicte Elizabethhe sui conjugis quo supra a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda predictae dimedietatis sive dimedie partis predictarum terrarum de Ruidmeidow respective singulatim et successive per se ex eo quod non simul sed discontigue et in diversis partibus jaceat horam circiter terciam postmeridiem sub anno die mense regnisque regis quibus supra Presentibus ibidem Alexandro Montgomerie mercatore et Joanne Bowtoun burgensibus de Irwing Jacobo Wilsoun in Balmoir Willielmo Greir et Willielmo Stevinsoun serjiandis dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ELIZABETH BURNES.

Instrument in similar terms to the preceding, and of same date, narrating the infetment of Elizabeth Burnes, as one of the two daughters and nearest heirs-portioners of the said deceased John Burnes, in the half of the said half part of the lands and meadow called Roodmeadow, lying and bounded as before described. The date and witnesses as in No. cxviii.

CXX.—PRO ROBERTO LYN ET ISSOBELLA CUNYNGHAME
CONJUGIBUS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Aprilis die primo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo primo et decimo ——— In mei notarii publici et testium subscriptorum presentis personaliter comparuit probus vir Andreas Henerysoun textor burgensis burgi de Irwing super solum et fundum istius domus sive tenementi terre

et portiuncule waste terre eidem a tergo adjacentis super quam wastam ab antiquo condita fuerat parva domuncula vulgo lie Toofall hereditarie Georgio Thomsoun burgensi dicti burgi nunc vero incole in ——— infra regnum Hybernie pertinentis jacentis infra dictum burgum de Irwing ——— Et ibidem dictus Andreas tanquam procurator et eo nomine dicti Georgii rite et legitime constitutus ad effectum subscriptum virtute cujusdam procuratorialis litere contente in quadam dispositionis litera facta per dictum Georgium de toto et integro predicto ejus tenemento sive domo et petie waste prescripte probis personis Roberto Lyn mercatori burgensi dicti burgi et Issobelle Cunyngham ejus conjugi penes hoc presens infeofamentum subscriptum de data apud ——— infra dictum regnum Hybernie ——— die mensis ——— anno domini millesimo sexcentesimo decimo ——— Pro obediencia mandati dicte procuratorialis litere Totam et integram predictam domum et portiunculam waste terre jacentem a tergo ejusdem et super quem ab antiquo dicta domuncula vulgo lie Toofall condita fuerat cum singulis suis pertinentiis ut supra jacentem in manibus honorabilis viri Jacobi Quhyt unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo et interesse prefato Georgio suisve heredibus et assignatis in et ad eandem seu aliquam ejusdem partem competentibus In favores ac pro hac nova sasina et infeodatione hereditaria ejusdem per dictum ballivum prefatis Roberto Lyn et Issobelle Cunynghame conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Roberto suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Jacobus Quhyt ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti Andree procuratoris et resignantis antedicti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integri predicti tenementi sive domus et portiuncule waste prescripte a tergo ejusdem adjacentis cum singulis suis pertinentiis ut supra jacentis prefatis Roberto Lyn et Issobelle Cunynghame conjugibus eorumque alteri diutius viventi in conjuncta

infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicti resignationis litereque dispositionis ac predictae litere prescripte in eadem contente Tenendi de dicto s. d. n. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefati Robertus et Issobelle conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predictae domus et portiuncule waste prescripte horam circiter quartam postmeridiem sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Caulduell de Annanhill clerico balliatus de Cunynghame Jacobo et Alexandro Patounes fratribus germanis burgensibus de Irwin Joanne Symson fabro ferrario et Laurentio Lyn officario ecclesiastico dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT LYN AND ISOBELLA CUNYNGHAME, SPOUSES.

Instrument narrating that a worthy man, Andrew Henrysoun, weaver, burgess of Irvine, personally compeared upon the ground of that house or tenement of land and small piece of waste land adjacent to the same at the back; upon which waste there was of old built a small house, vulgarly called a Toofall, belonging heritably to George Thomsoun, burgess of said burgh, but now indweller in ———, within the kingdom of Ireland, lying within the said burgh of Irvine: And there the said Andrew, as procurator, and in name of the said George, lawfully constituted to the effect underwritten, by virtue of a letter of procuratory contained in a certain disposition made by the said George of the said tenement or house and piece of waste land aforesaid, to worthy persons, Robert Lyn, merchant, burgess of said burgh, and Issobella Cunynghame his spouse, anent this present infeftment, of the date at ———, within the said kingdom of Ireland, the ——— day of the month of ——— in the year

161—, for obedience of the mandate of the said procuratory, did surrender, and purely and simply, by staff and baton, as the custom is, did resign, renounce, and overgive for ever, all and whole the aforesaid house and small piece of waste land lying at the back thereof, upon which of old the said little house or toofall was built, in the hands of an honourable man, James Quhyt, one of the bailies of the said burgh of Irvine, in favour of, and for this new seizin and heritable infestment of the same to be given by the said bailie to the aforesaid Robert Lyn and Issobella Cunynghame, spouses, and the survivor of them, in conjunct fee, and the heirs lawfully procreated or to be procreated between them; which failing, to the said Robert and his heirs whatsoever: Which resignation having been so made, and admitted and received by the bailie, he gave state and seizin of the tenement or house aforesaid and of the waste land at the back thereof to the aforesaid Robert Lyn and Issobella Cunynghame, spouses, who were personally present, and received the same with their hands joined: These things were done on the ground of the said subjects, about the fourth hour after noon of the first day of April 1618, the witnesses there present being William Cauldwell of Annanhill, clerk of the bailiery of Cunynghame, James and Alexander Patoun, brothers-german, burgesses of Irvine, John Symson, blacksmith, and Lawrence Lyn, kirk-officer of the said burgh.

CXXI.—PRO NINIANO GARVEN ET JEANNA CUNYNGHAME EJUS
SPONSA, Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Maij die vigesimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Allanus Dunlop unus ballivorum burgi de Irwing super sola et funda terrarum tenementorum aliorumque particulariter subtus specificatorum quondam Hugoni Garven communi scribe burgi de Irwing perprius hereditarie pertinentium videlicet et primo super sola et funda terrarum de Ovir wardis alias vocatarum Lochwardis Dalrumples ward north fauld et South fauld et quarte partis prati vocati

the Braidmeidow jacentium infra territorium burgi de Irwing balliatum de Cunynghame et infra vicecomitatum de Air Neenon et immediate postea super solum et fundum istius tenementi terre jacentis infra dictum burgum ex occidentali latere communis vie regie ejusdem inter tenementum Willielmi Holmes ex australi et tenementum Jacobi Blair ex boreali partibus ab altera Et deinde super solum et fundum istius aggeris vulgo lie tailling rig olim quondam Roberto Barclay hereditarie pertinentis jacentis inter tenementum terre Joannis Bogs sartoris ex boreali et tenementum mei notarii publici ex australi partibus ab altera Et deinceps super solum et fundum istius aggeris olim quondam Joanni Quhytfurd hereditarie pertinentis ac adjacentis tenemento dicti quondam Joannis inter tenementum dicti Joannis Bogs ex australi et tenementum terre Joannis Speir fullonis ex boreali partibus ab altera Ac etiam super solum et fundum istius tenementi terre olim quondam Willielmo Stevinsoun notario hereditarie pertinentis jacentis infra dictum burgum in via marina ejusdem inter tenementum Thome Mure ex ——— ab una et alterum tenementum etiam dicti Thome in quo dictus quondam Hugo similiter infeodatus existit sub reversione viginti mercarum ex ——— partibus ab altera ac similiter in toto et integro predicto tenemento cum horto aggere et pertinentiis sub reversione dicto Thome Mure predictae summe jacenti inter tenementum prescriptum quod perprius fuerat dicti quondam Willielmi Stevinsoun ex ——— et alterum tenementum dicti quondam Hugonis olim quondam Hugonis Hwme ex ——— partibus ab altera Ac ultimo in toto et integro predicto tenemento ante et retro cum horto aggere et pertinentiis olim ad dictum quondam Hugonem Hwme hereditarie pertinente jacente in dicta via marina inter tenementum Roberti Kyll ex ——— et tenementum predictum Thome Mure in quo dictus quondam Hugo sub reversione summe predictae infeodatus existit ex ——— partibus ab altera Et ibidem respective quia sibi clare constabat quod quondam Hugo Garven communis scriba dicti burgi pater Niniani Garven obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti s. d. n. regis in eisdem Et quod dictus Ninianus est legitimus et propinquior heres ejusdem dicti quondam Hugonis sui patris de totis et integris predictis tenementis terris acris aliisque particulariter supra recitatis cum singulis earundem pertinentiis ut supra jacentibus Et quod est legitime etatis Et quod eodem tenentur modo subscripto videlicet dicte terre de Ovir wardis alias Lochwardis Dalrumple wardis North fauld et South fauld et quarta pars

prati prescripti de urbisprefecto ballivis et communitate dicti burgi de Irwin in feudi firma et hereditate tenentur omniaque et singula tenementa predicta cum pertinentiis et annuis redditibus de prefato s. d. n. rege suisque successoribus tenentur in libero burgagio pro servicio burgi debito et consueto tantum propterea prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem totarum et integrarum predictarum terrarum de Ovir wardis alias Lochwardis Dalruple wardis North fauld et South fauld et quarte partis prati prescripti vocate the quarter of the braid meidow Necnon omnium et singulorum predictorum sex tenementorum prescriptorum cum singulis earundem pertinentiis jacentium et bondantium respective ut premittitur prefato Niniano Garven tanquam filio legitimo et indubitato propinquiore heredi dicti quondam Hugonis Garven sui patris eorundem per terre et lapidis fundi eorundem illi respective et successive ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum tenorem antiquorum infeofamentorum dicti quondam Hugonis sui patris eorundem Salvo jure cujuslibet Tenendarum modo subscripto videlicet dicte terre de Ovir wardis alias Lochwardis Dalruple wardis North fauld South fauld et quarta pars prati prescripti de urbisprefecto ballivis et communitate dicti burgi in feudifirma feodo et hereditate imperpetuum pro annua solutione feudifirme firmarum et divoriarum in antiquis infeofamentis contentarum necnon tenenda omnia et singula predicta tenementa respective aliaque predicta cum pertinentiis de s. d. n. rege in libero burgagio pro servitio burgi debito et consueto tantum Quibus peractis prefatus Ninianus pro singulari amore gratia et favore quod erga Jeannam Cunyngham ejus conjugem habet et gerit omnes et singulas predictas terras tenementa rigas aliaque particulariter prescriptas jacentes et bondatas ut predicatur et in quibus jamdudum infeodatus existit in manibus predicti Allani Dunlop ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo et interesse illi suisque heredibus et assignatis in et ad easdem competentibus In favores ac pro hac nova sasina et infeodatione hereditaria sibimet ipsi dicteque Jeanne seu conjugii eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquiore heredibus et assignatis dicti

Niniani quibuscunque hereditarie per dictum ballivum modo subscripto danda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Allanus ballivus antedictus virtute et vigore sui officii ac ad instantem requestum dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem omnium et singularum predictarum terrarum de Ovir wardis alias Lochwardis Dalruple wardis North fauld et South fauld et quarte partis prati et omnium et singulorum predictorum tenementorum et rigarum prescriptorum prefatis Niniano et Jeanne conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi eorum illis respective personaliter presentibus et manibus junctis acceptantibus traditionem dedit et hereditarie deliberavit secundum tenorem resignationis antedictae Super quibus omnibus et singulis premissis dictus Ninianus et Jeanna conjuges petierunt instrumenta respective Acta erant hec cuncta super solum et fundum predictarum terrarum et omnium tenementorum predictorum respective horam circiter terciam postmeridiem anno die mense et regnis regis prescriptis Presentibus ibidem Joanne Blair burgensi dicti burgi Thoma Spark et Willielmo Greir viaculis et Allano Ros pellione testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR NINIAN GARVEN AND JEAN CUNYNGHAME, HIS SPOUSE.

Instrument narrating that an honourable man, Allan Dunlop, one of the bailies of the burgh of Irvine, compeared personally upon the grounds of the lands, tenements, and others, formerly pertaining heritably to the late Hugh Garven, common clerk of the said burgh, that is to say, firstly, upon the grounds of the lands of the Over wards, otherwise called the Lochwards, Dalrymple ward, North fauld and South fauld, and of the fourth part of the meadow called the Braid meadow, lying within the territory of the burgh of Irvine, bailiery of Cunynghame and sherifffdom of Ayr; also, and immediately afterwards, upon the ground of that tenement of land, lying within the said burgh, on the west side of the High Street thereof, between the tenement of William Holmes on the south and the tenement of James Blair on the north; and then upon the ground of that tailing rig, formerly belonging heritably to the late Robert Barclay, lying between the tenement

of land of John Bogs, tailor, on the north, and the tenement of me, notary public, on the south ; and again, upon the ground of that tailing rig, before pertaining heritably to John Quhytfurd, and adjacent to the tenement of the said John, between the tenement of the said John Bogs on the south and the tenement of land of John Speir, waulker, on the north ; and also upon the ground of that tenement of land, sometime belonging heritably to the late William Stevinsoun, notary, lying within the said burgh, in the Seagate of the same, between the tenement of Thomas Mure on the —, and another tenement of the said Thomas, in which the said late Hugh was likewise infeft, under reversion of 20 merks, on the — : And in like manner, in all and whole the aforesaid tenement, with yard and rig, under reversion to the said Thomas Mure of the aforesaid sum, lying between the tenement aforewritten, which was formerly of William Stevinsoun, on the —, and another tenement of the said late Hugh, formerly of the deceased Hugh Hwme, on the — : And lastly, in all and whole the aforesaid tenement, fore and back, with yard and rig, formerly pertaining to the said Hugh Hwme, heritably, lying in the said Seagate, between the tenement aforesaid of the said Thomas Mure, in which the said late Hugh was infeft, under reversion of the sum aforesaid, on the — : And there, respectively, because it was clearly evident to him that the late Hugh Garven, common clerk of the said burgh, father of Ninian Garven, died last vest and seized as of fee, at the faith and peace of the king, in the same ; and that the said Ninian is lawful and nearest heir of the said Hugh his father, of all and whole the aforesaid tenements, lands, acres, and others, particularly above recited ; and that he is of lawful age ; and that the same are held in manner underwritten, that is to say, the said lands of Over wards, otherwise Lochwards, Dalrymple wards, North fauld and South fauld, and fourth part of the meadow beforewritten, are held in feu ferme and heritage, of the provost, bailies, and community of the said burgh of Irvine ; and all and sundry the tenements aforesaid, with their pertinents and annual-rents, are held of the king in free burgage, for the service of burgh, due and wont only : Wherefore, the aforesaid Allan Dunlop, bailie, by virtue of his office, did with his own hands give state and heritable seizin, and also bodily, actual, and real possession of all and whole the aforesaid lands of Over wards, otherwise Lochwards, Dalrymple wards, North fauld and South fauld, and fourth part of the meadow called the quarter of the Braid meadow ; also, of all and sundry the aforesaid

six tenements, lying and bounded respectively as is premised, to the aforesaid Ninian Garven, as son and lawful and undoubted heir of the said late Hugh Garven, by delivery to him of earth and stone of the ground of the same, respectively and successively, according to the tenor of the old infeftments of the said Hugh his father of the same: To be holden, the said lands of Over wards and others, of the provost, bailies, and community of the said burgh, in feu ferme, fee, and heritage, for the yearly payment of the feu ferme, fermes, and duties contained in the old infeftments: And all and singular the aforesaid tenements and others respectively, to be holden of the king in free burgage, for the service of burgh, due and wont only: Which things having been done, the aforesaid Ninian, for the singular love, grace, and favour which he had and bore towards Jean Cunyngham, his spouse, did purely and simply resign all and sundry the aforesaid lands, tenements, and others abovewritten, in which he was already infeft, in the hands of the aforesaid bailie, for this new seizin to be given to himself and the said Jean his spouse, in conjunct fee, and the heirs lawfully procreated or to be procreated between them, which failing, to the nearest and lawful heirs of the said Ninian whatsoever, heritably: Whereupon the bailie gave seizin accordingly to the said Ninian and Jean his spouse, who received the symbols with their hands joined: These things were done upon the grounds of the said lands and of all the tenements aforesaid respectively, about the third hour after noon of the 23rd day of May 1618, the witnesses there present being John Blair, burgess of the said burgh, Thomas Spark and William Greir, roadmen, and Allan Ros, skinner.

CXXII.—PRO JACOBO SCOTT.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Maii die vigesimo nono regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo primo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone Joannes Peiblis de Knodgerhill et Jeanna Fullertoun conjuges super solum et fundum istius eorum quarte partis prati vocate the quarter of the braid meidow prefato Joanni

hereditarie pertinentis jacentis infra territorium dicti burgi balliatum de Cunyngham et infra vicecomitatum de Air Et ibidem dicti conjuges pro summa trium centum mercarum usualis monete hujus regni Scotie illis in pecunia numerata tempore presentium confectionis per providum virum Jacobum Scott custumarium dicti burgi persolutarum necnon pro observatione et impletione unius eorum partis cujusdam contractus alienationis initi et confecti inter dictum Joannem cum expressis avisamento et consensu dicte Jeanne Fullartoun sue sponse pro omnibus jure titulo et interesse sibi in et ad eandem seu aliquam earundem partem competentibus ratione conjuncte infeodationis vitalis redditus seu alio modo quocunque et dictam Jeannam pro semet ipsa et cum speciale avisamento dicti sui mariti illique ambo unanimi consensu et assensu ab una et prefatum Jacobum partibus ab altera penes hoc presens infeofamentum subscriptum de data presentium confecti Totam et integram predictam quartam partem prati vocatam the quarter of the Braid meidow cum singulis suis pertinentiis ut supra jacentem In manibus honorabilis viri Jacobi Quhyt unius ballivorum dicti burgi de Irwing sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est unanimi consensu et assensu resignarunt renunciarunt et extradonarunt imperpetuum unacum omnibus jure titulo interesse proprietate et possessione tam petitorio quam possessorio que seu quas dicti conjuges vel eorum alter eorumve heredes successores aut assignati in et ad eandem quartam partem prati cum singulis suis pertinentiis seu aliquam ejusdem partem habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterint omnino quieteclamarunt imperpetuum In favorem ac pro hac nova sasina et infeodatione hereditarea ejusdem per dictum ballivum prefato Jacobo Scott suisque heredibus et assignatis quibuscunque hereditarie danda et in debita et competenti forma prout congruit conficienda Salvo tamen et reservato prefato Joanni suisque heredibus et assignatis jure redemptionis ejusdem secundum tenorem reversionis in dicto alienationis contractu contenta Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Jacobus Quhyt ballivus antedictus virtute et vigore sui officii ac de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integre predictae quarte partis prati vocate the quarter of the braid meidow cum singulis suis pertinentiis ut supra jacentis prefato Jacobo Scott per terre et lapidis

fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem dicte resignationis ac contractus alienationis prescripti ac sub reversionis conditione in eodem contenta Tenende de urbisprefecto ballivis consulibus et communitate dicti burgi et eorum successoribus in feudifirma feodo et hereditate Reddendo inde annuatim feudifirme firmas et divorias propter eandem perprius solvi solitas et consuetas Insuper prefata Jeanna Fullartoun personaliter super fundum dictarum terrarum comparuit in presentia prefati ballivi extra presentiam dicti sui mariti et ibidem omnia et singula premissa sic ut premittitur facta ratificavit approbavit et se ad hujusmodi alienationem et resignationem minime coactam aut compulsam fuisse sed se eadem ex sua libera et spontanea voluntate fecisse utilitate et commodo suis undique previsis et pensatis et de non revocando in futurum sacrosanctis tactis Dei evangeliiis corporale suum prestitit juramentum Super quibus omnibus et singulis premissis prefatus Jacobus Scott a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter undecimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Hugone Scott patre dicti Jacobi Willielmo Wallace de Marres Willielmo Greir et Willielmo Stevinsoun serjiandis dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JAMES SCOTT.

Instrument narrating that there compeared personally the worthy persons, John Peibles of Knodgerhill, and Jean Fullartoun, spouses, upon the ground of that their fourth part of the meadow, called the quarter of the Braid meadow, belonging heritably to the said John, lying within the territory of the burgh of Irvine, bailiery of Cunynghame, and sheriffdom of Ayr; and there the said spouses, for the sum of 300 merks usual money of this kingdom, paid to them in counted money by a prudent man, James Scott, custumar of the said burgh, and also for observing and fulfilling of their part of a contract of alienation entered

into between the parties, did purely and simply surrender, resign, and renounce all and whole the aforesaid quarter of the Braid meadow, in the hands of an honourable man, James Quhyt, one of the bailies of the said burgh, in favour of, and for this new infeftment thereof to be given to the said James Scott, his heirs and assignees heritably: reserving to the said John and his heirs the right of redemption of the same, according to the tenor of the reversion contained in the said contract: Which resignation having been admitted and received by the bailie aforesaid, he, with his own hands, gave state and heritable seizin of the said quarter of the Braid meadow to the said James Scott, with the usual formality: Moreover, the aforesaid Jean Fullartoun personally compeared upon the ground of the said lands, in presence of the bailie, and outwith the presence of her husband, and there ratified the premises, declaring that she was in no way forced thereto, but had done the same of her own free will, and gave her bodily oath, by touching the blessed gospels of God, that she would never revoke the same in future: Done upon the ground of the said lands, about the eleventh hour before noon of the 29th day of May 1618, the witnesses present being Hugh Scott, father of the said James, William Wallace of Marres, William Grier and William Stevinsoun, serjeants.

CXXIII.—PRO PATRICIO M'LAWSOUN ET MARGARETA GEORGE
FUTURIS CONJUGIBUS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Junii die decimo quinto regnorumque annis supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit proba damicella Margareta George filia legitima quondam Thome George mercatoris burgensis burgi de Irwing super sola et funda tenementorum terre respective subscriptorum videlicet et primo super solum et fundum istius tenementi terre sibi hereditarie pertinenti jacentis infra dictum burgum ad lie Tounheid ejusdem inter tenementum quondam Roberti Tailzeour ex boreali et tenementum Georgii Fladger ex

australi partibus ab una et aliis Necnon deinde et immediate postea super solum et fundum istius tenementi terre subscripti quondam Roberto Tran burgensi dicti burgi nunc vero heredibus et successoribus dicti quondam Roberti hereditarie pertinentis jacentis infra dictum burgum ex orientali latere communis vie regie ejusdem inter tenementum Stephani Quhyt junioris ex boreali et tenementum quondam Willielmi Ros ex australi partibus ab altera Et ibidem dicta Margareta super sola et funda dictorum duorum tenementorum existens respective et successive non vi aut metu ducta nec errore lapsa fraude nec dolo aliquo circumventa sed sua mera pura libera et spontanea voluntate Necnon pro observatione et impletione unius ejus partis cujusdam contractus matrimonialis inter discretum adolescentem Patricium M^cLausoun mercatorem burgensem dicti burgi ex una et semetipsam partibus ab altera de data presentium confecti ac nomine dotis et propter nuptias Totum et integrum predictum ejus tenementum terre ante et retro cum horto aggere et singulis suis pertinentiis quibuscunque jacent ad caput urbis dicti burgi et bondatum ut premittitur Necnon totam et integram illius justam et equalem dimedietatem totius et integri unius annui redditus sexaginta et decem mercarum usualis monete hujus regni Scotie in quo dicta Margareta et Thomas George ejus frater conjunctim et equaliter debite infeodati existunt per resignationem dicti quondam Roberti Tran annuatim levandi et percipiendi ad duos anni terminos consuetas festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones de toto et integro predicto quondam Roberti tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis seu de aliqua ejusdem parte ut supra jacenti extendens illius dimedietas ejusdem ad triginta quinque mercas monete unacum omnibus jure juris titulo interesse juris-clameo proprietate et possessione tam petitorio quam possessorio que seu quas dicta Margareta suive heredes successores aut assignati in et ad predictum tenementum sibi hereditarie pertinens et in et ad predictam illius justam et equalem dimedietatem predicti annui redditus sexaginta et decem mercarum monete predictae extendentis ut supra habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterint In manibus honorabilis viri Jacobi Quhyt unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favores prefati Patricii sui futuri mariti (ac nomine dotis et propter

nuptias) ac sui ipsius eorumque heredum et assignatorum subscriptorum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreandis Quibus forte deficientibus legitimis et propinquioribus heredibus et assignatis dictorum Patricii et Margarete quibuscunque inter eos conjunctim et equaliter danda et concedenda Quibus resignationibus sic ut premittitur factis debite et legitime per dictum ballivum admissis et receptis prefatus Jacobus Quhyt ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro cum horto aggere et singulis suis pertinentiis ut supra jacentis necnon totius et integre predictae juste et equalis dimedietatis totius et integri predicti annui redditus sexaginta et decem mercarum monete Scotie extendentis ad summam triginta quinque mercarum monete annuatim levandi et percipiendi ad predictos terminos per equales portiones de toto et integro predicto altero tenemento dicti quondam Roberti Tran ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacenti et bondato memoratis Patricio M'Lawson et Margarete Georg futuris conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi dicti tenementi perprius dicte Margarete hereditarie pertinentis et terre et lapidis fundi dicti alterius tenementi et unius denarii ut moris est illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem dicte resignationis ac contractus matrimonialis eo circa confectarum Tenendorum de dicto s. d. n. rege et successoribus suis more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Patricius et Margareta futuri conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum tenementorum prescriptorum respective singulatim et successive per se horam circiter sextam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Stephano Robisoun et Willielmo Cunyngham burgensibus dicti burgi Roberto

Quhyt filio legitimo predicti Jacobo Quhyt ballivi Willielmo Greir et Willielmo Stevinsoun serjiandis dicti burgi testibus ad premissa vocatis pariterque rogatis.
R. BROUN.

ABSTRACT.

FOR PATRICK M'LAWSON AND MARGARET GEORGE, FUTURE SPOUSES.

Instrument narrating that a worthy damsel, Margaret George, lawful daughter of the late Thomas George, merchant, burgess of Irvine, compeared personally upon the grounds of the tenements of land respectively underwritten, that is to say, firstly, upon the ground of that tenement of land, pertaining heritably to her, lying within the said burgh, at the Townhead thereof, between the tenement of the late Robert Tailyeour on the north and the tenement of George Fladger on the south: And then, immediately after, upon the ground of that tenement of land, pertaining heritably to the late Robert Tran, burgess of Irvine, but now to his heirs and successors, lying within the said burgh, on the east side of the common High Street of the same, between the tenement of Stephan Quhyt, younger, on the north, and the tenement of the late William Ros on the south; and there the said Margaret, of her own free will, and also in implement of her part of a matrimonial contract of the date hereof, made between a discreet young man, Patrick M'Lawsoun, merchant, burgess of the said burgh, on the one part, and herself on the other, and in name of dowry, and on account of the marriage, did purely and simply resign all and whole her foresaid tenement of land, with yard, tailing rig, etc., lying at the head of the town; and also her just and equal half of an annual-rent of seventy merks, usual money of this kingdom of Scotland, in which the said Margaret and Thomas George, her brother, are infeft, conjunctly and equally, by resignation of the said late Robert Tran, to be uplifted yearly at the two usual terms of Whitsunday and Martinmas, by equal portions, furth of the aforesaid tenement of the said Robert, with yard, tailing rig, etc., the said half extending to thirty-five merks, money aforesaid, by staff and baton, in the hands of an honourable man, James Quhyt, one of the bailies of Irvine, in favour of, and for this new infeftment to be given by the said bailie to them and the survivor of them in conjunct fee, and the heirs to be lawfully begotten between them, which

failing, to the lawful and nearest heirs of the said Patrick and Margaret whatsoever: Which resignation having been by the said bailie admitted and received, he, by virtue of his office, and at the special request of the resigner, did, with his own hands, give seizin of the said subjects, by delivery of earth and stone of the said two tenements respectively, and of one penny, to the said Patrick and Margaret, who received the same with their hands joined: Done upon the grounds of the said tenements respectively, singly and successively, about the sixth hour after noon of the 15th day of June 1618, the witnesses being Stephan Robison and William Cunyngham, burgesses of said burgh, Robert Quhyt, son of the said bailie, William Greir and William Stevinson, serjeants.

CXXIV.—PRO JACOBO MOREIS ET ISSOBELLA SALMOUNT
CONJUGIBUS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Junii die decimo octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Quintinus Mure filius legitimus secundo genitus Willielmi Mure de Schankstoun incola infra libertatem incorporationis de Culraan in comitatu de Lundoundarrie in regno Hybernie super solum et fundum istius tenementi terre subscripti sibi hereditarie pertinentis jacentis infra burgum de Irwing in via marina ex ——— latere communis vie regie ejusdem inter tenementum quondam Alexandri Mitchell notarii nunc vero illius heredis ex ——— et tenementum ——— ex ——— partibus ab altera Et ibidem dictus Quintinus pro semetipso et tanquam habens plenam potestatem auctoritatem et commissionem illi concessam per Margaretam Hendrie ejus sponsam conjunctam infeodatariam ejusdem hereditarie et irredimabiliter dicti tenementi disponendi virtute cujusdam commissionis litere sua manu sigillate et subscripte et onus super eum pro dicta sua sponsa acceptans pro certis pecuniarum summis illi tempore presentium confectionis per probas personas Jacobum Moreis ——— burgensem burgi de Irwing et Issobellam Salmount ejus sponsam in pecunia numerata plenarie et integre persolutis Necnon pro observa-

tione et impletione unius ejus partis cujusdam dispositionis litere per eum dictis conjugibus eorumque alteri diutius viventi in conjuncta infeodatione eorumque heredibus et assignatis subscriptis de toto et integro predicto ejus tenemento terre ante et retro cum horto et singulis suis pertinentiis de data presentium confecte totum et integrum predictum ejus tenementum terre ante et retro cum horto et singulis suis pertinentiis ut supra jacentem In manibus honorabilis viri Jacobi Quhyt unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo et interesse quibuscunque sibi sueve sponse predictae eorumve heredibus et assignatis in et ad predictum tenementum competentibus In favores ac pro hac nova sasina et infeodatione hereditaria ejusdem tenementi cum pertinentiis prefatis Jacobo Moreis et Issobelle Salmount conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquieribus heredibus et assignatis dicti Jacobi quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque per dictum ballivum danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Jacobus Quhyt ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro cum horto et singulis suis pertinentiis ut supra jacentis prefatis Jacobo Moreis et Issobelle Salmount conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem dedit tradidit pariter et cum effectum hereditarie deliberavit secundum formam et tenorem antedictae resignationis ac litere dispositionis prescripte Tenendi de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Jacobus Moreis et Issobella Salmount conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter decimam

antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Roberto Broun de Burrowland Davide Tueidy seniore ephippiario Roberto Mowtray mercatore et Thoma Spark burgensibus dicti burgi et Willielmo Grier serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JAMES MOREIS AND ISABELLA SALMOUNT, SPOUSES.

Instrument narrating that a prudent man, Quintin Mure, second lawful son of William Mure of Shankstoun, dwelling within the liberty of the incorporation of Culraan, in the county of Londonderry, in the kingdom of Ireland, compeared personally upon the ground of that tenement of land belonging to him heritably, lying within the burgh of Irvine, in the Seagate, on the side of the High Street thereof, between the tenement of the late Alexander Mitchell, notary, but now of his heir, on the one side, and the tenement of ——— on the other: And there the said Quintin, for himself and as having power, authority, and commission granted to him by Margaret Hendrie his spouse, conjunct fiar of the same, to dispoise the said tenement heritably and irredeemably, and taking burden on him for his said spouse, for certain sums of money fully paid to him at the same time by worthy persons, James Moreis, burgess of Irvine, and Isabella Salmount, his spouse, did resign the said tenement purely and simply, by staff and baton, in the hands of an honourable man, James Quhyt, bailie of the said burgh, for new seizin thereof to be given by him to the said James Moreis and Isabella Salmount, and the survivor of them, in conjunct fee, and to their heirs heritably and irredeemably: Which resignation having been received by the bailie, he gave seizin accordingly of the said tenement, with yard and pertinents, by delivery of earth and stone of the ground, to the said James and Isabella, spouses, who received the same with their hands joined: Done on the ground of the said tenement, about the tenth hour before noon of the 18th day of June 1618, the witnesses being, Robert Broun of Burrowland, David Tueidy, elder, saddler, Robert Mowtray, merchant, and Thomas Spark, burgess of said burgh, and William Grier, serjeant.

CXXV.—PRO JACOBO MOREIS ET SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Junii die decimo octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit proba mulier Helena Rodger relictæ quondam Alexandri Mitchell notarii publici super sola et funda

[*The rest is wanting.*]

ABSTRACT.

FOR JAMES MOREIS AND HIS SPOUSE.

Instrument narrating that on the 18th day of June 1618, there compeared personally a worthy woman, Helen Rodger, relict of the late Alexander Mitchell, notary public, upon the ground, etc.

[*Record incomplete.*]

CXXVI.—PRO MARGARETA CUNYNGHAME

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Junii die vigesimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit proba mulier Margareta Cunynghame sponsa Adami Cunynghame unius novissimorum ballivorum burgi de Irwing super solum et fundum illius tenementi terre perprius quondam Jonete Holmes sue filie hereditarie pertinentis jacentis infra dictum burgum de Irwing ex orientali latere communis vie regie ejusdem prope crucem foralem dicti burgi inter tenementum olim quondam Davidis Cunynghame nunc vero Andree Calderwod vocati Sanct Conwellis walls ex australi et tenementum

quondam Alexandri Mitchell nunc vero heredis dicti quondam Alexandri et Joannis Gottray ex boreali partibus ab una et aliis Et ibidem dicta Margareta habens suisque in manibus tenens quoddam sasine preceptum cera inclusum e cancellaria dicti s. d. n. regis preposito et ballivis burgi de Irwing directum pro sasina hereditarea totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis dicte Margarete tanquam legitime et propinquiore heredi dicte quondam Jonete sue filie (ratione provisionis) danda Quodquidem sasine preceptum dicta Margareta honorabili viro Allano Dunlop uni ballivorum dicti burgi omni reverentia qua decuit presentavit eumque humiliter requirendo quatenus hujusmodi sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus antedictum sasine preceptum e manibus dicte Margarete recepit mihique notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis Jacobus Dei gratia Magne Britannie Francie et Hybernie rex fideique defensor preposito et ballivis burgi nostri de Irwing salutem Quia per inquisitionem de mandato nostro per vos factam et ad capellam nostram retornatam compertum est quod quondam Joneta Holmes filia Margarete Cunynghame latricis presentium obiit ultimo vestita et sasita ut de feodo ad fidem et pacem nostrum in toto et integro illo tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis jacente infra dictum nostrum burgum ex orientali latere communis vie nostre ejusdem prope crucem foralem dicti nostri burgi inter tenementum olim quondam Davidis Cunyngham nunc vero Andree Calderwod vocatum Sanct Conwellis walls ex australi et tenementum quondam Alexandri Mitchell nunc vero heredis dicti quondam Alexandri et Joannis Gottray ex boreali partibus ab una et aliis Et quod dicta Margareta est legitima et propinquior heres dicte quondam Jonete filie sue de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra bondato et jacente ratione provisionis Et quod est legitime etatis Et quod de nobis tenetur in capite libero burgagio vobis precipimus et mandamus quatenus prefate Margarete vel suo certo actornato latori presentium Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra bondati et jacentis juste habere faciatis et sine dilatione (salvo jure

cujuslibet) et hoc nullo modo omittatis teste me ipso Apud Edinburgh vigesimo secundo die mense Junii et annis regnorum nostrorum quinquagesimo primo et decimo sexto 1618 Post cujusquidem sasine precepti perlectionem publicationem et in vulgari astantibus expositionem prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii Necnon de mandato speciale et pro obediencia dicti sasine precepti e cancellaria dicte s. d. n. regis ut premittitur directi personaliter super fundum dicti tenementi existens propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra bondati et jacentis memorate Margarete per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum tenorem dicti sasine precepti in omnibus salvo jure cujuslibet Super quibus omnibus et singulis premissis prefata Margareta Cunyngham a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter nonam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Adamo Cunynghame de Merkinsch Joanne Montgomerie de Cockilby Joanne Blair uno novissimorum ballivorum dicti burghi Joanne Cruikis et Willielmo Cunynghame mercatoribus et Joanne Neilsoun notario coburgensibus dicti burghi et Willielmo Stevinsoun serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MARGARET CUNYNGHAME.

Instrument narrating that a worthy woman, Margaret Cunynghame, wife of Adam Cunynghame, one of the last bailies of the burgh of Irvine, compeared personally upon the ground of that tenement of land, formerly pertaining heritably to the deceased Janet Holmes, her daughter, lying within the said burgh, on the east side of the High Street of the same, near the market cross of the said burgh, between the tenement formerly of the late David Cunynghame, now of Andrew Calderwood,

called Saint Conwell's Walls, on the south, and the tenement of the late Alexander Mitchell, but now of his heir, and of John Gottray, on the north: And there the said Margaret, having and holding in her hands a certain precept of seizin, sealed with wax, from the chancery of our sovereign lord the king, directed to the provost and bailies of the burgh of Irvine, for giving seizin to the said Margaret, as lawful and nearest heir of the said Janet Holmes, her daughter (by reason of provision); which precept she, with all due reverence, presented to an honourable man, Allan Dunlop, one of the bailies of the said burgh, humbly requesting him to put the same to due execution; and the bailie, having received the precept from the hands of the said Margaret, delivered it to the notary public, to be read, published, and explained by him to the bystanders in the vulgar tongue, the tenor whereof being to the effect: That whereas by inquest made by the said provost and bailies at the king's command, and retoured to his chancery, it was found that the late Janet Holmes, daughter of Margaret Cunynghame, bearer hereof, died last vest and seized at the faith and peace of the king, in the aforesaid tenement of land, with yard, tailing rig, etc.; and that the said Margaret is lawful and nearest heir of the said Janet, her daughter, of the said tenement, which is held of the king in chief in free burgage; Therefore his Majesty commands and charges the provost and bailies of Irvine to give seizin to the said Margaret of the said subjects, in the ordinary manner, which the said bailie accordingly did, by delivery to her of earth and stone of the ground of the tenement aforesaid; whereupon the said Margaret craved from the notary one or more public instruments: These things were done on the ground of the said tenement, about the ninth hour before noon of the 23rd day of June 1618, the witnesses being, Adam Cunynghame of Merkinsch, John Montgomerie of Cockilby, John Blair, one of the last bailies of the said burgh, John Cruiks and William Cunynghame, merchants, and John Neilson, notary, co-burgesses, and William Stevinson, serjeant.

CXXVII.—PRO NINIANO GARVEN ET JACOBO CUMMYNG FABRO
FERRARIO ET EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Julij die decimo tercio regnorum-que supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et decimo sexto In mei notarii publici et testium subscriptorum presentis personaliter comparuit honorabilis vir Allanus Dunlop unus ballivorum burgi de Irwing super solum et fundum istius orientalis finis domus sive tenementi terre subscripti olim quondam Jacobo Ros filio naturali quondam ——— Ros in ——— pertinentis jacentis infra dictum burgum in via marina ejusdem inter occidentalem finem dicti tenementi et domorum ejusdem pertinentium ad Jacobum Quhyt ex occidentali et domum parvam quondam Joannis Thomsoun ex orientale tenementum terre quondam Hugonis Garven ex boreali et dictam viam marinam ex australi Necnon et immediate postea super solum et fundum istius tenementi terre jacentis infra dictum burgum ad caput vie marine ejusdem ex occidentali latere communis vie regie et super quod pro presenti domus fabricini vulgo lie Smyddie conditur inter tenementum Walteri Kid ex boreali et tenementum quondam Willielmi Cunyngham ex australi partibus ab una et aliis Et ibidem quia prefato ballivo clare constabat et notum fuit per autentica documenta et sasine instrumenta publice perlecta et demonstrata quod quondam Hugo Garven scriba communis burgi de Irwing pater Niniani Garven latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti s. d. n. regis in toto et integro predicto illo orientali fine predicti tenementi et domorum ante et retro subtus et supra cum pertinentiis ut supra jacente et altero tenemento predicto cum horto et singulis suis pertinentiis ut supra bondato et jacente Et quod dictus Ninianus est legitimus et propinquior heres ejusdem dicti quondam Hugonis sui patris de toto et integro predicto illo orientali fine predicti tenementi et domorum ante et retro cum pertinentiis Necnon de toto et integro predicto altero illo tenemento terre cum horto et singulis suis pertinentiis ut supra jacente Et quod est legitime etatis Et quod de dicto s. d. n. rege tenentur in capite in libero burgagio Propterea prefatus

Allanus Dunlop ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti orientalis finis predicti domus sive tenementi terre ante et retro cum pertinentiis Necnon totius et integri predicti alterius tenementi terre cum horto et singulis suis pertinentiis ut supra jacentis memorato Niniano Garven tanquam filio legitimo et propinquiori heredi antedicti quondam Hugonis sui patris per terre et lapidis fundorum ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum tenorem infeofamentorum dicti quondam Hugonis sui patris eorundem (salvo jure cujuslibet) Tenendorum de dicto s. d. n. rege more burgali Quibus peractis prefatus Ninianus pro summa unius centum et sexaginta mercarum usualis monete hujus regni Scotie sibi per discretas personas Jacobum Cummyng fabrum ferrarium burgensem burgi de Irwing et Agnetam Dunlop ejus sponsam tempore presentium confectionis in pecunia numerata plenarie et integre persoluta Necnon pro impletione cujusdam dispositionis litere per eum penes dicti orientalis finis predicti tenementi et domorum ac alterius tenementi predicti dispositionem dictis conjugibus die date presentium confecte Totum et integrum predictum orientalem finem predicti tenementi et domorum ante et retro subtus et supra cum singulis suis pertinentiis Necnon totum et integrum predictum alterum ejus tenementum terre ante et retro cum horto et singulis suis pertinentiis ut supra jacentia In manibus prefati Allani Dunlop ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure et titulo sibi suisve heredibus et assignatis in et ad eadem seu aliquam earundem partem competentibus In favores ac pro hac nova sasina et infeodatione hereditarea eorundem per dictum ballivum prefatis Jacobo Cummyng et Agneti Dunlop conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Jacobo suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione seu regressu quocunque desuper danda et concedenda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et

sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti orientalis finis predicti tenementi et domorum ante et retro cum singulis suis pertinentiis necnon totius et integri predicti alterius tenementi ante et retro cum horto et singulis suis pertinentiis ut supra jacentis una etiam cum predicta domo fabрили vulgo lie Smyddie super idem edificata memoratis Jacobo Cummyng et Agnete Dunlop conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem illis respective et successive personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem et deliberationem dedit tradidit et deliberavit sine reversione redemptione aut regressu secundum formam et tenorem dicte resignationis litereque dispositionis prescripte eo circa confecte Tenendorum de dicto s. d. n. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Ninianus pro semetipso Necnon prefati Jacobus Cummyng et Agneta Dunlop conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda predictorum domuum et tenementi respective prescriptorum horam circiter sextam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Quhyt altero ballivorum dicti burgi Willielmo Cauldwell de Annanhill clerico balliatus de Cunyngham Roberto Craig burgensi dicti burgi et Willielmo Greir serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR NINIAN GARVEN AND JAMES CUMMYNG, BLACKSMITH, AND
HIS SPOUSE.

Instrument narrating that an honourable man, Allan Dunlop, one of the bailies of Irvine, compeared personally upon the ground of that east end of the house or tenement of land underwritten, formerly belonging to the late James Ros, son natural of the late ——— Ros, lying within the said burgh, in the Seagate of the same, between the west end of the said tenement and houses thereof, belonging to James Quhyt, on the west, and

the small house of the late John Thomson on the east, the tenement of land of the late Hugh Garven on the north, and the said Seagate on the south ; also, and immediately thereafter, upon the ground of that tenement of land, lying within the said burgh, at the head of the Seagate thereof, on the west side of the common High Street, and upon which there is built, for the present, a Smyddie, between the tenement of Walter Kid on the north and the tenement of the late William Cunyngham on the south : And there, because it was clearly known to the aforesaid bailie, by authentic documents publicly shown and read, that the late Hugh Garven, common clerk of the burgh of Irvine, father of Ninian Garven, bearer of the presents, died last vest and seized as of fee, at the faith and peace of the king, in all and whole that east end of the tenement and houses aforesaid, and in that other tenement, with yard and pertinents, bounded and lying as above ; and that the said Ninian is lawful and nearest heir of the said Hugh, his father, in the said subjects ; and that he is of lawful age ; and that they are held of the king in chief in free burgage : Therefore the said Allan Dunlop, bailie, by virtue of his office, did with his own hands give state and heritable seizin, bodily, actual, and real possession of all and whole the aforesaid east end of the said house or tenement of land ; and also of the other tenement of land aforesaid, to the said Ninian Garven, as son and heir of the said Hugh, by delivery to him of earth and stone of the ground of the same : Which things having been done, the said Ninian, for the sum of one hundred and sixty merks, money of this kingdom of Scotland, presently paid to him in counted money, by discreet persons, James Cummyng, blacksmith, burgess of Irvine, and Agnes Dunlop his spouse ; and for implement of a letter of disposition granted by him to the said spouses, did surrender, and purely and simply resign, by staff and baton, the aforesaid tenements, in the hands of the said bailie, for new infeftment thereof to be given to the said James and Agnes, in conjunct fee, and to the heirs lawfully procreated or to be procreated between them, which failing, to the said James and his heirs and assignees whatsoever, heritably and irredeemably : Which resignation having been admitted and received by the bailie, he gave seizin accordingly by delivery of the usual symbols to the said James and Agnes, who received the same with their hands joined : These things were done on the ground of the said tenements respectively, about the sixth hour after noon of the 13th day of July 1618, the witnesses present being James Quhyt, the other bailie of

the said burgh, William Cauldwell of Annanhill, clerk of the bailiery of Cunyngham, Robert Craig, burgess of the said burgh, and William Grier, serjeant.

CXXVIII.—PRO JONETA CAMPBELL.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Julii die vigesimo tercio regnorumque annis supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et decimo sexto In mei notarii publici et testium subscriptorum presentis personaliter comparuit proba mulier Joneta Campbell relicta quondam Joannis Young bedelli ecclesie burgi de Irwing super solum et fundum istius tenementi terre subscripti jacentis infra dictum burgum de Irwing ex orientali latere communis vie regie ejusdem inter tenementum olim Willielmi Dicky nunc vero Willielmi Hendrie pellionis burgensis dicti burgi ex boreali et tenementum heredis quondam Joannis Tueidy ex australi partibus ab una et aliis Et ibidem dicta Joneta habens suisque in manibus tenens quodam sasine preceptum cera inclusum e cancellaria dicti s. d. n. regis preposito et ballivis burgi de Irwing directum pro sasina hereditarea Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis dicte Jonete tanquam legitime et propinquiore heredi antedicti quondam Joannis sui mariti (ratione provisionis) danda Quodquidem sasine preceptum dicta Joneta honorabili viro Allano Dunlop uni ballivorum burgi de Irwing omni reverentia qua decuit presentavit eumque humiliter requirendo quatenus hujusmodi sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus antedictus prefatum sasine preceptum e manibus dicte Jonete recepit mihique notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis Jacobus Dei gratia rex Magne Britannie Francie et Hybernie fideique defensor preposito et ballivis burgi nostri de Irwing salutem Quia per inquisitionem de mandato nostro per vos factam et ad capellam nostram retornatam compertum est quod quondam Joannes Young bedellus ecclesie burgi de Irwing maritus Jonete Campbell

latricis presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem nostram in toto et integro illo tenemento terre ante et retro subtus et supra cum horto et singulis suis pertinentiis jacenti infra dictum nostrum burgum ex orientali latere communis vie nostre ejusdem versus pretorium dicti burgi inter tenementum et terras olim Willielmi Dickie nunc vero Willielmi Hendrie pellionis burgensis dicti burgi ex boreali et tenementum heredis quondam Joannis Tueidy ex australi partibus ab una et aliis Et quod dicta Joneta est legitima et propinquior heres ejusdem dicti quondam Joannis sui mariti (ratione provisionis) de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra bondato et jacente Et quod est legitime etatis Et quod de nobis tenetur in capite in libero burgagio Vobis precepimus et mandamus quatenus prefate Jonete Campbell vel suo certo actornato latori presentium sasinam totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis jacentis et bondati sic ut supra juste haberi faciatis et sine dilatione (salvo jure cujuslibet) et hoc nullo modo omittatis Teste me ipso apud Edinburgh vigesimo die mensis Julii annis regnorum nostrorum quinquagesimo primo et decimo sexto 1618 Post cujusquidem sasine precepti perlectionem publicationem et in vulgari astantibus expositionem prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii Necnon de mandato speciale et pro obediencia dicti sasine precepti e cancellaria dicti s. d. n. regis ut premittitur directi propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra bondati et jacentis memorate Jonete Campbell tanquam legitime et propinquiori heredi antedicti quondam Joannis sui mariti (ratione provisionis) per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum tenorem infeofamentorum dicti quondam Joannis sui mariti ejusdem ac dicti sasine precepti in omnibus (salvo jure cujuslibet) Super quibus omnibus et singulis premissis prefato Joneta a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter septimam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus

ibidem Adamo Cunyngham et Joanne Blair novissimis ballivis dicti burgi Alexandro Montgomerie et Roberto Dyett mercatoribus burgensibus dicti burgi Jacobo Scott notario et Willielmo Stevinsoun seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JANET CAMPBELL.

Instrument narrating that there compeared personally, in presence of the notary and witnesses, a worthy woman, Janet Campbell, relict of the deceased John Young, beadle of the church of the burgh of Irvine, upon the ground of that tenement of land lying within the said burgh, on the east side of the common High Street of the same, between the tenement formerly of William Dicky, but now of William Hendrie, skinner, burgess of the said burgh, on the north, and the tenement of the heir of the late John Tueidy on the south; and there the said Janet, having and holding in her hands a certain precept of seizin, enclosed in wax, from the king's chancery, directed to the provost and bailies of the burgh of Irvine, for giving heritable seizin of all and whole the aforesaid tenement of land, with yard and pertinents, to the said Janet, as lawful and nearest heir of the aforesaid John her husband, by reason of provision; which precept the said Janet with all reverence, as was becoming, presented to an honourable man, Allan Dunlop, one of the bailies of the said burgh, humbly requesting him forthwith to put the said precept to due execution; which precept the said bailie received from the hands of the said Janet, and delivered to the notary to be read, published, and explained to the bystanders in the common tongue, the tenor of which is given at length, and is to the effect that, by inquisition made by the king's mandate, by the provost and bailies aforesaid, and retoured to his Majesty's chancery, it was found that the late John Young, beadle of the church of Irvine, husband of the said Janet Campbell, died last vest and seized as of fee, at the faith and peace of the king, in the tenement aforesaid, and that the said Janet was lawful and nearest heir of her said husband by provision, and that the tenement was held of the king in chief in free burgage; therefore the king charges the said provost and bailies to give seizin to the said Janet of the said tenement;

after the reading of the which precept, which is dated at Edinburgh on 20th July 1618, the said Allan Dunlop, bailie, in obedience thereto, gave seizin accordingly, on the ground of the said tenement, about the seventh hour of the morning of the 23rd day of July 1618, the witnesses there present being Adam Cunyngham and John Blair, late bailies of Irvine, Alexander Montgomerie and Robert Dyett, merchants, burgesses of the same, James Scott, notary, and William Stevinsoun, serjeant.

CXXIX.—PRO JACOBO CUNYNGHAME MERCATORE EJUSQUE
SPONSA.

Licet hoc in loco scribitur et inseri debuisset super folium 87 immediate ante sasinam
Niniani Garven et Jacobi Cummyng Verifico premissa. R. BROUN.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Maii die nono regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo primo et decimo sexto In mei notarii publici et testium subscriptorum presentis personaliter comparuerunt probe persone Robertus Cunyngham senior burgensis burgi de Irwing et Margareta Cunynghame ejus sponsa super sola et funda istorum duorum tenementorum terre contigue infra dictum burgum de Irwing jacentium ex orientali latere communis vie ducentis ad ——— inter terras Joannis Peblis ex boreali et tenementum olim quondam Joannis Blair nunc vero Walteri Stewart ex australi partibus ab una et aliis et ex quibus predictis duobus tenementis terre dicti conjuges in annuo redditu subscripto annuatim de eisdem seu aliqua eorundem parte exigendo debite infeodati existunt Et ibidem dicti Robertus et Margareta conjuges unanimi consensu et assensu pro certis pecuniarum summis illis tempore presentium confectionis per discretas personas Jacobum Cunyngham mercatorem burgensem etiam dicti burgi et Margaretam Russal ejus sponsam in pecunia numerata persoluta Necnon pro observatione et impletione cujusdam dispositionis litere per eos dictis conjugibus de date presentium confecte Totum et integrum unum annuum redditum octo librarum usualis monete hujus regni Scotie in quo dicti Robertus et Margareta debite infeodati existunt annuatim levandum et percipiendum ad duos

anni terminos consuetos festa videlicet Penthecostes et Sancti Mertini in hyeme per equales portiones de totis et integris illis duobus predictis tenementis terre ante et retro cum hortis aggeribus et eorundem pertinentiis seu de aliqua eorundem parte ut supra jacentibus unacum omnibus jure titulo et interesse illis eorumve heredibus successoribus aut assignatis in et ad eundem competentibus In manibus honorabilis viri Allani Dunlop unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum In favores ac pro hac nova sasina et infeodatione hereditaria ejusdem annui redditus per dictum ballivum prefatis Jacobo et Margarete conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibus inter eos legitime procreatis seu procreandis Quibus deficientibus legitimis et propinquioribus heredibus et assignatis dicti Jacobi quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti annui redditus octo librarum usualis monete predictae annuatim levandi et percipiendi ad terminos prescriptos de totis et integris predictis duobus tenementis terre contigue ut premittitur jacentibus seu de aliqua eorundem parte cum singulis suis pertinentiis ut supra bondatis et jacentibus memoratis Jacobo Cunyngham et Margarete Russall conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem et unius denarii argenti ut moris est illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectum hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte dispositionis literae ac resignationis prescripte Tenendi de dicto s. d. n. rege more burgali In super in presentia dicti ballivi personaliter comparuit prefata Margareta Cunyngham et ibidem extra presentiam prefati Roberti sui mariti sacrosanctis tactis Dei evangelii se ad predictam alienationem et resignationem per vim aut metum dicti sui mariti minime coactam aut compulsam fuisse sed eadem ex sua mera

libera et spontanea voluntate fecisse utilitate et commodo suis undique previsis et pensatis et omnia et singula premissa sic ut premittitur facta ratificavit approbavit et de non revocando in futurum corporale suum prestitit juramentum Super quibus omnibus et singulis premissis prefati Jacobus et Margareta conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum duorum tenementorum respective prescriptorum horam circiter quartam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Joanne Neilsoun notario et Hugone Cummyng coburgensibus dicti burgi et Willielmo Stevinsoun seriando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JAMES CUNYNGHAME, MERCHANT, AND HIS SPOUSE.

(Although this is written here, it ought to have been inserted on the 87th leaf, immediately before the seizin of Ninian Garven and James Cummyng. I verify these premises. R. BROUN.)

Instrument narrating that worthy persons, namely, Robert Cunynghame, elder, burgess of Irvine, and Margaret Cunynghame his spouse, compeared personally upon the ground of those two tenements of land lying contiguously within the said burgh, on the east side of the common way leading to ———, between the lands of John Peblis on the north, and the tenement formerly of the late John Blair, but now of Walter Stewart, on the south; from which two tenements of land the said spouses were duly infeft in the annualrent underwritten; and there the said Robert and Margaret, with one consent, for certain sums of money paid to them by discreet persons, James Cunynghame, merchant, burgess of Irvine, and Margaret Russall his spouse, and in implement of a letter of disposition of the date hereof, granted by the former to the latter party, did purely and simply resign an annualrent of eighty pounds, usual money of the kingdom of Scotland, in which the resigners were duly infeft, to be taken furth of the two tenements aforesaid, with yards and rigs thereto belonging, in the hands of an honourable man, Allan Dunlop,

one of the bailies of the said burgh, for this new seizin thereof to be given by him to the said James and Margaret in conjunct fee, which the bailie forthwith gave, by delivery to them of earth and stone of the grounds thereof, and of one penny of silver, as the custom is, the said James and his spouse receiving the same with their hands joined; further, the said Margaret Cunyngham personally compeared in presence of the said bailie, and outwith the presence of her husband, and touching the holy evangels of God, gave her bodily oath that she was not compelled to the premises by her husband, but did the same freely, and with a view to her own advantage, and would never revoke the same: These things were done upon the ground of the said tenements, respectively, about the fourth hour after noon of the 9th day of May 1618, the witnesses being John Neilson, notary, and Hugh Cumyng, co-burgesses of the said burgh, and William Stevinsoun, serjeant.

CXXX.—PRO ROBERTO DUNLOP ET SPONSA, ETC.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Augusti die decimo octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentis personaliter comparuit providus vir Willielmus Renkin filius legitimus et heres quondam Willielmi Rankin mercatoris burgensis burgi de Irwing super solum et fundum illius tenementi terre subscripti sibi hereditarie pertinentis jacentis infra dictum burgum in via sive venella vulgariter vocata Smyddiebar inter tenementum olim quondam Willielmi Patoun nunc vero Alexandri Patoun ex boreali et tenementum perprius Andree Dunlop nunc vero Roberti Dunlop fabri ferrarii burgensis dicti burgi ex occidentali partibus ab una et aliis Et ibidem dictus Willielmus pro summa ducentum mercarum usualis monete hujus regni Scotie sibi tempore presentium confectionis plenarie et integre in pecunia numerata persoluta per dictum Robertum Dunlop et Sibellam Galt ejus sponsam Necnon pro observatione et impletione cujusdam dispositionis litere per eum de dicto suo tenemento terre ante et retro subtus et supra cum horto aggere

et singulis suis pertinentiis ut supra jacenti dictis Roberto Dunlop sueque sponse predictae die date presentium confectae Totum et integrum predictum suum tenementum terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacens Unacum omnibus jure juris titulo interesse juriscleameo proprietate et possessione sibi suisve heredibus et assignatis in et ad predictum tenementum terre seu aliquam earundem partem cum pertinentiis competentibus In manibus honorabilis viri Jacobi Quhyt unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favores ac pro hac nova sasina et infeodatione hereditaria ejusdem tenementi terre ante et retro cum horto aggere et singulis suis pertinentiis per dictum ballivum dictis Roberto Dunlop et Sibelle Galt ejus conjugum eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Roberto suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irreducibiliter sine aliqua reversione redemptione aut regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Jacobus Quhyt ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integri predicti tenementi terre ante et retro cum horto aggere et singulis suis pertinentiis ut supra jacentis memoratis Roberto Dunlop et Sibelle Galt sue sponse eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis pro se suisque heredibus et assignatis acceptantibus ut moris est traditionem et deliberationem secundum tenorem dicte resignationis litereque dispositionis de super confectae in omnibus deliberavit Tenendi de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Robertus et Sibella conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter quartam postmeridiem aut eo circa sub anno die mense regnique regis

quibus supra Presentibus ibidem Alexandro Montgomerie mercatore Andree Dunlop fabro ferrario et Joanne Neilsoun notario coburgensibus dicti burghi Willielmi Grier et Willielmo Stevinsoun seriandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT DUNLOP AND SPOUSE.

Instrument narrating that a prudent man, William Rankin, lawful son and heir of the late William Rankin, merchant, burgess of Irvine, personally compeared upon the ground of that tenement of land heritably pertaining to him, lying within the said burgh, in the street or vennel commonly called the Smyddiebar, between the tenement formerly of the late William Patoun, but now of Alexander Patoun, on the north, and the tenement formerly of Andrew Dunlop, but now of Robert Dunlop, blacksmith, burgess of the said burgh, on the west; and there the said William, for the sum of 200 merks money of this kingdom of Scotland, fully and wholly paid to him in counted money, at the same time as the making of this deed, by the said Robert Dunlop and Sibella Galt his spouse; and also for implement of a disposition granted by him to them at the same time, did surrender, and purely and simply resign, renounce, and overgive the said tenement, with yard and tailing rig, by staff and baton, in the hands of James Quhyt, one of the bailies of the said burgh, in favour of, and for this new seizin and heritable infeftment of the same to be given to the said Robert and his spouse in conjunct fee, and to the heirs procreated or to be procreated between them, which failing, to the said Robert and his nearest heirs whatsoever; which resignation having been received by the said bailie, he, by virtue of his office, and at the mandate and special request of the resigner, gave seizin in the usual form, to the said Robert Dunlop and Sibella Galt, spouses, who received the same with their hands joined: These things were done on the ground of the said tenement, about the fourth hour after noon of the 18th day of August 1618, the witnesses there present being Alexander Montgomerie, merchant, Andrew Dunlop, blacksmith, and John Neilsoun, notary, co-burgesses of the said burgh, William Grier and William Stevinsoun, serjeants.

CXXXI.—PRO PATRICIO THOM ET SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Octobris die decimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone Quintigernus Hunter piscator burgensis burgi de Irwing et Margareta Bogs ejus sponsa super solum et fundum istius eorum tenementi terre illis hereditarie pertinentis jacentis infra territorium dicti burgi super montem ex ——— latere communis vie et passagii qua itur ad viridarium inter tenementum ——— ex ——— et tenementum ——— ex ——— partibus ab una et aliis Et ibidem dicti conjuges unanimi consensu et assensu pro summa duorum et viginti librarum usualis monete hujus regni illis tempore presentium confectionis per probas personas Patricium Thom burgensem burgi de Irwing et Agnetam Peiblis ejus sponsam in pecunia numerata persoluta Necnon pro observatione et impletione unius eorum partis cujusdam acti judicialis in libris burgalibus dicti burgi de data presentium confectis penes hoc presens infeofamentum subscriptum Totum et integrum predictum eorum tenementum terre cum horto et pecia aggeris eidem adjacente cum singulis suis pertinentiis ut supra jacens In manibus honorabilis viri Adami Cunyngham unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit imperpetuum In favores ac pro hac nova sasina et infeodatione hereditaria ejusdem per dictum ballivum prefatis conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus legitimis et propinquioribus heredibus et assignatis dicti Patricii quibuscunque hereditarie danda etc Salvo tamen illis juri redemptionis ejusdem secundum tenorem reversionis in dicto acto judiciali contente Qua resignatione sic ut premittitur facta et per dictum ballivum admissa et recepta prefatus Adamus Cunynghame ballivus antedictus virtute sui officii et de mandatis resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre

cum horto et petia aggeris eidem adjacenti et singulis suis pertinentiis ut supra jacentis prefatis Patricio Thom et Agneti Peiblis conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem prefato Patricio personaliter presenti et provido viro Alexandro Montgomerie mercatori tanquam actornato et eo nomine dicte Agnetis ut moris est traditionem dedit tradidit et deliberavit secundum tenorem dicte resignationis actique judicialis prescripti Tenendi de dicto s. d. n. rege more burgali Super quibus omnibus et singulis premissis prefatus Patricius pro semetipso dictusque Alexander Montgomerie actornatus antedictus et eo nomine dicte Agnetis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum unum vel plura Acta erant hec super solum et fundum dicti tenementi horam circiter quartam postmeridiem aut eo circa anno die mense regnisque regis quibus supra presentibus ibidem Alexandro Baillie pellione burgensi dicti burgi et Willielmo Greir serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR PATRICK THOM AND SPOUSE.

Instrument narrating that worthy persons, Mungo Hunter, fisherman, burgess of Irvine, and Margaret Bogs his spouse, compeared personally upon the ground of that tenement of land, pertaining to them heritably, lying within the territory of the said burgh, upon the hill on ——— side of the common way and passage which leads to the green, between the tenement of ——— on the one side, and the tenement of ——— on the other: And there the said spouses, of one consent, and for the sum of two-and-twenty pounds, usual money of this kingdom, paid to them in counted money by worthy persons, Patrick Thom, burgess of the said burgh, and Agnes Peibles his spouse; also for implementing and observing their part of a certain judicial act, made in the books of the burgh, of the date hereof, did surrender and purely and simply resign their tenement aforesaid, with yard and piece of tailing rig adjacent to the same, in the hands of an honourable man, Adam Cunyngham, one of the bailies of the said burgh, for this new seizin and heritable infeftment thereof to be given to the said Patrick Thom and Agnes Peibles, in conjunct fee, and their heirs, heritably, saving to them the right of redemption thereof, according

to the tenor of the reversion contained in the said judicial act: Which resignation so made was admitted and received by the said bailie, who then gave seizin of the said tenement of land, in the usual form, to the said Patrick Thom, personally present, and to a prudent man, Alexander Montgomerie, merchant, as attorney for the said Agnes Peibles: Done upon the ground of the said tenement, about the fourth hour after noon of the 10th day of October 1618, the witnesses present being Alexander Baillie, skinner, burgess, and William Greir, serjeant.

CXXXII.—PRO JONETA HOLMES.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Octobris die decimo septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernæ regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentibus personaliter comparuit honorabilis vir Joannes Blair unus ballivorum burgi de Irwing super solum et fundum tenementi terre subscripti Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Joneta Holmes filia et heres quondam Niniani Holmes mercatoris burgensis dicti burgi ac filia fratris germani Jonete Holmes sponse Roberti Lourie mercatoris burgensis dicti burgi latricis presentium obiit ultimo vestita et sasita ut de feodo ad fidem et pacem dicti s. d. n. regis In toto et integro illo tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis jacente infra dictum burgum ex orientali latere communis vie regie ejusdem prope crucem foralem dicti burgi inter tenementum olim quondam Davidis Cunynghame nunc vero Andree Calderwod vocatum Sanct Conuellis wallis ex australi et tenementum quondam Alexandri Mitchell nunc vero heredis dicti quondam Alexandri et ——— Gottray ex ——— partibus ab una et aliis Et quod dicta Joneta Holmes est una ex tribus legitimis et propinquioribus heredibus portionariis ejusdem dicte quondam Jonete Holmes sue fratris filie de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacente Et quod est legitime etatis Et quod totum et integrum predictum tene-

mentum cum pertinentiis de prefato s. d. n. rege tenetur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus super solum et fundum dicti tenementi personaliter existens propriis suis manibus virtute et vigore sui officii statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integre juste et equalis tercię parte predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis ejusdem pertinentiis ut supra jacentis prefate Jonete Holmes tanquam uni ex tribus legitimis et propinquiribus heredibus portionariis ejusdem dicte quondam Jonete Holmes ejus fratris filie per terre et lapidis fundi ejusdem provido viro Joanni Neilsoun notario tanquam vero certo et indubitato actornato et eo nomine dicte Jonete traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem infeofamentorum dicte quondam Jonete desuper confectorum Salvo jure cujuslibet Tenende de dicto s. d. n. rege more burgali Quibus peractis prefatus Joannes Neilsoun actornatus antedictus tanquam procurator rite et legitime constitutus et eo nomine dicte Jonete Holmes et Roberti Lowrie sui mariti virtute cujusdam procuratorialis litere contente in quadam dispositionis litera per dictos conjuges unanimi consensu et assensu de dicta eorum justa et equali terciā parte predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis suis pertinentiis ut supra jacentis probis personis Adamo Cunynghame altero ballivorum dicti burgi de Irwing et Margarete Cunyngham ejus conjugii eorumque heredibus et assignatis subscriptis hereditarie facta de data apud burgum de Irwin decimo septimo die mensis Septembris ultime elapsi pro certis pecuniarum summis dictis Jonete Holmes et Roberto Lowrie conjugibus per dictos Adamum et Margaretam conjuges in pecunia numerata persolutis modo in dicta dispositionis litera contento Totam et integram predictam justam et equalem terciā partem predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis ejusdem pertinentiis ut supra jacentis In manibus predicti Joannis Blair ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure juris titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dicta Joneta ejusve maritus predictus eorumve heredes successores aut assignati in et ad predictam terciā partem predicti tenementi terre ante et retro horti aggeris et singulis suis pertinentiis habuerunt habent seu quovismodo in

futurum habere clamare vel pretendere potuerunt In favores ac pro hac nova sasina et infeodatione hereditarea ejusdem per dictum ballivum prefatis Adamo et Margarete Cunynghams conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Adamo suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti Joannis Neilsoun procuratoris et resignantis antedicti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integre predictae juste et equalis terciæ partis totius et integri predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis ejusdem pertinentiis ut supra jacentis memoratis Adamo et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis pro semetipsis eorumque heredibus et assignatis prescriptis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis ac litere procuratorialis in eadem contente Tenende de dicto s. d. n. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Joannes Neilsoun actornatus antedictus et eo nomine dicte Jonete Holmes quo supra dictique Adamus et Margareta Cunynghames conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter undecimam antemeridiam aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Alexandro Montgomerie mercatore burgensi de Irwing Hugone Montgomerie ejus filio et Hugone Lyn mercatoribus coburgensibus dicti burgi et Willielmo Greir seriando testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR JONET HOLMES.

Instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally upon the ground of the tenement underwritten: And there, because it was clearly known to him by authentic documents and instruments of seizin, publicly shown and read to him, that the late Jonet Holmes, daughter and heir of the late Ninian Holmes, merchant, burgess of the said burgh, and daughter of the brother-german of Jonet Holmes, spouse of Robert Lowrie, merchant, burgess of the same burgh, bearer of the presents, died last vest and seized as of fee, at the faith and peace of the king, in all and whole that tenement of land, fore and back, below and above, with yard, tailing rig and pertinents, lying in the said burgh, on the east side of the common High Street of the same, near the market cross of the said burgh, between the tenement sometime of the late David Cunynghame, but now of Andrew Calderwod, called Saint Conwell's Walls, on the south, and the tenement of the late Alexander Mitchell, but now of his heirs, and ——— Gottray on the other side; and that the said Jonet Holmes is one of the three lawful and nearest heirs-portioners of the said deceased Jonet Holmes, her brother's daughter, of the said tenement of land; and that she is of lawful age; and that the said tenement is held of the king in chief in manner of burgh: Therefore the said John Blair, bailie, being personally upon the ground of the said tenement, did with his own hands, by virtue of his office, give state and heritable seizin, and likewise bodily, actual, and real possession of the just and equal third part of the aforesaid tenement to the said Jonet Holmes, as one of the three heirs-portioners of her brother's daughter, by delivery of earth and stone of the ground thereof to a prudent man, John Neilsoun, notary, as attorney and in name of the said Jonet: Which things having been done, the aforesaid John Neilsoun, attorney, as procurator lawfully constituted, and in name of the said Jonet Holmes, and of Robert Lowrie her husband, by virtue of letter of procuratory contained in disposition granted by the said spouses, with one consent, of their said equal third part of the said tenement to worthy persons, Adam Cunynghame, the other of the bailies of the said burgh of Irvine, and Margaret Cunyngham his spouse, and their heirs heritably, of the date at Irvine the 17th day

of the month of September last past, for certain sums of money paid in counted money by the said Adam and Margaret to the said Jonet and Robert, did resign the aforesaid third part of the said tenement of land, by staff and baton, in the hands of the said John Blair, bailie, in favour of, and for this new seizin and heritable infestment of the same to be given to the aforesaid Adam and Margaret Cunyngham, spouses, and the survivor of them, in conjunct fee, and to the heirs procreated or to be procreated between them, which failing, to the nearest and lawful heirs whatsoever of the said Adam, heritably and irredeemably, without any reversion, redemption, or regress: Which resignation having been so made, and by the bailie admitted and received, the said John Blair, bailie, by virtue of his office, and at the mandate and special request of the said John Neilsoun, procurator and resigner, did with his own hands give seizin of the third part of the aforesaid tenement of land, yard, and tailing rig to the said Adam Cunyngham and Margaret his spouse, by delivery of earth and stone of the ground thereof to them personally present, and receiving the same with their hands joined: These things were done on the ground aforesaid, about the eleventh hour before noon of the 17th day of October 1618, in presence of Alexander Montgomerie, merchant, burgess of Irvine, Hugh Montgomerie his son, and Hugh Lyn, merchants, burgesses of the said burgh, and William Greir, serjeant, witnesses to the premises called and required.

CXXXIII.—PRO JONETE HENRYSON ADAMO CUNYNGHAME
ET SPONSA Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo vero Octobris die decimo septimo regnorumque annis supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Joanes Blair unus ballivorum burgi de Irwin super solum et fundum tenementi terre subscripti Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Joneta Holmes filia et heres quondam Niniani Holmes mercatoris burgensis

dicti burgi ac filia avunculi Jonete Henrysoun filie legitime Hugonis Henrysoun textoris burgensis dicti burgi nunc vero incole in Dundovan infra comitatum de Antrum in regno Hybernie latricis presentium obiit ultimo vestita et sasita ut de feodo ad fidem et pacem dicti s. d. n. regis in toto et integro illo tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis jacenti infra dictum burgum ex orientali latere communis vie regie ejusdem prope crucem foralem dicti burgi inter tenementum olim quondam Davidis Cunynghame nunc vero Andree Calderwod mercatoris vocatum Sanct Conuellwallis ex australi et tenementum heredis quondam Alexandri Mitchell et ——— Gottray ex boreali partibus ab una et aliis Et quod dicta Joneta Henrysoun est una ex tribus legitimis et propinquieribus heredibus portionariis ejusdem dicte quondam Jonete Holmes sui avunculi filie de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto aggere et singulis ejusdem pertinentiis ut supra jacenti Et quod est legitime etatis Et quod totum et integrum predictum tenementum cum pertinentiis de prefato s. d. n. rege tenetur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integre juste et equalis tercie partis predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis ejusdem pertinentiis ut supra jacentis memorate Jonete Henrysoun tanquam uni ex tribus legitimis et propinquieribus heredibus portionariis ejusdem dicte quondam Jonete sui avunculi filie per terre et lapidis fundi ejusdem discreto viro Joanni Neilsoun notario tanquam actornato et eo nomine dicte Jonete traditionem et deliberationem ut moris est dedit tradidit pariter et cum effectu hereditarie deliberavit secundum vim formam et tenorem infeofamenti dicte quondam Jonete ejusdem (Salvo jure cujuslibet) Tenende de dicto s. d. n. rege more burgali etc. Quibus peractis prefatus Joannes Neilsoun actornatus antedictus tanquam procurator rite et legitime constitutus et eo nomine dicte Jonete Henrysoun virtute cujusdam procuratorialis litere contente in quodam dispositionis litera facta per dictam Jonetam Hendrysoun de dicta illius justa et equali tercia parte predicti tenementi terre ante et retro horti aggeris et singulis ejusdem pertinentiis ut supra jacentis probis personis Adamo Cunyngham altero ballivorum burgi dicti et Margarete Cunyngham ejus conjugii eorumque heredibus

et assignatis subscriptis hereditarie facta de data apud burgum de Irwing vigesimo die mensis Julii ultime elapsi pro certis pecuniarum summis dicte Jonete per dictos Adamum et Margaretam conjuges in pecunia numerata modo in dicta dispositionis litera contento persolutis Totam et integram predictam justam et equalem terciam partem predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis ejusdem pertinentiis ut supra jacentis In manibus predicti Joannis Blair ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dicta Joneta ejusve heredes successores aut assignati In et ad predictam terciam partem predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis suis pertinentiis habuit habet seu quovismodo in futurum habere clamare vel pretendere poterit in futurum In favores ac pro hac nova sasina et infeodatione hereditarea per dictum ballivum prefatis Adamo et Margarete conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Adamo suisque legitimis et propinquiorebus heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque ejusdem tercie partis predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis ejusdem pertinentiis danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti Joannis Neilsoun procuratoris et resignantis antedicti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integre predictae juste et equalis tercie partis totius et integri predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis ejusdem pertinentiis ut supra jacentis memoratis Adamo et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis pro semetipsis eorumque heredibus et assignatis prescriptis acceptantibus ut moris est traditionem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque ut premittitur deliberavit

secundum vim formam et tenorem dictarum resignationis litereque dispositionis ac litere procuratorialis in eadem contente Tenende de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Joannes Neilsoun actornatus antedictus et eo nomine dicte Jonete Henrysoun necnon prefati Adamus et Margareta conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter undecimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Alexandro Montgomerie mercatore burgensi de Irwing Hugone Montgomerie ejus filio et Hugone Lyn mercatoribus coburgensibus dicti burgi et Willielmo Grier seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JONET HENRYSOUN ADAM CUNYNGHAME, AND SPOUSE.

Instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally upon the ground of the tenement of land underwritten; and there, because it was clearly known to him by authentic documents and instruments of seizin publicly shown and read to him, that the late Jonet Holmes, daughter and heir of the deceased Ninian Holmes, merchant, burgess of the said burgh, and daughter of the uncle of Jonet Henrysoun, lawful daughter of Hugh Henrysoun, weaver, burgess of the said burgh, but now indweller in Dundovan, within the earldom of Antrim, in the kingdom of Ireland, bearer of these presents, died last vest and seized as of fee, at the faith and peace of our sovereign lord the king, in all and whole that tenement of land, with yard and tailing rig, lying within the said burgh, on the east side of the common High Street of the same, near the market cross, between the tenement formerly of the late David Cunynghame, but now of Andrew Calderwod, merchant, called Saint Conwell's Walls, on the south, and the tenement of the heir of the late Alexander Mitchell and — Gottray on the north; and that the said Jonet Henrysoun is one of the three lawful and nearest heirs-portioners of the said Jonet

Holmes her uncle's daughter, of all and whole the aforesaid tenement of land, with yard and rig; and that the said tenement is held of the king in chief, in manner of burgh: Therefore the said John Blair, bailie, with his own hands, by virtue of his office, gave state and seizin, and also possession, bodily, actual, and real, of all and whole the just and equal third part of the aforesaid tenement of land, yard, and rig, to the said Jonet Henrysoun, as one of the three heirs-portioners of her said uncle's daughter, by delivery of earth and stone of the ground of the same to a discreet man, John Neilsoun, notary, as attorney and in name of the said Jonet; which having been done, the said John Neilsoun, as procurator lawfully constituted by the said Jonet Henrysoun, by virtue of a letter of procuratory contained in a certain disposition granted by the said Jonet, of her said third part of the subjects aforesaid, to worthy persons, Adam Cunyngham, the other of the bailies of the said burgh, and Margaret Cunyngham his spouse, and their heirs and assignees heritably, of the date at Irvine the 20th day of July last, for certain sums of money paid by the said Adam and Margaret in manner contained in the said disposition, did surrender, and purely and simply resign, by staff and baton, in the hands of John Blair, bailie aforesaid, all and whole the just and equal third part of the tenement aforesaid, with yard and rig, together with all right and title, property and possession, which the said Jonet Henrysoun or her heirs, successors, or assignees had, or in any way might have in future, in and to the aforesaid third part, in favour of, and for this new seizin and heritable infeftment of the same to be given by the said bailie to the aforesaid Adam and Margaret, spouses, in conjunct fee, and to the heirs procreated or to be procreated between them; which failing, to the said Adam and his heirs and assignees whatsoever, heritably and irredeemably, without any reversion, redemption, or regress whatever; which resignation having been so made, and by the said bailie admitted and received, the aforesaid John Blair, bailie, by virtue of his office, and by the special mandate of the said John Neilsoun, procurator and resigner, gave seizin in the usual manner by delivery of earth and stone of the ground of the aforesaid tenement to the said Adam and Margaret, spouses, who received the same with their hands joined; whereupon both parties craved instruments: These things were done upon the ground of the said tenement, about the tenth hour before noon of the 17th day of October 1618, the witnesses present being

Alexander Montgomerie, merchant, burgess of Irvine, Hugh Montgomerie, his son, and Hugh Lyn, merchants, co-burgesses of the said burgh, and William Grier, serjeant.

CXXXIV.—PRO ROBERTO ADAM ADAMO CUNYNGHAM
ET SPONSA Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Octobris die decimo septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Joannes Blair unus ballivorum burgi de Irwing super solum et fundum tenementi terre subscripti Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Joneta Holmes filia et heres quondam Niniani Holmes mercatoris burgensis dicti burgi ac filia avunculi Roberti Adam filii legitimi Joannis Adam textoris burgensis dicti burgi latoris presentium obiit ultimo vestita et sasita ut de feodo ad fidem et pacem dicti s. d. n. regis In tota et integro illo tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis jacenti infra dictum burgum de Irwing ex orientali latere communis vie regie ejusdem prope crucem foralem dicti burgi inter tenementum heredis quondam Alexandri Mitchell et — Gottray ex boreali ab una et tenementum olim quondam Davidis Cunynghame nunc vero Andree Calderwod mercatoris vocatum Sanct Convellis wallis ex australi partibus ab alteri Et quod dictus Robertus Adam est unus ex tribus legitimis et propinquieribus heredibus portionariis ejusdem dicte quondam Jonete Holmes sui avunculi filie de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacenti Et quod est legitime etatis Et quod totum et integrum predictum tenementum terre cum pertinentiis de prefato s. d. n. rege tenetur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii personaliter super fundum dicti tenementi existens propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et

realem Totius et integre juste et equalis tercię partis totius et integri predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis ejusdem pertinentiis ut supra jacentibus memorato Roberto Adam tanquam uni ex tribus legitimis et propinquieribus heredibus portionariis ejusdem dicte quondam Jonete sui avunculi filie per terre et lapidis fundi ejusdem discreto viro Joanni Neilsoun notario tanquam actornato et eo nomine dicti Roberti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum vim formam et tenorem antiqui infeofamenti dicte quondam Jonete ejusdem (Salvo jure cujuslibet) Tenende de dicto s. d. n. rege more burgali etc Quibus peractis prefatus Joannes Neilsoun actornatus antedictus tanquam procurator rite et legitime constitutus et eo nomine dicti Roberti virtute cujusdam procuratorialis litere contente in quadam dispositionis litera facta per dictum Robertum Adam cum expressis avisamento consensu et assensu dicti Joannis Adam sui patris legitimi administratoris tutoris et gubernatoris de jure et dictum Joannem onus super eum pro dicto ejus filio acceptantem de dicta ejus justa et equali terciā parte predicti tenementi horti et aggeris probis personis Adamo Cunynghame altero ballivorum dicti burgi et Margarete Cunynghame ejus conjugi eorumque alteri diutius viventi in conjuncta infeodatione eorumque heredibus et assignatis subscriptis de data apud burgum de Irwing nono die mensis Julii ultime elapsi ac pro certis magnis pecuniarum summis per dictos conjuges dicto Roberto suoque patri avo et patruo illius nomine et ad ejus utilitatem persolutis modo in dicta dispositionis litera contento Totam et integram predictam justam et equalem terciā partem predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis ejusdem pertinentiis ut supra jacentis In manibus predicti Joannis Blair ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure juristitulo interesse juriselameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Robertus ejusve heredes successores seu assignati quicunque in et ad predictam partem habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterint in futurum In favores ac pro hac nova sasina et infeodatione hereditarea ejusdem tercię partis totius et integri predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis suis pertinentiis ut supra jacentis per dictum ballivum prefatis Adamo et Margarete Cunynghames

conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus et assignatis dicti Adami quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti Joannis Neilsoun procuratoris et resignantis antedicti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integre predictae juste et equalis tercie partis predicti tenementi terre ante et retro subtus et supra horti aggeris et singulis ejusdem pertinentiis ut supra jacentis memoratis Adamo et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus ut moris traditionem et deliberationem dedit tradidit pariter et cum effectum hereditarie deliberavit sine aliqua reversione redemptione aut regressu quocunque secundum formam et tenorem dictarum resignationis litereque dispositionis prescripte ac litere procuratorialis in eadem contentae Tenende de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Joannes Neilsoun actornatus antedictus et eo nomine dicti Roberti Adam quo supra Necnon prefati Adamus et Margarete Cunynghames conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter undecimam antemeridiam aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Alexandro Montgomerie mercatore burgensi de Irwing Hugone Montgomerie ejus filio et Hugone Lyn mercatoribus burgensibus dicti burgi et Willielmo Grier seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT ADAM, ADAM CUNYNGHAME AND SPOUSE.

Instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, personally compeared upon the ground of the tenement of land underwritten, and there, because it was clearly known to him by authentic documents and instruments of seizin publicly shown and read to him, that the late Jonet Holmes, daughter and heir of the late Ninian Holmes, merchant, burgess of Irvine, and daughter of the uncle of Robert Adam, son lawful of John Adam, weaver, burgess of the said burgh, died last vest and seized as of fee, at the faith and peace of the king, in all and whole that tenement of land, with yard and tailing rig, lying within the said burgh, on the east side of the common High Street thereof, near the market cross of the same, between the tenement of the heir of the late Alexander Mitchell and ——— Gottray on the north, and the tenement formerly of the late David Cunynghame, but now of Andrew Calderwod, merchant, called Saint Conwells Walls, on the south; and that the said Robert Adam is one of the three lawful and nearest heirs-portioners of the said Jonet Holmes his uncle's daughter, of the tenement of land aforesaid; and that he is of lawful age; and that the said tenement is held of the king in chief, in burgage manner: Therefore, the said bailie gave seizin of the just and equal third part of the said tenement of land to the said Robert Adam, by delivery of earth and stone thereof to a discreet man, John Neilson, notary, as attorney and in name of the said Robert; which having been done, the said John Neilsoun, as procurator for and in name of the said Robert Adam, by virtue of procuratory contained in a disposition granted by the said Robert, with advice, consent, and assent of the said John Adam his father, his lawful administrator, tutor and governor, of his said third part of the aforesaid tenement, yard and rig, to worthy persons, Adam Cunynghame, the other of the bailies of the said burgh, and Margaret Cunynghame his spouse, of the date at Irvine the 9th day of July last, and for certain sums of money paid by the said spouses to the said Robert and his father, grandfather, and uncle, in his name, and to his utility, in manner contained in the said disposition, did resign the said third part of the tenement aforesaid, yard and rig pertaining thereto,

in the hands of the said John Blair, bailie, in favour of, and for this new seizin of the same to be given to the said Adam and Margaret Cunynghames, spouses, in conjunct fee, and to their heirs heritably and irredeemably; which resignation being admitted and received by the said bailie, he gave seizin accordingly to the said Adam and Margaret, who received the symbols with their hands joined; upon all which both the parties craved instruments: These things were done upon the ground of the said tenement, about the eleventh hour before noon of the 17th day of October 1618, the witnesses being Alexander Montgomerie, merchant, burgess of Irvine, Hugh Montgomerie his son, and Hugh Lyn, merchants, burgesses of the same, and William Grier, serjeant.

CXXXV.—PRO ISSOBELLA QUHYT SPONSA FUTURA ROBERTI
SPEIR.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Octobris die vigesimo primo regnorumque annis supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Robertus Speir fullo burgensis burgi de Irwing super sola et funda tenementorum terre subscriptorum sibi hereditarie pertinentium videlicet et primo super solum et fundum istius tenementi terre jacentis infra burgum de Irwing ex occidentali latere communis vie regie ejusdem inter tenementum Walteri Kyd ex boreali et tenementum Allani Dunlop ex australi partibus ab altera Et deinde et immediate postea super solum et fundum istius dimedietatis tenementi olim edificati nunc vero wasti vocati Spenshousis et dimedietatis terrarum eidem adjacentium sibi hereditarie pertinentium Et ibidem respective singulatim et successive per se prefatus Robertus intuitu matrimonii inter eum ab una et discretam damicellam Issobellam Quhyt filiam legitimam Joannis Quhyt in Byrhill contracti et breviter Deo favente solempnizandi et pro singularibus amore gratia et favore quos erga dictam Issobellam ejus futuram sponsam habet et gerit Totum et integrum predictum suum tenementum terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacens Neenon totam et

integram ejus justam et equalem dimedietatam predicti tenementi vocati Spenshousis cum integra dimedietate horti et terrarum eidem adjacentium sibi hereditarie pertinentium ut premittitur cum singulis suis pertinentiis In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure titulo et interesse illi in et ad eadem competentibus In favorem ac pro hac nova sasina et infeodatione eorundem in vitali redditu prefate Issobelle sue future sponse in sua pura virginitate per dictum ballivum danda et concedenda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii et de mandato resignantis propriis suis manibus statum et sasina vitalis redditus pariter et possessionem corporalem actualement et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis Necnon totius et integre predictae juste et equalis dimedietatis predicti tenementi et horti olim edificati nunc vero vasti vocati Spenshousis et dimedietatis terrarum eidem adjacentium cum singulis suis pertinentiis prefate Issobelle in vitali redditu pro omnibus sue vite diebus per terre et lapidis fundorum eorundem dicte Issobelle personaliter presenti et acceptanti ut moris est traditionem dedit tradidit et deliberavit secundum formam et tenorem dicte resignationis Tenendorum de dicto s. d. n. rege more burgali etc Super quibus omnibus et singulis premissis prefata Issobella a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum unum vel plura Acta erant hec super sola et funda dictorum tenementorum respective singulatim et successive per se horam circiter undecimam antemeridiam aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Joanne Quhyt in Byrhill patre dicte Issobelle Davide Speir seniore fullone burgensi dicti burgi patre dicti Roberti Davide Speir fullone fratre germano dicti Roberti et Willielmo Stevinsoun seriando testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR ISSOBELLA QUHYT, FUTURE SPOUSE OF ROBERT SPEIR.

Instrument narrating that a prudent man, Robert Speir, fuller, burgess of Irvine, personally compeared upon the grounds of the tenements underwritten, belonging to him heritably, that is to say, firstly, upon the ground of that tenement of land lying within the burgh of Irvine, on the west side of the common High Street of the same, between the tenement of Walter Kyd on the north, and the tenement of Allan Dunlop on the south; and then, and immediately after, upon the ground of that half of the tenement formerly built, but now waste, called Spenshouses, and of half of the lands adjacent thereto pertaining to him heritably; and there the said Robert, in view of marriage contracted, and, by the favour of God, shortly to be solemnized, between him and a discreet damsel, Issobella Quhyt, lawful daughter of John Quhyt in Byrhill, and for the singular love, grace, and favour which he had towards the said Issobella his future spouse, did surrender, and purely and simply resign, renounce, and overgive all and whole his aforesaid tenement of land, with yard and pertinents; also all and whole his just and equal half of the tenement called Spenshouses, with half of the yard and lands adjacent thereto respectively, singly and successively, by staff and baton, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of, and for this new seizin thereof to be given to the said Issobella, in her pure virginity, in liferent: Which resignation having been admitted and received by the bailie aforesaid, he, by virtue of his office, and at the mandate of the resigner, gave seizin, and bodily, actual, and real possession of the subjects aforesaid to the said Issobella, who was personally present and accepting thereof: To be holden of the king in the manner of burgh: These things were done upon the grounds of the said tenements respectively, singly and successively, about the eleventh hour before noon of the 21st day of October 1618, the witnesses being John Quhyt in Byrhill, father of the said Issobella, David Speir, elder, fuller, burgess of said burgh, father of the said Robert, David Speir, fuller, brother-german of said Robert, and William Stevinsoun, serjeant.

CXXXVI.—PRO ROBERTO KER IN AUCHINGRIE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Novembris die tercio regnorum-que supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Adamus Cunynghame unus ballivorum burgi de Irwing super solum et fundum tenementi terre subscripti Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Robertus Ker in Auchingrie pater Roberti Ker latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti supremi domini nostri regis In toto et integro illo tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis jacenti infra dictum burgum de Irwing coram foro piscario ejusdem ex orientali latere communis vie regie inter tenementum olim quondam Willielmi Kyll nunc vero heredum quondam Andree Tran prepositi dicti burgi ex australi et tenementum olim quondam Adami Moultray nunc vero Georgii Hommill lanii burgensis dicti burgi ex boreali partibus ab altera Et quod dictus Robertus Ker est legitimus et propinquior heres ejusdem dicti quondam Roberti Ker sui patris de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacenti Et quod predictum tenementum cum pertinentiis de prefato s. d. n. rege tenetur in capite more burgali Propterea prefatus Adamus Cunyngham ballivus antedictus virtute et vigore sui officii personaliter super fundum dicti tenementi existens propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacenti prefato Roberto tanquam filio legitimo et propinquiori heredi antedicti quondam Roberti sui patris ejusdem per terre et lapidis fundi ejusdem prefato Roberto personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem antiquorum infeofamentorum

dicti quondam Roberti sui patris ejusdem (Salvo jure cujuslibet) Tenendi de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Robertus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum vel plura Acta erant hec super solum et fundum dicti tenementi horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Hammiltoun de Brounmure Patricio Hommill in Beyth fratre germano Georgii Hommill lanii burgensis de Irwing Joanne Gemmill burgensi dicti burgi Willielmo Campbell incola ibidem et Willielmo Greir seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT KER IN AUCHINGRIE.

Instrument narrating that an honourable man, Adam Cunynghame, one of the bailies of the burgh of Irvine, personally compeared on the ground of the tenement of land underwritten: And there, because it was clearly known to him by authentic documents and instruments of seizin, publicly shown and read to him, that the late Robert Ker in Auchingrie, father of Robert Ker, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in all and whole that tenement of land, with yard and tailing rig, lying within the said burgh of Irvine, before the Fish market thereof, on the east side of the common High Street of the same, between the tenement formerly of the deceased William Kyll, but now of the heirs of the late Andrew Tran, provost of the said burgh, on the south, and the tenement formerly of the deceased Adam Moultray, but now of George Hommill, flesher, burgess of the said burgh, on the north; and that the said Robert is the lawful and nearest heir of his said father, of all and whole the aforesaid tenement of land; and that the said tenement is held of the king in chief in burghal manner: Therefore the said Adam Cunynghame, bailie, in virtue of his office, gave state and heritable seizin, and also bodily, actual, and real possession of the said tenement of land, with yard and rig, to the aforesaid Robert, as heir of the said Robert his father, by delivery to him of earth and stone of the ground thereof: These

things were done on the ground of the said tenement, about the third hour after noon of the 3rd day of November 1618, before witnesses, namely, William Hamiltoun of Brounmure, Patrick Hommill in Beith, brother-german of George Hommill, flesher, burgess of Irvine, John Gemmill, burgess of the same burgh, William Campbell, indweller there, and William Greir, serjeant.

CXXXVII.—PRO GEORGIO HOMMILL ETC.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Novembris die tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Robertus Ker in Auchingrie super solum et fundum tenementi terre subscripti sibi hereditarie pertinentis jacentis infra burgum de Irwin versus forum piscarium ejusdem ex orientali latere communis vie regie ejusdem inter tenementum olim quondam Willielmi Kyll nunc vero heredum quondam Andree Tran prepositi dicti burgi ex australi et tenementum olim quondam Adami Moultray nunc vero Georgii Hommill lanii burgensis dicti burgi ex boreali partibus ab una et aliis Et ibidem prefatus Robertus pro certis magnis pecuniarum summis sibi tempore presentium confectionis plenarie et integre in pecunia numerata per prefatum Georgium Hommill persolutis Necnon pro observatione et impletione unius ejus partis cujusdam dispositionis litere per eum de dicto ejus tenemento terre prefato Georgio de data presentium confectionis Totum et integrum predictum ejus tenementum terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacens In manibus honorabilis viri Adami Cunyngham unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure juris titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Robertus suive heredes successores aut assignati in et ad predictum tenementum terre seu aliquam ejusdem partem cum pertinentiis habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterint In favores

prefati Georgii Hommill heredum successorum et assignatorum suorum quorumcunque ac pro hac nova sasina et infeodatione hereditaria ejusdem tenementi terre cum pertinentiis prefato Georgio suisque prescriptis per dictum ballivum hereditarie et irredimabiliter sine aliqua reversione redemptione seu regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunyngham ballivus antedictus virtute et vigore sui officii ac de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacentis memorato Georgio Hommill per terre et lapidis fundi ejusdem illi personaliter presenti et pro se suisque heredibus et assignatis prescriptis acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit sine aliqua reversione redemptione aut regressu quocunque secundum formam et tenorem dicte resignationis litereque dispositionis prescripte Tenendi de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Georgius Hommill a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Hammiltoun de Brownmure Patricio Hommill in Beyth fratre germano dicti Georgii Joanne Gemmill burgensi dicti burgi Willielmo Campbell incola ibidem et Willielmo Greir seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR GEORGE HOMMILL.

Instrument narrating that a prudent man, Robert Ker in Auchingrie, personally compeared upon the ground of the tenement belonging to him heritably, lying within the burgh of Irvine, towards the Fish market thereof, on the east side of the High Street, between the tenement formerly

of the late William Kyll, but now of the heirs of the deceased Andrew Tran, provost of the said burgh, on the south, and the tenement formerly of the late Adam Moultray, but now of George Hommill, flesher, burgess, on the north: And there the said Robert, for certain great sums of money fully paid to him, of this date, in counted money, by the aforesaid George Hommill, and for observing his part of a disposition granted by him to the said George, did purely and simply resign his tenement aforesaid, with yard and tailing rig pertaining thereto, in the hands of an honourable man, Adam Cunynghame, one of the bailies of the said burgh, in favour of, and for this new seizin of the same to be given to the said George Hommill: Which resignation having been so made, and by the bailie admitted and received, he gave seizin accordingly by delivery of earth and stone of the ground of the said tenement to the said George Hommill: To be holden of the king in burgage manner: These things were done on the ground of the said tenement about the third hour after noon of the third day of November 1618, the witnesses being William Hamiltoun of Brounmure, Patrick Hommill in Beith, brother-german of the said George, John Gemmill, burgess of said burgh, William Campbell, indweller there, and William Greir, serjeant.

CXXXVIII.—PRO THOMA WILSOUN ET EJUS SPONSA ETC.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Novembris die quinto regnorum-que supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentis personaliter comparuit proba mulier Sara Wilsoun relictæ quondam Jacobi Lauchlan burgensis dicti burgi nunc vero sponsa Joannis Symontoun lanii super solum et fundum istius tenementi terre subscripti jacentis infra dictum burgum de Irwing ex occidentali latere communis vie regis versus pretorium inter tenementum Willielmi Barclay ex ——— et Joannis Weir mercatoris ex ——— partibus ab altera ad heredem dicti quondam Jacobi Lauchlan hereditarie pertinentis et prefate Sare in vitali reddito Et ibidem prefata Sara cum expresso avisiamento consensu et assensu dicti

Joannis Symontoun sui mariti et dictus Joannes pro semetipso dictique conjuges unanimi consensu et assensu pro certis pecuniarum summis illis tempore presentium confectionis per probas personas Thomam Wilsoun mercatorem burgensem dicti burgi et Jonetam Blair ejus sponsam persolutis in pecunia numerata Neenon pro observatione cujusdam dispositionis litere per eos unanimi consensu et assensu facte dictis Thome Wilsoun et Jonete Blair conjugibus de vitali redditu dicte Sare totius et integri predicti tenementi horti et pertinentiis de data presentium confecte In presencia honorabilis viri Joannis Blair unius ballivorum dicti burgi suisque in manibus omne jus titulum et possessionem prefate Sare in et ad predictum tenementum cum horto et pertinentiis ratione sui infeofamenti ad eandem competentem resignavit renunciavit et extradonavit per terre et lapidis dicti tenementi traditionem et clavium ejusdem In favorem prefatorum Thome Wilsoun et Jonete Blair conjugum ac pro reali actuali et corporali possessione ejusdem tenementi terre cum pertinentiis durante omnibus dicte Sare vite diebus per dictum ballivum tradenda Quibus peractis prefatus Joannes Blair ballivus antedictus secundum tenorem dicti resignationis et de mandato resignantium propriis suis manibus dictos Thomam Wilsoun et Jonetam Blair conjuges in reali actuali et corporali possessione totius et integri predicti tenementi et horti investivit et intravit durante omnibus dicte Sare vite diebus per terre et lapidis fundi dicti tenementi et clavium ejusdem ——— Wilsoun filio dicti Thome tanquam actornato et eo nomine dicti sui patris dicteque Jonete Blair personaliter presenti traditionem ut moris est Insuper prefata Sara in presentia dicti ballivi extra presentiam prefati sui mariti personaliter comparuit Et ibidem in plena et plana curia super fundum dicti tenementi tenta et legitime affirmata se ad premissa minime coactam aut compulsam fuisse sed eadem ex sua mera libera et spontanea voluntate fecisse utilitate et commodo suis undique previsis et pensatis et omnia et singula premissa sic ut premittitur facta ratificavit approbavit et de non revocando in futurum sacrosanctis tactis Dei evangeliiis corporale suum prestitit juramentum Super quibus omnibus et singulis premissis prefatus ——— Wilsoun actornatus antedictus ac nomine dicti sui patris dictaque Joneta Blair pro semetipsa a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum unum vel plura Acta erant hec super fundum dicti tenementi horam circiter undecimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra

Presentibus ibidem Jacobo Quhyt uno novissimorum ballivorum dicti burgi Niniano Adam sartore et Willielmo Greir seriando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR THOMAS WILSOUN AND HIS SPOUSE.

Instrument narrating that a worthy woman, Sara Wilsoun, relict of James Lauchlan, burgess of Irvine, but now spouse of John Symontoun, flesher, personally compeared upon the ground of that tenement of land, lying within the said burgh, on the west side of the High Street, towards the Tolbooth, between the tenement of William Barclay on the one side, and that of John Weir, merchant, on the other, pertaining heritably to the heir of the said deceased James Lauchlan, and to the said Sara in liferent: And there the aforesaid Sara, with express advice, consent, and assent of the said John Symontoun her husband, and he for himself, and they both of unanimous consent and assent, for certain sums of money paid to them at the same time by worthy persons, Thomas Wilsoun, merchant, burgess of the said burgh, and Jonet Blair his spouse, and for observing of a disposition made by them to the said Thomas and Jonet, of the liferent of the said Sara, of the aforesaid tenement and yard, did, in presence of an honourable man, John Blair, one of the bailies of the said burgh, and in his hands, resign, renounce, and overgive all right, title, and possession competent to her in and to the aforesaid tenement and yard, by delivery of earth and stone of the said tenement, and of the keys thereof, in favour of the aforesaid Thomas Wilsoun and Jonet Blair, spouses, and for real, actual, and bodily possession of the same during the lifetime of the said Sara, to be delivered to them by the said bailie, which he accordingly did, by investing the said Thomas and Jonet in possession thereof, by delivering earth and stone, and the keys of the same to ——— Wilsoun, son of the said Thomas, as attorney and in name of his father, and to the said Jonet Blair, personally present: Whereupon the aforesaid Sara, in presence of the bailie, and outwith the presence of her husband, personally compeared, and there, in full and open court held upon the ground of the said tenement, and lawfully fenced, declared that she had not been forced or compelled to the premises, but had done the same of her mere, free, and spontaneous

will, her utility and advantage having on every side foreseen and weighed ; and ratified and approved all and sundry the premises, and gave her bodily oath, by touching the gospels, that she would not revoke the same in future ; upon which the aforesaid ——— Wilsoun, attorney, in name of his father, and the said Jonet Blair, craved from the notary instruments one or more to be made to them : These things were done on the ground of the said tenement, about the eleventh hour before noon of the fifth day of November 1618, the witnesses present being James Quhyt, one of the last bailies of the said burgh, Ninian Adam, tailor, and William Greir, serjeant.

CXXXIX.—PRO ELIZABETHA GOTTRAY SPONSA GEORGII
HOMMILL.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Novembris die decimo quarto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Georgius Hommill lanus burgensis burgi de Irwing super solum et fundum istius ejus tenementi terre sibi hereditarie pertinentis jacentis infra dictum burgum de Irwing versus forum piscarium ejusdem perprius ad Robertum Ker in Auchingrie hereditarie pertinentis jacentis ex orientali latere communis vie regie dicti burgi inter aliud tenementum dicti Georgii per eum pro presenti occupatum et possessum ex boreali et tenementum heredum quondam Andree Tran prepositi dicti burgi ex australi partibus ab una et aliis Et ibidem prefatus Georgius pro singularibus amore gratia et favore quos erga dilectam suam sponsam Elizabetham Gottray habet et gerit Totum et integrum predictum ejus tenementum terre nuperrime per eum acquisitum ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacens In manibus honorabilis viri Adami Cunynghame unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favorem ac pro hac nova sasina et infeodatione ejusdem tenementi terre ante et retro subtus et supra cum horto aggere et singulis

suis pertinentiis ut supra jacentis per dictum ballivum prefate Elizabethæ Gottray sue sponse in vitali redditu pro omnibus illius vite diebus danda et concedenda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus ballivus antedictus virtute et vigore sui officii et de mandato speciale dicti resignantis propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singuli suis pertinentiis ut supra jacentis prefate Elizabethæ sponse dicti Georgii in vitali redditu pro omnibus illius vite diebus per terre et lapidis fundi ejusdem sibi personaliter presenti et acceptanti ut moris est traditionem dedit tradidit et deliberavit secundum formam et tenorem dicte resignationis Tenendi de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaqua onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefata Elizabetha a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum vel plura Acta erant hec super solum et fundum dicti tenementi horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Allano Dunlop urbisprefecto Jacobo Quhyt uno novissimorum ballivorum dicti burgi et Willielmo Grier seriando testibus ad premissa vocatis pariterque rogatis. R. BROUN.

ABSTRACT.

FOR ELIZABETH GOTTRAY, SPOUSE OF GEORGE HOMMILL.

Instrument narrating that a prudent man, George Hommill, flesher, burgess of Irvine, compeared personally upon the ground of that his tenement of land, belonging to him heritably, lying within the said burgh, towards the fish market thereof, formerly pertaining to Robert Ker in Auchingrie, lying on the east side of the High Street of the said burgh, between another tenement of the said George, for the present occupied and possessed by him, on the north, and the tenement of the heirs of the late Andrew Tran, provost of Irvine, on the south; and there the said George, for the love, grace, and favour which he had towards his beloved spouse Elizabeth Gottray, did surrender, and purely

and simply resign, renounce, and overgive for ever, all and whole the aforesaid tenement of land, lately acquired by him, with yard and tailing rig thereto belonging, in the hands of an honourable man, Adam Cunynghame, one of the bailies of the said burgh, in favour of and for this new infestment of the same to be given by him to the aforesaid Elizabeth Gottray, in liferent; which resignation having been by the bailie admitted and received, he gave seizin accordingly of the said tenement, with yard and rig, to the said Elizabeth, in liferent, by delivery to her personally of earth and stone of the ground thereof: These things were done on the ground of the said tenement, about the tenth hour before noon of the 14th day of November 1618, the witnesses there present being Allan Dunlop, provost, James Quhyt, one of the last bailies of the said burgh, and William Grier, serjeant.

CXL.—PRO ROBERTO BIGGART ETC.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Novembris die decimo octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentis personaliter comparuit probus vir Joannes Biggart mercator burgensis burgi de Irwing super solum et fundum istius sui tenementi terre subscripti jacentis infra dictum burgum in via qua itur ad pontem ex australi latere communis vie regie inter tenementum quondam Joannis Burnes ex orientali et occidentali et tenementum Roberti Hendrie ex australi partibus ab una et aliis Et ibidem dictus Joannes pro singularibus amore gratia et favore quos erga Robertum Biggart suum filium legitimum tercio genitum habet et gerit totam et integram justam et equalem dimedietatem predicti sui tenementi et horti eidem adjacentis In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure titulo et interesse sibi suisve heredibus et assignatis in et ad eandem competentibus In favorem ac pro hac nova sasina et infeodatione hereditarea ejusdem juste et equalis dimedietatis tenementi sui predicti ante et retro

cum pertinentiis per dictum ballivum prefato Roberto Biggart ejus filio heredibus suis et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque danda et concedenda Reservato tamen sibi et Margarete Wilsoun sue sponse eorumque alteri diutius viventi eorum vitalibus redditibus totius et integri predicti tenementi terre ante et retro cum horto et pertinentiis Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii et de mandato resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integre predictae juste et equalis dimedietatis totius et integri predicti tenementi terre ante et retro horti et pertinentiis ut supra jacentis prefato Roberto Biggart per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque ut premittitur deliberavit secundum formam et tenorem dicte resignationis ac sub reservationibus particulariter supra recitatis Tenende de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Robertus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter secundam postmeridiem aut eo circa sub anno die mensis regnisque regis quibus supra presentibus ibidem Joanne Cruikis mercatore et Alexandro Baillie pellione coburgensibus dicti burgi et Willielmo Quhyt servitore dicti Alexandri testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT BIGGART.

Instrument narrating that a worthy man, John Biggart, merchant, burgess of Irvine, compeared personally upon the ground of that his tenement of land, lying within the said burgh, in the way which leads to the bridge, on the south side of the common High Street, between the tenement of the late John Burnes on the east and west, and the

tenement of Robert Hendry on the south; and there the said John, for the singular love, grace, and favour which he had toward Robert Biggart, his lawful third born son, did surrender, and purely and simply resign the just and equal half of the aforesaid tenement, and yard adjacent thereto, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of and for this new seizin and infetment of the same to be given to the aforesaid Robert Biggart his son, his heirs and assignees, heritably and irredeemably, without any reversion, redemption, or regress whatever; reserving, nevertheless, to himself and Margaret Wilsoun his spouse, and the survivor of them, their liferents of all and whole the aforesaid tenement and yard: Which resignation having been received by the said bailie, he gave seizin accordingly of the said half of the tenement to the said Robert Biggart, by delivery to him personally of earth and stone of the ground thereof: These things were done on the same ground, about the second hour after noon of the 18th day of November 1618, the witnesses present being John Cruikes, merchant, and Alexander Baillie, skinner, co-burgesses of the said burgh, and William Quhyte, servitor of the said Alexander.

CXLI.—PRO ALEXANDRO CUNYNGHAME SENIORE ET EJUS
SPONSA Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo octavo mensis vero Novembris die vigesimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentis personaliter comparuit providus vir Jacobus Tran mercator cives civitatis Glasguensis super solum et fundum istius sui tenementi terre subscripti jacentis infra burgum de Irwing in via ecclesiastica ejusdem ex ——— latere communis vie regie ejusdem inter tenementum quondam Archibaldi George nunc vero Archibaldi George sui filii ex ——— et tenementum terre Laurencii Randell pistoris burgensis dicti burgi ex ——— partibus ab una et aliis Necnon super solum et fundum istius ejus alterius tenementi sive horti jacentis similiter in dicta via ecclesiastica ex latere communis vie regie ejusdem inter tenementum Willielmi Gemmill ex ———

et tenementum ——— ex ——— partibus ab una et aliis Et ibidem respective et successive prefatus Jacobus pro certis pecuniarum summis sibi tempore presentium confectionis per probas personas Alexandrum Cunyngham seniore mercatorem burgensem dicti burgi de Irwing et Margaretam Cunyngham ejus sponsam illi plenarie et integre in pecunia numerata persolutis Necnon pro observatione et impletione unius ejus partis cujusdam dispositionis litere per eum de dictis ejus tenementis terre dictis conjugibus eorumque alteri diutius viventi in conjuncta infeodatione eorumque heredibus et assignatis subscriptis penes hoc presens infeofamentum subscriptum de data presentium confecte Totum et integrum predictum ejus tenementum terre ante et retro subtus et supra cum singulis suis pertinentiis ut supra jacens Necnon totum et integrum predictum aliud ejus tenementum terre sive hortum Unacum omnibus jure titulo et interesse quibuscunque sibi suisve heredibus et assignatis in et ad eadem seu aliquam earundem partem competentibus In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum in favores ac pro hac nova sasina et infeodatione hereditaria eorundem per dictum ballivum prefatis Alexandro et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Alexandro suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integri predicti tenementi terre jacentis ex ——— latere dicte vie ecclesiastice ante et retro subtus et supra cum singulis suis pertinentiis Necnon totius et integri predicti alterius tenementi terre sive horti cum singulis suis pertinentiis ut supra jacentis memoratis Alexandro et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem illis personaliter presentibus et manibus junctis acceptantibus traditionem et

deliberationem ut moris est in talibus fieri consuetum dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte dispositionis litere ac resignationis prescripte Tenendorum de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Alexander et Margareta Cunynghams conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictorum tenementorum respective singulatim et successive per se horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Hugone Montgomerie mercatore burgensi dicti burgi Alexandro Fiddes musicinario in Dumbarton Laurencio Randell pistore burgensi de Irwin et Willielmo Grier seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ALEXANDER CUNYNGHAME ELDER, AND HIS SPOUSE.

Instrument narrating that a prudent man, James Tran, merchant, citizen of the city of Glasgow, compeared personally upon the ground of that his tenement of land, lying within the burgh of Irvine, in the Kirkgate thereof, on the —— side of the common High Street of the same, between the tenement of the late Archibald George, but now of Archibald George his son, on the one side, and the tenement of land of Laurence Randell, baker, burgess of the said burgh, on the other; also upon the ground of that his other tenement of land or yard, lying likewise in the said Kirkgate, on the —— side of the High Street thereof, between the tenement of William Gemmill on the one side, and the tenement of —— on the other; and there the aforesaid James, for certain sums of money fully and wholly paid to him by worthy persons, Alexander Cunynghame elder, merchant, burgess of Irvine, and Margaret Cunynghame his spouse; and for implement of his disposition made to them, did resign the tenements aforesaid in the hands of an honourable man, John Blair, one of the bailies of Irvine, for new seizin thereof to be given by him

to the said Alexander and Margaret, and the survivor of them, in conjunct fee, and to their heirs heritably and irredeemably, without reversion, redemption, or regress: Which resignation having been received by the bailie, he gave seizin accordingly to the said Alexander and Margaret, who were present, and received the symbols with their hands joined: These things were done on the said grounds respectively and successively, about the third hour after noon of the 23rd day of November 1618, the witnesses present being Hugh Montgomerie, merchant, burghess of Irvine, Alexander Fiddes, musicianer in Dumbarton, Laurence Rendell, baker, burghess of Irvine, and William Grier, serjeant.

CXLII.—PRO JOANNE SPEIR Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Januarii die decimo sexto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Joannes Blair unus ballivorum burgi de Irwing super solum et fundum tenementi terre subscripti Et ibidem quia sibi clare constabat et notum fuit per antientica documenta et sasinarum instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Robertus Speir senior fullo burgensis burgi de Irwing pater Joannis Speir latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti s. d. n. regis in toto et integro illo anteriore tenemento subtus et supra cum lie back galrio et pertinentiis jacenti infra dictum burgum ex occidentali latere communis vie regie ejusdem inter tenementum quondam Willielmi Stevinsoun nunc vero Willielmi Cunynghame ex boreali ab una et tenementum quondam Joannis Quhytfurd ex australi et posterius tenementum sive aulam Archibaldi Reid ex occidentali Necnon in illis duobus posterioribus inferioribus domibus jacentibus in clausura dicti tenementi extendentibus ad longitudinem triginta quatuor pedum et que ab antiquo et in originalibus infeofamentis designantur (aula cubiculum et sellarium) inter predictum posterius tenementum sive aulam dicti Archibaldi Reid ex orientali et domum ad finem clausure dicti Archibaldi perprius edificatum nunc vero wastum et

ruinosum ex occidentali partibus ab una et aliis Ac etiam in toto et integro illo horto superiore et inferiore et integro aggere vulgo lie tailling rig eidem tenemento adjacenti et bondato ut premittitur Et quod dictus Joannes Speir est legitimus et propinquior heres ejusdem dicti quondam Roberti sui patris de toto et integro predicto tenemento anteriore subtus et supra cum pertinentiis duobus domibus prescriptis hortis et aggere ut supra jacentibus Et quod est legitime etatis Et quod eodem de prefato s. d. n. rege tenentur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti anterioris tenementi subtus et supra cum lie bak galrie et pertinentiis Necnon totarum et integrarum predictarum inferiorum duorum domuum et totorum et integrorum predictorum hortorum superiorum et inferiorum ac etiam totius et integri predicti aggeris cum singulis eorundem pertinentiis jacentium et bondatarum respective ut premittitur prefato Joanni Speir tanquam filio legitimo et propinquiori heredi antedicti quondam Roberti sui patris ejusdem per terre et lapidis fundorum eorundem illi personaliter presenti et acceptanti ut moris est deliberationem dedit tradidit et hereditarie deliberavit secundum formam et tenorem infeofamentorum dicti quondam Roberti sui patris eorundem (Salvo jure cujuslibet) Tenendorum de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias perprius solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Joannes Speir a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dicti tenementi anterioris posterioris domuum hortorum et aggeris respective prescriptorum horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne M'Teir piscatore Willielmo Cunyngham mercatore et Jacobo Johnestoun coburgensibus dicti burgi Archibaldo Dein incola ibidem Thoma Weir et Willielmo Daill commorantibus ibidem testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOHN SPEIR, ETC.

Instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally on the ground of the tenement of land underwritten; and there, because it was clearly known to him by authentic documents and instruments of seizin, publicly shown and read to him, that the late Robert Speir elder, fuller, burgess of Irvine, father of John Speir, bearer of these presents, died last vest and seized as of fee, at the faith and peace of the king, in that fore tenement, under and above, with the back gallery, lying in the said burgh, on the west side of the High Street thereof, between the tenement of the late William Stevinsoun, but now of William Cunynghame, on the north, and the tenement of the late John Quhytfurd on the south, and the back tenement or hall of Archibald Reid on the west; also in those two back lower houses, lying in the close of the said tenement, extending to the length of thirty-four feet, and which of old and in the original infeftments are designated hall, bed-chamber, and cellar, between the aforesaid back tenement or hall of the said Archibald Reid on the east, and the house at the end of the close of the said Archibald, formerly built, but now waste and ruinous, on the west; and also in that yard, over and nether, and tailing rig adjacent to the same tenement, and bounded as is premised; and that the said John Speir is lawful and nearest heir of the said deceased Robert his father, of the tenements and others aforesaid; and that he is of lawful age; and that the same are held in chief of our sovereign lord the king in burgage manner: Therefore the said bailie, by virtue of his office, did with his own hands give state and heritable seizin, and likewise possession, bodily, actual, and real, of the aforesaid fore tenement, with the back gallery, also of the aforesaid two houses, and yards, and tailing rig, to the said John Speir, as lawful and nearest heir of his said father, by delivery to him of earth and stone of the grounds of the same: These things were done upon the grounds of the subjects respectively before-written, about the third hour after noon of the 19th day of the month of January 1619, the witnesses present being John M'Teir, fisher, William Cunyngham, merchant, and James Johnstone, co-burgesses of the said burgh, Archibald Dein, indweller there, Thomas Weir and William Daill, residenters there.

CXLIII.—PRO ISSOBELLA ROS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Januarii die decimo nono regnorum-que supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentis personaliter comparuit probus vir Joannes M^rTeir piscator burgensis burgi de Irwing super solum et fundum istius tenementi terre et horti eidem adjacenti in quo dictus Joannes Makteir et Joannes Galt conjunctim et equaliter infeodati existunt jacentis infra dictum burgum de Irwing in via marina ejusdem ex australi latere communis vie regie dicte vie marine inter tenementum quondam Jacobi Gray pellionis ex orientali et tenementum sive hortum Joannis Mitchell ex occidentali partibus ab una et aliis Et ibidem prefatus Joannes pro singularibus amore gratia et favore quos erga Issobellam Ros ejus futuram sponsam habet et gerit necnon intuitu matrimonii breviter inter eos Deo favente solempnizandi Totam et integram ejus justam et equalem dimedietatem totius et integri predicti tenementi et horti eidem adjacenti pro ut eadem dimedietas per ipsum pro presenti possidetur et dividitur ex consensu dicti Joannis Galt in manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favorem ac pro hac nova sasina et infeodatione ejusdem prefate Issobella sue future sponse in vitali reddito pro omnibus illius vite diebus per dictum ballivum danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii et de mandato speciale dicti resignantis propriis suis manibus statum et sasina vitalis redditus pariter et possessionem corporalem actualem et realem totius et integre predictae juste et equalis dimedietatis totius et integri predicti tenementi et horti ejusdem ut supra jacentis pro ut eadem dimedietas per dictum Joannem pro presenti possidetur prefate Issobelle Ros sponse future dicti Joannis per terre et lapidis fundi ejusdem ille personaliter presenti et acceptanti ut moris est

traditionem dedit tradidit et deliberavit secundum formam et tenorem dicte resignationis Tenende de dicto s. d. n. rege more burgali etc Super quibus omnibus et singulis premissis prefata Issobella a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Cunyngham mercatore Allano Ros pellione et Joanne Thomsoun lanione coburgensibus dicti burghi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ISSOBELLA ROS.

Instrument narrating that a worthy man, John M'Teir, fisher, burgess of Irvine, compeared personally upon the ground of that tenement of land and yard adjacent thereto, in which the said John Makteir and John Galt are conjunctly and equally infest, lying within the said burgh of Irvine, in the Seagate thereof, on the south side of the common highway of the said Seagate, between the tenement of the late James Gray, skinner, on the east, and the tenement or yard of John Mitchell on the west; and there the said John M'Teir, for the singular love and favour which he had towards Issobella Ros his future spouse, and in view of marriage to be in a short time, by the favour of God, solemnized between them, did resign the just and equal half of the aforesaid tenement, and of the yard adjacent thereto, presently possessed by himself, and, by consent of the said John Galt, divided, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of and for this new infestment of the same to be given to the said Issobella his future spouse in liferent: Which resignation having been received by the said bailie, he gave seizin accordingly to the said Issobella Ros of the said half of the tenement and yard aforesaid in liferent, by delivery to her, who was personally present and accepting thereof, of earth and stone of the ground of the same: These things were done upon the ground of the aforesaid tenement, about the eighth hour of the morning of the 19th day of January 1619, before these witnesses, William Cunyngham, merchant, Allan Ros, skinner, and John Thomson, flesher, burgesses of the said burgh.

CXLIV.—PRO THOMA MACKTEIR.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Januarii die decimo nono regnorum-que supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentis personaliter comparuit probus vir Joannes Mackteir piscator burgensis burgi de Irwing super solum et fundum istius tenementi et horti subscripti eidem adjacentis et in quo dictus Joannes M'Teir et Joannes Galt conjunctim et equaliter infeodati existunt jacentis infra dictum burgum in via marina ejusdem ex australi latere communis vie regie dicte vie marine inter tenementum quondam Jacobi Gray pellionis ex orientali et tenementum sive hortum Joannis Mitchell ex occidentali partibus ab una et aliis Et ibidem prefatus Joannes pro singularibus amore gratia et favore quos erga dilectum suum filium Thomam Mackteir habet et gerit et pro diversis aliis bonis et rationabilibus causis et considerationibus eum ad effectum subscriptum moventibus Totam et integram ejus justam et equalem dimedietatem totius et integri predicti tenementi et horti eidem adjacentis pro ut eadem justa et equalis dimedietas per ipsum pro presenti possidetur et ex consensu dicti Joannis Galt dividitur In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Joannes ejusve heredes successores aut assignati in et ad eandem seu aliquam ejusdem partem habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterint in futurum In favorem ac pro hac nova sasina et infeodatione hereditaria ejusdem juste et equalis dimedietatis tenementi et horti eidem adjacentis cum singulis ejusdem pertinentiis ut supra jacentis prefato Thome Mackteir ejus filio heredibus suis et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque per dictum ballivum danda et in debita et competenti forma prout congruit conficienda Reservato nihilominus sibi

et Issobelle Ros sue future sponse eorumque alteri diutius viventi eorum vitalibus redditibus totius et integre predicti dimedietatis tenementi et dimedietatis horti pro omnibus eorum eorumque alteri diutius viventi vite diebus Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii ac de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integre predictae juste et equalis dimedietatis predicti tenementi et dimedietatis horti prescripti ut supra jacentis prout eadem pro presenti per dictum Joannem M'Teir possidetur et ex consensu dicti Joannis Galt dividitur prefato Thome M'Teir per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque deliveravit secundum tenorem dicte resignationis Reservato vitalibus redditibus dicti Joannis ejusque future sponse ut predictur Tenende de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Thomas a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Cunyngham mercatore Allano Ros pellione et Joanne Thomsoun lanione coburgensibus dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR THOMAS MACTEIR.

Instrument narrating that a worthy man, John Macteir, fisher, burgess of Irvine, compeared personally upon the ground of that tenement and yard adjacent thereto, in which he and John Galt were conjointly and equally infeft, lying within the said burgh in the Seagate thereof, on the south side of the common highway of the said Seagate, between the tenement of the late James Gray, skinner, on the east, and the tenement

or yard of John Mitchell on the west; and there the said John Macteir, for the love which he had towards Thomas Macteir his son, and for other good and reasonable causes and considerations moving him thereto, did, with consent of the said John Galt, resign, renounce, and overgive the just and equal half of the tenement aforesaid, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, for this new infetment of the same to be given by him to the said Thomas Macteir his son, and his heirs and assignees, heritably and irredeemably; reserving, however, to himself and to Issobella Ros his future spouse, and the longer liver of them, their liferents of the said half: Which resignation having been received by the bailie, he gave seizin accordingly to the said Thomas Macteir, by delivery to him, personally present and accepting, of the usual symbols of infetment: These things were done on the ground of the said tenement, about the eighth hour of the morning of the 19th day of January 1619, the witnesses present being William Cunynghame, merchant, Allan Ros, skinner, and John Thomson, flesher, burgesses of Irvine.

CXLV.—PRO ALEXANDRO GRAY CULTELLARIO EJUSQUE SPONSA
AC FILIA ETC.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Januarii die decimo nono regnorum-
que supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Alexander Gray cultellarius burgensis burgi de Irwing super solum et fundum illius ejus posterius tenementi sive domus habitationis sibi hereditarie pertinentis pro presenti per ipsum inhabitati et possessi jacentis infra dictum burgum ex orientali latere communis vie regie ejusdem inter tenementum et terras heredum quondam Alexandri Ros fabri lignarii et heredum quondam Mathei Rankin ex orientali et occidentali partibus tenementum terre Willielmi Caulduell de Annanhill clerici balliatus de Cunyngham ex boreali et tenementum quondam Thome Arnbuckill nunc vero Thome Spark ex australi partibus ab una et aliis Necnon super solum et fundum illius ejus dimedietatis

horti et dimedietatis aggeris vulgo lie tailling rig dicto ejus posteriori tenemento sive habitationis domo adjacentium et sequentium Et ibidem prefatus Alexander Gray pro singularibus amore gratia et favores quos erga dilectam ejus sponsam Jonetam Montgomerie et erga dilectam suam filiam Jonetam Gray inter eum dictamque suam sponsam legitime procreatam habet et gerit Necnon pro diversis aliis bonis et rationabilibus causis et considerationibus eum ad effectum subscriptum moventibus totum et integrum predictum ejus posterius tenementum sive habitationis domum unacum predicta ejus dimedietate horti et dimedietate aggeris eidem posteriori tenemento sive habitationis domo adjacentium et sequentium cum singulis suis pertinentiis jacens et bondatum ut premittitur In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio illi suisve heredibus aut assignatis quibuscunque in et ad predictam habitationis domum utrasque dimedietates horti et aggeris prescriptorum seu aliquam ejusdem partem cum pertinentiis competentibus In favores ac pro hac nova sasina et infeodatione hereditaria eorundem per dictum ballivum sibi prefato Alexandro dicteque Jonete Montgomerie ejus conjugii eorumque alteri diutius viventi in conjuncta infeodatione et vitali reddito dicteque Jonete Gray eorum filie legitime heredibusque de illius corpore legitime procreandis hereditarie quibus deficientibus dicto Alexandro resignanti suisque heredibus et assignatis quibuscunque hereditarie revertendas danda et in debita et competenti forma prout congruit conficienda Proviso tamen quod non obstante hac resignatione prescripta quod semper licitum erit prefato Alexandro Gray resignanti in sua propria persona tantummodo ac quovis tempore sue vite sive eger sive sanus ac quolibet anni tempore totum et integrum predictum ejus posterius tenementum sive habitationis domum ac utrasque horti et aggeris dimedietates prescriptas cum singulis suis pertinentiis a prefata Joneta Gray ejus filia heredibusque de corpore suo legitime procreandis tantummodo redimere et relaxare per solutionem illis summe sex solidorum et octo denariorum usualis monete hujus regni Scotie in ecclesia parochiali de Irwing premonitione illis personaliter aut apud eorum habitationis domum in presentia communis scribe ac clerici dicti burgi de Irwing et testium fidedignorum legitime facta per spatium

——— precedens et casu absentie aut recusationis per consignationem ejusdem summe in manibus prepositi aut unius ballivorum dicti burgi de Irwin ad illius commodum et utilitatem devenire Quo debite facto dicte habitationis domus et dimedietates horti et aggeris prescripte legittime redempte et relaxate fore estimabuntur et reputabuntur dictusque Alexander suisque heredes et assignati quicunque extunc in et ad easdem cum pertinentiis plenum et liberum regressum ingressum et accessum habebunt presensque hoc infeofamentum in quantum attinet et in favorem dicte illius filie ejusque prescriptorum extenditur vacabit nulliusque erit valoris roboris aut momenti cuiquidem redemptionis declarature per presentes expresse providetur quod prepositus et ballivi burgi de Irwing solummodo iudices competentes erint non obstante quorumcunque actorum legum statutorum seu regni practicarum in contrarium factorum vel faciendorum penes quod presens hec provisio sufficiens dispensatis fuerit Qua resignatione sic ut premittitur facta debite et legittime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii et de mandato dicti Alexandri resignantis propriis suis manibus statum et sasinam pariter et possessionem corporalem actualem et realem Totius et integri predicti posterioris tenementi terre sive domus habitationis prescripte ——— dimedietatis horti et ——— dimedietatis aggeris predictorum et singulis ejusdem pertinentiis jacentium et bondatarum ut premittitur prefato Alexandro Gray et Jonete Montgomerie ejus conjugii eorumque alteri diutius viventi in vitali reddito dicteque Jonete Gray eorum filie legittime in feodo hereditarie per terre et lapidis fundorum earundem dictis conjugibus illis personaliter presentibus et manibus junctis acceptantibus terreque et lapidis fundorum earundem dicte Jonete Gray eorum filie personaliter presenti et pro semetipsa suisque heredibus de corpore suo legitime procreandis acceptanti traditionem et deliberationem dedit tradidit pariter et cum effectu deliberavit sub reversionis conditionibus prescriptis et non alias aliter neque alio modo secundum dicte resignationis tenorem in omnibus punctis Tenendarum de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Alexander Gray et Joneta Montgomerie conjuges ac eorum alteri pro semetipsis Necnon prefata Joneta Gray eorum filia a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instru-

menta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Jacobo Quhyt uno novissimorum ballivorum dicti burgi Willielmo Cauldwell de Annanhill clerico balliatus de Cunyngham Joanne Gray filio legitimo dicti Alexandri et Willielmo Greir seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ALEXANDER GRAY, CUTLER, AND HIS WIFE AND DAUGHTER.

Instrument narrating that a prudent man, Alexander Gray, cutler, burgess of Irvine, compeared personally upon the ground of that his back tenement, or dwelling-house, belonging to him heritably, and presently inhabited and possessed by him, lying within the said burgh, on the east side of the High Street thereof, between the tenement and lands of the heirs of the late Alexander Ros, wright, and of the heirs of the late Mathew Rankin, on the east and west; the tenement of land of William Cauldwell of Annanhill, clerk of the bailiery of Cunyngham, on the north, and the tenement of the late Thomas Arnbuckill, but now of Thomas Spark, on the south; and also upon the ground of that his half of yard, and half of tailing rig, adjacent to the said back tenement or dwelling-house: And there the said Alexander Gray, for the singular love and favour which he had towards Jonet Montgomerie his beloved spouse, and towards his beloved daughter Jonet Gray, begotten between him and his said spouse, and for various other good and reasonable causes moving him to that effect, did resign his back tenement or dwelling-house aforesaid, together with his half of yard and half of tailing rig adjacent thereto, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of and for this new heritable infeftment of the same to be given in due form by the said bailie to himself, the said Alexander Gray, and Jonet Montgomerie his spouse, and the longer liver of them, in conjunct fee and liferent, and to the said Jonet Gray their daughter, and the heirs of her body to be lawfully procreated, heritably; which failing, to revert to the said Alexander, the resigner, and his heirs and assignees whatsoever heritably; providing, however, that notwithstanding

this resignation, it should always be lawful to the said Alexander Gray, in his own person only, and at any time of his life, whether sick or sound, and at any time of the year, to redeem the said back tenement or dwelling-house, and both the halves of yard and rig aforewritten, from the said Jonet Gray and her heirs, by payment to them of the sum of six shillings and eight pennies, usual money of this kingdom of Scotland, in the parish church of Irvine, upon premonition made to them personally, or at their dwelling-house, in presence of the common clerk of the said burgh and trustworthy witnesses, by the space of ——— preceding, and in case of absence or refusal by consignment of the same sum in the hands of the provost or one of the bailies of Irvine, to be forthcoming to their advantage; upon which the said dwelling-house and half yard and rig shall be held to be lawfully redeemed, and the said Alexander and his heirs shall thenceforth have free regress, ingress, and access in and to the same, and this present infeftment, so far as it reaches in favour of his said daughter and her heirs, shall be void and null; and as to any declarator of redemption it is provided that the provost and bailies of Irvine shall alone be judges competent, notwithstanding any laws or practices of the kingdom to the contrary, in regard to which this present provision shall be a sufficient dispensation: Which resignation having been so made, and by the said bailie admitted and received, he with his own hands, by virtue of his office, and on the mandate of the resigner, gave state and seizin, and also possession, bodily, actual, and real, of the said subjects to the aforesaid Alexander Gray and Jonet Montgomerie his spouse, and the survivor of them, in liferent, and to the said Jonet Gray, their daughter, in fee, heritably, by delivery of earth and stone of the ground of the same to the parties, who were all personally present and accepting thereof: To be holden of the king in manner of burgh; they rendering therefor yearly the burghal fermes and other dues used and wont to be paid; upon all which the parties craved instruments from the notary: These things were done on the ground of the said tenement about the eleventh hour before noon of the 19th day of January 1619, before these witnesses, James Quhyt, one of the last bailies of the said burgh, William Cauldwell of Annanhill, clerk of the bailiery of Cunyngham, John Gray, son of the said Alexander, and William Greir, serjeant.

CXLVI.—PRO JOANNE NAPER CULTELLARIO.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Januarii die vigesimo quinto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Willielmus Greir seriandus super solum et fundum istius dimedietatis sive dimedie partis prati et terrarum vocatarum Ruidmeidow extendentium ad duas acras terrarum aut eo circa olim quondam Roberto Tailzeour mercatori burgensi burgi de Irwing hereditarie pertinentium nunc vero Elizabethe et Helene Burnes filiabus legitimis et heredibus portionariis quondam Joannis Burnes naucleri burgensis dicti burgi eorum patris jacentium infra territorium dicti burgi cujus una pars inter terras quondam Niniani Barclay ex orientali et terras Thome Boyd ex occidentali partibus ab una et aliis et altera pars ejusdem inter terras quondam Andree Tran ex occidentali et dicti Thome Boyd ex orientali Et ibidem dictus Willielmus tanquam procurator rite et legitime constitutus et eo nomine dicte Elizabethe Burnes et Jacobi Gib burgensis de Glesgow ejus sponsi virtute cujusdam procuratorialis litere in quadam dispositionis litera contenta facta per dictam Elizabetham cum expressis avisamento consensu et assensu dicti Jacobi ejus mariti et dictos conjuges unanimi consensu et assensu de tota et integra eorum justa et equali dimedietate sive dimedia parte predicti prati et terrarum vocatarum Ruidmeidow cum singulis suis pertinentiis ut supra jacentium Provido viro Joanni Naper cultellario civi civitatis Glasguensis penes eorum dimedietatis dicte dimedietatis prati et terrarum vocatarum Ruidmeidow alienationem et dispositionem de data decimo sexto die mensis Novembris ultime elapsi Totam et integram eorum justam et equalem dimedietatem predictae dimedietatis sive dimedie partis dicti prati et terrarum cum singulis suis pertinentiis ut supra respective jacentium In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure juris titulo interesse jurisclemeo proprietate et

possessione dicteque Elizabethhe Burnes ejusque marito eorumve heredibus aut assignatis in et ad eandem seu aliquam earundem partem competentibus In favorem ac pro hac nova sasina et infeodatione hereditarea per dictum ballivum prefato Joanni Naper heredibus suis et assignatis quibuscunque danda et concedenda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii et de mandato resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integre prefate juste et equalis dimedietatis sive dimedie partis predictae dimedietatis partis prati et terrarum vocatarum Ruidmeidow extendentis ad unam acram terre aut eo circa cum singulis suis pertinentiis ut supra jacentium memorato Joanni Naper per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum formam et tenorem dicte dispositionis litere litereque procuratorialis in eadem contentae ac resignationis prescripte (Salvo jure cujuslibet) Tenende de urbisprefecto ballivis consulibus et comunitate dicti burgi in feudifirma feodo et hereditate imperpetuum Reddendo inde annuatim feudifirme firmas et divorias pro eisdem perprius solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Joannes Naper a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum vel plura Acta erant hec super solum et fundum dictarum terrarum horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Cauldwell de Annanhill clerico ballivatus de Cunyngham Roberto Mure filio legitimo domini Thorntoun Thoma Frances in Stane Roberto Dunlop fabro ferrario burgensi de Irwing testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOHN NAPER, CUTLER.

Instrument narrating that a prudent man, William Greir, serjeant, compeared personally upon the ground of that half or half part of the meadow and lands called Roodmeadow, extending to two acres of land or thereby, formerly belonging in heritage to the late Robert Tailzeour,

merchant, burghess of Irvine, but now to Elizabeth and Helen Burnes, lawful daughters and heirs-portioners of the late John Burnes, ship-master, burghess of the said burgh, lying within the territory of the same burgh, of which one part lies between the lands of the late Ninian Barclay on the east, and the lands of Thomas Boyd on the west; and the other part thereof between the lands of the late Andrew Tran on the west, and the lands of the said Thomas Boyd on the east: And there the said William, as procurator lawfully constituted and in the name of the said Elizabeth Burnes and of James Gib, burghess of Glasgow, her spouse, in virtue of a certain letter of procuratory, contained in a disposition granted by the said Elizabeth, with express advice and consent of the said James her husband, of all and whole their just and equal half of the said meadow and lands, to a prudent man, John Naper, cutler, citizen of the city of Glasgow, of date the 16th day of November last, did resign all and whole their just and equal half of the aforesaid half part of the said meadow and lands, in the hands of an honourable man, John Blair, one of the bailies of Irvine, in favour of and for this new infeftment to be given to the said John Naper, his heirs and assignees: Which resignation so made having been admitted and received by the bailie, he gave seizin accordingly of the said half of the half part of the meadow aforesaid, by delivery of earth and stone of the ground of the same to the said John Naper, who was personally present and accepting thereof: To be holden of the provost, bailies, councillors, and community of the said burgh, in feuferme and heritage, for the yearly fermes and duties used and wont: Done upon the ground of the said lands about the ninth hour of the morning of the 25th day of January 1619, the witnesses being William Cauldwell of Annanhill, clerk of the bailiery of Cunyngham, Robert Mure, son of the laird of Thorntoun, Thomas Frances in Stane, and Robert Dunlop, blacksmith, burghess of Irvine.

CXLVII.—PRO QUINTIGERNO HUNTER JACOBO ET PETRO
BURNES Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Februarii die tercio regnorumque

supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Adamus Cunynghame unius ballivorum burgi de Irwing super solum et fundum istius tenementi terre subscripti perprius quondam Jonete Legatt relicte quondam Jacobi Hunter in Hill hereditarie pertinentis jacentis infra burgum de Irwing in via qua itur ad viridarium ejusdem inter terras quondam Davidis M'Innis nunc vero ——— ex boreali et domus et hortos quondam Finlai Rillie nunc vero ——— ex orientali partibus ab una et aliis Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dicta quondam Joneta Legatt relicta dicti quondam Jacobi Hunter mater Quintigerni Hunter in Hill latoris presentium obiit ultimo vestita et sasita ut de feodo ad fidem et pacem dicti s. d. n. regis in toto et integro predicto tenemento terre sive domo edificata petia terre jacenti a tergo ejusdem cum horto et singulis suis pertinentiis ut supra jacenti Et quod dictus Quintigernus est legitimus et propinquior heres ejusdem dicte quondam Jonete sue matris de toto et integro predicto tenemento terre sive domo edificata cum pecia terre eidem adjacente horto ejusdem et singulis suis pertinentiis ut supra jacenti Et quod est legitime etatis Et quod totum et integrum predictum tenementum terre sive domus edificata cum petia terre et horto ejusdem et singulis suis pertinentiis ut supra jacens de prefato s. d. n. rege tenetur more burgali Propterea prefatus Adamus Cunynghame ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre sive domus edificate petie terre eidem adjacentis et horti ejusdem et singulis suis pertinentiis ut supra jacentis memorato Quintigerno Hunter tanquam filio legitimo et propinquiori heredi antedicte quondam Jonete sue matris ejusdem per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem dedit tradidit et hereditarie deliberavit secundum formam et tenorem antiquorum infeofamentorum dicte quondam Jonete ejusdem Salvo jure cujuslibet Quibus peractis prefatus Quintigernus cum expressis avisamento consensu et assensu Margarete Bogis ejus sponse pro omnibus jure titulo et interesse illi in et ad predictum tenementum terre peciam terre et hortum prescripta competenti ratione cujuscunque

infeofamenti conjuncte infeodationis seu vitalis redditus illi de eodem perprius concessa Necnon dicta Margarete pro semetipsa dictique conjuges unanimi consensu et assensu pro certis pecuniarum summis illis tempore presentium confectionis per probas personas Jacobum Burnes et Petrum Burnes fratres germanos coriatorios burgenses dicti burgi de Irwing in pecunia numerata persolutis Necnon pro observatione et impletione unius eorum partis cujusdam dispositionis litere per dictos conjuges dictis fratribus germanis penes hoc presens infeofamentum subscriptum de data primo die mensis Februarii instantis Totum et integrum predictum eorum tenementum terre sive domum edificatum peciam terre eidem adjacentem et hortum ejusdem cum singulis suis pertinentiis ut supra jacentia In manibus predicti Adami Cunynghame ballivi sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum Unacum omnibus jure titulo et interesse quibuscunque illis eorumve heredibus et assignatis in et ad predictum tenementum petiam terre et hortum prescriptum seu aliquam earundem partem competentibus In favores ac pro hac nova sasina et infeodatione hereditaria eorundem per dictum ballivum prefatis Jacobo et Petro Burnesses fratribus germanis conjunctim et equaliter eorumque heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunyngham ballivus antedictus virtute et vigore sui officii necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi sive domus edificate petie terre et horti prescripti eidem adjacentium cum singulis suis pertinentiis ut supra jacentium prefatis Jacobo et Petro Burnesses fratribus germanis conjunctim et equaliter per terre et lapidis fundi ejusdem illis personaliter presentibus et pro semetipsis eorumque heredibus et assignatis prescriptis acceptantibus ut moris est traditionem dedit tradidit pariter et cum effectum hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte dispositionis litere ac resignationis prescripte Tenendorum de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias pro eodem perprius solvi solitas

et consuetas tantum Insuper in plena et plana curia super solum et fundum dicti tenementi per dictum ballivum tenta et legitime ut moris est affirmata personaliter comparuit prefata Margareta Bogis extra presentiam prefati Quintigerni sui mariti et ibidem se ad premissa minime coactam aut compulsam fuisse per vim dolum aut metum dicti sui mariti sed eadem ex sua mera libera et spontanea voluntate fecisse utilitate et commodo suis undique previsis et pensatis et omnia et singula premissa sic ut premittitur facta ratificavit approbavit et de non revocando in futurum corporale suum prestitit juramentum Super quibus omnibus et singulis premissis prefatus Quintigernus necnon dicti Jacobus et Petrus ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter duodecimam in meridie aut eo circa sub anno die mense regnisque regie quibus supra Presentibus ibidem Jacobo Quhyt uno novissimorum ballivorum dicti burgi Alexandro Montgomerie mercatore et Patricio Thom burgensibus dicti burgi et Willielmo Grier serjando Testibus ad premissa vocatis pariterque rogatis. R. BROUN.

ABSTRACT.

FOR MUNGO HUNTER, AND JAMES AND PETER BURNES.

Instrument narrating that an honourable man, Adam Cunynghame, one of the bailies of the burgh of Irvine, compeared personally upon the ground of that tenement of land formerly pertaining heritably to the late Jonet Legatt, relict of James Hunter in Hill, lying within the burgh of Irvine, in the way which leads to the green thereof, between the lands of the late David M'Innis, but now of ———, on the north, and the houses and gardens of the late Finlay Rillie, but now of ———, on the east; and there, because it was clearly known to him by authentic documents and instruments of seizin publicly shown and read to him, that the said Jonet Legatt, relict of James Hunter, mother of Mungo Hunter in Hill, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in the aforesaid tenement of land, or built house, piece of land lying at the back thereof, with yard, lying as above; and that the said Mungo is lawful and nearest heir of the

said Jonet his mother, in the said subjects; and that he is of lawful age; and that the said tenement or house, with piece of land and yard, is held of the king in chief in manner of burgh; wherefor the said bailie, by virtue of his office, did with his own hands give seizin of the same to the said Mungo Hunter in the usual form; which thing having been done, the said Mungo Hunter, with express advice and consent of Margaret Bogis his spouse, for all right competent to her by reason of conjunct fee or liferent formerly granted to her of the same, and they both of one consent and assent, for certain sums of money paid to them by worthy persons, James and Peter Burnes, brothers german, curriers, burgesses of Irvine, and for observation of their part of a disposition granted by them to the said brothers, of date the 1st day of February instant, did surrender, and purely and simply resign, renounce, and over-give for ever, all and whole their tenement of land or built house aforesaid, piece of land adjacent thereto, and yard thereof, in the hands of the aforesaid Adam Cunynghame, bailie, in favour of, and for this new infeftment to be given to the aforesaid James and Peter Burnes, brothers german, conjunctly and equally, and to their heirs and assignees whatsoever heritably and irredeemably, without any reversion, redemption, or regress whatsoever; which resignation having been so made, and by the aforesaid bailie admitted and received, the said Adam Cunynghame, by virtue of his office, and of the special mandate of the resigners, gave seizin of the subjects aforesaid, by delivery of earth and stone of the ground thereof to the said James and Peter Burnes, who were personally present and accepting thereof: Moreover, in a full and open court, held by the bailie upon the ground of the said tenement, and lawfully fenced, the aforesaid Margaret Bogis compeared personally outwith the presence of the said Mungo her husband, and affirmed that she was not in any way forced to the premises by the power, craft, or fear of her husband, but that she did the same of her mere free and spontaneous will, her utility and advantage having been foreseen and weighed on all sides; and all and sundry the premises she ratified and approved, and gave her bodily oath that she should not revoke the same in future: These things were done on the ground of the said tenement about the twelfth hour at noon of the 3rd day of February 1619, the witnesses being James Quhyte, one of the last bailies of the said burgh, Alexander Montgomerie, merchant, and Patrick Thom, burgesses, and William Grier, serjeant.

CXLVIII.—PRO QUINTIGERNO HUNTER.

Apud burgum de Irwin tercio die mensis Februarii 1619.

The quhilk day in presens of Adam Cunyngham baillie compeirit personallie Patrik Thom burges of Irwin and Agnes Peiblis spousis and thair with ane consent and assent renuncit all richt and titill quhatsumever thay had hes or could pretend in and to Mungo Hunter's tenement peice of land and yeard lyand thairto quhairintill they stand infest be vertew of the said Mungois resignatioun and grantis the samin tenement with the pertinentis to be deulie and lawfully redemit lousit and outquyt be the said Mungo be thankfull payment making to thame of the sumes quhairupoun the samen was impignorat and consentis his infestmentis thair of mak no faith in tyme cummyng and that the samen remain with the said Mungo his aires and assignees heretablie and irredimablie as thair awin propper heretage in all tymes cummyng Quhairunto the said Adam Cunyngham baillie foirsaid at the earnest desyr of the said Patrik and his spous interponis his decreet and auctoritie and thairon the said Mungo askit instrumentis Thir thingis war done on the grund of the said tenement about tuelff houris in the day in presens of the bailie foirsaid James Quhyt lait bailie Alexander Montgomerie mercheand and William Grier burrow officer witnesses callit and requyrit to the premisses.

Ita est Robertus Broun notarius publicus in premissis requisitus ac de mandatis dicti Patricii Thom et Agnetis Peiblis conjugum scribere nescientium ac calamum tangentium testantibus his meis signo et subscriptione manualibus.

CXLIX.—PRO JACOBO BLAIR ET SUSANNA SCOTT CONJUGIBUS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Februarii die undecimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentis personaliter comparuit providus vir Hendricus Dyett faber ferrarius

burgensis burgi de Irwing super solum et fundum istius ejus juste et equalis dimedietatis domus horti ejusdem et pecie aggeris eidem adjacentis sibi hereditarie pertinentis jacentis infra dictum burgum super montem in via ducente ad viridarium inter tenementum et hortum Quintigerni Hunter ex occidentali tenementum Joannis Nevein ex boreali et hortum quondam Archibaldi Kelso de Hingdog nunc vero Willielmi Hendrie pellionis ex orientali et petiam terre sive hortum quondam Jacobi Boyd nunc vero Jacobi Blair junioris mercatoris burgensis dicti burgi ex australi partibus ab una et aliis Et ibidem dictus Hendricus pro certis pecuniarum summis sibi per prefatum Jacobum Blair et Susannam Scott ejus sponsam tempore presentium confectionis plenarie et integre in pecunia numerata persolutis Necnon pro observatione et impletione unius eorum partis cujusdam dispositionis litere per eum dictis conjugibus eorumque alteri diutius viventi in conjuncta infeodatione eorumque heredibus et assignatis subscriptis penes hoc presens infeofamentum subscriptum de data presentium confecte Totam et integram predictam ejus justam et equalem dimedietatem domus hortum ejusdem et petiam aggeris eidem adjacentem et pertinentem jacentem et bondatam ut premittitur In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure titulo et interesse quibuscunque illi suisve heredibus aut assignatis in et ad eandem seu aliquam ejusdem partem competentibus cum pertinentiis In favores ac pro hac nova sasina et infeodatione hereditaria ejusdem per dictum ballivum prefatis Jacobo Blair et Susanne Scott conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Jacobo suisque heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasina hereditaream pariter et possessionem corporalem actualem et realem Totius et integre predictae juste et equalis dimedietatis domus horti ejusdem et pecie aggeris eidem adjacentis ut premittitur bondate et

jacentis memoratis Jacobo Blair et Susanne Scott conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem et deliberationem dedit tradidit hereditarie et irre-dimabiliter sine ulla reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte dispositionis litere ac resignationis prescripte Tenende de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefati Jacobus et Susanna conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicte dimedietatis domus petie aggeris et horti horam circiter nonam mane sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Scott notario publico Willielmo Dyett seniore fabro ferrario et Roberto Thomsoun seniore burgensibus de Irwing et Quintigerno Hunter in Hill testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JAMES BLAIR AND SUSANNA SCOTT, SPOUSES.

Instrument narrating that a prudent man, Henry Dyett, blacksmith, burgess of Irvine, compeared personally on the ground of that his just and equal half of the house, yard thereof, and piece of tailing rig adjacent to the same, belonging to him heritably, lying within the said burgh, upon the Hill, in the way leading to the Green, between the tenement and yard of Mungo Hunter on the west, the tenement of John Nevein on the north, the yard of the late Archibald Kelso of Hingdog, but now of William Hendrie, skinner, on the east, and the piece of land or yard of the late James Boyd, but now of James Blair, younger, merchant, burgess of Irvine, on the south; and there the said Henry Dyett, for certain sums of money paid to him by the aforesaid James Blair and Susanna Scott his spouse, and for implementing a disposition granted by him to the said spouses, did resign, renounce, and overgive his said half of the house, yard, and piece of tailing rig aforesaid, in the hands of an honourable man, John Blair, one of the bailies of Irvine,

for new infeftment of the same to be given by him to the aforesaid James Blair and Susanna his spouse, in conjunct fee, and the heirs of their marriage, which failing, to the said James and his heirs whatsoever, heritably and irredeemably; which resignation so made having been admitted and received by the bailie, he with his own hands gave seizin accordingly to the said James and Susanna, by delivery to them of the usual symbols: These things were done on the ground of the said half of the house, yard, and tailing rig aforesaid, about the ninth hour of the morning of the 11th day of February 1619, the witnesses being James Scott, notary public, William Dyett elder, blacksmith, Robert Thomson elder, burgesses of Irvine, and Mungo Hunter in Hill.

CL.—PRO NINIANO BARCLAY ET HUGONE THOMSOUN
IN LUNDOUNARY.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Februarii die vigesimo sexto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto In mei notarii publici et testium subscriptorum presentibus personaliter comparuit honorabilis vir Willielmus Mure unus ballivorum commissionariorum burgi de Irwing in absencia ballivorum ordinariorum ejusdem extra hoc regnum Scotie super solum et fundum istius dimedie acre terre aut eo circa vocate Sanct James land perprius quondam Niniano Barclay preposito dicti burgi hereditarie pertinentis jacentis infra territorium dicti burgi Et ibidem quia clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dictus quondam Ninianus Barclay pater Niniani Barclay latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti s. d. n. regis in tota et integra predicta dimedia acra terre predicta vocata Sanct James land Et quod dictus Ninianus est legitimus et propinquior heres ejusdem dicti quondam Niniani sui patris (inter eum et Mariotam Ros ejus sponsam legitime procreatus) in tota et integra predicta dimedia acra terre cum singulis suis pertinentiis ut supra jacente Et quod est legitime etatis Et quod eadem de prefato s. d. n. rege tenetur in capite more burgali Propterea prefatus Willielmus Mure

ballivus commissionarius predictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integre predictae dimedie acre terre vocate Sanct James land cum singulis suis pertinentiis ut supra jacente memorato Niniano Barclay tanquam filio legitimo et propinquiore heredi antedicti quondam sui patris inter eum et Mariotam Ros legitime procreato per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem dedit tradidit et hereditarie deliberavit secundum formam et tenorem antiquorum infeofamentorum dicti quondam sui patris ejusdem (salvo jure cujuslibet) Tenende de dicto s. d. n. rege more burgali Quibus peractis prefatus Ninianus cum expressis avisamento consensu et assensu dicte Mariote Ros ejus matris domine conjuncte infeodationis ejusdem Necnon dicta Mariota pro semetipsa dictique Ninianus et Mariota unanimi consensu et assensu pro certis pecuniarum summis illis tempore presentium confectionis in pecunia numerata per providum virum Hugonem Thomsoun mercatorem burgensem incorporationis de Lundoundarie infra regnum Hybernie persolutis Totam et integram predictam dimediam acram terre vocatam Sanct James land cum singulis suis pertinentiis ut supra jacentem In manibus predicti Willielmi Mure ballivi commissionarii sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum unacum omnibus jure titulo et interesse illis eorumve heredibus et assignatis in et ad eandem competentibus In favorem ac pro hac nova sasina et infeodatione hereditaria ejusdem per dictum ballivum commissionarium prefato Hugoni Thomsoun suisque heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine ulla reversione redemptione aut regressu danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Willielmus Mure ballivus commissionarius antedictus virtute et vigore sui officii ac de mandatis resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integre predictae dimedie acre terre vocate Sanct James land cum singulis suis pertinentiis ut supra jacentis memorato Hugoni Thomsoun personaliter presenti per terre et lapidis fundi ejusdem illi ut moris est deliberationem dedit tradidit hereditarie et irredimabiliter sine ulla reversione redemptione aut regressu quocunque deliberavit secundum formam

et tenorem dicte resignationis Tenende de preposito ballivis consulibus et communitate dicti burgi in feudifirma feodo et hereditate imperpetuum Reddendo inde annuatim feudifirme firmas et divorias pro eisdem perprie solvi solitas et consuetas Super quibus omnibus et singulis premissis prefatus Ninianus Barclay ac Hugo Thomsoun ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Cauldwell de Annanhill clerico balliatus de Cunynghame Alexandro Cunynghame seniore mercatore et Joanne Wilsoun nuncio conburgensibus dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR NINIAN BARCLAY, AND HUGH THOMSOUN IN LONDONDERRY.

Notarial instrument narrating that an honourable man, William Mure, one of the bailies commissioners of the burgh of Irvine, in the absence of the ordinary bailies of the same furth of this kingdom of Scotland, compeared personally upon the ground of that half acre of land or thereby, called Saint James land, formerly pertaining heritably to the late Ninian Barclay, provost of the said burgh, lying within the territory thereof; and there, because it clearly appeared and was known by authentic documents and instruments of seizin publicly shown to him, read and demonstrated, that the said late Ninian Barclay, father of Ninian Barclay, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in all and whole the aforesaid half acre of land; and that the said Ninian is lawful and nearest heir of his said father (begotten between him and Marion Ros his spouse) in the said half acre; and that he is of lawful age; and that the same is held of the king in chief, in burghal manner; therefore the said bailie commissioner, by virtue of his office, gave seizin of the said half acre to the said Ninian Barclay, as son and heir of his said deceased father: Which having been done, the said Ninian, with express advice and consent of the said Marion Ros his mother, lady of the conjunct fee of the same, and they both of one consent, for certain

sums of money paid to them at the same time by a prudent man, Hugh Thomsoun, merchant, burgess of the incorporation of Londonderry, within the kingdom of Ireland, did resign the aforesaid half acre of land, called Saint James land, in the hands of the said William Mure, bailie commissioner, in favour of the said Hugh Thomsoun, and for this new seizin and heritable infeftment thereof to be given to him and his heirs, heritably and irredeemably: Which resignation having been received by the bailie, he gave seizin accordingly by delivery to him, personally present and accepting, of earth and stone of the ground of the said half acre of land: These things were done on the ground of the said land about the eighth hour of the morning of the 26th day of February 1619, the witnesses there present being William Cauldwell of Annanhill, clerk of the bailiery of Cunynghame, Alexander Cunynghame elder, merchant, and John Wilson, messenger, co-burgesses of Irvine.

CLL.—PRO HENRICO DYETT.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Marcii die tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo sexto in mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Willielmus Dyett junior faber ferrarius burgensis burgi de Irwing super solum et fundum illius tenementi terre sibi hereditarie pertinentis pro presenti per Willielmum Dyett ejus patrem et Jonetam Dickie ejus matrem possessi jacentis infra burgum de Irwing inter tenementum Niniani Symssoun ex australi et communem venellam qua itur ad lie Chapelfurd et Golfhillis ex boreali partibus ab una et aliis Necnon super solum et fundum istius ejus partis domus sive domus fabrilis vulgo lie smyddie et pecie terre eidem pertinentis ad anteriorem frontem dicti tenementi adjacentis apud lie Kaenest ex australi latere communis vie regie dicti burgi per dictum ejus patrem similiter possessi Et ibidem dictus Willielmus pro observatione et impletione unius ejus partis ejusdam contractus alienationis de data presentium initi et confecti inter eum ab una et Henricum Dyett fabrum ferrarium burgensem etiam dicti burgi ejus fratrem partibus ab altera Necnon pro summa unius

centum mercarum usualis monete hujus regni Scotie sibi per dictum Henricum tempore presentium confectionis plenarie et integre in pecunia numerata persoluta modo in dicto contractu contento Totum et integrum predictum ejus tenementum terre ante et retro cum horto aggere et lie tailling rig et singulis suis pertinentiis Unacum predicta ejus parva domo fabrili vulgo lie Smyddiehous et petia terre eidem adjacente jacens et bondatum ut premittitur In manibus honorabilis viri Willielmi Mure unius ballivorum commissionariorum dicti burgi in absencia ballivorum principalium ejusdem extra hoc regnum Scotie sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure titulo et interesse sibi suisve heredibus aut assignatis in et ad eandem seu aliquam ejusdem partem competentibus In favorem ac pro hac nova sasina et infeodatione hereditaria eorundem per dictum ballivum prefato Henrico suisve heredibus et assignatis quibuscunque hereditarie danda et in debita et competenti forma prout congruit conficienda Reservato tamen dicto Willielmo Dyett seniori ejus patri dicteque Jonete Dickie ejus matri durante omnibus eorum vite diebus insimul et una viventibus eorum vitalibus redditibus dicti tenementi terre ante et retro cum horto aggere domo fabrili lie Smyddiehous et ejusdem pertinentiis et post primum obitum dictorum conjugum reservato solummodo alteri sui viventi si contigerit dictum Willielmum fore unam justam et equalem dimedietatem predicti tenementi ante et retro horti et aggeris et totius et integre predictae domus fabrilis lie Smyddiehous et pecie terre prescripte eidem adjacentis pro omnibus sue vite diebus et si contigerit dictam Jonetam fore reservato solummodo sibi dicte Jonete justam et equalem dimedietatem dicti tenementi ante et retro horti et aggeris et ejusdem pertinentiis durante omnibus sue vite diebus et nihil ulterius exceptis solummodo ex dicta reservatione tantum dicti aggeris quantum reservatur in infeofamento dicti Willielmi junioris Necnon salvo juri redemptionis ejusdem tenementi cum pertinentiis dicto Willielmo Dyett juniore secundum tenorem reversionis in dicto contractu alienationis contente et non aliter neque alio modo Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Willielmus Mure ballivus commissionarius antedictus virtute et vigore sui officii Necnon de mandato dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem Totius et integri predicti

tenementi terre ante et retro horti aggeris domus fabrilis et pecie terre prescriptarum cum singulis suis pertinentiis memorato Henrico Dyett personaliter presenti et acceptanti per terre et lapidis fundi ejusdem illi ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum formam et tenorem dicte contractus alienationis et resignationis prescripte Reservato ut prius reservatur ac sub reservationibus in dicto contractu contentis Tenendi de dicto s. d. n. rege more burgali Super quibus omnibus et singulis premissis prefatus Henricus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum vel plura Acta erant hec super solum et fundum dicti tenementi et domus fabrilis horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Dyett seniore Joanne Symoun fabro ferrario et Alexandro Ker textore burgensibus dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR HENRY DYETT.

Instrument narrating that a prudent man, William Dyett younger, blacksmith, burgess of Irvine, personally compeared upon the ground of that tenement of land belonging to him heritably, for the present possessed by William Dyett his father, and Jonet Dickie his mother, lying within the burgh of Irvine, between the tenement of Ninian Symoun on the south, and the common vennel which leads to the Chapelfurd and Golfhills on the north; also upon the ground of that his part of a house or workshop, vulgarly called the Smyddie, and piece of land pertaining thereto, adjacent to the forefront of the said tenement, at the Kaenest, on the south side of the common highway of the said burgh, possessed, in like manner, by his father; and there the said William, for observation and implement of his part of a contract of alienation of the date hereof, between him on the one part, and Henry Dyett, blacksmith, burgess of the said burgh, his brother, on the other part; also for the sum of one hundred merks money of this realm of Scotland, paid to him at the same time in counted money by the said Henry, in manner contained in the said contract, did surrender and purely and simply resign his said tenement of land, fore and back, with yard and tailing rig, together with

the aforesaid small house or Smyddie, and piece of land adjacent to the same, in the hands of an honourable man, William Mure, one of the bailies commissioners of the said burgh, in the absence of the principal bailies of the same furth of this kingdom of Scotland; and that for this new seizin and heritable infeftment of the same to be given by the bailie to the said Henry Dyett, his heirs and assignees, in due and competent form; reserving, however, to the said William Dyett elder, his father, and to the said Jonet Dickie, his mother, during all the days of their living together, their liferents of the said tenement of land, yard, rig, and Smyddie; and after the first death of the said spouses, reserving only to the survivor, if it shall happen to be the said William, the just and equal half of the said whole subjects, for all the days of his life; and if it shall happen to be the said Jonet, reserving only to her the half of the said tenement, yard, and rig, and nothing further, during all the days of her life; excepting only from the said reservation so much of the said tailing rig as is excepted in the infeftment of the said William younger; also, saving the right of redemption of the same tenement to the said William younger, according to the tenor of the reversion contained in the said contract; which resignation having been received by the bailie, he did with his own hands give seizin accordingly, by delivery of earth and stone of the ground to the said Henry Dyett, there personally present and accepting thereof: These things were done upon the ground aforesaid, about the ninth hour of the morning of the third day of March 1619, the witnesses being William Dyett elder, John Symssoun, blacksmith, and Alexander Ker, weaver, burgesses of said burgh.

CLII.—PRO JOSEPHO CUNYNGHAME IN SALTCOTTES Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Aprilis die decimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo secundo et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit probus vir Alexander Cunyngham junior mercator burgensis burgi de Irwing super sola et funda terrarum aliarumque particulariter subtus specificatarum videlicet Terrarum de Ovir wardis

alias vocatarum Lochwardis Dalrumples wardis Northfauld et Southfauld et super solum et fundum quarte partis prati vocati the quarter of the Braidmeadow olim quondam Roberto Tran burgensi dicti burgi nunc vero Niniano Garven filio et heredi quondam Hugonis Garven communis scribe dicti burgi hereditarie pertinentium omnes jacentium infra territorium dicti burgi balliatum de Cunynghame et vicecomitatum de Air Et ibidem respective singulatim et successive per se prefatus Alexander tanquam procurator et eo nomine dicti Niniani et Jeanne Cunyngham ejus sponse rite et legitime constitutus virtute cujusdam procuratorialis litere contente in quadam dispositionis litera facta per dictum Ninianum et Jeannam Cunyngham conjuges cum expressis avisiamento consensu et assensu Katharine Hunter relicte dicti quondam Hugonis ac matris dicti Niniani nunc vero sponse Roberti Cunyngham de Auchinhervy pro omnibus jure et titulo sibi in et ad dictas terras seu aliquam earundem partem competentibus ratione illius deservitionis et cognitionis ad terciam partem earundem Necnon dictam Katharinam propter semetipsam et cum consensu et assensu dicti Roberti Cunyngham de Auchinhervie ejus mariti et illi omnes unanimi consensu et assensu de totis et integris terris aliisque particulariter prescriptis provido viro Josepho Cunyngham in Saltcoittis heredibus suis et assignatis quibuscunque hereditarie penes hoc presens infeofamentum subscriptum de data decimo nono die mensis Februarii anno domini millesimo sexcentesimo decimo nono Totas et integras predictas terras de Ovirwardis alias vocatas Lochwardis Dalrumples wardis Northfauld et Southfauld et quartam partem prati vocatam the quarter of the Braidmeadow cum singulis suis pertinentiis ut supra jacentes In manibus honorabilis viri Adami Cunynghame unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure titulo et interesse prefato Niniano ejusque coniugi eorumque heredibus et assignatis competentibus In favorem ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum prefato Josepho suisque heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione seu regressu quocunque de omnibus et singulis predictis terris cum singulis suis pertinentiis quibuscunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunyngham ballivus ante-

dictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti Alexandri procuratoris et resignantis antedicti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totarum et integrarum predictarum terrarum vocatarum Ovir wardis alias Lochwardis Dalrumples wardis Northfauld et Southfauld Necnon totius et integre predictae quarte partis prati vocate the quarter of the Braidmeadow cum singulis suis pertinentiis ut supra jacentium prefato Josepho personaliter presenti et acceptanti per terre et lapidis fundorum eorundem respective illi ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte dispositionis litere litereque procuratorialis prescripte in eadem contente Tenendarum de urbisprefecto ballivis consulibus et communitate dicti burgi et eorum successoribus in feudifirma feodo et hereditate imperpetuum Reddendo inde annuatim feudifirme firmas et divorias pro predictis terris perprius solvi solitas et consuetas et in antiquis infeofamentis dictarum terrarum ac libro rentali dicti burgi contentas Super quibus omnibus et singulis premissis prefatus Josephus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictarum terrarum respective singulatim et successive per se horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Cauldwell de Annanhill clerico balliatus de Cunynghame Alexandro Montgomerie mercatore burgensi de Irwin Joanne Mitchell in Dykis Ardrossan ——— Bryden filio legitimo Hugonis Bryden in Port Ballintray in Hybernia et Willielmo Greir seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOSEPH CUNYNGHAME IN SALTCOTTES.

Instrument narrating that a worthy man, Alexander Cunynghame younger, merchant, burgess of Irvine, compeared personally upon the grounds of the lands of Overwards, otherwise called Lochwards, Dalrumples wards, Northfauld and Southfauld; and upon the ground of the fourth

part of the meadow called the Braidmeadow, formerly belonging heritably to the late Robert Tran, burgess of Irvine, but now to Ninian Garven, son and heir of the late Hugh Garven, common clerk of the said burgh, all lying within the territory of the burgh of Irvine, bailiery of Cunynghame and sheriffdom of Ayr: And there the aforesaid Alexander, as procurator and in name of the said Ninian, and Jean Cunyngham his spouse, lawfully constituted in virtue of procuratory contained in a disposition, dated 19th February 1619, granted by the said Ninian and Jean, with express advice and consent of Katherine Hunter, relict of the said Hugh, and mother of the said Ninian, but now spouse of Robert Cunyngham of Auchinhervy, for all right competent to her, by reason of her service and cognition to the third part of the same, for herself and with consent of the said Robert, now her spouse, to a prudent man, Joseph Cunyngham in Saltcoittis, his heirs and assignees heritably, anent this present infeftment, did resign all and whole the aforesaid lands, in the hands of an honourable man, Adam Cunyngham, one of the bailies of the said burgh, for this new seizin of the same to be given by him to the said Joseph Cunyngham, heritably and irredeemably, without any reversion, redemption, or regress: Which resignation having been received by the said bailie, he gave seizin accordingly, by delivery of earth and stone of the said lands respectively, to the said Joseph, who was personally present and accepting thereof: To be holden of the provost, bailies, councillors, and community of the said burgh, for the usual fermes and duties: These things were done upon the grounds of the said lands respectively, singly, and successively, about the tenth hour before noon of the 10th day of April 1619, the witnesses being William Cauldwell of Annanhill, clerk of the bailiery of Cunynghame, Alexander Montgomerie, merchant, burgess of Irvine, John Mitchell in Dykes, Ardrossan, ——— Bryden, son lawful of Hugh Bryden in Port Ballintray in Ireland, and William Greir, serjeant.

CLIII.—PRO QUINTINO MURE ADAMO CUNYNGHAME ET EJUS
SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Maii die tercio regnorumque

supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo septimo In mei notarii publici et testium subscriptorum presentis personaliter comparuit honorabilis vir Jacobus Quhyt unius ballivorum commissionariorum burgi de Irwing in absencia alterius ballivi principalis ejusdem super solum et fundum istius tenementi terre sive horrei horti ejusdem et pecie aggeris eidem adjacentis perprieus quondam Margarete Mure filie legitime quondam Joannis Mure burgensis dicti burgi hereditarie pertinentis jacentis infra dictum burgum apud caput urbis inter tenementum olim quondam Roberti Tailzeour nunc vero Willielmi Holmes ex australi et tenementum olim quondam Willielmi Tran nunc vero ——— ex boreali et tenementum olim quondam Willielmi Scott nunc vero Hugonis Thomsoun ex orientali partibus ab una et aliis Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dicta quondam Margareta Mure soror germana Quintini Mure latoris presentium obiit ultimo vestita et sasita ut de feodo ad fidem et pacem dicti s. d. n. regis in toto et integro predicto illo tenemento terre sive horreo cum horto ejusdem et pecia aggeris eidem adjacente cum singulis suis pertinentiis ut supra jacenti Et quod dictus Quintinus est legitimus et propinquior heres ejusdem dicte quondam Margarete sue sororis germane de toto et integro predicto tenemento terre cum horto horreo pecia aggeris prescriptis cum singulis suis pertinentiis ut supra jacentibus Et quod est legitime etatis Et quod totum et integrum predictum tenementum cum pertinentiis de prefato s. d. n. rege tenetur in capite more burgali Propterea prefatus Jacobus Quhyt ballivus commissionarius antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessione corporalem actualem et realem Totius et integri predicti tenementi terre sive horrei cum horto et pecia aggeris prescripta eidem adjacente et singulis suis pertinentiis ut supra jacentis memorato Quintino Mure tanquam fratri germano legitimo et propinquiori heredi dicte quondam Margarete sue sororis germane per terre et lapidis fundi ejusdem dicto Quintino personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem antiqui infeofamenti dicte quondam Margarete sue sororis germane ejusdem (Salvo jure cujuslibet) Tenendi de dicto s. d. n. rege more burgali

Quibus peractis prefatus Quintinus pro observatione et impletione unius ejus partis cujusdam dispositionis litera per eum de dicto ejus tenemento horto horreo et pecia aggere prescriptis probis personis Adamo Cunynghame uni presentium ballivorum dicti burgi et Margarete Cunyngham ejus conjugii eorum alteri diutius viventi in conjuncta infeodatione eorumque heredibus et assignatis subscriptis penes hoc presens infeofamentum subscriptum de data presentium confecte ac pro certis pecuniarum summis per dictos conjuges illi in pecunia numerata persolutis modo in dicta dispositionis litera contento Totum et integrum predictum suum tenementum terre sive horreum cum horto predicto et pecia aggeris prescripta eidem adjacente cum singulis suis pertinentiis ut supra jacens In manibus prefati Jacobi Quhyt unius ballivorum commissionariorum dicti burgi in absencia alterius presentis ballivi principalis ejusdem sursum reddidit ac a se suisque heredibus et assignatis pure et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure et titulo sibi eidem competentibus In favores ac pro hac nova sasina et infeodatione hereditaria ejusdem per dictum ballivum prefatis Adamo et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Adamo suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine ulla reversione danda et concedenda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Robertus Quhyt ballivus commissionarius antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre sive horrei cum horto et pecia aggeris prescripta et singulis suis pertinentiis ut supra jacentis memoratis Adamo et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem et deliberationem dedit tradidit et hereditarie sine redemptione deliberavit secundum tenorem dicte resignationis litereque dispositionis prescripte Tenendi de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati

Quintinus Adamus et Margareta conjuges ac eorum quilibet pro semet-ipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Mure Joanne Barclay sartore Davide Tueidy juniore omnibus burgensibus dicti burgi et Willielmo Greir seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR QUINTIN MURE, ADAM CUNYNGHAME AND HIS SPOUSE.

Instrument narrating that an honourable man, James Quhyt, one of the bailies commissioners of the burgh of Irvine, in the absence of the other bailie principal thereof, personally compeared upon the ground of that tenement of land, or barn yard thereof, and piece of tailing rig adjacent to the same, pertaining before heritably to the late Margaret Mure, lawful daughter of the late John Mure, burges of Irvine, lying within the said burgh at the town head, between the tenement formerly of the late Robert Tailzeour, but now of William Holmes, on the south, and the tenement formerly of the late William Tran, but now of ———, on the north, and the tenement formerly of the late William Scott, but now of Hugh Thomsoun, on the east: And there, because it clearly appeared and was known to him by authentic documents and instruments of seizin publicly shown to him, read and demonstrated, that the said late Margaret Mure, sister-german of Quintin Mure, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in all and whole that tenement of land aforesaid, or barn, with yard thereof, and piece of tailing rig adjacent to the same, lying as above; and that the said Quintin is lawful and nearest heir thereof to the said Margaret his sister-german; and that he is of lawful age; and that the said tenement with the pertinents is held of the king in chief in burgage manner: Therefor the said bailie commissioner gave seizin of the same to the said Quintin Mure, in the usual manner: Which things having been done, the aforesaid Quintin, in implement of disposition thereon referred to, and for certain sums of money paid to him by the worthy

persons, Adam Cunynghame, one of the present bailies of the said burgh, and Margaret Cunynghame his spouse, did resign his tenement of land aforesaid, or barn, with yard and piece of tailing rig, in the hands of the said James Quhyt, bailie commissioner, in the absence of the other principal bailie, for new infeftment thereof to be given to the said Adam Cunynghame and his spouse, in conjunct fee, and to the heirs procreated between them, or the heirs whatsoever of the said Adam, heritably and irredeemably, which the bailie accordingly did, by delivery to the said Adam and Margaret of earth and stone of the ground of the same, which they received with their hands joined: These things were done on the ground of the said tenement, about the ninth hour of the morning of the third day of May 1619, the witnesses present being William Mure, John Barclay, tailor, David Tueidy younger, all burgesses of the said burgh, and William Greir, serjeant.

CLIV.—PRO QUINTINO MURE DAVIDE DAILL ET SPONSA
DICTI DAVIDIS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Maii die quarto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Adamus Cunynghame unus ballivorum burgi de Irwing super solum et fundum tenementi terre subscripti Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Joannes Mure in Fleshmercat pater Quintini Mure latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti supremi domini nostri regis in toto et integro illo tenemento terre cum horto ejusdem eidem tenemento adjacenti jacenti infra burgum de Irwin super montem vocatam Montmisarhill ex orientali latere communis vie qua itur ad templum inter tenementum et terras quondam Willielmi Scott nunc vero Jacobi Cunynghame mercatoris ex australi et tenementum quondam — Thomsoun ex boreali partibus ab altera Et quod dictus Quintinus est legitimus et propinquior heres ejusdem dicti quondam

Joannis sui patris de toto et integro predicto tenemento terre cum horto et pertinentiis ut supra jacenti Et quod est legitime etatis Et quod idem tenementum terre cum pertinentiis de prefato s. d. n. regis tenetur in capite more burgali Propterea prefatus Adamus Cunynghame ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integri predicti tenementi terre cum horto et singulis suis pertinentiis ut supra jacentis memorato Quintino Mure tanquam filio legitimo et propinquiori heredi dicti quondam Joannis sui patris per terre et lapidis fundi ejusdem dicto Quintino personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum vim formam et tenorem infeofamenti dicti quondam Joannis Mure ejus patris quod de eodem inde habet (Salvo jure cujuslibet) Tenendi de dicto s. d. n. rege more burgali Quibus peractis prefatus Quintinus Mure cum expressis avisamento consensu et assensu Jonete Howie relicte dicti quondam Joannis Mure ac matris dicti Quintini pro omnibus jure et titulo sibi ratione vitalis redditus in et ad predictum tenementum cum pertinentiis competente Necnon dicta Joneta pro semetipsa et illi unanimi consensu et assensu pro certis pecuniarum summis illis tempore presentium confectionis per probas personas Davidem Daill textorem burgensem dicti burgi de Irwing et Margaretam Hunter ejus sponsam in pecunia numerata plenarie et integre persolutis Necnon pro observatione et impletione unius eorum partis cujusdam litere dispositionis per eos penes dicti tenementi dictis conjugibus dispositionem de data presentium confectum Totum et integrum predictum tenementum cum horto et pertinentiis ut supra jacens In manibus predicti Adami Cunynghame ballivi sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum Unacum omnibus jure et titulo illis et eorum alteri in et ad predictum tenementum competentibus In favores ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum prefatis Davidi Daill et Margarete Hunter conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Davidi suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione seu regressu de toto et integro predicto tenemento cum horto et pertinentiis

per dictum ballivum danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta Adamus Cunynghame ballivus antedictus virtute et vigore sui officii necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem Totius et integri predicti tenementi terre cum horto et singulis suis pertinentiis ut supra jacentis memoratis Davidi Daill et Margarete Hunter conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie irredimabiliter sine aliqua reversione redemptione aut regressu deliberavit secundum formam et tenorem resignationis litereque dispositionis prescripte Tenendi de dicto s. d. n. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Quintinus pro semetipso dictique David Daill et Margareta Hunter conjuges ac eorum alter pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Quhyt novissimo ballivo Joanne Barclay sartore Allano Ros pellione burgensibus de Irwing Jacobo Ros notario et Willielmo Grier seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

Hoc instrumentum scribitur manu Willielmi Barclay mei famuli.

R. BROUN.

ABSTRACT.

FOR QUINTIN MURE, DAVID DAILL, AND SPOUSE OF
SAID DAVID.

Instrument narrating that an honourable man, Adam Cunynghame, one of the bailies of Irvine, compeared personally upon the ground of the tenement underwritten, and there, because it was clearly manifest and known to him by authentic documents and instruments of seizin publicly

shown to him, that the late John Mure, father of Quintin Mure, bearer of the presents, died last vest and seized as of fee, at the king's faith and peace, of that tenement of land, with yard adjacent thereto, lying within the burgh of Irvine, upon the hill called Montmisar hill, on the east side of the common way which leads to the church, between the tenement and lands of the late William Scott, but now of James Cunynghame, merchant, on the south, and the tenement of the late — Thomsoun on the north; and that the said Quintin is lawful and nearest heir of the said deceased John his father; and that he is of lawful age; and that the said tenement is held of the king in chief in manner of burgh; wherefore the said Adam Cunynghame, bailie, by virtue of his office, gave heritable seizin of the said tenement of land, with yard, to the said Quintin Mure, by delivery to him of earth and stone of the ground thereof: which having been done, the said Quintin, with consent of Jonet Hervie, relict of the said John Mure, and mother of the said Quintin, for certain sums of money paid to them at the same time by the worthy persons, David Daill, weaver, burgess of Irvine, and Margaret Hunter his spouse, did resign the aforesaid tenement in the hands of the said bailie, for this new infeftment of the same to be given by him to the said David Daill and Margaret his spouse, and the longer liver of them in conjunct fee, and to the heirs of their marriage, which failing, to the lawful and nearest heirs of the said David, heritably, without reversion; which resignation having been duly made, and by the bailie admitted and received, he gave seizin accordingly by delivery of the usual symbols to the said David and his spouse, who were personally present and received the same with their hands joined: These things were done upon the ground of the said tenement, about the tenth hour before noon of the 4th day of May 1619, the witnesses being James Quhyt, late bailie of Irvine, John Barclay, tailor, Allan Ros, skinner, burgesses of Irvine, James Ros, notary, and William Grier, serjeant. The notary, Robert Broun, attests that the instrument was written by the hand of William Barclay, his servant.

CLV.—PRO HELENA TUEIDY.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Junii die decimo quinto regnorum-que supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo septimo In mei notarii publici et testium subscriptorum presentis personaliter constitutus honorabilis vir Joannes Blair unus ballivorum burgi de Irwing Quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Joannes Houstoun burgensis burgi de Irwing [fratris matris] Helene Tueidy latricis presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti s. d. n. regis in omnibus et singulis fundalibus annuis redditibus subscriptis videlicet et primo In toto et integro uno annuo redditu quatuor solidorum fundalis annui redditus annuatim levando et percipiendo ad duos anni terminos consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones de toto et integro illo tenemento terre olim quondam Adami Galt nunc vero Patricii M'Lawson jacenti infra dictum burgum in capite ejusdem ex occidentali latere communis vie regie inter tenementum olim quondam Joannis Old nunc vero ——— ex australi et tenementum olim quondam Joannis Mure nunc vero ——— ex boreali partibus ab una et aliis Secundo in toto et integro alio annuo redditu quinque solidorum usualis monete predictae annuatim levando et percipiendo ad dictos duos anni terminos de toto et integro illo tenemento olim quondam Joannis Dook nunc vero Hugonis Cummyng jacenti in dicto burgo ex via occidentali latere dicte communis vie regie inter tenementum quondam Jacobi Auld postea vero quondam Jacobi Blair ac nunc vero ——— ex boreali ab una et communem venellam ducentem ad capellam ex australi partibus ab una et aliis Tertio in toto et integro alio annuo redditu sex solidorum et octo denariorum usualis monete prescripte annuatim levando ad terminos predictos de toto et integro illo tenemento olim quondam Archibaldi Muir nunc vero Thome Inglis in Paislay inter tenementum quondam Jacobi Mure ex boreali et tenementum nunc Jacobi Blair mercatoris ex australi partibus ab una et aliis Quarto in alio annuo

redditu quatuor solidorum annuatim levando ad dictos anni terminos de toto et integro illo tenemento quondam Andree Broun nunc vero Jacobi Broun in Saltecottis et heredum quondam Roberti Barclay jacenti inter tenementum mei notarii publici ex australi et tenementum olim quondam Joannis Ros nunc vero Joannis Quhytfurd ex boreali partibus ab una et aliis Quinto in alio annuo redditu octo solidorum monete annuatim levando ad dictos anni terminos de illo tenemento quondam Roberti Muir nunc vero heredis quondam Joannis Quhytfurd jacenti inter tenementum dicti Joannis Bogis ex australi ab una et tenementum olim quondam Jonete Howie nunc Archibaldi Reid ex boreali partibus ab altera Sexto in annuo redditu quinque solidorum fundalis annui redditus annuatim levando ad dictos terminos de toto et integro dicto tenemento Archibaldi Reid et Roberti Speir jacenti in dicto burgo inter tenementum dicti quondam Joannis Quhytfurd ex australi ab una et tenementum Willielmi Cunyngham ex boreali Septimo in alio annuo redditu quinque solidorum levando ad dictos terminos de tenemento quondam Joannis Hustoun nunc vero Willielmi Hustoun jacente inter tenementum quondam Willielmi Scott nunc vero quondam Joannis Muir ex australi ab una et tenementum quondam Adami Montgomerie nunc Stephani Hodge ex boreali Et quod dicta Helena est legitima et propinquior heres ejusdem dicti quondam Joannis Hustoun illius matris fratris de totis et integris predictis annuis redditibus cum pertinentiis Et quod est legitime etatis Et quod de prefato s. d. n. rege suisque successoribus tenentur in capite in libero burgagio Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totorum et integrorum predictorum septem annuorum redditum annuatim levandorum ad dictos duos anni terminos de omnibus et singulis predictis tenementis cum pertinentiis per terre et lapidis fundorum dictorum tenementorum et unius denarii ut moris est prefate Helene tanquam legitime et propinquiori heredi dicti quondam Joannis sui avunculi earundem ut moris est traditionem dedit tradidit et hereditarie deliberavit secundum tenorem infeofamentorum dicti quondam Joannis sui avunculi eorundem Salvo jure cujuslibet Tenendorum de dicto s. d. n. rege suisque successoribus in libero burgagio pro servitio burgi debito et consueto tantum Super quibus omnibus et singulis premissis prefata Helena a me notario publico subscripto sibi fieri petiit

hoc presens publicum instrumentum Acta erant hec super funda dictorum tenementorum horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Mure novissimo ballivo Hugone Montgomerie sartore et Willielmo Greir seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR HELEN TUEIDY.

Instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, personally compeared in presence of the notary and witnesses underwritten; and because it was clearly known to him by authentic documents publicly shown, read, and demonstrated to him, that the late John Houstoun, burgess of Irvine, uncle of Helen Tueidy, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in the ground annualrents underwritten, namely, and first, in an annualrent of four shillings to be taken at the terms of Whitsunday and Martinmas, by equal portions, from the tenement formerly of the late Adam Galt, but now of Patrick M'Lawson, lying within the said burgh, in the head thereof, on the west side of the High Street, between the tenement formerly of the late John Old, but now of ———, on the south, and the tenement formerly of the late John Mure, but now of ———, on the north: Secondly, in an annualrent of five shillings, furth of that tenement formerly of the late John Dook, but now of Hugh Cummyng, lying in the said burgh, on the west side of the High Street thereof, between the tenement of the late James Auld, but afterwards of the late James Blair, and now of ———, on the north, and the common vennel leading to the chapel on the south: Thirdly, in an annualrent of six shillings and eight pennies, furth of that tenement formerly of the late Archibald Mure, but now of Thomas Inglis in Paisley, between the tenement of the late James Mure on the north, and the tenement now of James Blair, merchant, on the south: Fourthly, in an annualrent of four shillings, furth of that tenement of the late Andrew Broun, but now of James Broun in Saltcottes, and of the heirs of the late Robert Barclay, lying between the tenement of me, notary public, on the south, and the tenement formerly of the late John Ros, but now of John Quhytfurd,

on the north: Fifthly, in an annualrent of eight shillings, furth of the tenement of the late Robert Mure, but now of the heirs of the late John Quhytfurd, lying between the tenement of John Bogs on the south, and the tenement sometime of the late Jonet Howie, now of Archibald Reid, on the north: Sixthly, in an annualrent of five shillings, furth of the said tenement of Archibald Reid and Robert Speir, lying in the said burgh, between the tenement of the said late John Quhytfurd on the south, and the tenement of William Cunyngham on the north: Seventhly, in another annualrent of five shillings, furth of the tenement of the late John Houstoun, but now of William Houstoun, lying between the tenement of the late William Scott, but now of the late John Muir, on the south, and the tenement of the late Adam Montgomerie, now of Stephan Hodge, on the north: And that the said Helen is lawful and nearest heir of the said deceased John Houstoun, her mother's brother, of the aforesaid annualrents; and that she is of lawful age; and that they are held of the king in chief in free burgage: Wherefor the said bailie gave heritable seizin of the said seven annualrents, by delivery of earth and stone of the grounds of the said tenements, and of one penny, to the said Helen as heir to her said uncle: These things were done upon the grounds of the said tenements about the tenth hour before noon of the 15th day of June 1619, the witnesses being William Mure, late bailie, Hugh Montgomerie, tailor, and William Greir, serjeant.

CLVI.—PRO DAVIDE BARCLAY DE LADYLAND.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Junii die decimo sexto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo secundo et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir David Barclay nunc de Ladyland super sola et funda illarum quadragintarum solidatarum terrarum de Eister et Wester Lochheidis jacentium in parochia de Lochquhinzeoch baronia de Renfrew et vicecomitatum ejusdem Et ibidem prefatus David habens et tenens suis in manibus quoddam sasine preceptum vocatum clare constat factum datum et concessum per nobilem et potentem

dominum Hugonem dominum Sempill nunc dominum superiorem annui redditus subscripti sub suo sigillo et subscriptione manuali pro sasina hereditaria ejusdem annui redditus dicto Davidi tanquam filio legitimo et propinquiore heredi quondam Davidis Barclay de Ladyland ejus patris danda discreto vero Davidi Cunyngham filio legitimo juniore Alexandri Cunynghame de Corshill ballivo dicti nobilis et potentis domini in hac parte directum Quodquidem preceptum dictus David Barclay de Ladyland prefato Davidi Cunynghame ballivo in hac parte prescripto in dicto sasine precepto specialiter nominato et constituto presentavit et deliberavit eumque humiliter requirendo quatenus dictum sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus in hac parte antedictus dictum sasine preceptum manibus dicti Davidis omni reverentia qua decuit recepit mihiq[ue] notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit Cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis Hugo dominus Sempill etc nunc dominus superior annui redditus subscripti dilectis nostris Davidi Cunyngham juniore filio legitimo Alexandri Cunynghame de Corshill Et vestrum cuilibet conjunctim et divisim ballivis nostris in hac parte specialiter constitutis Salutem Quia nobis clare constat et est notum quod quondam David Barclay de Ladyland pater dilecti nostri Davidis Barclay nunc de Ladyland latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem s. d. n. regis in toto et integro uno annuo reddito triginta librarum usualis monete hujus regni Scotie annuatim levando et percipiendo ad duos anni terminos consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones de totis et integris illis nostris quadraginta solidatis terrarum de Easter et Wester Lochheidis cum pertinentiis vel de aliqua earundem parte cum pertinentiis jacentium in parochia de Lochquhinzeoch baronia de Renfrew et infra vicecomitatum ejusdem Et quod dictus David Barclay nunc de Ladyland est legitimus et propinquior heres ejusdem dicti quondam Davidis Barclay de Ladyland sui patris de toto et integro predicto annuo reddito Et quod est legitime etatis Vobis igitur precipimus et mandamus quatenus visis presentibus indilate statum et sasina hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti annui redditus triginta librarum monete predictae annuatim levandi et percipiendi ad terminos predictos de totis

et integris predictis quadraginta solidatis terrarum de Eister et Wester Lochheidis cum pertinentiis vel de aliqua earundem parte memorato Davidi Barclay nunc de Ladyland tanquam filio legitimo et propinquiori heredi dicti quondam Davidis Barclay de Ladyland sui patris vel suo certo actornato latori presentium per terre et lapidis fundi dictarum terrarum et unius denarii ut moris est traditionem et deliberationem tradatis et deliberetis seu alter vestrum tradat et deliberet secundum formam et tenorem antiquorum infeofamentorum dicti annui redditus Salvo jure cujuslibet Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis nostris in hac parte antedictis nostram plenaream et irrevocabilem tenore presentium committimus potestatem In cujus rei testimonium (presentibus manu Roberti Broun communis scribe burgi de Irwing scriptis) manu nostra subscriptis sigillum nostrum proprium presentibus est appensum apud Pasletam penultimo die mensis Maii anno domini millesimo sexcentesimo decimo nono coram hiis testibus Alexandro Cochran de eodem Ezekiele Montgomerie de Weitland et Alexandro Glen de Bar sic subscribitur H. Sempill Alex. Cochran of that ilk witnes E. Montgomerie witnes Alex. Glen witnes Post cujusquidem sasine precepti perlectionem publicationem et in vulgari astantibus expositionem prefatus David Cunynghame ballivus in hac parte antedictus virtute et vigore sui officii ac de mandato speciale dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti annui redditus triginta librarum monete predictae annuatim levandi et percipiendi ad dictos anni terminos consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones de totis et integris predictis quadraginta solidatis terrarum de Eister et Wester Lochheids vel de aliqua earundem parte cum pertinentiis ut supra jacentium memorato Davidi Barclay nunc de Ladyland tanquam filio legitimo et propinquiori heredi dicti quondam sui patris per terre et lapidis fundi ejusdem et unius denarii ut moris est illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum tenorem antiquorum infeofamentorum dicti annui redditus ac dicti sasine precepti (salvo jure cujuslibet) Super quibus omnibus et singulis premissis prefatus David Barclay de Ladyland a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum

sive plura Acta erant hec super sola et funda dietarum terrarum de Eister et Wester Lochheids respective et successive per se horam circiter quartam postmeridiem sub anno die mense regnisque regis quibus supra Presentibus ibidem Joanne Kirkwod in Kaynhill Joanne Calderwod in Cars Roberto Or in Lochheid et Joanne Or ibidem testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR DAVID BARCLAY OF LADYLAND.

Instrument narrating that, in presence of the notary and witnesses underwritten, there compeared personally an honourable man, David Barclay, now of Ladyland, upon the ground of the forty shilling lands of Easter and Wester Lochheids, lying in the parish of Lochwinnoch, barony of Renfrew, and sherifffdom of the same; and there the said David, having and holding in his hands a certain precept of seizin, called a precept of *clare constat*, granted by a noble and potent lord, Hugh, Lord Sempill, now lord superior of the annualrent underwritten, under his seal and subscription manual, directed to a discreet man, David Cunynghame, younger son of Alexander Cunynghame of Corshill, bailie in that part of the said noble lord, for seizin to be given to the said David Barclay of the said annualrent; which precept the said David presented and delivered to the aforesaid bailie, humbly requesting him to put the same to due execution; and the said bailie having, with becoming reverence, received the said precept from the hands of the said David, delivered the same to the notary public to be read, published, and explained to the bystanders in the vulgar tongue, the tenor of which was to the effect, that it was clearly known to the said Hugh, Lord Sempill, that the late David Barclay of Ladyland, father of the said David Barclay, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in an annualrent of thirty pounds, usual money of this kingdom of Scotland, to be uplifted at the terms of Whitsunday and Martinmas, by equal portions, from the said noble lord's forty shilling lands of Easter and Wester Lochheids, lying as aforesaid; and that the said David Barclay, now of Ladyland, is lawful and nearest heir of the said David his father, of the said annualrent; and that he is of lawful age; and therefore commanding the said David Cunynghame,

bailie, to give heritable seizin of the same to the said David Barclay, as heir to his father: Which precept (written by the hand of Robert Broun, common clerk of the burgh of Irvine) is dated at Paisley, 30th May 1619, before these witnesses, Alexander Cochran of that ilk, Ezekiel Montgomerie of Weitland, and Alexander Glen of Bar: After the reading and exposition of the which precept, the said bailie gave seizin in terms thereof, by delivery of earth and stone of the ground of the said lands, and of one penny of money, to the said David Barclay, now of Ladyland, who was personally present and accepting thereof: These things were done upon the ground of the said lands about the fourth hour after noon of the 16th day of June 1619, before witnesses, namely, John Kirkwod of Kaynhill, John Calderwod in Cars, Robert Or in Lochheid, and John Or there.

CLVII.—PRO MAGISTRO DAVIDE CUNYNGHAME ET SPONSA Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Junii die vigesimo octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo secundo et decimo septimo In mei notarii publici et testium subscriptorum presentibus personaliter comparuit proba mulier Joneta Campbell relicta quondam Joannis Young mercatoris burgensis dicti burgi de Irwing super solum et fundum istius sui tenementi terre subscripti sibi hereditarie pertinentis jacentis infra dictum burgum ex orientali latere communis vie regie ejusdem inter tenementum quondam Joannis Tueidy naucleri ex australi et tenementum Willielmi Hendry pellionis ex boreali partibus ab una et aliis Et ibidem prefata Joneta pro observatione et impletione unius ejus partis cujusdam contractus matrimonialis initi et confecti inter probum virum Magistrum Davidem Cunynghame ministrum verbi Dei apud ecclesiam de Perstoun ab una dictamque Jonetam partibus ab altera de data presentium confecti et intuitu matrimonii inter eos contracti ac breviter Deo favente solempnizandi ac nomine dotis et donationis causa propter nuptias Totum et integrum predictum suum tenementum terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacens In manibus honorabilis viri Joannis Blair unius ballivorum

dicti burgi de Irwing sursum reddidit pureque simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure juris titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dicta Joneta suisve heredes successores et assignati in et ad predictum tenementum terre cum singulis pertinentiis seu aliquam ejusdem partem habuit habet seu quovismodo in futurum habere clamare vel pretendere poterit In favores ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum prefato Magistro Davidi Cunynghame ejus future conjugis sibique dicte Jonete eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legittime procreandis Quibus quod absit deficientibus dicto Magistro Davidi suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione seu regressu quocunque Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legittime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicte Jonete resignantis propriis suis manibus statum et sasina hereditariam pariter et possessionem corporalem actuaalem et realem totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis memoratis Magistro Davidi Cunynghame (nomine dotis) et Jonete Campbell futuris conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus (pro semetipsis eorumque heredibus et assignatis prescriptis quibus deficientibus ut supra) traditionem et deliberationem ut moris est dedit tradidit pariter et cum effectu hereditarie deliberavit secundum vim formam et tenorem antedictae resignationis ac contractus matrimonialis prescripti Tenendi de dicto s. d. n. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Magister David et Joneta futuri conjuges ac eorum alter pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum

predicti tenementi horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Cristierno Cunynghame fratre germano quondam Davidis Cunynghame de Robertland Frederico Cunynghame etiam ejus fratre germano Willielmo Cauldwell de Annanhill clerico balliatus de Cunynghame Joanne Campbell nauclero patre dicte Jonete et Willielmo Greir seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

Hoc instrumentum precedens scribitur manu Willielmi Barclay mei famuli.

R. BROUN.

ABSTRACT.

FOR MR. DAVID CUNYNGHAME AND HIS SPOUSE.

Instrument narrating that a worthy woman, Jonet Campbell, widow of John Young, merchant, burgess of Irvine, compeared personally upon the ground of that her tenement of land, belonging to her heritably, lying within the said burgh, on the east side of the common High Street thereof, between the tenement of the late John Tueidy, shipmaster, on the south, and the tenement of William Hendry, skinner, on the north: And there the said Jonet, for observation of her part of a matrimonial contract, begun and made between a worthy man, Master David Cunynghame, minister of the Word of God at the kirk of Perstoun, on the one part, and the said Jonet on the other part, of this date, and in view of marriage contracted between them, and shortly by the favour of God to be solemnized, and in name of dowry and gift on account of the marriage, did surrender and purely and simply resign all and whole her tenement aforesaid, fore and back, with yard and pertinents, by staff and baton, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of, and for this new heritable infeftment of the same to be given by the said bailie to the aforesaid Master David Cunynghame her future spouse, and to herself, the said Jonet, and the survivor of them, in conjunct fee, and to the heirs to be begotten between them, which failing (as God forbid) to the said Master David and his lawful heirs and assignees, heritably and irredeemably: Which resignation having been received by the said bailie, he gave seizin accordingly to the said Master David (in name of dowry) and Jonet

Campbell, future spouses, by delivery of the usual symbols, they being personally present and accepting thereof with their hands joined: Done upon the ground of the said tenement about the third hour after noon of the 28th day of June 1619, the witnesses being Cristiern Cunynghame, brother-german of the late David Cunynghame of Robertland, Frederic Cunynghame, also his brother-german, William Cauldwell of Annanhill, clerk of the bailiery of Cunynghame, John Campbell, shipmaster, father of the said Jonet, and William Greir, serjeant.

CLVIII.—PRO THOMA TRAN ALEXANDRO CUNYNGHAM
ET SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Augusti die quinto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii et testium subscriptorum presentiis personaliter comparuit honorabilis vir Joannes Blair unus ballivorum burgi de Irwing super sola et funda illorum duorum tenementorum terre perprius quondam Thome Tran burgensi dicti burgi hereditarie pertinentium jacentium infra dictum burgum ex orientali latere vie regie ejusdem inter terras olim quondam Hugonis Montgomerie nunc vero ——— ex ——— Et ibidem quia sibi clare constabat per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dictus quondam Thomas Tran pater Thome Tran latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem supremi domini nostri regis in totis et integris predictis illis duobus tenementis terre cum singulis suis pertinentiis ut supra jacentibus Et quod dictus Thomas Tran est legitimus et propinquior heres ejusdem dicte quondam Thome sui patris de totis et integris predictis illis duobus tenementis terre cum singulis suis pertinentiis ut supra jacentibus et quod est legitime etatis Et quod de prefato supremo domino nostro rege suisque successoribus tenentur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem

actualem et realem Totorum et integrorum prefatorum duorum tenementorum terre cum singulis suis pertinentiis ut supra jacentium memorato Thome Tran tanquam filio legitimo et propinquiore heredi antedicti quondam sui patris per terre et lapidis fundorum ejusdem respective et successive ut moris illi personaliter presenti et acceptanti traditionem dedit tradidit et deliberavit secundum formam et tenorem antiquorum infeofamentorum dicti quondam sui patris eorundem (salvo jure cujuslibet) Tenendorum de dicto supremo domino nostro rege, suisque successoribus more burgali Quibus peractis prefatus Thomas Tran nunc post ejus legitimam et perfectam ætatem viginti unius annorum completam pro certis pecuniarum summis sibi per discretas personas Alexandrum Cunynghame juniorem mercatorem burgensem dicti burgi et Jonetam Tran ejus sponsam de quibusquidem pecuniarum summis tenuit se bene contentum plenarie et integre persolutum dictosque conjuges eorumque heredes et assignatos subscriptos de eisdem exonerando et quieteclamando plenarie per hujus presentis publici instrumenti tenorem imperpetuum Necnon pro impletiōe et observatione unius ejus partis cujusdam dispositionis litere per eum dictis conjugibus penes dictorum duorum tenementorum alienationem et dispositionem et infeofamentum subscriptum de data presentium confecte Tota et integra predicta ejus duo tenementa terre cum singulis suis pertinentiis ut supra jacentia in manibus prefati Joannis Blair ballivi burgensis burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum una cum omnibus jure titulo interesse juris clameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Thomas suive heredes successores seu assignati in et ad eadem duo tenementa seu aliquam eorundem partem cum pertinentiis habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterint omnino quieteclamavit imperpetuum In favores ac pro hac nova sasine et infeodatione hereditaria per dictum ballivum prefatis Alexandro et Jonete conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Alexandro suisque legitimis et propinquiore heredibus et assignatis quibuscunque eorundem hereditarie et irredimabiliter sine ulla reversione redemptione aut regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et

recepta prefatus Joannes ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti Thome resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totorum et integrorum prefatorum duorum tenementorum terre cum singulis suis pertinentiis ut supra jacentium prefatis Alexandro Cunynghame et Jonete Tran conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem respective et successive illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem et deliberationem dedit tradidit et hereditarie sine ulla reversione redemptione aut regressu quocunque ut premittitur deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis desuper confecte Tenendorum de dicto s. d. n. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Thomas Tran Alexandro Cunynghame et Joneta Tran conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta Acta erant hec super sola et funda dictorum duorum tenementorum respective singulatim et successive per se horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Quhyt uno novissimorum ballivorum dicti burgi Jacobo Scott notario et Niniano Barclay mercatore burgensibus dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

Hoc instrumentum inseritur manu Willielmi Barclay mei famuli.

R. BROUN.

ABSTRACT.

FOR THOMAS TRAN, ALEXANDER CUNYNGHAME AND SPOUSE.

Instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally upon the ground of those two tenements of land, formerly belonging heritably to the late Thomas Tran, burgess of the said burgh, lying within the same, on the east side of the High Street thereof, between the lands formerly of the late Hugh Montgomerie, but now of ———, on the one side,

and the lands of ——— on the other ; and there, because it was evidently known to him, by authentic documents and instruments of seizin publicly shown, read, and demonstrated to him, that the said deceased Thomas Tran died last vest and seized as of fee, at the faith and peace of the king, in the said two tenements of land ; and that Thomas Tran, bearer hereof, is lawful and nearest heir of the said deceased Thomas his father, in the said tenements ; and that he is of lawful age ; and that the tenements are held of the king in chief, in manner of burgh ; therefore the said John Blair, bailie, by virtue of his office, gave heritable seizin of the said two tenements to the said Thomas Tran, as son and heir of his said deceased father, by delivery to him of earth and stone of the grounds thereof, respectively and successively ; which having been done, the aforesaid Thomas Tran, now after his lawful and perfect age of twenty-one years complete, for certain sums of money paid to him by discreet persons, Alexander Cunynghame, younger, merchant, burgess of the said burgh, and Jonet Tran his spouse ; and also for implement of his part of a certain disposition granted by him to the said spouses of the date hereof, did resign, renounce, and overgive all and whole the said two tenements of land, in the hands of the said John Blair, bailie, in favour of and for this new seizin and infeftment thereof to be given by him to the aforesaid Alexander and Jonet, spouses, and the survivor of them, in conjunct fee, and to the heirs of their marriage ; which resignation having been received by the bailie, he gave state and seizin in terms thereof, by delivery of the symbols to the said Alexander Cunynghame and Jonet Tran, who were personally present and received the same with their hands joined : These things were done upon the grounds of the said two tenements, singly and successively, about the ninth hour of the morning of the fifth day of August 1619, the witnesses present being James Quhyt, one of the late bailies of Irvine, James Scott, notary, and Ninian Barclay, merchant, burgesses of the said burgh.

CLIX.—PRO THOMA TRAN.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Augusti die quinto regnorumque

supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter constitutus honorabilis vir Joannes Blair unus ballivorum burgi de Irwing quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Thomas Tran burgensis burgi de Irwing pater Thome Tran latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti supremi domini nostri regis in toto et integro illo tenemento terre ante et retro subtus et supra cum horto aggere vulgo lie tailling rig et singulis suis pertinentiis jacenti infra dictum burgum de Irwing ex orientali latere communis vie regie ejusdem inter tenementum quondam Niniani Barclay vocatum Dunwodyes ex ——— et tenementum Niniani Barclay de Nalrigis ex ——— partibus ab una et aliis Et quod dictus Thomas est legitimus et propinquior heres ejusdem dicti quondam Thome sui patris de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacenti et quod est legitime etatis Et quod prefatum tenementum de dicto s. d. n. rege tenetur in capite more burgali Propterea prefato Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere vulgo lie tailling rig et singulis suis pertinentiis ut supra jacentis prefato Thome Tran tanquam filio legitimo et propinquiori heredi dicti quondam Thome sui patris per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum tenorem infeofamentorum dicti quondam Thome sui patris ejusdem (Salvo jure cujuslibet) Tenendi de dicto supremi domini nostri rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Thomas Tran a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Quhyt uno novissimorum ballivorum dicti burgi Jacobo Scott notario

publico Alexandro Cunynghame juniore et Niniano Barclay mercatoribus omnibus comburgensibus dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

Hoc instrumentum precedens scribitur manu Willielmi Barclay mei famuli.

R. BROWN.

ABSTRACT.

FOR THOMAS TRAN.

Notarial instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally in presence of the notary and witnesses; and because it was clearly manifest and known to him, by authentic documents and instruments of seizin publicly shown, read, and demonstrated to him, that the late Thomas Tran, burgess of Irvine, died last vest and seized as of fee, at the faith and peace of the king, in that tenement of land, fore and back, under and above, with yard and tailing rig, lying within the said burgh, on the east side of the common highway of the same, between the tenement of the late Ninian Barclay, called Dunwodyes, on the —, and the tenement of Ninian Barclay of Nalrigs, on the —; and that Thomas Tran, bearer of the presents, son of the aforesaid Thomas, is lawful and nearest heir of his said deceased father, of the aforesaid tenement; and that he is of lawful age; and that the said tenement is held of the king in chief, burgage wise; therefore the said John Blair, bailie, did with his own hands give state and heritable seizin, and also bodily, actual, and real possession of the said tenement, yard, and tailing rig, to the said Thomas Tran, by delivery to him of earth and stone of the ground thereof; to be holden of the king for rendering yearly the burghal fermes and other burdens and dues used and wont to be paid: These things were done upon the ground of the said tenement, about the ninth hour of the morning of the fifth day of August 1619, the witnesses there present being James Quhyt, one of the late bailies of Irvine, James Scott, notary public, Alexander Cunynghame younger, and Ninian Barclay, merchants and co-burgesses of the said burgh.

CLX.—PRO MAGISTRO ROBERTO BARCLAY.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Augusti die decimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit probus vir Ninianus Barclay mercator burgensis burgi de Irwing filius et heres quondam Niniani Barclay urbisprefecti dicti burgi super sola et funda terrarum aliarumque particulariter subscriptarum sibi hereditarie pertinentium videlicet et primo super solum et fundum illarum suarum terrarum vocatarum Scottiswardis jacentium infra territorium dicti burgi et deinde et immediate postea super solum et fundum illarum quinque rodarum terre aut eo circa jacentium etiam infra territorium dicti burgi in fine — ejusdem apud Patounes Thorne inter terras Joannis Peblis ex australi et communem viam ducentem ad molendina burgalia ex occidentali partibus ab una et aliis Et ibidem respective dictus Ninianus pro certis pecuniarum summis sibi per providum virum Magistrum Robertum Barclay suum fratrem germanum perprius ut asseruit persolutis Necnon pro observatione et impletione unius ejus partis cujusdam dispositionis litere per eum de dictis suis terris aliisque particulariter prescriptis cum pertinentiis ut supra jacentibus dicto Magistro Roberto Barclay suo fratri germano suisque heredibus et assignatis subscriptis hereditarie facte de data quarto die mensis Octobris anno domini millesimo sexcentesimo et decimo septimo Totas et integras predictas suas terras vulgariter vocatas Scottiswardis cum singulis earundem partibus pendiculis et pertinentiis ut supra jacentes ac pro presenti per Mariotam Ros ejus matrem libere tenementariam earundem Robertum Dunlop Jacobum Thomsoun Cuthbertum Davidson et Patricium Thom ejus tenentes possessas Necnon totas et integras predictas suas quinque rodas terrarum aut eo circa ut predicatur jacentes et bondatas in manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure juris titulo interesse jurisclameo proprietate et possessione tam

petitorio quam possessorio que seu quas dictus Ninianus suive heredes aut assignati quicunque in et ad easdem seu aliquam earundem partem cum pertinentiis habuerunt habent seu quovismodo habere in futurum habere clamare vel pretendere poterint In favores ac pro hac nova sasina et infeodatione hereditaria earundem per dictum ballivum prefato Magistro Roberto Barclay suo fratri germano suisque heredibus et assignatis quibuscunque hereditarie per dictum ballivum modo subscripto in debita et competenti forma prout congruit danda et concedenda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii ac ad instantem rogatum et requestum dicti Niniani Barclay resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totarum et integrarum prefatarum terrarum de Scottiswardis cum singulis earundem partibus pendiculis et pertinentiis quibuscunque jacentium et occupatarum ut prefertur Necnon totarum et integrarum prefatarum quinque rodarum terrarum aut eo circa cum singulis earundem pertinentiis jacentes et bondantes ut predicitur prefato Magistro Roberto Barclay per terre et lapidis fundi earundem respective probo viro Archibaldo Barclay fabro murario burgensi dicti burgi tanquam actornato et eo nomine dicti Magistri Roberti ut moris est traditionem et deliberationem secundum tenorem dicte dispositionis litere ac resignationis prescripte Tenendarum ut sequitur videlicet dicte terre de Scottiswardis de urbisprefecto ballivis consiliariis et communitate dicti burgi in feudifirma feodo et hereditate imperpetuum pro annua solutione feudifirme divorias solitas et consuetas dicteque quinque rude prescripte de dicto s. d. n. rege suisque successoribus in libero burgagio pro servitio burgi debito et consueto tantum Super quibus omnibus et singulis premissis dictus Archibaldus Barclay actornatus antedictus et eo nomine dicti Magistri Roberti a me notario publico subscripto sibi fieri petiit instrumentum unum seu plura Acta erant hec super solum et fundum dictarum terrarum respective hora sexta mane aut eo circa anno die mense et regno prescriptis Presentibus ibidem Jacobo Scott custumario regio dicti burgi Joanne Barclay sartore burgensi dicti burgi et Joanne Millar in Lochmyle testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MASTER ROBERT BARCLAY.

Notarial instrument narrating that a worthy man, Ninian Barclay, merchant, burgess of Irvine, son and heir of the late Ninian Barclay, provost of the said burgh, compeared personally upon the grounds of the lands and others underwritten, belonging to him heritably, namely: first, upon the ground of those his lands called Scottiswards, lying within the territory of the said burgh; and then, immediately afterwards, upon the ground of those five roods or thereby of land, lying within the territory of the burgh, on the — end of the same, at Patoun's Thorne, between the lands of John Peiblis on the south, and the common way leading to the burgh mill on the west; and there, respectively, the said Ninian, for certain sums of money formerly paid to him by a prudent man, Mr. Robert Barclay, his brother-german; and for observing and fulfilling his part of a disposition granted by him to the said Mr. Robert, of date the 4th day of October 1617; did surrender, and purely and simply resign, all and whole his lands aforesaid, commonly called Scottiswards, for the present possessed by Marion Ros his mother, frank tenementor of the same, and Robert Dunlop, James Thomsoun, Cuthbert Davidson, and Patrick Thom, her tenants; also all and whole the aforesaid five roods of land, in the hands of an honourable man, John Blair, one of the bailies of Irvine, for this new seizin thereof to be given by him to the aforesaid Mr. Robert Barclay, his heirs and assignees whatsoever heritably; which resignation so made, duly and lawfully, and by the said bailie admitted and received, the latter, by virtue of his office, and at the urgent request of the said Ninian the resigner, did with his own hands give heritable seizin of the lands aforesaid, by delivery of earth and stone of the grounds of the same, respectively, to a worthy man, Archibald Barclay, mason, burgess of Irvine, as attorney and in name of the said Mr. Robert Barclay; to be holden, the said lands of Scottiswards, of the provost, bailies, councillors, and community of the said burgh, in feuferme, fee, and heritage, for the yearly payment of the feuferme duties hitherto used and wont to be paid; and the said five roods, of the king and his successors in free burgage, for the service of burgh due and wont:

These things were done on the grounds aforesaid, about the sixth hour of the morning of the 10th day of August 1619, the witnesses being James Scott, custumar of the king for the said burgh, John Barclay, tailor, burgess of the same, and John Millar in Lochmyll.

CLXI.—PRO MARGARETA CALDERWOD.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Augusti die decimo sexto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Hugo Montgomerie in Bowhous super solum et fundum istius sui tenementi terre edificati jacentis infra burgum de Irwing ex orientali latere communis vie regie ejusdem a tergo pretorii inter tenementum Roberti Dyett mercatoris ex ——— et tenementum Willielmi Hendrie pellionis ex ——— partibus ab altera Necnon super solum et fundum istius sui aggeris vulgo lie tailling rig adjacentis et sequentis hortum dicti Willielmi Hendrie jacens inter predictum suum tenementum ex ——— et alterum aggerem dicti Hugonis que fuit olim Joannis Young et que sequitur tenementum dicti quondam Joannis ex ——— partibus ab altera ac etiam super solum et fundum predicti illius aggeris vulgo lie tailling rig ab antiquo dicto quondam Joanni Young hereditarie pertinentis jacentis a tergo tenementi dicti quondam Joannis inter tenementum templarium quondam Joannis Tueidy ex ——— et predictum aggerem dicti Hugonis per prius ad dictum Willielmum pertinentem et que sequitur tenementum dicti Willielmi Hendrie ex ——— partibus ab altera Et ibidem prefatus Hugo pro singularibus amore gratia et favore quos erga dilectam suam sponsam Margaretam Calderwod habet et gerit totum et integrum predictum suum tenementum terre edificatum ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacens Necnon predictos suos aggeres vulgo lie tua tailling rigis ut supra bondatos et jacentes In manibus honorabilis viri Adami Cunyngham unius ballivorum dicti burghi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et

extradonavit imperpetuum unacum omnibus jure et titulo quibuscunque illi suisve heredibus et assignatis in et ad eadem seu aliquam eorundem partem competentibus In favorem ac pro hac nova sasina et infeodatione eorundem dicte Margarete sue conjugii in vitali redditu per dictum ballivum danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunyngham ballivus antedictus virtute et vigore sui officii ac de mandato speciale dicti resignantis propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actuaalem et realem Totorum et integrorum prefati tenementi terre et aggerum prescriptorum cum singulis suis pertinentiis ut supra jacentium prefate Margarete conjugii dicti Hugonis in vitali redditu pro omnibus illius vite diebus per terre et lapidis fundorum eorundem dicte Margarete personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum tenorem dicte resignationis Tenendorum de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefata Margareta a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dicti tenementi edificati et duorum aggerum prescriptorum horam circiter sextam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Montgomerie filio legitimo secundo genito dicti Hugonis Roberto Dyett et Hugone Lin mercatoribus burgensibus dicti burgi et Willielmo Stevinsoun seriando testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR MARGARET CALDERWOD.

Instrument narrating that a prudent man, Hew Montgomerie in Bowhouse, compeared personally upon the ground of that his tenement of land, built, lying within the burgh of Irvine, on the east side of the High Street thereof, at the back of the Tolbooth, between the tenement of Robert Dyett, merchant, and the tenement of William Hendrie,

skinner; also upon the ground of that his tailing rig, adjacent to the yard of the said William Hendrie, lying between his tenement aforesaid on the ———, and the other tailing rig of the said Hew, which was formerly of John Young, and which is next to the tenement of the said deceased John, on the ———; and also upon the ground of his aforesaid tailing rig, of old belonging to the said deceased John Young, lying at the back of his tenement, between the templar tenement of the late John Tueidy on the ———, and the aforesaid tailing rig of the said Hew, formerly pertaining to the said William, and which follows the tenement of the said William Hendrie, on the ———: And there the said Hew, for the singular love, grace, and favour which he had and bare towards his beloved spouse Margaret Calderwod, did surrender and purely and simply resign his built tenement of land aforesaid, fore and back, with yard and tailing rig; also the two tailing rigs aforesaid, in the hands of an honourable man, Adam Cunynghame, one of the bailies of the said burgh, in favour of and for this new seizin of the said tenement and rigs to be given to the said Margaret Calderwod, in liferent: Which resignation having been received and admitted by the bailie, he gave state and seizin of liferent, and also bodily, actual, and real possession of the aforesaid tenement of land and tailing rigs, by delivery of earth and stone, as the custom is, to the said Margaret, who was personally present and receiving the same: To be holden of the king in burgage manner: These things were done on the grounds of the said tenement and rigs, about the sixth hour after noon of the 16th day of August 1619, the witnesses present being William Montgomerie, lawful second born son of the said Hew, Robert Dyett and Hew Lin, merchants, burgesses of the said burgh, and William Stevinson, serjeant.

CLXII.—PRO WILLIELMO MONTGOMERIE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Augusti die decimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernæ regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit probus vir Hugo Montgomerie in Bowhouse super

solum et fundum istius sui edificati tenementi terre subscripti sibi hereditarie pertinentis jacentis infra burgum de Irving ex orientali latere communis vie regie ejusdem a tergo pretorii inter tenementum antierius Roberti Dyett mercatoris et posteriorem partem tenementi dicti Roberti sive aggerem vulgo lie tailing rig etiam ad dictum Hugone pertinentem ex boreali et tenementum Willielmi Hendrie pellionis ex australi partibus ab altera Necnon super solum et fundum istius pecie [terre] waste a fronte dicti tenementi adjacentis apud fine pretorii dicto tenemento oposite Necnon super solum et fundum istius aggeris vulgo lie tailling rig etiam sibi hereditarie pertinentis sequentis domum et hortum dicti Roberti Dyett jacentis inter predictum dicti Hugonis tenementum ex australi et tenementum Hugonis Doway ex boreali partibus ab altera Ac etiam super solum et fundum alterius sui aggeris olim quondam Joanni Young mercatori hereditarie pertinentis ac sequentis tenementum dicti quondam Joannis jacentis similiter infra dictum burgum ad finem horti predicti tenementi inter tenementum templarium quondam Joannis Tueidy ex australi et tenementum predicti Willielmi Hendrie ex boreali partibus ab altera Et ibidem prefatus Hugo pro singularibus amore gratia et favore quos habet et gerit erga Willielmum Montgomerie suum filium legitimum secundo genitum ac pro diversis aliis bonis et rationabilibus causis et considerationibus eum ad hoc moventibus Totum et integrum predictum suum tenementum edificatum ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacens ac peciam waste terre prescriptam Necnon predictos duos aggeres vulgo lie tua tailing rigis jacentes et bondatos respective ut premittitur in manibus honorabilis viri Adami Cunynghame unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure juris titulo interesse juriscrameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Hugo suive heredes successores aut assignati in et ad eadem tenementa sive terras predictas seu aliquam earundem partem cum pertinentiis habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterint omnino quieteclamavit imperpetuum In favores ac pro hac nova sasina et infeodatione hereditarea eorundem per dictum ballivum prefato Willielmo Montgomerie heredibusque de corpore suo legitime tantummodo procreandis Quibus deficientibus dicto Hugoni resignanti suisque heredibus et assignatis

quibuscunque hereditarie danda et in debita et competenti forma prout congruit conficienda Proviso tamen quod semper licebit dicto Hugoni resignanti in quovis tempore sue vite tantummodo sive eger sive sanus (Omnibus aliis ab hujusmodi faciendo penitus seclusis) Totum et integrum predictum suum tenementum edificatum ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacens ac petiam waste terre prescriptam Necnon et predictos duos aggeres cum pertinentiis ut premittitur bondatos et jacentes A prefato Willielmo suo filio suisque heredibus prescriptis redimere et relaxare per solutionem illis summe sex solidorum et octo denariorum usualis monete hujus regni Scotie in ecclesia parochiali de Irwin quovis die ac quolibet anni tempore dicto die inter solis ortum et occasum vel casu absentie aut recusationis per consignationem ejusdem in manibus unius ballivorum dicti burgi ad ejus utilitatem et commodum deveniende premonitione dicto Willielmo suisque prescriptis ad hunc effectum legitime facta personaliter aut apud eorum habitationis locum in presentia notarii et testium fidedignorum per spatium quadraginta octo horarum precedentium Et si sint extra regnum Scotie super premonitionem viginti dierum precedentium super funda dicti tenementi et aggerum et apud crucem foralem dicti burgi et littus dicti burgi vulgo lie mercat croce and shoirsyd in presentia unius ballivorum et communis scribe dicti burgi pro tempore Quo aut eorum aliquo facto dictum tenementum edificatum pecia waste terre ac duo aggeres prescripti ut supra jacentes omnibus temporibus extunc debite et legitime redempta et relaxata fore reputabuntur dictusque Hugo suive heredes et assignati in et ad eadem plenum et liberum regressum ingressum et accessum habebunt presensque hoc infeofamentum nullius erit valoris roboris efficacie aut effectus eademque renunciare tenebuntur cuiquidem redemptionis declarature prepositus et ballivi dicti burgi solummodo judices competentes fuerint non obstante quorumcunque actorum legum statutorum seu regni practicarum in contrarium factorum vel faciendorum penes quod presens hec clausula reversionis sufficiens erit dispensatio quia presens hoc infeofamentum sub illa provisione et restrictione datur et non alias Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunyngham ballivus antedictus virtute et vigore sui officii Necnon de mandato dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tene-

menti edificati ante et retro subtus ut supra cum horto aggere et singulis suis pertinentiis ut supra jacentis ac pecie waste prescripte Necnon predictorum duorum aggerum vulgo tua tailling rigs jacentium et bondantium ut premittitur memorato Willielmo Montgomerie personaliter presenti et pro se suisque heredibus de suo corpore et assignatis prescriptis acceptanti ut moris est traditionem dedit tradidit et hereditarie deliberavit secundum tenorem dicte resignationis ac sub reversionis conditionibus prescriptis Reservato nihilominus vitali reddito Margarete Calderwod sue matris secundum dicte sue matris infeofamentum Tenendorum de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Willielmus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum unum sive plura Acta erant hec super solum et fundum dicti tenementi edificati et duorum aggerum prescriptorum horam circiter sextam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Roberto Dyett et Hugone Lyn mercatoribus burgensibus dicti burgi et Willielmo Stevinsoun serjando testibus ad premissa vocatis pariterque rogatis. R. BROUN.

ABSTRACT.

FOR WILLIAM MONTGOMERIE.

Notarial instrument narrating that a worthy man, Hew Montgomerie in Bowhouse, compeared personally upon the ground of his built tenement of land, lying in the burgh of Irvine, on the east side of the common High Street of the same, behind the Tolbooth, between the fore tenement of Robert Dyett, merchant, and the back part of the tenement of the said Robert, or the tailing rig, also pertaining to the said Hew, on the north, and the tenement of William Hendrie, skinner, on the south; also, upon the ground of that waste piece of land lying in front of the said tenement, at the end of the Tolbooth, opposite to the said tenement; also, upon the ground of that tailing rig, pertaining to him heritably, adjoining the house and yard of the said Robert Dyett, lying between the tenement aforesaid of the said Hew on the south, and the tenement of Hew Doway on the north; and also upon the ground of

his other tailing rig, formerly pertaining heritably to the late John Young, merchant, and adjoining the tenement of the said John, lying likewise within the said burgh, at the end of the yard of the aforesaid tenement, between the templar tenement of the late John Tueidy on the south, and the tenement of the aforesaid William Hendrie on the north; and there the aforesaid Hew, for the singular love and favour which he had towards William Montgomerie, his second son, and for divers good considerations moving him thereto, did surrender and purely and simply resign his built tenement aforesaid, with yard, tailing rig, and piece of waste land aforewritten; also the aforesaid two tailing rigs, lying and bounded respectively as is premised, in the hands of an honourable man, Adam Cunynghame, one of the bailies of the said burgh, in favour of and for this new seizin of the same to be given to the said William Montgomerie and the heirs of his body, lawfully begotten only; which failing, to the said Hew, the resigner, his heirs and assignees whatsoever, heritably; providing, nevertheless, that it shall always be lawful to the said Hew, at any time of his life only, whether sick or sound, to redeem the subjects resigned (all others being absolutely secluded from doing this) from the said William his son, and his heirs, by payment to them of the sum of six shillings and eight pennies of the usual money of this kingdom of Scotland, in the parish church of Irvine, on any day and at any time of the year, between the rising and setting of the sun on the said day; or in case of absence or refusal, by consignation of the same in the hands of one of the bailies of the said burgh, to be forthcoming to his utility and advantage, premonition to that effect having been lawfully made to the said William and his foresaids, personally or at their dwelling-place, in presence of a notary and trustworthy witnesses, by the space of forty-eight hours preceding, and if they are without the kingdom, upon premonition of twenty days preceding, upon the ground of the said tenement and tailing rigs, and at the market cross and shore of the said burgh, in presence of one of the bailies and the common clerk of the burgh for the time; upon which thing, or any of them, having been done, the said built tenement, piece of waste land, and two rigs beforewritten, shall in all time thereafter be reputed to be duly and lawfully redeemed; and the said Hew or his heirs and assignees shall have full and free regress, ingress, and access in and to the same; and this present infeftment shall be of no avail,

force, efficacy, or effect; and they shall be bound to renounce the same; to which declarature of redemption the provost and bailies of the said burgh shall alone be competent judges, notwithstanding whatsoever acts, laws, statutes, or practiques of the kingdom made or to be made to the contrary; whereanent this present clause of reversion shall be a sufficient dispensation, because this infeftment is given under this provision and restriction, and not otherwise: Which resignation having been so made, and by the said bailie admitted and received, the aforesaid Adam Cunynghame, bailie, by virtue of his office, and also at the command of the said resigner, gave heritable state and seizin of the tenement and others aforesaid to the said William Montgomerie, personally present and accepting thereof, under the conditions of reversion aforewritten; reserving, nevertheless, the liferent of Margaret Calderwod his mother, according to her infeftment; to be holden of the king in burgage manner: These things were done upon the grounds aforesaid, about the sixth hour after noon of the 10th day of August 1619, the witnesses being Robert Dyett and Hew Lyn, merchants, burgesses of the said burgh, and William Stevinson, serjeant.

CLXIII.—PRO ALLANO DUNLOP ET SPONSA, ETC.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Septembris die primo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone Thomas George filius et heres quondam Archibaldi George prepositi burgi de Irwing et Joneta Wallace ejus sponsa super solum et fundum istius eorum magni edificii sive tenementi vocati Roxburghe jacentis infra burgum de Irwing ex occidentali latere communis vie regie ejusdem inter tenementum templarium quondam Niniani Barclay ex australi et tenementum Joannis Hilhous mercatoris et tenementum quondam Alexandri Peblis nunc vero Jacobi Patoun ex boreali et tenementum Patricii Bryden ex occidentali partibus ab una et aliis Et ibidem prefatus Thomas cum expressis avisamento consensu et assensu prefate Jonete Wallace sue conjugis pro omnibus jure et titulo

sibi in et ad predictum tenementum ratione conjuncte infeodationis seu vitalis redditus competentibus sue in et ad aliquem annum redditum quemcunque ex eodem exigendum virtute cujusvis infeofamenti illi de eodem per dictum quondam Archibaldum concessi Necnon dicta Joneta pro semetipsa et dicti conjuges cum expressis avisamento consensu et assensu Roberti Wallace de Barneweill etiam personaliter presentis super fundum dicti tenementi pro omnibus jure et titulo illi in et ad idem tenementum competentibus virtute cuiusvis dispositionis illi de eodem facte seu virtute assignationis per dictum Thomam illi facte ad reversionem totius et integri predicti tenementi factam per Allanum Dunlop nunc urbis prefectum dicti burgi et Agnetam Cummyng ejus sponsam quibus dictum tenementum impignoratum est pro ejusdem redemptione dictique Thomas et Joneta conjuges et Robertus Wallace de Barneweill cessionarius et assignatus predictus omnesque illi unanimi consensu et assensu pro certis pecuniarum summis dictis Thome et Jonete conjugibus cum consensu dicti Roberti Wallace de Barneweill per prefatos Allanum Dunlop et Agnetam Cummyng conjuges in pecunia numerata tempore presentium persolutis que unacum priori summa quinque centum et quinquaginta mercarum monete per dictos Allanum et Agnetam conjuges illis tempore prime alienationis predicti tenementi persoluta et preteritis annuis redditibus ejusdem extendunt ad extremam validitatem ejusdem tenementi Ac pro observatione et impletionem unius clausule contente in quadam litera renunciationis reversionis dicti tenementi et omnis beneficii redemptionis ejusdem (in eorum favores per dictum Allanum in primo alienationis contractu contenta) per dictos Thomam et Jonetam conjuges cum consensu dicti Roberti Wallace de Barneweill dictis Allano et Agneti conjugibus de data presentium facta Totum et integrum predictum eorum magnum edificium sive tenementum vocatum Roxburghe ante et retro subtus et supra cum horto (cujus una pars ejusdem horti pro presenti per Jonetam Mowtray possidetur) et singulis suis pertinentiis ut supra jacens In manibus honorabilis viri Adami Cunyngham unius ballivorum dicti burgi de Irving sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum unacum omnibus jure juris titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas illi seu eorum aliquis habuerunt habent seu quovismodo in futurum ad fundum dicti tenementi seu ad aliquem annum redditum ex eodem levandum habere

clamare vel pretendere poterint In favores ac pro hac nova sasina et infeodatione hereditarie ejusdem tenementi ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis memoratis Allano Dunlop et Agneti Cummyng conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreandis Quibus (quod absit) deficientibus legitimis et propinquioribus heredibus et assignatis dicti Allani quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione seu regressu quocunque per dictum ballivum danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunyngham ballivus antedictus virtute et vigore sui officii Necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti magni edificii sive tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis prefatis Allano Dunlop et Agneti Cummyng conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine ulla reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dictarum resignationis litereque renunciationis prescriptarum Tenendi de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Allanus Dunlop et Agneta Cumyng conjuges ac eorum alter pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Cunyngham et Hugone Lyn mercatoribus burgensibus dicti burgi Stephano Quhyt juniore mercatore et Willielmo Stevinsoun serjando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ALLAN DUNLOP AND SPOUSE.

Notarial instrument narrating that worthy persons, Thomas George, son and heir of the late Archibald George, provost of the burgh of Irvine, and Jonet Wallace his spouse, compeared personally upon the ground of their great building or tenement called Roxburghe, lying within the burgh of Irvine, on the west side of the common highway thereof, between the templar tenement of the late Ninian Barclay on the south, and the tenement of John Hilhouse, merchant, and the tenement of the late Alexander Peblis, but now of James Patoun, on the north, and the tenement of Patrick Bryden on the west; and there the said Thomas, with consent of Jonet Wallace his spouse, for all right competent to her in and to the said tenement by reason of conjunct fee or liferent, or in and to any annualrent whatsoever to be exacted therefrom in virtue of any infetment granted to her thereof by the said Archibald George; and the said Jonet for herself; and they both with consent of Robert Wallace of Barneweill, also personally present on the ground of the said tenement, for all right competent to him in and to the same, by virtue of any disposition made to him of the same, or in virtue of the assignation made to him by the said Thomas to a reversion of the said tenement, granted by Allan Dunlop, now provost of the said burgh, and Agnes Cummyng his spouse, to whom the said tenement was wadset, for the redemption thereof; and the said Thomas and Jonet, spouses, and Robert Wallace, cessioner and assignee aforesaid, and they all with one consent, for certain sums of money presently paid to the said Thomas and Jonet, with consent of the said Robert Wallace, by the aforesaid Allan Dunlop and Agnes Cummyng, spouses, in counted money, which, together with a prior sum of 500 merks paid to them by the said Allan and Agnes, at the time of the first alienation of the aforesaid tenement, and the past annualrents thereof, extend to the utmost value of the same tenement; and for implement of a clause contained in a renunciation of the reversion of the said tenement, and of all benefit of redemption thereof, (in their favours by the said Allan, contained in the first contract of alienation), made by the said Thomas and Jonet, with consent of the said Robert Wallace, to the said Allan and Agnes, of the date hereof, did

surrender, and purely and simply resign, renounce, and overgive all and whole their aforesaid great building or tenement, called Roxburghe, fore and back, under and above, with yard (one part of which yard is for the present possessed by Jonet Mowtray), in the hands of an honourable man, Adam Cunyngham, one of the bailies of Irvine, in favour of, and for this new seizin and heritable infestment of the same tenement to be given to the said Allan Dunlop and Agnes Cummyng, spouses, and the survivor of them, in conjunct fee, and to the heirs lawfully to be procreated between them, which failing (which may it not be!), to the lawful and nearest heirs and assignees whatsoever of the said Allan, heritably and irredeemably, without any reversion, redemption, or regress whatsoever: Which resignation so made, and by the said bailie duly admitted and received, the said Adam Cunyngham, bailie, by virtue of his office, and by the special mandates of the resigners, did with his own hands give state and heritable seizin, and likewise possession, bodily, actual, and real, of the aforesaid tenement, with yard, etc., to the said Allan Dunlop and Agnes Cummyng, spouses, by delivery to them of earth and stone of the ground thereof, they being personally present and receiving the same with their hands joined; to be holden of the king in burgage manner: These things were done upon the ground of the said tenement, about the tenth hour before noon of the 1st day of the month of September 1619, the witnesses there present being James Cunyngham and Hew Lyn, merchants, burgesses of the said burgh, Stephan Quhyte younger, merchant, and William Stevinson, serjeant.

CLXIV.—PRO HUGONE SMYTH.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Septembris die secundo regnorum-que supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit probus vir Joannes Symmer incola burgi de Irwing super sola et funda illorum duorum tenementorum terre subscriptorum insimul et contigue jacentium ac perprius quondam Niniano Weir burgensi dicti burgi hereditarie pertinentium nunc vero heredi dicti

quondam Niniani jacentium infra dictum burgum de Irwing ex orientali latere communis vie regie ejusdem inter tenementum Roberti Craig burgensis dicti burgi ex boreali et tenementum Stephani Quhyt ex australi partibus ab altera Et ibidem dictus Joannes tanquam procurator rite et legitime constitutus et eo nomine providi viri Alexandri Hobkin molitarius apud Bushmyln infra regnum Hybernie hereditarii proprietarii annui redditus subscripti virtute cujusdam procuratorialis litere contente in quadam dispositionis litera facta per dictum Alexandrum provido etiam viro Hugoni Smyth in Kilwynning de data vigesimo secundo die mensis Julii 1618 pro certis pecuniarum summis per dictum Hugonem prefato Alexandro modo in dicta dispositionis litera contento persolutis Totum et integrum unum annum redditum decem librarum usualis monete hujus regni Scotie in quo dictus Alexander et Joneta Mertein ejus sponsa debite infeodati existunt annuatim levandum et percipiendum ad duos anni terminos consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones de totis et integris predictis illis duobus tenementis terre ante et retro cum singulis suis pertinentiis ut supra jacentibus seu de aliqua eorundem parte In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum et unum denarium ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure titulo et interesse quibuscunque illo in et ad eundem competentibus In favores ac pro hac nova sasina et infeodatione hereditarea ejusdem annui redditus per dictum ballivum prefato Hugoni Smyth suisque heredibus et assignatis quibuscunque hereditarie danda et in debita et competenti forma prout congruit conficienda secundum tenorem dicte dispositionis litere litereque procuratorialis in eadem contente Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti Joannis Symmer procuratoris ac resignantis antedicti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti annui redditus decem librarum usualis monete predictae annuatim levandi et exigendi ad dictos duos anni terminos consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones de totis et integris predictis duobus tenementis terre ante et retro cum singulis suis pertinentiis ut supra jacentibus

seu de aliqua eorundem parte memorato Hugoni Smyth personaliter presenti et pro se suisque heredibus et assignatis acceptantibus per terre et lapidis fundorum eorundem et unius denarii ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem dicti resignationis litereque dispositionis prescripte ac litere procuratorialis in eadem contente Tenendi de dicto supremo domino nostro rege more burgali Super quibus omnibus et singulis premissis prefatus Hugo Smyth a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum duorum tenementorum respective prescriptorum singulatim et successive per se horam circiter primam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Quhyt uno novissimorum ballivorum dicti burgi Thoma Spark viatore Allano Ros pellione et Willielmo Cunyngham mercatore burgensibus dicti burgi et Willielmo Stevinsoun seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR HEW SMYTH.

Instrument narrating that a worthy man, John Symmer, inhabitant of the burgh of Irvine, compeared personally upon the ground of those two tenements of land underwritten, lying together and contiguously, and formerly belonging heritably to the late Ninian Weir, burgess of the said burgh, but now to the heir of the said Ninian, lying within the burgh of Irvine, on the east side of the common highway of the same, between the tenement of Robert Craig, burgess of said burgh, on the north, and the tenement of Stephan Quhyt on the south: And there the said John, as procurator lawfully constituted, and in name of a prudent man, Alexander Hobkin, miller at Bushmyln, within the kingdom of Ireland, heritable proprietor of the annualrent underwritten, by virtue of a letter of procuratory contained in a disposition granted by the said Alexander to a prudent man, Hew Smyth in Kilwynning, of date the 22nd day of the month of July 1618, for certain sums of money paid by the said Hew to the aforesaid Alexander, in manner contained in the said disposition, did surrender, and purely and simply resign, renounce,

and overgive for ever, all and whole an annualrent of ten pounds, usual money of this kingdom of Scotland, in which the said Alexander and Jonet Mertein, his spouse, stood infest, to be uplifted at the two usual terms of Whitsunday and Martinmas, by equal portions, furth of the aforesaid two tenements of land, by staff and baton, and one penny, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of, and for this new seizin and heritable infestment of the said annualrent to be given to the said Hew Smyth and his heirs and assignees, heritably: Which resignation having been so made, and by the bailie admitted and received, the said John Blair, in virtue of his office, and at the special mandate of the said John Symmer, procurator and resigner, did with his own hands give state and heritable seizin of the said annualrent to the aforesaid Hew Smyth, by delivery to him of earth and stone of the grounds of the said tenements, and of one penny, as the custom is; to be holden of the king burgage: These things were done upon the grounds of the said tenements respectively, about the first hour after noon of the 2nd day of September 1619, the witnesses being James Quhyt, late bailie of Irvine, Thomas Spark, traveller, Allan Ros, skinner, and William Cunyngham, merchant, burgesses of the said burgh, and William Stevinson, serjeant.

CLXV.—PRO JACOBO BLAIR ET SUSANNA SCOTT CONJUGIBUS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Septembris die decimo quarto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone Ninianus Barclay mercator burgensis burgi de Irwing filius legitimus natu maximus et heres quondam Niniani Barclay urbisprefecti dicti burgi inter eum et Mariotam Ros ejus sponsam legitime procreatus Necnon comparuit ipsa prefata Mariota super solum et fundum istius tenementi sive rode terre subscripte ac horrei super eundem edificati dicto Niniano hereditarie pertinentis dictaeque sue matri in vitali redditu jacentis infra dictum burgum de Irwing in australi fine ejusdem ex occidentali latere communis vie

sive passagii qua itur ad aquam de Annok inter terras quondam Joannis M'Cludan nunc vero ——— Blackburn ex boreali et terras heredum quondam Joannis Tueidy ex australi partibus ab una et aliis Et ibidem dicti Ninianus et Mariote unanimi consensu et assensu pro certis pecuniarum summis illis per probas personas Jacobum Blair juniorem mercatorem burgensem etiam dicti burgi et Susannam Scott ejus sponsam plenarie et integre tempore presentium confectionis in pecunia numerata perolutis Necnon pro observatione et impletione cujusdam dispositionis litera per eos dictis conjugibus eorumque alteri diutius viventi in conjuncta infeodatione eorumque heredibus et assignatis subscriptis penes hoc presens infeofamentum subscriptum de data presentium confectionis Totum et integrum predictum eorum tenementum sive rodam terre aut eo circa ac horreum super eundem edificatum ut supra jacens In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum Unacum omnibus jure titulo et interesse illis eorumque alteri eorumque heredibus et assignatis in et ad eundem competentibus aut ad titulum hereditarium ejusdem vel ad vitalem redditum ejusdem In favores ac pro hac nova sasina et infeodatione hereditaria ejusdem per dictum ballivum prefatis Jacobo Blair et Susanne Scott conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus legitimis et propinquioribus heredibus et assignatis dicti Jacobi quibuscunque ejusdem hereditarie et irredimabiliter sine aliqua reversione redemptione seu regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii Necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi sive rode terre aut eo circa et horrei super eandem edificati cum singulis suis pertinentiis ut supra jacentis memoratis Jacobo Blair et Susanne Scott conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectum hereditarie et irredimabiliter sine

aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis eo circa confecte Tenendi de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Jacobus Blair et Susanna Scott conjuges ac eorum alter pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi sive rode terre horam circiter primam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Scott notario publico Waltero Steuart mercatore et Henrico Dyett fabro ferrario coburgensibus dicti burgi et Willielmo Stevinsoun serjando testibus ad premissa vocatis pariterque rogatis. R. BROWN.

ABSTRACT.

FOR JAMES BLAIR AND SUSANNA SCOTT, SPOUSES.

Instrument narrating that there compeared personally worthy persons, Ninian Barclay, merchant, burgess of Irvine, eldest son and heir of the late Ninian Barclay, provost of the said burgh, procreated between him and Marion Ros his spouse, and the said Marion herself, upon the ground of that tenement or rood of land, and barn built thereupon, belonging to the said Ninian heritably, and to his said mother in liferent, lying within the said burgh, at the south end thereof, on the west side of the common way or passage which leads to the water of Annok, between the lands of the late John M'Cludan, but now of — Blackburn, on the north, and the lands of the heirs of the late John Tueidy on the south; and there the said Ninian and Marion, of one consent, and for certain sums of money paid to them by worthy persons, James Blair younger, merchant, burgess of Irvine, and Susanna Scott, his spouse, and for observing of their disposition made by them to the said James and his spouse, of the date hereof, did resign the aforesaid tenement or rood of land, and barn built thereupon, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, for this new infeftment to be given by him to the said James Blair and his spouse, and the

survivor of them, in conjunct fee, and to the heirs of their marriage, which failing, to the heirs and assignees of the said James, heritably and irredeemably; which resignation having been received by the bailie, he gave seizin accordingly, by delivery of earth and stone of the ground of the said tenement to the said James and Susanna, who received the same with their hands joined: These things were done upon the said ground, about the first hour after noon of the 14th day of September 1619, the witnesses being James Scott, notary public, Walter Steuart, merchant, and Henry Dyett, smith, burgesses of Irvine, and William Stevinsoun, serjeant.

CLXVI.—PRO JOANNE MACNEILL ETC.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Septembris die decimo quarto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentis personaliter comparuit honorabilis vir Joannes Blair unus ballivorum burgi de Irwing super solum et fundum istius tenementi terre subscripti quondam Joanni M'Neill burgensi dicti burgi hereditarie pertinentis jacentis infra dictum burgum ex occidentali latere communis vie regie ejusdem inter tenementum quondam Thome Cumyng ex boreali et tenementum quondam Joannis Bryding ex australi partibus ab una et aliis Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dictus quondam Joannes M'Neill pater Joannis M'Neill latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti supremi domini nostri regis in toto et integro predicto tenemento terre ante et retro cum horto et singulis suis pertinentiis ut supra jacenti Et quod dictus Joannes est legitimus et propinquior heres ejusdem dicti quondam Joannis sui patris de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacenti Et quod est legitime etatis Et quod idem tenementum cum pertinentiis de prefato supremo domino nostro rege tenetur in capite more burgali Propterea prefatus Joannes

Blair virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis memorato Joanni M'Neill tanquam filio legitimo et propinquiori heredi dicti quondam Joannis sui patris per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem infeofamenti dicti quondam Joannis sui patris ejusdem Salvo jure cujuslibet Reservato tamen libero tenemento seu vitali reddito Jonete Mure illius matris ejusdem pro omnibus dicte Jonete vite diebus secundum tenorem infeofamenti dicte Jonete ejusdem Quibus peractis prefatus Joannes M'Neill pro singularibus amore gratia et favore quos erga dictam Jonetam Mure ejus matrem habet et gerit necnon in consideratione summarum monete in illius sustentatione et ingenua educatione apud scholas per dictam ejus matrem impensarum nulla mobilia per dictum quondam ejus patrem ad hunc effectum relicta ac pro diversis aliis bonis causis et considerationibus eum ad effectum subscriptum moventibus Totum et integrum predictum ejus tenementum ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacens unacum omnibus jure titulo et interesse quocunque sibi suisve heredibus aut assignatis in et ad idem competentibus In manibus predicti ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favores ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum sibi dicto Joanni heredibusque de illius corpore legitime tantummodo procreandis Quibus deficientibus dicte Jonete Mure ejus matri dicteque Jonete heredibus et assignatis quibuscunque hereditarie sine reversione redemptione aut regressu quocunque danda et concedenda Proviso nihilominus quod semper licebit dicto Joanni quovis tempore sue vite dictum tenementum impignorare seu hereditarie disponere prout illi expediens videbitur Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti Joannis M'Neill resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integri predicti tenementi terre ante et retro subtus

et supra cum horto et singulis suis pertinentiis ut supra jacentis prefato Joanni M'Neill per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum tenorem dicte resignationis Tenendi de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Joannes M'Neill a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter secundam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Mure uno novissimorum ballivorum dicti burgi Jacobo Blair juniore mercatore Niniano et Magistro Roberto Barclayes fratribus germanis Jacobo Scott notario publico et Willielmo Stevinsoun serjando dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOHN MACNEILL, Etc.

Notarial instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally upon the ground of that tenement of land which belonged heritably to the late John M'Neill, burgess of the said burgh, lying therein, on the west side of the common royal highway of the same, between the tenement of the late Thomas Cummyng on the north, and the tenement of the late John Bryding on the south; and there, because it clearly appeared and was known to him by authentic documents and instruments of seizin publicly shown, read, and demonstrated to him, that the said late John M'Neill, father of John M'Neill, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in the aforesaid tenement of land, with yard, etc., and that the said John is lawful and nearest heir of his said father, of the said tenement; and that he is of lawful age; and that the same tenement is held of the king in chief; therefore the aforesaid John Blair, by virtue of his office, did with his own hands give state and heritable seizin of the aforesaid tenement of land to the said John M'Neill, as lawful son and nearest heir of his said deceased

father; reserving, however, the frank-tenement or liferent of the same to Jonet Mure, his mother: Which things having been done, the aforesaid John M'Neill, for the singular love which he had towards the said Jonet Mure, his mother, and also in consideration of the sums of money expended by her for his sustentation and liberal education at the schools, no movables having been left for that purpose by his father, and for divers other good causes and considerations moving him to that effect, did resign his tenement aforesaid in the hands of the said bailie, for this new seizin to be given by him to himself, the said John, and the heirs of his body, lawfully begotten only, which failing, to the said Jonet Mure, his mother, and her heirs and assignees whatsoever, heritably, without reversion, redemption, or regress of any sort; providing, nevertheless, that it shall always be lawful to the said John, at any time of his life, to wadset or heritably to dispoise the said tenement, as shall seem to him expedient; which resignation having been duly received by the bailie aforesaid, he gave seizin accordingly of the said tenement, by delivery of earth and stone of the ground of the same to the said John M'Neill: These things were done upon the ground aforesaid, about the second hour after noon of the 14th day of September 1619, the witnesses being William Mure, one of the late bailies of the said burgh, James Blair younger, merchant, Ninian and Mr. Robert Barclays, brothers german, James Scott, notary public, and William Stevinsoun, serjeant.

CLXVII.—PRO ROBERTO TAILZEOUR.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Septembris die decimo septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tertio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit probus vir Willielmus Greir serjandus burgi de Irvine super solum et fundum istius dimedietatis sive dimedie partis prati terrarum vocati Ruidmeidow extendentis ad duas acras terrarum aut eo circa jacentis infra territorium dicti burgi ac perprius quondam Joanni Burnes burgensi dicti burgi hereditarie pertinentis et cujus dimedietatis justa et equalis dimedietas extendens ad unam acram

terre nunc ad Helenam Burnes filiam legitimam et unam duarum heredum portionariorum dicti quondam Joannis hereditarie pertinet et alter dimedietas ejusdem extendens ad alteram acram terre aut eo circa nunc ad Joannem Naper calcellarium civem civitatis Glasguensis virtute cujusdam dispositionis ejusdem acre illi per Elizabetham Burnes alteram filiam legitimam et heredem portionariam dicti quondam Joannis sui patris et Jacobum Gib ejus conjugem facte cujus una pars inter terras quondam Niniani Barclay ex orientali et terras Thome Boyd ex occidentali et altera pars ejusdem inter terras dicti Thome Boyd ex orientali et terras perprius Jacobo Tran nunc vero heredi quondam Andree Tran ex occidentali partibus ab una et aliis Et ibidem respective singulatim et successive per se super sola et funda predictarum duarum acrarum terre prefatus Willielmus Greir serjandus tanquam procurator et eo nomine dicti Joannis Naper legitime constitutus virtute ejusdem procuratorialis litere contente in quadam dispositionis litera per eum de ejus justa et equali dimedietate predictarum duarum acrarum terre extendente ad unam acram terre aut eo circa probo adolescenti Roberto Tailzour filio legitimo et heredi quondam Roberti Tailzour mercatoris burgensis dicti burgi facta pro certis pecuniarum summis prefato Joanni in pecunia numerata persolutis modo in dicta dispositionis litera contento de data undecimo die mensis Maii ultime elapsi totam et integram predictam justam et equalem dimedietatem predictarum acrarum terre extendentem ad unam acram terre aut eo circa jacentem et bondatam respective ut premittitur In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo et interesse prefato Joanni suisve heredibus aut assignatis in et ad eandem seu aliquam ejusdem partem competentibus In favorem ac pro hac nova sasina et infeodatione predictae juste et equalis dimidietatis predictarum duarum acrarum terre extendentis ad unam acram terre aut eo circa predicto Roberto Tailzeour heredibus suis et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu quocunque per dictum ballivum danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis

propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem totius et integre predictae juste et equalis dimedietatis predictarum duarum acrarum terre et prati vocati Ruidmeidow extendentis ad unam acram ejusdem aut eo circa cum singulis suis pertinentiis ut supra respective jacentis memorato Roberto Tailzeour per terre et lapidis fundorum eorundem illi personaliter presenti et acceptanti ut moris traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis predictae ac procuratorialis litere in eadem contentae Tenende de urbisprefecto ballivis consulibus et comunitate dicti burgi et eorum successoribus in feudifirma feodo et hereditate imperpetuum Reddendo inde annuatim feudifirme firmas et divorias pro eadem perprius solvi solitas et consuetas ac in originalibus infeofamentis dictarum terrarum in libro rentalis dicti burgi contentas Super quibus omnibus et singulis premissis prefatus Robertus a me notario subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictarum duarum acrarum terre respective singulatim et successive per se horam circiter quartam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Allano Dunlop urbisprefecto Joanne Campbell nauclero Joanne Cruikes mercatore Joanne Neilsoun notario Henrico Dayett fabro ferrario comburgensibus dicti burgi et Willielmo Stevinsoun seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT TAILZEOUR.

Instrument narrating that a worthy man, William Greir, serjeant of the burgh of Irvine, personally compeared upon the ground of that half, or half part, of the meadow of land, called the Ruidmeadow, extending to two acres of land or thereby, lying within the territory of the said burgh, and formerly pertaining heritably to the late John Burnes, burgess of the same, and of which the just half, extending to one acre of land, now pertains heritably to Helen Burnes, lawful daughter, and one of the two heirs-

portioners of the said John; and the other half thereof, extending to another acre of land or thereby, now belongs to John Naper, shoemaker, citizen of Glasgow, in virtue of a disposition thereof made to him by Elizabeth Burnes, the other daughter and heir-portioner of the said deceased John, and James Gib her husband, the one part of which lies between the lands of the late Ninian Barclay on the east and the lands of Thomas Boyd on the west; and the other part thereof between the lands of the said Thomas Boyd on the east and the lands formerly pertaining to James Tran, but now to the heir of the late Andrew Tran, on the west: And there the said William Greir, serjeant, as procurator for the said John Naper, lawfully constituted by procuratory contained in a disposition granted to the said John of his just half of the aforesaid two acres to a worthy young man, Robert Tailzeour, lawful son and heir of the late Robert Tailzeour, merchant, burgess of the said burgh, of date the eleventh day of May last, did resign the said just and equal half of the aforesaid acres of land, in the hands of an honourable man, John Blair, one of the bailies of Irvine, for this new seizin to be given by him of the said half lands, extending to one acre or thereby, to the said Robert Tailzeour, his heirs and assignees, heritably and irredeemably: Which resignation having been by the bailie admitted and received, he gave seizin accordingly, by delivery of earth and stone of the ground of the said acre, to the said Robert Tailzeour: To be holden of the provost, bailies, councillors, and community of the said burgh, in feuferme, fee, and heritage for ever, for the yearly payment of the fermes and duties for the same, used and wont, as in the original infestments of the said lands contained in the rental book of the burgh: These things were done on the ground aforesaid, about the fourth hour after noon of the 17th day of September 1619, the witnesses being Allan Dunlop, provost, John Campbell, shipmaster, John Cruikes, merchant, John Neilson, notary, Henry Dayett, blacksmith, burgesses of the said burgh, and William Stevinsoun, serjeant.

CLXVIII.—PRO THOMA NEVEINE JUNIORE DE MONKRIDDING
EJUSQUE SPONSA FUTURA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Octobris die penultimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tertio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone Thomas Neveine filius et heres apparens Thome Neveine de Monkriding pro semetipso et Alexander Montgomerie frater germanus Joannis Montgomerie de Sevinaikeris tanquam actornatus et eo nomine Margarete Blair filie legitime Jacobi Blair burgensis burgi de Air sponse future dicti Thome super sola et funda terrarum aliarumque particulariter subtus specificatarum videlicet super sola et funda illarum duarum mercatarum terrarum antiqui extentus de Guislon decem solidatarum terrarum antiqui extentus de Gaitmurland et sexdecim solidatarum et octo denariatarum terrarum antiqui extentus de Bannocht Necnon super solum et fundum illarum quadraginta solidatarum terrarum antiqui extentus de Monkriding Eister et Wester et decem solidatarum terrarum de Corshill Kilwynning omnes jacentium infra parochiam et regalitatem de Kilwynning balliatum de Cunynghame et infra vicecomitatum de Air ac prefato Thome Neveing de Monkriding patri dicti Thome hereditarie pertinentium Et ibidem prefatus Thomas Neveine junior dictusque Alexander Montgomerie actornatus antedictus habentes et tenentes in eorum manibus quandam chartam preceptum sasine in se continentem factam datam et concessam per dictum Thomam Neveine de Monkriding patrem dicti Thome Neveine junioris hereditarium feodifirmarium earundem sibi prefato Thome sueque future sponse predictae ac pro sasina hereditaria illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque masculis inter eos legitime procreandis quibus deficientibus legitimis et propinquioribus heredibus masculis et assignatis dicti Thome quibuscunque totarum et integrarum predictarum duarum mercatarum terrarum antiqui extentus de Guislon decem solidatarum terrarum antiqui extentus de Gaitmurland et sedecim solidatarum et octo denariatarum terrarum antiqui extentus de Bannocht cum omnibus

et singulis dictarum terrarum partibus et pendiculis et pertinentiis pro principali ac in speciale warantum et securitatem dictarum terrarum (ex eo quod Jeanna Shaw sponsa dicti Thome senioris in dictis terris in vitali reddito infeodata est) dicte Margarete Blair in vitali reddito pro omnibus sue vite diebus totarum et integrarum prefatarum quadraginta solidatarum terrarum antiqui extentus de Monkriding Eister et Wester cum manerie loco domibus edificiis hortis pomariis silvis parcis partibus pendiculis et singulis suis pertinentiis necnon sibi dicto Thome Neveine juniore heredibusque masculis inter ipsum dictamque suam futuram sponsam legitime procreandis quibus deficientibus ut supra totarum et integrarum prefatarum quadraginta solidatarum terrarum antiqui extentus de Monkriding Eister et Wester cum manerie loco domibus edificiis hortis pomariis silvis parcis partibus pendiculis et pertinentiis Necnon totarum et integrarum prefatarum decem solidatarum terrarum de Corshill cum suis pertinentiis ut supra jacentium Reservando nihilominus prefato Thome Neveine de Monkriding seniori suo libero tenemento sive vitali reddito omnium et singularum predictarum quadraginta solidatarum terrarum antiqui extentus de Monkriding Eister et Wester cum manerie loco domibus edificiis hortis pomariis et singulis suis pertinentiis prescriptis et totarum et integrarum dictarum decem solidatarum terrarum de Corshill cum singulis suis pertinentiis ut supra jacentium pro omnibus illius vite diebus Quamquidem cartam preceptumque sasine in se continentem prefatus Thomas Nevein junior dictusque Alexander Montgomerie actornatus antedictus et eo nomine dicte Margarete Blair sponse future dicti Thome discreto viro Joanni Montgomerie de Sevinaikeris ballivo in hac parte dicti Thome Neveine de Monkriding in dicto sasine precepto specialiter nominato et constituto presentaverunt et deliberaverunt eumque humiliter requirendo quatenus hujusmodi sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus in hac parte predictus dictam chartam preceptumque sasine in se continentem in eadem contentum ex eorum manibus recepit mihique notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis In super dilectis meis Joanni Montgomerie de Sevinaikeris ac vestrum cuilibet conjunctim et divisim ballivis meis in hac parte specialiter constitutis salutem vobis precipio et firmiter mando quatinus visis pre-

sentibus indilate statum et sasinam hereditaream pariter et possessionem realem corporalem et actualem totarum et integrarum prefatarum duarum mercatarum terrarum antiqui extentus de Guislon decem solidatarum terrarum de Gaitmurland et dictarum sexdecem solidatarum et octo denariatarum terrarum antiqui extentus de Bannocht cum suis pertinentiis prefatis Thome Neveine meo filio et Margarete Blair ejus sponse future eorumque alteri diutius viventi in conjuncta infeodatione vel eorum certis actornatis latoribus presentium tanquam pro principali Necnon statum et sasinam vitalis redditus pariter et possessionem realem actualem et corporalem Totarum et integrarum dictarum quadraginta solidatarum terrarum de Monkriding Eister et Wester cum manerie loco domibus edificiis hortis pomariis parcis et omnibus suis pertinentiis in speciale warrantum et securitatem predictarum terrarum de Guislon Gaitmurland et Bannocht prefate Margarete Blair vel suo certo actornato latori presentium Necnon statum et sasinam hereditaream pariter et possessionem realem actualem et corporalem totarum et integrarum prefatarum quadraginta solidatarum terrarum de Monkriding Eister et Wester cum manerie loco et aliis prescriptis ac suis pertinentiis Ac totarum et integrarum prefatarum decem solidatarum terrarum de Corshill cum suis pertinentiis ut supra jacentium prefato Thome Neveine meo filio vel suo certo actornato latori presentium per terre et lapidis fundi dictarum terrarum ut moris est traditionem secundum formam et tenorem antedictae carte mee quam de me inde habent juste haberi faciatis tradatis et deliberetis sine dilatione Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis meis in hac parte antedictis meam plenariam et irrevocabilem tenore presentium committo potestatem Reservando nihilominus mihi meum liberum tenementum seu vitalem redditum dictarum terrarum de Monkriding Eister et Wester cum manerie loco et aliis suis pertinentiis ac dictarum terrarum de Corshill cum suis pertinentiis pro omnibus mee vite diebus In cujus rei testimonium huic presenti carte mee manu dicti Thome Neveine junioris mei filii scripte manuque mea subscripte sigillum meum est appensum Apud Irwing vigesimo nono die mensis Octobris anno domini millesimo sexcentesimo decimo nono coram his testibus Willielmo Caulduell de Annanhill Roberto Broun notario publico Willielmo Wallace juniore de Sewaltoun et Magistro Hugone Neveine meo filio sic subscribitur T. Nevin of Monkriding W. Caulduell witnes

R. Broun witnes Williame Wallace witnes Mr. Hew Nevein witnes Post cujusquidem carte preceptique sasine prescripti in eadem contenti perlectionem et publicationem prefatus Joannes Montgomerie de Sevinaikeris ballivus in hac parte prescriptus virtute et vigore sui officii ballivatus sibi in hac parte commissa necnon de mandato speciali dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem realem actualem et corporalem totarum et integrarum prefatarum duarum mercatarum terrarum antiqui extentus de Guislon decem solidatarum terrarum de Gaitmurland et sexdecem solidatarum et octo denariatarum terrarum antiqui extentus de Bannocht cum omnibus et singulis suis parcis pendiculis et pertinentiis ut supra jacentium prefatis Thome Neveine juniore et Margarete Blair ejus future sponse eorumque alteri diutius viventi in conjuncta infeodatione tanquam pro principali necnon statum et sasinam hereditariam pariter et possessionem realem actualem et corporalem totarum et integrarum prefatarum quadraginta solidatarum terrarum antiqui extentus de Monkriding Eister et Wester cum manerie loco domibus edificiis hortis pomariis silvis parcis pendiculis et singulis suis pertinentiis prefate Margarete Blair in speciale warrantum et securitatem dictarum terrarum de Guislon Gaitmurland et Bannocht necnon statum et sasinam hereditaream pariter et possessionem realem actualem et corporalem totarum et integrarum quadraginta solidatarum terrarum antiqui extentus de Monkriding Eister et Wester cum manerie loco et singulis suis pertinentiis prescriptis ac totarum et integrarum prefatarum decem solidatarum terrarum de Corshill cum suis pertinentiis ut supra jacentium prefato Thome Neveine juniore per terre et lapidis fundorum dictarum terrarum de Guislon Gaitmurland et Bannocht prefatis Thome pro semetipso dictoque Alexandro Montgomerie actornato antedicto et eo nomine dicte Margarete Necnon terre et lapidis fundi dictarum terrarum de Monkriding Eister et Wester etiam dicto Alexandro nomine quo supra traditionem necnon per terre et lapidis fundorum dictarum quadraginta solidatarum terrarum de Monkriding Eister et Wester et terrarum de Corshill dicto Thome per se traditionem et deliberationem dedit tradidit et deliberavit Reservato nihilominus prefato Thome Neveine seniori suo libero tenemento seu vitali redditu totarum et integrarum predictarum terrarum de Monkriding Eister et Wester cum manerie loco domibus edificiis hortis pomariis silvis parcis et singulis suis pertinentiis et dictarum terrarum

de Corshill cum singulis suis pertinentiis pro omnibus illius vite diebus secundum formam et tenorem antedicti carte preceptique sasine prescripti in eadem contenti in omnibus Super quibus omnibus et singulis premissis prefatus Thome Neveine junior pro semetipso necnon dictus Alexander actornatus antedictus et eo nomine dicte Margarete quo supra a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictarum terrarum de Guislon Gaitmurland et Bannocht Monkriding Eister et Wester et terrarum de Corshill respective singulatim et successive per se horas inter nonam et decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem apud Guislon Hugone Neveine seniori ibidem Hugone Neveine ejus filio et Roberto Flemyng in Monkriding et apud dictas terras de Gaitmurland et Bannocht et Monkriding Eister et Wester prefatis Hugone Neveine seniori et juniori Roberto Flemyng et Magistro Gavino Hamiltoune de Ardoche et apud Corshill Josepho Drummond in Kilwinyng Hugone Tempiltoune in Corshill et Matheo Tempiltoune ejus filio testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

Hoc instrumentum precedens scribitur manus Willielmi Barclay mei famuli.

R. BROUN.

ABSTRACT.

FOR THOMAS NEVEINE YOUNGER OF MONKRIDDING, AND HIS FUTURE SPOUSE.

Notarial instrument narrating that there compeared personally worthy persons, Thomas Neveine, son and heir-apparent of Thomas Neveine of Monkriding, for himself, and Alexander Montgomerie, brother-german of John Montgomerie of Seven Acres, as attorney and in name of Margaret Blair, daughter of James Blair, burgess of Ayr, future spouse of the said Thomas, upon the ground of those two merk lands of old extent of Guislon, ten shilling lands of old extent of Gaitmurland, and sixteen shilling and eight penny lands of old extent of Bannocht; also upon the ground of those forty shilling lands of old extent of Monkriding, Easter and Wester, and ten shilling lands of Corshill Kilwynning, all lying

within the parish and regality of Kilwynning, bailiery of Cunynghame, and sheriffdom of Ayr, and belonging heritably to the aforesaid Thomas Neveine of Monkriding, father of the said Thomas: And there the aforesaid Thomas Neveine younger, and the said Alexander Montgomerie, having and holding in their hands a certain charter, containing in it a precept of seizin, granted by the said Thomas Neveine, father of the said Thomas younger, heritable feufermer of the same, to the aforesaid Thomas and his future spouse, and for heritable seizin to be given to them, and the survivor of them, in conjunct fee, and to the heirs-male lawfully to be procreated between them, which failing, to the heirs-male and assignees of the said Thomas whatsoever, of all and whole the aforesaid two merk lands of Guislon, ten shilling lands of Gaitmurland, and sixteen shilling and eight penny lands of Bannocht, for the principal; and in special warrandice and security of the said lands (because that Jean Shaw, spouse of the said Thomas elder, is infest in the said lands in liferent) to the said Margaret Blair, in liferent, of all and whole the aforesaid lands of Monkriding, Easter and Wester, with the manor place, houses, biggings, yards, orchards, woods, parks, etc.; also, to the said Thomas Neveine younger, and the heirs-male to be procreated between him and his said future spouse, as above, of all and whole the aforesaid forty shilling lands of Monkriding, Easter and Wester, with manor place, etc.; also of all and whole the aforesaid lands of Corshill; reserving, nevertheless, to the said Thomas Neveine of Monkriding elder, his frank tenement or liferent of the lands of Monkriding, Easter and Wester, with the manor place, etc., and the said lands of Corshill: Which charter and precept of seizin contained therein, the aforesaid Thomas Neveine younger, and Alexander Montgomerie, attorney aforesaid, and in name of the said Margaret Blair, future spouse of the said Thomas, presented and delivered to a discreet man, John Montgomerie of Seven Acres, bailie in that part of the said Thomas Neveine of Monkriding, specially named and constituted in the said precept, humbly requesting him that he would forthwith put the same precept of seizin to due execution; who, forsooth, received the said charter from their hands, and delivered it to the notary public to be read, published, and explained to the bystanders in the common tongue, which the notary did by reading the precept (the tenor of which has already been described), the charter containing which bears to have been written by

the hand of the said Thomas Neveine younger, and is dated at Irvine 29th October 1619, before these witnesses, William Cauldwell of Annanhill, Robert Broun, notary public, William Wallace, younger of Sewaltoun, and Mr. Hew Neveine, son of the granter: After the reading of which charter and precept therein contained, the aforesaid John Montgomerie, bailie in that part, by virtue of the office committed to him, and also on the special mandate of the said precept, did, with his own hands, give state and heritable seizin of the said lands of Guislon, Gaitmurland, and Bannocht, to the aforesaid Thomas Neveine younger, and Margaret Blair his future spouse, and the longer liver of them, in conjunct fee, as for the principal; and also state and heritable seizin of the said lands of Monkriding, Easter and Wester, with manor place, etc., to the aforesaid Margaret Blair, in special warrandice and security of the aforementioned lands of Guislone, Gaitmurland, and Bannocht; also state and heritable seizin of the said lands of Monkriding, Easter and Wester, with manor place, etc., and the said lands of Corshill, to the said Thomas Neveine younger, by delivery of earth and stone of the grounds thereof respectively, to the said Thomas, for himself, and to the said Alexander Montgomerie in name of the said Margaret Blair: These things were done on the grounds of the several lands respectively, singly and successively, between the ninth and tenth hours before noon of the 30th October 1619, the witnesses being, at Guislone, Hew Neveine elder there, Hew his son, and Robert Fleming in Monkriding: At Gaitmurland, and Bannocht, and Monkriding Easter and Wester, the same witnesses, along with Mr. Gavin Hamilton of Ardoche; and at Corshill, Joseph Drummond in Kilwynning, Hew Templetoun in Corshill, and Mathew Templetoun his son. Signed by R. Broun, who attests that the document was written by William Barclay his servant.

CLXIX.—PRO MAGISTRO ROBERTO BARCLAY JACOBO BLAIR
MERCATORE ET SPONSA ETC.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Novembris die decimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernæ regis fideique defensoris annis quinquagesimo tercio et decimo

septimo In mei notarii publici et testium subscriptorum presentis personaliter comparuit honorabilis vir Joannes Blair unus ballivorum burgi de Irwing super sola et funda istorum duorum tenementorum terre perprius quondam Hugoni Barclay filio legitimo natu minimo quondam Niniani Barclay urbisprefecti dicti burgi hereditarie pertinentium insimul et contigue jacentium infra dictum burgum in via pontali ejusdem ex australi latere communis vie regie ducentis ad pontem inter tenementum ———— Randell ex occidentali et ———— Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dictus quondam Hugo Barclay frater germanus Magistri Roberti Barclay latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti supremi domini nostri regis in totis et integris predictis illis duobus tenementis terre ante et retro subtus et supra cum hortis et singulis suis pertinentiis ut supra jacentibus Et quod dictus Magister Robertus est legitimus et propinquior heres ejusdem dicti quondam Hugonis sui fratris germani junioris natu de totis et integris predictis duobus tenementis terre ante et retro subtus et supra cum hortis et singulis suis pertinentiis insimul et contigue ut premittitur jacentibus Et quod est legitime etatis Et quod predicta duo tenementa cum singulis suis pertinentiis de prefato supremo domino nostro rege tenentur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totorum et integrorum predictorum duorum tenementorum terre ante et retro subtus et supra cum hortis et singulis suis pertinentiis ut supra jacentium memorato Magistro Roberto Barclay tanquam fratri germano legitimo et propinquiori heredi antedicti quondam Hugonis Barclay sui fratris germani per terre et lapidis fundorum eorundem probo viro Jacobo Scott notario tanquam actornato et eo nomine dicti Magistri Roberti Barclay ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectum hereditarie deliberavit secundum formam et tenorem antiquorum infeofamentorum dicti quondam Hugonis sui fratris eorundem Salvo jure cujuslibet Tenendorum de dicto s. d. n. rege suisque successoribus more burgali Quibus peractis prefatus Jacobus Scott actornatus antedictus tanquam procurator et eo nomine dicti Magistri Roberti legitime constitutus

virtute cujusdam procuratorialis litere contente in quadam dispositionis litera per dictum Magistrum Robertum facta cum expressis avisamento consensu et assensu Mariote Ros ejus matris domine conjuncte infeodationis dictorum duorum tenementorum et Niniani Barclay sui fratris germani natu maximi pro omnibus jure et titulo illi in et ad predicta duo tenementa competentibus seu aliquam eorundem partem jure successionis vel dispositionis per dictum quondam ejus fratrem illi eorundem facte dictique Mariota et Ninianus pro semetipsis illique omnes unanimi consensu et assensu probis personis Jacobo Blair seniori mercatori burgensi dicti burgi et Margarete Skrymgeour ejus conjugii eorumque alteri diutius viventi in conjuncta infeodatione eorumque heredibus et assignatis subscriptis de totis et integris predictis duobus tenementis terre ante et retro subtus et supra cum hortis et singulis suis pertinentiis ut supra jacentibus penes hoc presens infeofamentum subscripta de datis apud burga de Edinburgh et Irwin octavo et decimo diebus mensis Novembris instantis Necnon dicta Mariota et Ninianus et eorum alter pro semetipsis et omnibus jure et titulo illis rationibus respective prescriptis seu aliis rationibus quibuscunque in et ad predicta duo tenementa seu aliquam earundem partem cum pertinentiis competentibus personaliter super funda dictorum duorum tenementorum existentes pro observatione et impletione dicte dispositionis litere ac pro certis pecuniarum summis dictis Magistro Roberto et Mariote per dictos conjuges plenarie et integre in pecunia numerata persolutis modo in dicta dispositionis litera contento Tota et integra predicta duo tenementa terre insimul et contigue ut premittitur jacentia ante et retro subtus et supra cum hortis et singulis eorundem pertinentiis omnes unanimi consensu et assensu In manibus predicti Joannis Blair ballivi sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum Unacum omnibus jure titulo et interesse quocunque illis seu eorum alteri eorumve heredibus aut assignatis in et ad eadem seu aliquam eorundem partem competentibus In favores ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum dictorum duorum tenementorum cum singulis suis pertinentiis prefatis Jacobo Blair et Margarete Skrymgeour conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Jacobo suisque legitimis et pro-

pinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legittime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totorum et integrorum predictorum duorum tenementorum terre ante et retro subtus et supra cum hortis et singulis eorundem pertinentiis insimul et contigue ut premittitur jacentium memoratis Jacobo Blair et Margarete Scrymgeour conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem dedit tradidit et hereditarie et irredimabiliter sine ulla reversione redemptione aut regressu deliberavit secundum tenorem dicte dispositionis litere ac resignationis prescripte Tenendorum de dictis s. d. n. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Jacobus Blair et Margareta Scrymgeour conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum tenementorum horam circiter primam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Nigello Montgomerie de Greynfutt Kilwynning Archibaldo Barclay fabro murario Joanne Beltoun et Roberto Thomsoun burgensibus dicti burgi et Willielmo Stevinsoun seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MR. ROBERT BARCLAY, JAMES BLAIR, MERCHANT, AND
SPOUSE.

Notarial instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally upon the grounds of those two tenements of land, formerly belonging heritably to the late Hew Barclay, youngest son of the late Ninian Barclay, provost of the said burgh, lying together and contiguously within the burgh, in the Briggate thereof, on the south side of the common highway leading to the bridge, between the tenement of ——— Randell on the west, and ——— : And there, because it was made evidently known to him by authentic documents publicly shown and read to him, that the said Hew Barclay, brother-german of Mr. Robert Barclay, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in the said two tenements of land, fore and back, with yards and pertinents; and that the said Mr. Robert Barclay is lawful and nearest heir of the said deceased Hew his younger brother, of the said two tenements; and that he is of lawful age; and that they are held of the king in chief in burgage manner: Therefore the said John Blair, bailie, did with his own hands give seizin of the same to the said Mr. Robert Barclay, by delivery of earth and stone of the grounds thereof to a worthy man, James Scott, notary, as attorney and in name of the said Mr. Robert: Which having been done, the said James Scott, as procurator for the said Mr. Robert, lawfully constituted, in virtue of letter of procuratory contained in a disposition granted by the said Mr. Robert, with consent of Marion Ros his mother, lady of the conjunct fee of the said two tenements, and of Ninian Barclay his eldest brother-german, in favour of worthy persons, James Blair, merchant, burgess of the said burgh, and Margaret Skrymgeour his spouse, in conjunct fee, and to their heirs, of the aforesaid two tenements, of the dates, at Edinburgh and Irvine, the 8th and 10th days of November instant; also the said Marion and Ninian for themselves respectively, being personally present on the grounds aforesaid, for implement of the said disposition, and for certain sums of money fully paid by the said spouses to the said Mr. Robert

and Marion, did resign the aforesaid two tenements in the hands of the said bailie, for new seizin and heritable infeftment of the same to be given by him to the said James Blair and Margaret his spouse, which was accordingly done by delivery to them of the usual symbols, which they received with their hands joined: These things were done upon the grounds aforesaid, about the first hour after noon of the 10th day of November 1619, the witnesses being Neil Montgomerie of Greynfutt, Kilwynning, Archibald Barclay, mason, John Beltoun and Robert Thomson, burgesses of the said burgh, and William Stevinson, serjeant.

CLXX.—PRO ALEXANDRO CUNYNGHAM SENIORE ET
SPONSA ETC.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Decembris die octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentis personaliter comparuit probus vir Jacobus Quhyt unus novissimorum ballivorum burgi de Irwing super solum et fundum istius dimedie acre terre aut eo circa vocate Pillisland hereditarie pertinentis Joanni Cunynghame mercatori civi civitatis Glesguensis ac jacentis infra dictum burgum de Irwing in australi fine ejusdem inter terras Alexandri Cunynghame senioris mercatoris burgensis burgi de Irwing ex occidentali terras Joannis Peiblis ex orientali et communem viam regiam ex australi partibus ab una et aliis Et ibidem prefatus Jacobus Quhyt tanquam procurator et eo nomine dicti Joannis Cunynghame rite et legitime per eum constitutus virtute cujusdam procuratorialis litere contente in quadam dispositionis litera per eum facta de dicta ejus dimedia acre terre aut eo circa cum singulis suis pertinentiis ut supra jacente prefato Alexandro Cunynghame seniori mercatori burgensi dicti burgi de Irwing et Margarete Cunynghame ejus conjugii eorumque alteri diutius viventi in conjuncta infeodatione eorumque heredibus et assignatis subscriptis de data decimo octavo die mensis Aprilis anno domini millesimo sexcentesimo decimo septimo ac pro certis pecuniarum summis prefato

Joanni per dictos conjuges in pecunia numerata persolutis modo in dicta dispositionis litera contento totam et integram predictam dimediam acram terre aut eo circa vocatam Pillisland cum singulis suis pertinentiis ut supra jacentem In manibus honorabilis viri Adami Cunynghame unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo et interesse quibuscunque prefato Joanni suisve heredibus aut assignatis in et ad eandem competentibus In favores ac pro hac nova sasina et infeodatione hereditarea ejusdem dimedie acre terre cum singulis suis pertinentiis per dictum ballivum prefatis Alexandro et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Alexandro suisque legitimis et propinquiioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunynghame ballivus antedictus virtute et vigore sui officii ac de mandato dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integre predictae dimedie acre terre aut eo circa vocate Pillisland cum singulis suis pertinentiis ut supra jacentis memoratis Alexandro et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus deliberationem dedit tradidit et hereditarie sine reversione redemptione aut regressu deliberavit secundum tenorem dicti resignationis litereque dispositionis ac procuratorialis litere in eadem contentae Tenende de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales et onera perprieus solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati conjuges ac eorum alter a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum unum vel plura Acta erant hec super solum et fundum dictarum terrarum horam circiter nonam mane sub anno die mensis regnisque regis quibus supra Presentibus ibidem Jacobo Cunynghame mercatore Niniano Garven notario burgi de Irwing

Jacobo Parker incola ibidem Willielmo Stevinstoun seriando testibus ad premissa vocatis pariterque rogatis. R. BROUN.

Hoc instrumentum precedens scribitur manu Willielmi Barclay mei famuli. R. BROUN.

ABSTRACT.

FOR ALEXANDER CUNYNGHAM ELDER, AND SPOUSE.

Instrument narrating that a worthy man, James Quhyt, one of the late bailies of the burgh of Irvine, compeared personally upon the ground of that half-acre of land, or thereby, called Pillisland, belonging heritably to John Cunynghame, merchant, citizen of Glasgow, and lying within the said burgh of Irvine, in the south end of the same, between the lands of Alexander Cunynghame elder, burgess of Irvine, on the west, the lands of John Peblis on the east, and the common highway on the south: And there the said James Quhyt, as procurator and in name of the said John Cunynghame, lawfully constituted in virtue of a letter of procuratory contained in disposition granted by the latter to Alexander Cunynghame elder aforesaid, and Margaret Cunynghame his spouse, of date the 18th April 1617, and for certain sums of money paid by them to the said John Cunynghame, did resign the said half-acre of land, called Pillisland, in the hands of an honourable man, Adam Cunynghame, one of the bailies of Irvine, for new seizin thereof to be given by him to the said Alexander and Margaret Cunynghames, spouses, and the survivor of them, in conjunct fee, and the heirs lawfully gotten or to be gotten between them, which failing, to the heirs and assignees whatsoever of the said Alexander, heritably and irredeemably: Which resignation having been admitted and received by the said bailie, he gave seizin accordingly by delivery of earth and stone of the ground to the said spouses, who received the same with their hands joined: These things were done about the ninth hour of the morning of the 8th day of December 1619, the witnesses there present being James Cunynghame, merchant, Ninian Garven, notary of the burgh of Irvine, James Parker, indweller there, and William Stevenson, serjeant. R. Broun, notary, attests that the instrument was written by the hand of William Barclay his servant.

CLXXI.—PRO JOANNE MILLAR ET EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Decembris die octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit probus vir Georgius Fladger burgensis burgi de Irwing super solum et fundum istius sui tenementi terre subscripti sibi hereditarie pertinentis jacentis infra burgum de Irwing in australi fine ejusdem ex occidentali latere communis vie regie inter tenementum olim quondam Hugonis Tran nunc vero Patricii M' Lawsoun burgensis dicti burgi ex boreali ab una et tenementum olim quondam Davidis Cunyngham nunc vero Roberti Hendrie ex ——— partibus ab una et aliis Et ibidem prefatus Georgius pro certis pecuniarum summis sibi tempore presentium confectionis per probas personas Joannem Myller filium legitimum Jacobi Myller in Chaludhous dictique Georgii sororis filium legitimum et ——— Hunter ejus sponsam plenarie et integre in pecunia numerata persolutis Neenon pro observatione et impletione cujusdam dispositionis litere per eum dictis conjugibus eorumque heredibus et assignatis subscriptis de toto et integro predicto ejus tenemento terre ante et retro cum horto aggere et singulis suis pertinentiis quibuscunque ut supra jacenti penes hoc presens infeofamentum subscriptum de data presentium confecte Totum et integrum predictum suum tenementum terre ante et retro cum horto aggere et singulis suis pertinentiis ut supra jacens In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure juris titulo interesse juriscrameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Georgius suive heredes successores seu assignati in et ad predictum tenementum terre seu aliquam ejusdem partem cum pertinentiis habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterint omnino quieteclamavit imperpetuum In favores ac pro hac nova sasina et infeodatione hereditarea per dictum ballivum prefatis Joanni Myller et ——— Hunter conjugibus eorumque

alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Joanni suisque legitimis et propinquieribus heredibus et assignatis quibuscunque de toto et integro predicto tenemento terre ante et retro cum horto aggere et singulis suis pertinentiis ut supra jacenti hereditarie et irredimabiliter sine ulla reversione redemptione seu regressu quocunque danda et in debita et competenti forma prout congruit conficienda Reservato nihilominus prefato Georgio suo libero tenemento sive vitali redditu istius parve domus et petie horti pro presenti per Joannem Myller occupate et possesse pro omnibus illius vite diebus tantummodo modo in dicta dispositionis litera contente Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii Neenon de mandato speciali dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro cum horto aggere et singulis suis pertinentiis ut supra jacentis memoratis Joanni Myller et ——— Hunter conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine ulla reversione redemptione aut regressu quocunque ut premittitur deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis prescripte Reservato prefato Georgio suo libero tenemento seu vitali redditu predictae parve domus et petie horti per dictum Joannem Myller possesse pro omnibus sue vite diebus Tenendi de dicto s. d. n. rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Joannes Myller et ——— Hunter conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter terciam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Cauldwell de Annanhill clerico Balliatus de Cunyngham Jacobo Miller in Chaludhous et Archibaldo Howie fullone testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR JOHN MILLER AND HIS SPOUSE.

Instrument narrating that a worthy man, George Fladger, burgess of Irvine, compeared personally on the ground of that his tenement of land belonging to him heritably, lying within the burgh of Irvine, in the south end thereof, on the west side of the common highway between the tenement formerly of the late Hew Tran, but now of Patrick M'Lawson, burgess of the said burgh, on the north, and the tenement formerly of the late David Cunynghame, but now of Robert Hendrie, on the —; and there the said George, for certain sums of money paid to him at the same time by the worthy persons, John Myller, lawful son of James Myller in Chaludhous, and sister's son of the said George and — Hunter his spouse, and for implement of a disposition granted by him to the said John and his spouse, of the said tenement of land, with yard and tailing rig thereof, did resign the same in the hands of an honourable man, John Blair, one of the bailies of Irvine, for new seizin and heritable infeftment of the same to be given by him to the said John Myller and — Hunter his spouse, and the longer liver of them, in conjunct fee, and the heirs procreated or to be procreated between them, which failing, to the heirs and assignees whatsoever of the said John, heritably and irredeemably, without reversion, redemption, or regress; reserving, however, to the said George his liferent of that small house presently occupied and possessed by John Myller, for all the days of his life only; which resignation being admitted and received by the said bailie, he gave seizin accordingly by delivery of earth and stone to the said John and his spouse, who were personally present and received the same with their hands joined: These things were done on the ground aforesaid, about the third hour after noon of the 8th day of December 1619, the witnesses being William Cauldwell of Annanhill, clerk of the bailiery of Cunynghame, James Myller in Chaludhous, and Archibald Howie, fuller.

CLXXII.—PRO ARCHIBALDO HOWIE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo nono mensis vero Decembris die vigesimo nono regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Joannes Blair unus ballivorum burgi de Irwing super solum et fundum istius acre terre Necnon super solum et fundum illarum trium rodarum terre aut eo circa quondam Jacobo Howie filio legitimo secundo genito quondam Archibaldi Howie fullonis burgensis dicti burgi hereditarie perprius pertinentium jacentium infra territorium dicti burgi de Irwing inter terras Stephani Tran nuncii ex ——— et terras de Chaludhous Willielmo Cauldwell de Annanhill clerico balliatus de Cunyngham hereditarie pertinentes ex ——— et communem viam ducentem ad aquam de Annok ex orientali partibus ab una et aliis Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dictus quondam Jacobus Howie frater germanus Archibaldi Howie latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti supremi domini nostri regis in tota et integra predicta acra terre et tribus rodis terrarum aut eo circa contigue jacentibus et bondatis ut premittitur Et quod dictus Archibaldus est legitimus et propinquior heres ejusdem dicti quondam Jacobi sui fratris germani de totis et integris predictis terris cum singulis suis pertinentiis ut supra jacentibus Et quod est legitime etatis Et quod eodem terre cum singulis earundem pertinentis de prefato supremo domino nostro rege tenentur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integre predictae acre terre ac trium rodarum terre aut eo circa cum singulis suis pertinentiis ut supra jacentium prefato Archibaldo Howy tanquam fratri germano legitimo et propinquiori heredi antedicti quondam Jacobi sui fratris per terre et lapidis fundorum earundem respective et successive illi personaliter

presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum tenorem antiquorum infeofamentorum dicti quondam Jacobi sui fratris earundem (salvo jure cujuslibet) Tenendarum de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Archibaldus Howy a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictarum terrarum respective singulatim et successive per se horam circiter undecimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Cauldwell de Annanhill clerico balliatus de Cunyngham Niniano Garven notario publico Archibaldo Deyn in Blook et Joanne Ryburn seriando testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR ARCHIBALD HOWIE.

Instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, personally compeared on the ground of that acre of land, and of those three roods of land or thereby, pertaining before heritably to the late James Howie, second lawful son of the late Archibald Howie, fuller, burgess of the said burgh, lying within the territory thereof, between the lands of Stephan Tran, messenger, on the —, the lands of Chaludhous belonging heritably to William Cauldwell of Annanhill, clerk of the bailiery of Cunyngham, on the —, and the common way leading to the water of Annok on the east: and there, because it clearly appeared and was known to him by authentic documents and instruments of seizin publicly shown and read to him, that the said James Howie died last vest and seized as of fee, at the faith and peace of the king, in all and whole the aforesaid acre of land, and three roods of land, lying contiguously and bounded as aforesaid; and that Archibald Howie, bearer hereof, is lawful and nearest heir of the said James, his brother-german, of the said lands; and that he is of lawful age; and that the lands are held of the king

in chief in burghal manner; therefore the said John Blair, bailie, by virtue of his office, did with his own hands give state and heritable seizin, and likewise possession, bodily, actual, and real, of the aforesaid acre and three roods of land, to the said Archibald Howie, as brother-german and lawful and nearest heir of the said deceased James Howie, by delivery to him of earth and stone of the grounds of the same, respectively and successively: These things were done upon the said grounds respectively about the eleventh hour before noon of the 29th day of December 1619, these witnesses being present: William Cauldwell of Annanhill, clerk of the bailiery of Cunynghame, Ninian Garven, notary public, Archibald Deyn in Blook, and John Ryburn, serjeant.

CLXXIII.—PRO ARCHIBALDO HOWY.

Anno domini millesimo sexcentesimo decimo nono mensis vero Decembris die octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Joannes Blair unus ballivorum burgi de Irwing super solum et fundum istius tenementi terre ad Thomam Mure nautam incolam civitatis Glasguensis hereditarie pertinentis jacentis infra burgum de Irwing in via marina ex ——— latere communis vie regie ejusdem inter tenementum Joannis Mitchell ex boreali et tenementum quondam Hugonis Garven communis scribe dicti burgi nunc vero Niniani Garven ejus filii et heredis ex australi partibus ab una et aliis Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Archibaldus Howie fullo burgensis burgi de Irwing pater Archibaldi Howie latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti supremi domini nostri regis in toto et integro uno annuo reddito quinque mercarum sex solidorum et quatuor denariorum usualis monete hujus regni Scotie annuatim levando et percipiendo ad duos anni terminos consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones de toto et integro predicto tenemento terre ante et retro cum singulis suis pertinentiis ut supra jacenti Et quod dictus Archibaldus est legitimus et propinquior heres ejusdem dicti

quondam Archibaldi sui patris de toto et integro predicto annuo redditu Et quod est legitime etatis Et quod dictus annuus redditus de dicto supremo domino nostro rege tenetur more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integri predicti annui redditus quinque mercarum sex solidorum et quatuor denariorum monete predictae annuatim levandi et percipiendi ad terminos predictos de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto et singulis suis pertinentiis memorato Archibaldo Howie tanquam filio legitimo et propinquiori heredi ejusdem dicti quondam Archibaldi sui patris per terre et lapidis fundi ejusdem et unius denarii ut moris est illi personaliter presenti et acceptanti traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem infeofamenti dicti quondam sui patris ejusdem (salvo jure cujuslibet) Tenendi de dicto supremo domino nostro rege more burgali Super quibus omnibus et singulis premissis prefatus Archibaldus Howie a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter undecimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Cauldwell de Annanhill Niniano Garven notario publico Jacobo Myller in Chaludhous et Joanne Ryburn seriando testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR ARCHIBALD HOWIE.

Notarial instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally upon the ground of that tenement of land pertaining heritably to Thomas Mure, sailor, inhabitant of the city of Glasgow, lying within the burgh of Irvine, in the Seagate, on the — side of the common royal highway of the same, between the tenement of John Mitchell on the north, and the tenement of the late Hew Garven, common clerk of the said burgh, but now of Ninian Garven, his son and heir, on the south; and there,

because it clearly appeared and was known to him by authentic documents and instruments of seizin publicly shown, read, and demonstrated to him, that the late Archibald Howie, fuller, burgess of Irvine, father of Archibald Howie, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in an annualrent of five merks six shillings and four pennies of the usual money of this kingdom of Scotland, to be levied and taken at the two usual terms of the year, Whitsunday and Martinmas, by equal portions, from the tenement aforesaid; and that the said Archibald is lawful and nearest heir of the said deceased Archibald, his father, of the aforesaid annualrent; and that he is of lawful age; and that the said annualrent is holden of the king in burghal manner; therefore the said John Blair, bailie, did with his own hands give seizin of the said annualrent to the said Archibald Howie, by delivery to him of earth and stone and of one penny, as the custom is: These things were done upon the ground of the said tenement, about the eleventh hour before noon of the 8th day of December 1619, the witnesses there present being William Cauldwell of Annanhill, Ninian Garven, notary public, James Myller in Chaludhous, and John Ryburn, serjeant.

CLXXIV.—PRO ROBERTO DAILL.

Anno Domini millesimo sexcentesimo vigesimo mensis vero Februarii die octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Joannes Blair unus ballivorum burgi de Irwing super solum et fundum istius tenementi terre subscripti perprius quondam Davidi Daill textori burgensi dicti burgi hereditarie pertinentis jacentis infra burgum de Irwing super montem vocatum M'Missarthill ex orientali latere communis vie qua itur ad templum inter tenementum et terras quondam Willielmi Scott nunc vero Jacobi Cunyngham mercatoris ex australi et tenementum quondam ——— Thomsoun ex boreali partibus ab altera Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dictus quondam David Daill pater Roberti Daill latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti supremi domini nostri regis

in toto et integro predicto tenemento terre cum horto et singulis suis pertinentiis ut supra jacenti Et quod dictus Robertus Daill est legitimus et propinquior heres ejusdem dicti quondam Davidis sui patris inter eum et Margaretam Hunter ejus sponsam legitime procreatus ratione provisionis de toto et integro predicto tenemento terre ante et retro cum horto et singulis suis pertinentiis Et quod est legitime etatis Et quod dictum tenementum cum pertinentiis de prefato supremo domino nostro rege tenetur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre cum horto et singulis suis pertinentiis ut supra jacentis memorato Roberto Daill tanquam filio legitimo et propinquiori heredi dicti quondam Davidis sui patris ratione quo supra per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectum hereditarie deliberavit secundum tenorem infeofamenti dicti quondam Davidis sui patris ejusdem (salvo jure cujuslibet) Tenendi de dicto supremo domino nostro rege more burgali Quibus peractis prefatus Robertus Daill non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera pura libera et spontanea voluntate pro singularibus amore gratia et favore quos erga dictam suam matrem Margaretam Hunter habet et gerit et precipue ex eo quod domus habitationis que est pars dicti tenementi a fundo usque jam diruta est et quod dicta Margareta ad commodum dicti Roberti Daill sui filii hereditarii proprietarii ejusdem ad dicte Margarete magnum detrimentum edificationem et constructionem ejusdem suscepit cujus sumptus in edificatione longe excedebat validitatem totius tenementi et horti in casu quo nunc est Totum et integrum predictum suum tenementum terre cum horto et singulis suis pertinentiis ut supra jacens In manibus prefati Joannis Blair ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure juris titulo interesse juriscleameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Robertus suive heredes successores seu assignati In et ad dictum tenementum seu aliquam ejusdem partem habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterint In favores ac pro hac nova sasina et infeodatione

hereditaria sibi prefato Roberto heredibusque suis quibuscunque de suo corpore legitime tantummodo procreandis Quibus deficientibus dicte Margarete Hunter sue matri heredibusque suis legitimis et propinquieribus et assignatis dicte sue matris quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione seu regressu quocunque danda et in debita et competenti forma per dictum ballivum prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii ac de mandato speciali dicti Roberti Daill resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem prefato Roberto Daill per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem dedit tradidit et hereditarie deliberavit secundum dicte resignationis tenorem Tenendum de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Robertus Daill a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter terciam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Hunter calceario Davide Hunter textore ejus fratre germano incolis in Irwing Thoma Gray in ——— Willielmo Barclay fratre germano Davidis Barclay de Ladyland Willielmo Stevinsoun et Joanne Ryburn seriandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT DAILL.

Notarial instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally upon the ground of that tenement of land formerly belonging heritably to the late David Daill, weaver, burgess of the said burgh, lying within the burgh of Irvine, upon the hill called M'Missarthill, on the east side of the common way which leads to the church, between the tenement and lands of the late William Scott, but now of James Cunyngham,

merchant, on the south, and the tenement of the late — Thomson on the north; and there, because it clearly appeared and was known to him by authentic documents and instruments of seizin publicly shown and read to him, that the said David Daill, father of Robert Daill, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in the aforesaid tenement of land, with yard, etc.; and that the said Robert Daill is lawful and nearest heir of provision of the said David, his father, of the said tenement; and that he is of lawful age; and that the said tenement is holden of the king in chief, in the manner of burgh; therefore the said John Blair, by virtue of his office, with his own hands gave state and seizin to the said Robert of the tenement aforesaid; which having been done, the said Robert Daill, not led by force or fear, nor fallen in error, nor circumvented by fraud or guile, but of his own pure, free, and spontaneous will, for the singular love, grace, and favour which he had towards Margaret Hunter, his mother, and chiefly because that the dwelling house, which is part of the said tenement, is already ruinous from the ground upward, and that the said Margaret, for the advantage of the said Robert, her son, heritable proprietor of the same, to her own great detriment, undertook the building again thereof, whose expense in building would far exceed the value of the whole tenement in the condition wherein it then was, did resign his tenement aforesaid, with yard, etc., in the hands of the aforesaid John Blair, bailie, in favour of and for this new heritable infestment to be given to himself and the heirs to be procreated of his body, lawfully only; which failing, to the said Margaret Hunter, his mother, and her heirs and assignees whatsoever, heritably and irredeemably, without any reversion, redemption, and regress whatever; which resignation so made, and by the said bailie received, he gave seizin accordingly to the said Robert Daill, by delivery to him of earth and stone of the ground: These things were done upon the ground of the said tenement, about the third hour after noon of the 8th day of February 1620, the witnesses present being John Hunter, shoemaker, David Hunter, weaver, his brother-german, indwellers in Irvine, Thomas Gray in —, William Barclay, brother-german of David Barclay of Ladyland, William Stevinsoun and John Ryburn, serjeants.

CLXXV.—PRO JEANNA CUNYNGHAME DOMINA HUNTERSTOUN.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo vigesimo mensis vero Februarii die ——— regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Patricius Hunter nunc de Hunterstoun super solum et fundum illarum quinque libratarum terrarum antiqui extentus de South Caymes sibi hereditarie pertinentium jacentium infra insulam de Mekill Cumray et vicecomitatum de Bute

[*Not completed.*]

ABSTRACT.

FOR JEAN CUNYNGHAME, LADY HUNTERSTOUN.

Instrument narrating that an honourable man, Patrick Hunter, now of Hunterstoun, compeared personally upon the ground of those five pound lands of old extent of South Caymes, belonging to him heritably, lying within the island of Meikle Cumray, and sherifffdom of Bute. . . .

CLXXVI.—PRO ALEXANDRO BAILLIE PELLIONE.

Anno Domini millesimo sexcentesimo vigesimo mensis vero Marcii die nono regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo septimo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit proba damicella Egedia Tueidy filia legitima natu maxima Davidis Tueidy ephippiarii burgensis burgi de Irwing super solum et fundum istius pecie waste terre super quam domus perprius edificata fuit nunc sibi hereditarie pertinentis et perprius Willielmo Boyd filio legitimo et heredi quondam Adami Boyd burgensis dicti burgi jacentis infra burgum de Irwing in via pontali ejusdem ex boreali latere communis vie regie inter tenementum Alexandri

Lowrie ex orientali et tenementum Alexandri Baillie ex occidentali partibus ab una et aliis Et ibidem dicta Egedia cum expressis avisamento consensu et assensu dicti Davidis sui patris et tanquam legitimi administratoris tutoris et gubernatoris de jure et Roberti Dunlop fabri ferrarii burgensis dicti burgi sui avunculi pro certis pecuniarum summis sibi dictoque illius patri et avunculo ejus nomine persolutis per Alexandrum Baillie pellionem burgensem dicti burgi Necnon pro observatione unius eorum partis cujusdam dispositionis litere per eam cum expressis avisamento consensu et assensu dicti Davidis ejus patris et Roberti Dunlop sui avunculi et illi onus super eos propter illam suscipientes de dicta pecia waste et horto eidem adjacenti dicto Alexandro de data presentium facte Totam et integram predictam peciam waste et hortum prescriptum eidem adjacentem et bondatam ut prefertur In manibus honorabilis viri Allani Dunlop urbisprefecti in absentia amborum ballivorum dicti burgi extra hoc regnum Scotie sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo et interesse sibi in et ad eandem competentibus In favorem ac pro hac nova sasina et infeodatione hereditaria ejusdem pecie waste et horti prescripti cum singulis suis pertinentiis prefato Alexandro Baillie suisque heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque danda et in debita et competenti forma prout congruit per dictum urbisprefectum conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum urbisprefectum admissa et recepta prefatus Allanus Dunlop urbisprefectus antedictus virtute et vigore sui officii Necnon de mandato resignantis propriis suis manibus statum et sasina hereditaream pariter et possessionem corporalem actualem et realem Totius et integre predictae pecie waste et horti prescripti eidem adjacentis cum singulis suis pertinentiis jacentis et bondate ut premittitur memorato Alexandro Baillie per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et hereditarie sine aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis prescripte Tenende de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Alexander Baillie a

me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicte pecie waste et horti prescripti horam circiter quartam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Cunyngham Roberto Lyn Joanne Cruikis mercatoribus burgensibus dicti burgi Davide Walker pellione Willielmo Stevinsoun et Joanne Ryburn serjandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ALEXANDER BAILLIE, SKINNER.

Instrument narrating that a worthy damsel, Egidia (Geillis) Tueidy, eldest lawful daughter of David Tueidy, saddler, burgess of Irvine, compeared personally upon the ground of that piece of waste land, upon which a house was formerly built, now belonging to her heritably, and formerly to William Boyd, lawful son and heir of the late Adam Boyd, burgess of the said burgh, lying within the burgh of Irvine, in the Bridge-gate thereof, on the north side of the common royal way, between the tenement of Alexander Lowrie on the east and the tenement of Alexander Baillie on the west; and there the said Egidia, with express advice and consent of the said David, her father, as by right her lawful administrator, tutor, and governor, and of Robert Dunlop, smith, burgess of the said burgh, her uncle, for certain sums of money paid to her and to her said father and uncle in her name, by Alexander Baillie, skinner, burgess of the said burgh; and for observation of their part of a disposition granted by her, with consent as aforesaid, to the said Alexander, of the date hereof, did resign the said piece of waste land, with yard thereto adjacent, in the hands of an honourable man, Allan Dunlop, provost, in the absence of both the bailies of the said burgh beyond this kingdom of Scotland, in favour of and for this new seizin of the same to be given to the said Alexander Baillie and his heirs whatsoever, heritably and irredeemably; which resignation so made being admitted and received by the said provost, he gave seizin accordingly by delivery of earth and stone of the said piece of waste land and yard adjacent thereto, to the said Alexander Baillie, who was personally present and accepting thereof:

These things were done upon the ground aforesaid, about the fourth hour after noon of the 9th day of the month of March 1620, the witnesses being James Cunynghame, Robert Lyn, John Cruikes, merchants, burgesses of Irvine, David Walker, skinner, William Stevinsoun and John Ryburn, serjeants.

CLXXVII.—PRO HUGONE MONTGOMERIE.

Anno Domini millesimo sexcentesimo vigesimo mensis vero Marcii die vigesimo quarto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tertio et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit probus vir Joannes Montgomerie filius naturalis quondam Joannis Montgomerie de Auchinbothie super solum et fundum istius sui tenementi terre subscripti sibi hereditarie pertinentis jacentis infra burgum de Irwing ex orientali latere communis vie regie ejusdem inter tenementum quondam Joannis Mure notarii ex boreali et tenementum Willielmi Cauldwell de Annanhill clerici balliatus de Cunyngham ex australi partibus ab una et aliis Et ibidem prefatus Joannes Montgomerie pro certis pecuniarum summis sibi per egregium virum vice capitaneum Hugonem Montgomerie ejus avunculum tempore presentium in pecunia numerata plenarie et integre persolutis de quibus tenuit se bene contentum dictumque Hugonem ejusque heredes successores et assignatos de eisdem exoneravit et quieteclamavit imperpetuum ac pro diversis aliis benemeritis per dictum Hugonem illi temporibus retroactis impensis aliisque bonis et rationabilibus causis et considerationibus eum ad effectum subscriptum moventibus totum et integrum predictum suum tenementum terre ante et retro cum horto riga vulgo lie tailling rig et singulis ejusdem pertinentiis ut supra jacens In manibus honorabilis viri Adami Cunyngham unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Joannes ejusve heredes successores seu assignati in et ad predictum tenementum terre seu aliquam ejusdem partem cum pertinentiis habuerunt habent seu quovismodo in futurum habere clamare vel

pretendere poterint In favores ac pro hac nova sasina et infeodatione hereditarea prefato Hugoni Montgomerie suisque heredibus et assignatis quibuscunque de eodem tenemento ante et retro cum horto et riga cum singulis suis pertinentiis ut supra jacenti hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque per dictum ballivum danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunyngham ballivus antedictus virtute et vigore sui officii ac de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integri predicti tenementi terre ante et retro cum horto riga et singulis suis pertinentiis ut supra jacentis memorato Hugoni Montgomerie personaliter presenti et pro se suisque heredibus et assignatis acceptanti per terre et lapidis fundi ejusdem illi ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte resignationis Tenendi de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Hugo Montgomerie a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Thoma Nevein seniore de Monk-ridding Alexandro Montgomerie mercatore Niniano Barclay etiam mercatore Niniano Garven notario et Hugone Ralstoun comburgensibus dicti burgi Willielmo Stevinsoun et Joanne Ryburn seriandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR HEW MONTGOMERIE.

Instrument narrating that a worthy man, John Montgomerie, son natural of the late John Montgomerie of Auchinbothie, compeared personally upon the ground of that his tenement of land, belonging to him heritably, lying within the burgh of Irvine, on the east side of the High Street thereof, between the tenement of the late John Mure, notary, on the north, and the tenement of William Cauldwell of Annanhill, clerk of the bailiery of Cunyngham, on the south: And there the aforesaid John Montgomerie, for certain sums of money fully and wholly paid to him at the same time by a distinguished man, Vice-Captain Hew Montgomerie, his uncle, and for divers other meritorious deeds done to him by the said Hew in times past, did resign all and whole his tenement of land aforesaid, fore and back, with yard and tailling rig of the same, in the hands of an honourable man, Adam Cunyngham, one of the bailies of the said burgh of Irvine, for this new seizin to be given to the aforesaid Hew Montgomerie, his heirs and assignees whatsoever, heritably and irredeemably, of the same tenement, yard, and rig: Which resignation so made being admitted and received by the bailie, he gave seizin accordingly by delivery of earth and stone of the ground thereof to the said Hew, who was personally present and accepting thereof: These things were done upon the ground aforesaid, about the eleventh hour before noon of the 24th day of March 1620, the witnesses there present being Thomas Nevein elder of Monkriding, Alexander Montgomerie, merchant, Ninian Barclay, also merchant, Ninian Garven, notary, Hew Ralstoun, fellow-burgesses of the said burgh, William Stevinsoun and John Ryburn, serjeants.

CLXXVIII.—PRO MARGARETA CUNYNGHAME SPONSA WILLIELMI
MONTGOMERIE SCRIBE.

Anno Domini millesimo sexcentesimo vigesimo mensis vero Aprilis die undecimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo tertio et decimo octavo In mei notarii publici et

testium subscriptorum presentiis personaliter comparuit probus adolescens Willielmus Barclay frater germanus Davidis Barclay de Ladyland super sola et funda tenementorum terre aliorumque particulariter subscriptorum Willielmo Montgomerie scribe burgensi de Irwing nunc vero incole in Dunochdie infra comitatum de Doun in regno Hybernie hereditarie pertinentium videlicet et primo super sola et funda illorum duorum tenementorum terre insimul et contigue infra dictum burgum de Irwing jacentium in fine boreali ejusdem ex occidentali latere communis vie regie ejusdem inter tenementum aliud dicti Willielmi perprius quondam Archibaldo Georg pertinens ex australi et hortum comitis de Eglintoun ex boreali partibus ab una et aliis Necnon super solum et fundum predicti tenementi perprius ad dictum quondam Archibaldum pertinentis ac dictis duobus tenementis contigue adjacentis inter eadem duo tenementa et horta predicti comitis ex boreali et tenementum sive hortum heredis quondam Elspethe Auld ex australi partibus ab una et aliis Et deinde et immediate postea super sola et funda illorum duorum tenementorum waste terre olim Roberto Montgomerie hereditarie pertinentium nunc vero dicto Willielmo jacentium apud finem borealem dicti burgi inter tenementum ————— ex australi et communem pasturam dicti burgi ex boreali et communem viam ducentem ad Kilwynning ex occidentali partibus ab una et aliis Et ibidem respective singulatim et successive per se prefatus Willielmus Barclay tanquam procurator et eo nomine dicti Willielmi Montgomerie virtute cujusdam procuratorialis litere per dictum Willielmum Montgomerie illi ad effectum subscriptum facte legitime constitutus de data apud Dunochdie in regno Hybernie decimo quinto die mensis Marcii ultime elapsi Tota et integra predicta ejus quinque tenementa terre jacentia et bondata respective ut premittitur In manibus honorabilis viri Adami Cunynghame unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favores ac pro hac nova sasina et infeodatione per dictum ballivum eorundem probe mulieri Margarete Cunynghame sponse dicti Willielmi in vitali reddito pro omnibus illius vite diebus danda et concedenda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunynghame ballivus antedictus virtute et vigore sui officii ac de mandato dicti procuratoris et resignantis

antedicti propriis suis manibus statum et sasinam vitalem pariter et possessionem corporalem actuaalem et realem Totorum et integrorum predictorum quinque tenementorum terre cum singulis eorundem pertinentiis jacentium et bondantium respective ut premittitur prefate Margarete Cunynghame sponse dicti Willielmi in vitali redditu pro omnibus illius vite diebus per terre et lapidis fundorum eorundem respective et successive probo adolescenti Jacobo Montgomerie filio naturali quondam domini Nigelli Montgomerie de Langshaw militis tanquam vero certo et indubitato actornato et eo nomine dicte Margarete traditionem (de cujus actornatoriali potestate mihi notario publico subscripto et testibus subscriptis satis lucide constabat) dedit tradidit et deliberavit secundum tenorem dicte resignationis litereque procuratorialis prescripte coram dicto ballivo producte et ostense Tenendorum de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias perprius pro eisdem solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Jacobus Montgomerie actornatus antedictus et eo nomine dicte Margarete quo supra a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et fundorum quinque tenementorum respective prescriptorum singulatim et successive per se horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Scott notario Roberto Craig et Hugone Ralstoun et Patricio Spark textore comburgensibus dicti burgi et Joanne Ryburn seriando testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR MARGARET CUNYNGHAME, SPOUSE OF WILLIAM MONTGOMERIE, WRITER.

Notarial instrument narrating that a worthy young man, William Barclay, brother-german of David Barclay of Ladyland, compeared personally upon the ground of the tenements of land and others underwritten, belonging heritably to William Montgomerie, writer, burgess of Irvine, but now indweller in Donaghadee, within the county of Down

in the kingdom of Ireland, namely, and first, upon the grounds of those two tenements of land, lying together and contiguously within the said burgh of Irvine, in the north end of the same, upon the west side of the common royal way thereof, between another tenement of the said William, formerly pertaining to the late Archibald George, on the south, and the yard of the Earl of Eglintoun on the north; also upon the ground of the aforesaid tenement, formerly pertaining to the said late Archibald, and contiguously adjacent to the said two tenements, between the same two tenements and the yards of the aforesaid Earl on the north, and the tenement or yard of the heir of the deceased Elspeth Auld on the south; and then, and immediately afterwards, upon the grounds of those two tenements of waste land, pertaining heritably before to Robert Montgomerie, but now to the said William, lying at the north end of the said burgh, between the tenement of ——— on the south, and the common pasture of the said burgh on the north, and the common way leading to Kilwynning on the west: And there, respectively, singly, and successively by themselves, the aforesaid William Barclay, as procurator and in name of the said William Montgomerie, lawfully constituted in virtue of a letter of procuratory made to him by the latter, of date at Donaghadee in the kingdom of Ireland, the 15th day of March last past, did resign all and whole the aforesaid five tenements of land in the hands of an honourable man, Adam Cunynghame, one of the bailies of the said burgh of Irvine, by staff and baton, as the custom is, in favour of and for this new seizin and infestment of the same to be given to a worthy woman, Margaret Cunynghame, spouse of the said William, in liferent: Which resignation having been made, and by the said bailie received, he gave seizin accordingly, by delivery of earth and stone of the grounds of the said tenements respectively, to a worthy young man, James Montgomerie, son natural of the late Sir Neil Montgomerie of Langshaw, knight, as true, certain, and undoubted attorney, and in name of the said Margaret: These things were done upon the grounds of the five tenements aforesaid respectively, about the tenth hour before noon of the 11th day of April 1620, the witnesses there present being James Scott, notary, Robert Craig, and Hew Ralstoun, and Patrick Spark, weaver, co-burgesses of the said burgh, and John Ryburn, serjeant.

CLXXIX.—PRO JOANNE MONTGOMERIE DE COCKILBIE.

Anno Domini millesimo sexcentesimo vigesimo mensis vero Maij die quarto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Joannes Montgomerie de Cockilbie super solum et fundum illarum quadraginta solidatarum terrarum antiqui extentus de Kirktoun de Stewartoun jacentium infra balliatum de Cunyngham et vicecomitatum de Air ad instanciam dicti Joannis debite et legitime appreciatarum a Roberto Stewart filio ac ad intrandum heredem legitime mandato quondam Roberto Stewart de Kirkland suo patri ac specialiter ad obtinendum se infeodatum in predictis terris cum pertinentiis tanquam heredem antedictum et ab omnibus aliis interesse habentibus in contentationem et satisfactionem sibi prefato Joanni summe undecim centum et quadraginta mercarum monete hujus regni Scotie pro principali necnon summe quinquaginta septem mercarum monete prescripte pro vicecomitis feodo contente in appreciationis processu desuper deducto ac per dominos consilii et sessionis viso considerato et approbato Et ibidem prefatus Joannes habens suisque in manibus tenens quandam cartam preceptumque sasine in se continentem factam datam et concessam per honorabilem virum Nigellum Montgomerie de Langschaw dominum superiorem dictarum terrarum pro obediencia deliberationis approbationis dicti appreciationis processus ac dictorum dominorum mandati pro sasina hereditarea sibi dicto Joanni suisque heredibus et assignatis quibuscunque hereditarie de totis et integris predictis quadraginta solidatis terrarum antiqui extentus de Kirktoun de Stewartoun cum pertinentiis pro principali et terrarum de Balgray in speciali clausula warranti eorundem modo subscripto danda et concedenda Quamquidem cartam preceptum sasine in se continentem prefatus Joannes discreto viro Frederico Cunyngham fratri germano quondam Davidis Cunyngham de Robertland ballivo dicti Nigelli in hac parte in dicto sasine precepto specialiter nominato et constituto presentavit et deliberavit eumque requirendo quatenus hujusmodi sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero Fredericus

ballivus in hac parte antedictus dictam cartam preceptum sasine in se continentem e manibus dicti Joannis recepit mihique notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis Insuper dilectis meis Frederico Cunynghame fratri germano quondam Davidis Cunynghame de Robertland et vestrum cuilibet conjunctim et divisim ballivis meis in hac parte specialiter constitutis salutem vobis precipio et firmiter mando quatenus visis presentibus indilate statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totarum et integrarum predictarum quadraginta solidatarum terrarum antiqui extentus de Kirktoon de Stewartoun tanquam pro principalibus Necnon prefatarum terrarum de Balgray in speciale warrantum et securitatem earundem cum domibus edificiis hortis pomariis partibus pendiculis et singulis suis pertinentiis jacentium ut prefertur memorato Joanni Montgomerie vel suo certo actornato latori presentium per traditionem terre et lapidis fundi dictarum terrarum ut moris est in similibus juste tradatis deliberetis et haberi faciatis sine dilatione et hoc nullo modo omittatis proviso nihilominus quod omnes et singule prenominate terre cum pertinentiis ut supra jacentes aliaque in dicto processu appreciationis contenta sint redimabiles per dictum Robertum Stewart heredes suos et assignatos a prefato Joanne Montgomerie suisque prescriptis pro solutione prenominatarum summarum undecim centum et quadraginta mercarum pro principali et quinquaginta septem mercarum monete prescripte pro vicecomitis feodo virtute legalis reversionis sibi ex lege competenti unacum solutione expensarum per dictum Joannem Montgomerie pro hoc meo infeofamento debursatarum (firmis tamen et proficiis prenominatarum terrarum per prefatum Joannem suosque antedictos interim percipiendis in prescriptis summis minime computandis) dummodo dicta redemptio ac solutio prefatarum summarum infra septennium a die date dicti processus appreciationis extiterit secundum tenorem legum hujus regni Scotie et actorum parlamenti desuper confectorum Ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis meis in hac parte antedictis meam plenaream et irrevocabilem tenore presentium committo potestatem In cujus rei testimonium huic presenti carte mee (sub chyrographo Jacobi Hardie servitoris Joannis Gilmour scribe signeto regio) manu mea subscripte sigillum meum est

appensum apud locum meum de Stewartoun quarto die mensis Maij anno domini millesimo sexcentesimo vigesimo coram his testibus Magistro Willielmo Castellaw ministro verbi Dei apud ecclesiam de Stewartoun Magistro Roberto Montgomerie ludimagistro ibidem et Roberto Broun notario publico ac insertore date et testium sic subscribitur Neill Montgomerie of Langschaw ~~W~~. Castellaw witnes MR. Montgomerie witnes R. Broun witnes Post cujusquidem carte preceptique sasine suprascripti in eadem contenti perlectionem publicationem et in vulgari expositionem prefatus Fredericus Cunyngham ballivus dicti Nigelli in hac parte antedictus virtute et vigore sui officii ballivatus sibi in hac parte commissi Neenon de mandato speciale dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem totarum et integrarum predictarum quadraginta solidatarum terrarum antiqui extentus de Kirkton de Stewartoun cum domibus edificiis hortis pomariis partibus pendiculis et singulis suis pertinentiis ut supra jacentium prefato Joanni Montgomerie per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit sub provisionibus et reversionis conditionibus suprarecitatis ac in dicto sasine precepto specialiter expressis secundum vim formam et tenorem antedictae carte preceptique sasine prescripti in eadem contenti Super quibus omnibus et singulis premissis prefatus Joannes Montgomerie a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda predictarum terrarum de Kirkland de Stewartoun horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem prefatus Magistro Willielmo Castellaw ministro verbi Dei apud ecclesiam de Stewartoun Magistro Roberto Montgomerie ludimagistro ibidem Matheo Robertoun in Mylnstanflatt et Willielmo Pudzen servitore dicti Joannis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOHN MONTGOMERIE OF COCKILBIE.

Instrument narrating that a prudent man, John Montgomerie of Cockilbie, compeared personally upon the ground of those forty shilling lands of old extent of Kirkton of Stewarton, lying within the bailiery of Cunyngham and sheriffdom of Ayr, duly and lawfully apprised at the instance of the said John, from Robert Stewart, son, and as lawfully charged to enter heir to the late Robert Stewart of Kirkland, his father, and specially to obtain himself infeft in the aforesaid lands as heir aforesaid, and from all others having interest, in satisfaction to him, the said John, of the sum of 1140 merks, money of this kingdom of Scotland, for the principal; also of the sum of 57 merks of sheriff's fee, contained in the process of apprising led thereupon, and by the lords of Council and Session seen, considered, and approved: And there the aforesaid John, having and holding in his hands a certain charter, containing in it a precept of seizin, granted by an honourable man, Neil Montgomerie of Langschaw, lord superior of the said lands, for obedience of the deliverance, approbation of the said process of apprising and mandate of the said lords, for heritable seizin to be given to the said John, his heirs and assignees whatsoever, of the aforesaid forty shilling lands of old extent of Kirkton of Stewarton, for the principal, and of the lands of Balgray in special clause of warrandice; which charter, containing the precept of seizin, the said John presented and delivered to a discreet man, Frederic Cunyngham, brother-german of the late David Cunyngham of Robertland, bailie of the said Neil in that part, specially named and constituted in the said precept of seizin, requesting him forthwith to put the said precept duly to execution; which Frederic, bailie in that part, received the said charter, containing precept, from the hands of the said John, and delivered to me, notary public underwritten, to be read, published, and explained in the vulgar tongue to the bystanders; which was done, and the tenor of which is as above expressed, with the addition that the apprising should include the expenses laid out by the said John Montgomerie for this new infeftment granted by the superior, but not reckoning in the sums appraised for the fermes and profits of the said lands, uplifted in the

meantime by the said John; and providing that the lands might be redeemed by payment of the aforesaid sums within seven years from the date of the process, according to the tenor of the laws of this kingdom of Scotland; the charter, written by James Hardie, servitor of John Gilmour, Writer to the Signet, is dated at the granter's place of Stewartoun, 4th May 1620, before witnesses, namely, Mr. William Castellaw, minister of the Word of God at the Kirk of Stewartoun, Mr. Robert Montgomerie, schoolmaster there, and Robert Broun, notary, insertor of the date and witnesses: After the reading and publication of the said charter and precept, the said Frederic Cunyngham, bailie in that part, gave seizin accordingly, by delivery of earth and stone of the ground of the said lands to the said John Montgomerie, personally present and accepting thereof: These things were done upon the ground aforesaid, about the third hour after noon of the 4th day of May 1620, the witnesses being the same as to the charter, with the addition of Mathew Robertoun in Mylnstane flatt, and William Pudzean, servitor of the said John Montgomerie.

CLXXX.—PRO WILLIELMO GALT ET JOANNE HUNTER.

Anno Domini millesimo sexcentesimo vigesimo mensis vero Maij die decimo quinto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Joannes Blair unus ballivorum burgi de Irwing super solum et fundum istius anterioris domus perprieus quondam Willielmo Galt naute burgensi dicti burgi hereditarie pertinentis jacentis infra dictum burgum ex occidentali latere communis vie regie ejusdem inter tenementum perprieus Roberti Cunyngham nunc vero Jacobi Scott ex orientali tenementum Willielmi Hendrie pellionis ex boreali tenementum sive domum vocatam vulgariter Bowtounesland ex occidentali partibus ab una et aliis Necnon super solum et fundum istius pecie waste terre dicte domui adjacentis coram ostio ejusdem ad finem istius domus quondam Allano Raynkeine in Sanct Wissingis pertinentis Ac etiam super solum et fundum istius dimedietatis sive dimedie partis horti etiam dicto quondam Willielmo Galt perprieus hereditarie pertinentis jacentis ad finem venelle

vulgariter vocate the Grupe inter tenementum dicti ballivi ex orientali dictam venellam ex boreali et vias communes ex occidentali et australi partibus ab una et aliis Et ibidem quia prefato ballivo clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dictus quondam Willielmus Galt nauta avunculus Willielmi Galt filii legitimi natu maximi quondam Allani Galt fratris germani majoris natu dicti quondam Willielmi latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti supremi domini nostri regis in tota et integra domo anteriore prescripta cum pertinentiis et dimedietate sive dimedia parte horti predicti ut supra jacentibus Et quod dictus Willielmus Galt est legitimus et propinquior heres ejusdem dicti quondam Willielmi Galt sui avunculi de tota et integra predicta domo et pecia waste prescripta eidem adjacente que est pars et pertinens ejusdem et justa et equali dimedietate horti predicti ut supra bondatis et jacentibus (ratione conquestus) Et quod est legitime etatis Et quod de supremo domino nostro rege tenentur more burgali etc Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integre predictae domus anterioris et pecie waste prescripte que est pars et pertinens ejusdem ac juste et equalis dimedietatis horti predicti ut supra jacentium memorato Willielmo Galt tanquam legitimo et propinquiori heredi dicti quondam Willielmi sui avunculi ratione conquestus per terre et lapidis fundorum earundem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et hereditarie deliberavit secundum formam et tenorem infeofamenti dicti quondam Willielmi sui avunculi earundem (salvo jure cujuslibet) Quibus peractis prefatus Willielmus Galt pro certis pecuniarum summis sibi tempore presentium in pecunia numerata per Joannem Hunter coriatorem incolam Edinburgi persolutis Ac pro impletionem cujusdam dispositionis litere per eum dicto Joanni de eisdem facte penes hoc presens infeofamentum subscriptum de data apud Edinburgh duodecimo die mensis Maij instantis totam et integram predictam domum anteriorem ac peciam waste eidem adjacentem et pertinentem et dimedietatem horti prescripti ut supra jacentes In manibus predicti Joannis Blair ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et

extradonavit imperpetuum unacum omnibus jure juristitulo et interesse sibi suisve heredibus aut assignatis in et ad eadem competentibus In favores ac pro hac nova sasina et infeodatione hereditarea earundem per dictum ballivum prefato Joanni Hunter heredibus suis et assignatis quibuscunque hereditarie et irredimabiliter danda et concedenda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii ac de mandato dicti Willielmi Galt resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem totius et integre predicte domus anterioris pecie waste et dimedietatis horti prescripti bondati et jacentis respective ut prefertur memorato Joanni Hunter per terre et lapidis fundorum earundem illi respective et successive ut moris est traditionem dedit tradidit et hereditarie et irredimabiliter sine ulla reversione deliberavit secundum tenorem dicte resignationis ac litere dispositionis prescripte Tenendi more burgali pro solutione annuatim firmarum burgalium aliarumque divoriarum pro eisdem perprius solvi solitis et consuetis Super quibus omnibus et singulis premissis prefati Willielmus Galt et Joannes Hunter ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicte domus anterioris pecie waste et horti prescripti horam circiter terciam postmeridiem sub anno die mense regnisque regis quibus supra Presentibus ibidem Niniano Garven notario Joanne Mitchell in Kilwynning Joanne Mitchell ejus filio Patricio Gemmill lanione burgensi de Irwing Jacobo Johnstoun veyatore burgensi de Irwing Joanne Bryding viatore incola ibidem testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR WILLIAM GALT AND JOHN HUNTER.

Instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally upon the ground of that fore house, formerly belonging heritably to the late William Galt, sailor, burgess of the said burgh, lying within the same,

on the west side of the common royal highway thereof, between the tenement formerly of Robert Cunyngham, but now of James Scott, on the east, the tenement of William Hendrie, skinner, on the north, and the tenement or house, vulgarly called Bowtoun's land, on the west; also upon the ground of that piece of waste land adjacent to the said house, before the door thereof, at the end of that house pertaining to the late Allan Rankeine in Saint Wissings; and also upon the ground of that half, or half part, of the yard also pertaining heritably to the said late William Galt, lying at the end of the Vennel, commonly called the Grupe, between the tenement of the said bailie on the east, the said Vennel on the north, and the common ways on the west and south: And there, because it was clearly evident and known to the aforesaid bailie, by authentic documents and instruments of seizin, publicly shown, read, and demonstrated to him, that the said late William Galt, sailor, uncle of William Galt, eldest son of the late Allan Galt, elder brother-german of the aforesaid late William, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in all and whole the fore house beforewritten, and in the half of the yard aforesaid; and that the said William Galt is lawful and nearest heir of the said late William Galt his uncle, of the aforesaid house, and piece of waste land adjacent thereto, which is a part and pertinent of the same; and of the just and equal half of the yard aforesaid, by reason of conquest; and that he is of lawful age; and that the subjects are held of the king in chief in manner of burgh: Wherefore the said John Blair, bailie, by virtue of his office, did with his own hands give state and heritable seizin, actual, real, and bodily possession of the aforesaid subjects to the said William Galt, by delivery to him of earth and stone of the grounds thereof: Which having been done, the said William Galt, for certain sums of money paid to him at the same time by John Hunter, currier, indweller in Edinburgh, and for implement of a disposition granted by him to the said John, of the date at Edinburgh the 12th day of May instant, did resign the said house, piece of waste land, and half of the yard beforewritten, in the hands of the said John Blair, bailie, for this new infestment to be given by him of the said subjects to the said John Hunter and his heirs, heritably and irredeemably; which the bailie accordingly did, by delivering to the said John Hunter the usual symbols: These things

were done upon the grounds aforesaid, about the third hour after noon of the 15th day of May 1620, the witnesses there present being Ninian Garven, notary, John Mitchell in Kilwynning, John Mitchell his son, Patrick Gemmill, flesher, burgess of Irvine, James Johnstoun, cooper, burgess of Irvine, John Bryding, traveller, indweller there.

CLXXXI.—PRO JOANNE NEILSOUN NOTARIO.

Anno domini millesimo sexcentesimo et vigesimo mensis vero Junii die quinto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis illustrissimi fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentia personaliter comparuit discretus vir Jacobus Scott notarius burgensis burgi de Irwing super solum et fundum tenementi terre subscripti Joanni Neilsoun notario burgensi dicti burgi hereditarie pertinentis jacentis infra dictum burgum ad caput vie ecclesiastice ejusdem inter tenementum olim Edwardi Reid nunc ad dictum Joannem Neilsoun hereditarie pertinens ex australi et communem venellam vocatam lie Pudding fuird ex boreali partibus ab una et aliis ex quo quidem tenemento cum pertinentiis Magister Robertus Scott verbi Dei minister apud Glasgow in uno annuo redditu sex solidorum et sex denariorum usualis monete regni Scotie annuatim levando et percipiendo ad duos anni terminos consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones debite infeodatus existit Et ibidem dictus Jacobus Scott tanquam procurator et eo nomine dicti Magistri Roberti Scott rite et legitime constitutus virtute cujusdam procuratorialis litere in quadam dispositionis litera contente facta per dictum Magistrum Robertum prefato Joanni Neilsoun hereditario proprietario dicti tenementi suisque heredibus et assignatis quibuscunque hereditarie de toto et integro predicto annuo redditu de data primo die mensis Junii instantis totum et integrum predictum annum redditum sex solidorum et sex denariorum monete antedictae annuatim levandum et percipiendum ad dictos duos anni terminos de toto et integro prescripto tenemento ante et retro cum horto et pertinentiis vel de aliqua earundem parte ut supra bondato et jacenti In manibus honorabilis viri Adami Cunynghame unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter

per terram et lapidem et unum denarium ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure juris titulo interesse juriscleameo proprietate et possessione petitorio seu possessorio que seu quas dictus Magister Robertus heredes predecessores aut successores sui unquam habuerunt habent seu quovismodo in futurum in et ad predictum annuum redditum cum pertinentiis habere vel clamare poterint in futurum In favorem ac pro hac nova sasina et infeodatione hereditaria de toto et integro predicto annuo redditu cum pertinentiis prefato Joanni Neilsoun suisque heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu quocunque in futurum per dictum ballivum danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunynghame ballivus antedictus virtute et vigore sui officii ac de mandato dicti Jacobi Scott procuratoris et resignantis antedicti propriis suis manibus statum et sasinam hereditaream pariter et possessionem realem actualem et corporalem totius et integri predicti annui redditus sex solidorum et sex denariorum monete prescripte ad terminos antedictos de tota et integro predicto tenemento ante et retro cum horto et pertinentiis seu de aliqua earundem parte cum pertinentiis ut supra bondato et jacente annuatim levandi et percipiendi ut prefertur memorato Joanni Neilsoun per terre et lapidis fundi dicti tenementi et unius denarii ut moris est dicti Joanni personaliter presenti ac dictam sasinam pro se suisque heredibus et assignatis quibuscunque acceptanti traditionem exhibitionem et deliberationem hereditarie ac irredimabiliter absque ulla reversione redemptione aut regressu quocunque in futurum secundum vim formam et tenorem dicte dispositionis litere litereque procuratorialis in eadem contente ac resignationis prescripte in omnibus dedit tradidit realiter et cum effectum deliberavit imperpetuum Tenendi de dicto supremi domini nostri rege suisque successoribus more burgali pro servitio burgi debito et consueto tantum Super quibus omnibus et singulis sic premissis prefatus Joannes Neilsoun a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum aut instrumenta unum sive plura Acta erant hec super solum et fundum prefati tenementi horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Allano Dunlop urbisprefecto dicti burgi Roberto Lyn mercatore Andrea Hendrysoun textore comburgensibus

dicti burgi Joanne Deyn seniore Joanne Deyn juniore portionariis de Ovir Auchintiber et Willielmo Stevinsoun uno officiariorum dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOHN NEILSOUN, NOTARY.

Instrument narrating that a discreet man, John Scott, notary, burgess of Irvine, personally compeared upon the ground of a tenement of land pertaining heritably to John Neilsoun, notary, burgess of the said burgh, lying therein, at the head of the Kirkgate of the same, between the tenement formerly of Edward Reid, now belonging heritably to the said John Neilsoun, on the south, and the common vennel called the Pudding-fuird on the north, from which tenement Mr. Robert Scott, minister of the Word of God at Glasgow, was infeft in an annualrent of six shillings and six pennies yearly; and there the said James Scott, as procurator and in name of the said Mr. Robert, lawfully constituted by virtue of a certain letter of procuratory contained in a disposition granted by the said Mr. Robert Scott to the aforesaid John Neilsoun, heritable proprietor of the said tenement, his heirs and assignees whatsoever, heritably, of the aforesaid annualrent, of date the first day of June instant, did resign, renounce, and for ever overgive all and whole the annualrent aforesaid of six shillings and six pennies yearly to be uplifted from the tenement aforewritten, or any part thereof, with the yard and pertinents, lying and bounded as above, in the hands of an honourable man, Adam Cunynghame, one of the bailies of Irvine, by delivery to him of earth and stone, and of one penny, as the custom is; which resignation having been so made, and by the said bailie admitted and received, he gave seizin accordingly to the said John Neilsoun of the said annualrent, by delivery to him of the same symbols: These things were done about the eighth hour of the morning of the 5th day of June 1620, the witnesses there present being Allan Dunlop, provost of the said burgh, Robert Lyn, merchant, Andrew Hendrysoun, weaver, burgesses of the said burgh, John Deyn elder, John Deyn younger, portioners of Over Auchintiber, and William Stevinsoun, one of the officers of the said burgh.

CLXXXII.—PRO JOANNE DEYN IN AUCHINTIBER.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Junii die septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit probus vir Joannes Deyne in Ovir Auchintiber super solum et fundum illarum viginti solidatarum terrarum antiqui extentus de Over Auchintiber subscriptarum pro presenti per semetipsum occupatarum et possessarum jacentium in parochia et regalitate de Kilwynning balliatu de Cunynghame et infra vicecomitatum de Air Et ibidem prefatus Joannes habens suisque in manibus tenens quoddam sasine preceptum subscriptum vocatum clare constat factum datum et concessum per nobilem et prepotentem Comitem Alexandrum Comitem de Eglintoun dominum Montgomerie etc. necnon dominum totius dominii et regalitatis de Kilwynning ac dominum superiorem earundem sub suo sigillo et subscriptione manuali ballivis suis et deputatis dicti domini et regalitatis directum pro sasina hereditarea totarum et integrarum prefatarum viginti solidatarum terrarum antiqui extentus de Ovir Auchintiber cum pertinentiis ut supra jacentium prefato Joanni Deyn tanquam filio legitimo et indubitato propinquiore heredi masculo quondam Joannis Deyn in Ovir Auchintiber sui patris danda modo in dicto sasine precepto contento Quodquidem sasine preceptum prefatus Joannes honorabili viro Hugoni Montgomerie de Smeythstoun ballivo deputato dicti nobilis et prepotentis comitis dicti domini et regalitatis omni reverentia qua decuit presentavit et deliberavit eumque humiliter requirendo quatenus hujusmodi sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus deputatus antedictus dictum sasine preceptum e manibus dicti Joannis recepit mihiq[ue] notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis Alexander Comes de Eglintoun Dominus Montgomerie etc. necnon dominus totius dominii et regalitatis de Kilwynning ac dominus superior terrarum subscriptarum ballivis nostris deputatis dicti nostri dominii et regalitatis salutem Quia nobis clare constat et est notum per autentica documenta et sasine in-

strumenta coram nobis publice producta ostensa et perlecta quod quondam Joannes Deyne in Ovir Auchintiber pater dilecti nostri Joannis Deyn in Ovir Auchintiber latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem supremi domini nostri regis in totis et integris illis viginti solidatis terrarum antiqui extentus de Ovir Auchintiber cum pertinentiis pro presenti per semetipsum occupatis et possessis jacentibus in parochia et regalitate de Kilwynning balliatu de Cunyngham et infra vicecomitatum de Air Et quod dictus Joannes Deyn lator presentium est legitimus et propinquior heres masculus ejusdem dicti quondam Joannis Deyn in Ovir Auchintiber sui patris de totis et integris predictis viginti solidatis terrarum antiqui extentus de Ovir Auchintiber cum pertinentiis ut supra jacentibus Et quod est legitime etatis Et quod eodem nunc de nobis heredibus et successoribus nostris tanquam dominis dicti domini et regalitatis ac in loco et vice abbatis et conventus monasterii de Kilwynning in feudifirma et hereditate immediate tenentur in capite pro annua solutione quadraginta unius petre bone et sufficientis casei quinque bollarum quinque peccarum et unius lie tuelff pairt bone et sufficientis farine unius bolle quinque peccarum ordeï et unius lie tuelff pairt tanquam antiquam firmam et augmentationem in originali feudifirme carta contentam unacum multuris molendinis nostri debitis et consuetis et servitiis et divoriis solitis et consuetis in nostro magno rentali dicti nostri domini et regalitatis contentis una etiam cum personali presentia vel tribus sectis curie ad tria nostra placita capitalia dicti nostre regalitatis cum servitiis in curiis nostris justiciarie et camerarie cum contigerint Vobis igitur precipimus et firmiter mandamus quatenus visis presentibus indilate statum sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum viginti solidatarum terrarum antiqui extentus de Ovir Auchintiber cum pertinentiis ut supra jacentium prenominato Joanni Deyn tanquam filio legitimo et indubitato propinquiori heredi masculo dicti quondam Joannis Deyn sui patris vel suo certo actornato latori presentium per terre et lapidis fundi earundem illi ut moris est traditionem et deliberationem juste tradatis deliberetis et haberi faciatis seu alter vestrum tradat deliberet et haberi faciatis sine dilatione (Salvo jure cujuslibet) Et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis deputatis nostris dicti nostri domini et regalitatis antedictis nostram plenariam et irrevocabilem

tenore presentium committimus potestatem In cujus rei testimonium presentibus ex chyrographo Roberti Broun dicti nostri dominii et regalitatis clerici manuque nostra subscriptis sigillum nostrum proprium presentibus est appensum apud Eglintoun quinto die mensis Junii anno domini millesimo sexcentesimo et vigesimo coram his testibus Thoma Nevein de Monkriding Roberto Cunynghame de Quhythirst et dicto Roberto Broun sic subscribitur Eglintoun T. Nevin of Monkriding witnes R. Broun witnes Post cujusquidem sasine precepti perlectionem publicationem et in vulgari expositionem prefatus Hugo Montgomerie de Smeithstoun ballivus deputatus dicti dominii et regalitatis antedictus virtute et vigore sui officii ac de mandato speciale dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum viginti solidatarum terrarum antiqui extentus de Ovir Auchintiber cum pertinentiis ut supra jacentium prefato Joanni Deyn tanquam filio legitimo et indubitato propinquiori heredi masculo dicti quondam Joannis Deyn sui patris per terre et lapidis fundi earundem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum tenorem antiquorum infeofamentorum dicti quondam sui patris earundem dictique sasine precepti prescripti (Salvo jure cujuslibet) Super quibus omnibus et singulis premissis prefatus Joannes Deyn a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Park de Dubbis Thoma Deyn in Kilbryd fratre germano dicti Joannis Joanne Deyn portionario de Ovir Auchintiber ejus vicino et Josua Drummond in Kilwynning testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOHN DEYN IN AUCHINTIBER.

Notarial instrument narrating that a worthy man, John Deyn in Over Auchintiber, compeared personally upon the ground of those twenty shilling lands of old extent of Over Auchintiber, for the present occupied

and possessed by himself, lying in the parish and regality of Kilwynning, bailiery of Cunynghame, and within the sherifffdom of Ayr; and there the said John, having and in his hands holding a certain precept of seizin, called *clare constat*, granted by a noble and very potent earl, Alexander, Earl of Eglintoun, Lord Montgomerie, etc., and lord of the whole lordship and regality of Kilwynning, and lord superior of the same, under his seal and subscription manual, directed to his bailies and deputes of the said lordship and regality, for seizin to be given to the aforesaid John Deyn, as lawful son and undoubted nearest heir-male of the deceased John Deyn in Ovir Auchintiber, his father; which precept of seizin the said John, with all becoming reverence, presented to an honourable man, Hugh Montgomerie of Smythstoun, bailie depute of the said noble earl of the said lordship and regality, humbly requesting him to put the same to due execution; the which bailie depute received the said precept from the hands of the said John, and delivered it to the notary public to be read, published, and explained to the bystanders in the vulgar tongue; the tenor thereof being to the effect aforementioned, finding the said John Deyn to be nearest heir-male of the said late John, his father, of the said twenty shilling lands of old extent of Ovir Auchintiber; that he is of lawful age; and that the said lands are held immediately of the said earl and his successors in chief as lords of the said lordship and regality of Kilwynning, as coming in the stead of the abbot and convent of the monastery of Kilwynning, in feuferme and heritage, for the yearly payment of forty-one stones of good and sufficient cheese, five bolls five pecks and one-twelfth part of a peck of good and sufficient meal, one boll five pecks and one-twelfth part peck of barley, as the ancient feuferme and augmentation contained in the original charter of feuferme; together with the multures due and wont of the mill of the said earl, and the services due and wont contained in his lordship's great rental of the said lordship and regality; together also with personal presence or three suits of court, at the three head pleas of the said regality; with services in the said earl's court of justiciary and chamberlainry when they shall happen: The precept, which was written by the hand of Robert Broun, clerk of the said lordship and regality, is subscribed and sealed by the earl at Eglintoun, the fifth day of June 1620, before witnesses, namely, Thomas Nevein of Monkriding, Robert Cunynghame of Quhythirst, and the said Robert Broun: After the reading

and publication of the said precept, the aforesaid Hugh Montgomerie, bailie depute, by virtue of his office, and at the special mandate of the said precept, did with his own hands give state and heritable seizin of the lands aforewritten to the said John Deyn, by delivering to him of earth and stone of the ground thereof: These things were done on the ground of the said lands, about the third hour after noon of the 7th day of June 1620, the witnesses there present being John Park of Dubbs, Thomas Deyn in Kilbryd, brother-german of the said John, John Deyn, portioner of Over Auchintiber, his neighbour, and Josua Drummond in Kilwynning.

CLXXXIII.—PRO AGNETA CRAWFURD.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Junii die septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Joannes Deyn portionarius de Ovir Auchintiber filius et heres quondam Joannis Deyn portionarii de Ovir Auchintiber super solum et fundum illarum viginti solidatarum terrarum antiqui extentus de Ovir Auchintiber sibi hereditarie pertinentium jacentium in parochia et regalitate de Kilwynning balliatu de Cunynghame et infra vicecomitatum de Air Et ibidem prefatus Joannes pro singularibus amore gratia et favore quos erga dilectam suam sponsam Agnetam Crawford habet et gerit Necnon pro observatione et impletionem unius partis cujusdam contractus matrimonialis initi et confecti inter dictum quondam Joannem Deyn patrem dicti Joannis et semetipsum ab una et quondam Joannem Crawford in Boirstane patrem dicte Agnete dictamque Agnetam partibus ab altera ac pro diversis aliis bonis et rationalibus causis et considerationibus propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actualem et realem Totius et integre juste et equalis dimedietatis totarum et integrarum prefatarum viginti solidatarum terrarum suarum antiqui extentus de Ovir Auchintiber equalis dimedietatis omnium et singulorum domuum hortorum ustrine horrei aliorumque edificiorum super dictas viginti solidatas terras constructorum et construendorum et singulis pertinentiis quibuscunque dicte equali dimedietati correspondentibus prefate Agnete

Crawfurd sue sponse in vitali redditu pro omnibus illius vite diebus per terre et lapidis fundi dictarum terrarum prefati Agnete personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu deliberavit Tenende de dicto Joanne suisque heredibus successoribus et assignatis in libera alba firma pro solutione annuatim unius denarii monete Scotie in die festi Penthecostes super solo dictarum terrarum nomine albe firme si petatur tantum necnon pro solutione suo immediato superiori dictarum terrarum juste et equalis dimedietatis feudifirme firmarum et divoriarum aliarumque per eum pro eisdem debitarum dicte dimedietati solummodo correspondentium secundum tenorem dicti contractus matrimonialis carteque albe firme desuper conficiende Super quibus omnibus et singulis premissis prefata Agneta a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Joanne Parke de Dubbis Hugone Montgomerie de Smeythstoun Thoma Deyn in Kilbryd fratre germano dicti Joannis Joanne Deyn portionario de Over Auchintiber ejus vicino Thoma Laucht servo dicti Joannis et Josua Drummond in Kilwinning testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR AGNES CRAWFURD.

Instrument narrating that a prudent man, John Deyn, portioner of Over Auchintiber, son and heir of the late John Deyn, portioner thereof, compeared personally upon the ground of those twenty shilling lands of old extent of Over Auchintiber, belonging to him heritably, lying in the parish and regality of Kilwynning, bailiery of Cunynghame, and within the sherifffdom of Ayr; and there the said John, for the singular love which he had towards his dear spouse, Agnes Crawfurd, and for implement of their marriage contract, to which the said late John Deyn, his father, and the late John Crawfurd in Boirstane, father of the said Agnes, were parties, did with his own hands give state and seizin of liferent, and bodily, actual, and real possession of the just and equal half

of the aforesaid lands of Over Auchintiber, and of the half of all and sundry the houses, yards, kiln, barn, and other buildings constructed or to be constructed upon the said lands, with all pertinents whatsoever corresponding to the said equal half, to the aforesaid Agnes Crawford in liferent, by delivery to her personally of earth and stone of the ground thereof; to be holden of the said John and his heirs in free blench ferme, for the payment of one penny yearly at Whitsunday, in name of blench ferme, if asked only; and for payment to the immediate superior of the said lands of the half of the feuferme and other duties due by him for the same, corresponding to the said half only, according to the tenor of the said marriage contract, and of the charter of blench ferme to be made thereupon: These things were done upon the ground of the said lands, about the third hour after noon of the seventh day of June 1620, the witnesses there present being John Park of Dubbs, Hew Montgomerie of Smythstoun, Thomas Deyn in Kilbryd, brother-german of the said John, John Deyn, portioner of Over Auchintiber, his neighbour, Thomas Laucht, servant of the said John, and Josua Drummond in Kilwynning.

CLXXXIV.—PRO JOANNE DEYN IN AUCHINTIBER.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Junii die septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Joannes Deyne in Over Auchintiber super solum et fundum illarum viginti solidatarum terrarum antiqui extentus de Ovir Auchintiber subscriptarum nunc per semetipsum et olim per quondam Wissinum Deyn occupatarum et possessarum jacentium in parochia et regalitate de Kilwynning balliatu de Cunyngham et infra vicecomitatum de Air Et ibidem prefatus Joannes habens suisque in manibus tenens quoddam sasine preceptum subscriptum vocatum clare constat factum datum et concessum per nobilem et prepotentem comitem Alexandrum comitem de Eglintoun dominum Montgomerie etc. necnon dominum totius dominii et regalitatis de Kilwynning ac dominum superiorem dicti Joannis Deyn dictarum terrarum sub suo sigillo et subscriptione manuali balivis suis deputatis dicti

dominii et regalitatis directum pro sasina hereditaria prefatarum viginti solidatarum terrarum de Ovir Auchintiber cum pertinentiis prefato Joanni Deyne danda tanquam nepoti vero legitimo et propinquiore heredi masculo quondam Andree Deyne sui avi earundem modo in dicto sasine precepto contento Quodquidem sasine preceptum prefatus Joannes honorabili viro Hugoni Montgomerie de Smythstoun ballivo deputato dicti nobilis et prepotentis comitis dicti dominii et regalitatis omni reverentia qua decuit presentavit et deliberavit eumque humiliter requirendo quatenus dictum sasine preceptum debite executione secundum ejusdem tenorem poneret et demandaret Qui vero ballivus deputatus antedictus hujusmodi sasine preceptum e manibus dicti Joannis recepit mihique notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis Alexander Comes de Eglintoun dominus Montgomerie etc. necnon dominus totius dominii et regalitatis de Kilwynning ac dominus superior terrarum subscriptarum ballivis nostris deputatis dicti nostri dominii et regalitatis salutem Quia nobis clare constat et est notum per autentica documenta et sasine instrumenta nobis publice ostensa perlecta et demonstrata quod quondam Andreas Deyne in Ovir Auchintiber avus Joannis Deyne in Ovir Auchintiber latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem supremi domini nostri regis in totis et integris illis viginti solidatis terrarum antiqui extentus de Ovir Auchintiber cum pertinentiis nunc per semetipsum et olim per quondam Wissinum Deyne occupatis et possessis jacentibus in parochia et regalitate nostra de Kilwynning balliatu de Cunynghame et infra vicecomitatum de Air Et quod dictus Joannes Deyne lator presentium est legitimus et propinquior heres masculus ejusdem dicti quondam Andree sui avi de totis et integris predictis viginti solidatis terrarum antiqui extentus de Ovir Auchintiber cum pertinentiis ut supra jacentibus Et quod est legitime etatis Et quod tote et integre predictae viginti solidati terre antiqui extentus de Ovir Auchintiber cum pertinentiis ut supra jacentes nunc de nobis heredibus et successoribus nostris tanquam dominis dicti dominii et regalitatis ac in loco et vice abbatis et conventus monasterii de Kilwynning in feudifirma feodo et hereditate immediate tenentur in capite pro annua solutione quinque bollarum unius firlothe unius pecce unius mesure vocate lie tuelf pairt bone et sufficientis farine quinque firlotharum unius pecce unius mesure vocate lie tuelf

pairt boni et sufficientis ordeï et quadraginta petrarum boni et sufficientis casei (tanquam firmam antiquam pro eisdem terris ante earundem locationem in feudifirma persolutam) et unius petre boni et sufficientis casei ratione augmentationis extendentium in integro ad quadraginta et unum petras boni et sufficientis casei in originali feudifirme carta contentas unacum omnibus aliis debitis et divoriis in antiquo rentali dicti nostri domini et regalitatis contentis una etiam cum multuris molendinis nostri debitis et consuetis cum personali presentia vel tribus sectis curie ad tria nostra placita capitalia ac serviciis in curiis nostris justiciarie vel camerarie cum contigerint sub provisionibus conditionibus reservationibus restrictionibus in antiquis infeofamentis dictarum terrarum particulariter contentis vobis igitur precipimus et firmiter mandamus quatenus visis presentibus indilate statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum viginti solidatarum terrarum antiqui extentus de Ovir Auchintiber cum pertinentiis ut supra jacentium prenominato Joanni Deyne tanquam nepoti vero legitimo et propinquiore heredi masculo dicti quondam Andree Deyne sui avi earundem vel suo certo actornato latori presentium secundum formam et tenorem antiquorum infeofamentorum dicti quondam Andree sui avi desuper confectorum juste tradatis deliberetis et haberi faciatis sine dilatione (salvo jure cujuslibet) Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis nostris deputatis dicti nostri domini et regalitatis committimus potestatem In cujus rei testimonium (presentibus ex chyrographo Roberti Broun dicti nostri domini et regalitatis clerici) manuque nostra subscriptis sigillum nostrum proprium presentibus est appensum apud Eglintoun quinto die mensis Junii anno domini millesimo sexcentesimo vigesimo coram his testibus Thoma Neveine de Monkriding Roberto Cunyngham de Quhythirst et prefato Roberto Broun sic subscribitur Eglintoun T. Nevin of Monkriding witnes R. Cunyngham witnes R. Broun witnes Post cujusquidem sasine precepti perfectionem publicationem et in vulgari expositionem prefatus Hugo Montgomerie de Smythstoun ballivus deputatus dicti domini et regalitatis antedictæ virtute et vigore sui officii ac de mandato speciale dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum viginti solidatarum terrarum antiqui extentus de Ovir Auchintiber cum pertinentiis ut supra

jacentium prefato Joanni Deyne tanquam nepoti legitimo et indubitato propinquiore heredi masculo dicti quondam Andree sui avi per terre et lapidis fundi earundem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter cum effectu hereditarie deliberavit secundum tenorem antiquorum infeofamentorum dicti quondam Andree sui avi earundem dictique sasine precepti prescripti (salvo jure cujuslibet) Super quibus omnibus et singulis premissis prefatus Joannes Deyne a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Park de Dubbis Joanne Deyne seniore portionario de Ovir Auchintiber ejus vicino Thoma Deyne in Kilbryd et Josua Drummond in Kilwynning testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

Hoc instrumentum sasine precedens scribitur manu Joannis Broun mei famuli.

R. BROUN.

ABSTRACT.

FOR JOHN DEYN IN AUCHINTIBER.

Instrument narrating that a prudent man, John Deyn in Over Auchintiber, compeared personally upon the ground of those twenty shilling lands of old extent of Over Auchintiber, now occupied and possessed by himself, and formerly by the late Wissin Deyne, lying in the parish and regality of Kilwynning, bailiery of Cunyngham, and sheriffdom of Ayr; and there the said John, having and holding in his hands a certain precept of seizin, called *clare constat*, granted by a noble and potent earl, Alexander, Earl of Eglintoun, Lord Montgomerie, lord of the lordship and regality of Kilwynning, and lord superior of the said John Deyn of the said lands, under his seal and subscription manual directed to his bailie depute of the said lordship and regality, for heritable seizin of the aforesaid twenty shilling lands of Over Auchintiber, to be given to the said John Deyn, as grandson, true, lawful, and nearest heir-male of the late Andrew Deyn, his grandfather; which precept of seizin the aforesaid John, with all due reverence, presented and

delivered to an honourable man, Hew Montgomerie of Smythstoun, bailie depute of the said earl of the said lordship and regality, humbly requesting him to put the same to due execution; and the said bailie depute, having received the precept from the hands of the said John, delivered it to the notary public to be read, published, and explained in the common tongue to the bystanders, the tenor of which is to the effect above narrated, and showing that it was evident from authentic documents publicly shown and read to the said earl, that the late Andrew Deyne in Over Auchintiber, grandfather of the said John, died last vest and seized as of fee, at the faith and peace of the king, in the aforesaid twenty shilling lands of Over Auchintiber, now occupied and possessed by the said John, and formerly by the said Wissin Deyne; and that the said John is lawful and nearest heir-male of the said Andrew, of the said lands; and that he is of lawful age; and that the lands are held immediately in chief of the said earl, his heirs and successors, as lords of the said lordship and regality, as coming in the place and stead of the abbot and convent of Kilwynning, in fee and heritage, for the yearly payment of five bolls one firloft one peck and one twelfth part of good and sufficient meal, five firlofts one peck one twelfth part of good and sufficient barley, and forty stone of good and sufficient cheese (as the ancient ferme for the same paid before the setting thereof in feuferme), and one stone of good and sufficient cheese by way of augmentation, extending in whole to forty and one stones of cheese, contained in the original charter of feuferme, together with all other duties contained in the old rental of the said lordship and regality; together also with the multures of the mill due and wont, with personal presence or three suits of court at the earl's three head courts, and services in his courts of justiciary or chamberlainry when they shall happen; and commanding that seizin be given to the said John Deyn accordingly; the precept is dated at Eglintoun the 5th day of June 1620, before witnesses, namely, Thomas Nevein of Monkriding, Robert Cunynghame of Quhythirst, and Robert Broun, notary, who was the writer of the precept, as clerk of the said lordship and regality; after the reading, publication, and exposition of the said precept, the aforesaid Hew Montgomerie, as bailie depute of Kilwynning, gave state and heritable seizin of the said lands of Over Auchintiber, by delivery of earth and stone of the ground thereof to the said John Deyne, as

nearest heir-male of Andrew, his grandfather: These things were done upon the grounds of the said lands, about the third hour after noon of the 7th day of June 1620, the witnesses being John Park of Dubbs, John Deyne elder, portioner of Over Auchintiber, his neighbour, Thomas Deyne in Kilbryde, and Josua Drummond in Kilwynning. R. Broun, notary, attests that the instrument was written by John Broun, his servant.

CLXXXV.—PRO ROBERTO GALT IN CORSHILL.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Junii die decimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo octavo. In mei notarii publici et testium subscriptorum presentis personaliter comparuit providus vir Robertus Galt filius et heres quondam Jacobi Galt in Corshill super solum et fundum illarum quinque solidatarum terrarum novi extentus de Corshill subscriptarum jacentium in dominio et regalitatis de Kilwynning balliatu de Cunynghame et infra vicecomitatum de Air Et ibidem prefatus Robertus habens suisque in manibus tenens quodam sasine preceptum subscriptum vocatum clare constat factum datum et concessum per nobilem et prepotentem Comitem Alexandrum Comitem de Eglintoun dominum Montgomerie etc Necnon dominum totius domini et regalitatis de Kilwynning ac dominum superiorem dicti Roberti dictarum terrarum sub suo sigillo et subscriptione manuali ballivis suis deputatis dicti domini et regalitatis directum pro sasina hereditarea sibi prefato Roberto tanquam filio legitimo et propinquiori heredi antedicti quondam Jacobi sui patris de predictis terris cum pertinentiis modo subsequente danda Quodquidem sasine preceptum prefatus Robertus honorabili viro Hugoni Montgomerie de Smythstoun ballivo deputato dicti nobilis et prepotentis comitis dicti domini et regalitatis omni reverentia qua decuit presentavit et deliberavit eumque humiliter requirendo quatenus dictum sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus deputatus antedictus dictum sasine preceptum e manibus dicti Roberti recepit mihique notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit cujusquidem sasine precepti

tenor sequitur sub hac verborum forma et est talis Alexander Comes de Eglintoun dominus Montgomerie etc. Ac dominus totius dominii et regalitatis de Kilwynning superior terrarum subscriptarum ballivis deputatis nostris dicti nostri dominii de Kilwynning salutem quia per autentica documenta et instrumenta coram nobis producta et ostensa clare constat et est notum quod quondam Jacobus Galt in Corshill pater Roberti Galt latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem supremi domini nostri regis in totis et integris illis quinque solidatis terris novi extentus terrarum de Corshill cum pertinentiis jacentium in dominio et regalitate de Kilwynning balliatu de Cunynghame et infra vicecomitatum de Air Et quod est legitime etatis Et quod dictus Robertus Galt est legitimus et propinquior heres dicti quondam Jacobi Galt sui patris de omnibus et singulis predictis terris cum pertinentiis Et quod de nobis heredibus et successoribus nostris tanquam dominus dominii et regalitatis de Kilwynning vice commendatarii et conventus monasterii de Kilwynning immediate tenentur in capite pro annua solutione quinque solidorum et decem denariorum cum servitiis debitis et consuetis vobis igitur precipimus et firmiter mandamus quatenus visis presentibus indilate statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum quinque solidatarum terrarum novi extentus de Corshill ut supra jacentium prefato Roberto Galt vel suo certo actornato latori presentium secundum tenorem antiquorum infeofamentorum dicto quondam Jacobo et predecessoribus suis desuper confectorum per terre et lapidis fundi dictarum terrarum ut moris est traditionem juste haberi faciatis tradatis et deliberetis sine dilatione (salvo jure cujuslibet) Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis deputatis nostris dicti nostri dominii antedictis nostram plenaream et irrevocabilem tenore presentium committimus potestatem In cujus rei testimonium presentibus manu Jacobi Scott clerici dicti nostri dominii scriptis manuque nostra subscriptis sigillum nostrum est appensum apud Kilwynning secundo die mensis Junii anno domini millesimo sexcentesimo et vigesimo coram his testibus Thoma Neveine de Monkriding Roberto Broun notario publico et Josua Drummond in Kilwynning sic subscribitur Eglintoun T. Nevein of Monkriding witnes R. Broun witnes Post cujusquidem sasine precepti perlectionem

publicationem et in vulgari expositionem prefatus Hugo Montgomerie de Smythstoun ballivus deputatus antedictus virtute et vigore sui officii ac de mandato speciale dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum quinque solidatarum terrarum novi extentus de Corshill cum pertinentiis ut supra jacentium prefato Roberto Galt tanquam filio legitimo et propinquiore heredi antedicti quondam Jacobi Galt sui patris earundem per terre et lapidis fundi dictarum terrarum illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter cum effectu hereditarie deliberavit secundum tenorem antiquorum infeofamentorum dicto quondam Jacobo suo patri ejusque predecessoribus desuper concessorum dictique sasine precepti prescripti (salvo jure cujuslibet) Super quibus omnibus et singulis premissis prefatus Robertus Galt a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter secundam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Joanne Park de Dubbis Willielmo Kelsow in Mylnhous Hugone Park in Byrlone Kilwynning Joanne Galtstoun in Corshill et Josua Drummond in Kilwynning testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

Hoc instrumentum precedens scribitur manu Joannis Broun mei famuli.

R. BROUN.

ABSTRACT.

FOR ROBERT GALT IN CORSHILL.

In the year of the Lord a thousand six hundred and twenty, on the 13th day of June, and of the reigns of James, King of Great Britain, France, and Ireland, the fifty-third and eighteenth years, in presence of the notary and witnesses, there compeared personally a prudent man, Robert Galt, son and heir of the late James Galt in Corshill, upon the ground of those five shilling lands of new extent of Corshill, lying in the lordship and regality of Kilwynning, bailiery

of Cunynghame and shire of Ayr: And there the said Robert, having, and in his hands holding, a certain precept of seizin called *clare constat*, granted by a noble and right potent earl, Alexander, Earl of Eglintoun; which precept the said Robert delivered, with all becoming reverence, to an honourable man, Hew Montgomerie of Smythstoun, bailie depute of the said lordship and regality, humbly requesting him to put the same forthwith to due execution; and the said bailie, having received the precept from the hands of the said Robert, delivered it to the notary public to be read, published, and explained in the vulgar tongue to the bystanders, the tenor thereof being to the effect that the said noble earl had found, by authentic documents produced and shown to him, that the late James Galt in Corshill, father of Robert Galt, the bearer, died last vest and seized as of fee, at the faith and peace of the king, in the five shilling lands of new extent of Corshill, lying as aforesaid; and that the said Robert is nearest and lawful heir of the said James his father, in the said lands; and that he is of lawful age; and that the said lands are held immediately in chief of the granter, his heirs and successors, as lords of the lordship and regality of Kilwynning, in place of the commendator and convent of the Abbey thereof, for the yearly payment of five shillings and ten pennies, with services due and wont; commanding, therefore, his bailies depute to give seizin of the same to the said Robert Galt: Which precept written by the hand of James Scott, clerk of the said lordship and regality, is of date at Kilwynning, 2nd June 1620, the witnesses thereto being Thomas Neveine of Monkriding, Robert Broun, notary public, and Josua Drummond in Kilwynning: After the reading of the said precept, the said Hew Montgomerie, as bailie depute of the said lordship and regality, gave seizin accordingly to the said Robert Galt, of the said lands, by delivery to him of earth and stone of the ground thereof: These things were done on the ground of the said lands about the second hour after noon of the day before mentioned, the witnesses there present being John Park of Dubbs, William Kelsow in Mylnhous, Hew Park in Byrlone, Kilwynning, John Galstone in Corshill, and Josua Drummond in Kilwynning. Robert Broun, notary, attests that the Instrument was written by the hand of John Broun his servant.

CLXXXVI.—PRO MARGARETA PATRICK.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Junii die decimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit probus vir Robertus Galt portionarius de Corshill Kilwynning super solum et fundum illarum quinque solidatarum terrarum novi extentus de Corshill Kilwynning jacentium in dominio et regalitate de Kilwynning balliatu de Cunyngham et infra vicecomitatum de Air sibi hereditarie pertinentium Et ibidem prefatus Robertus pro singularibus amore gratia et favore quos erga dilectam suam sponsam Margaretam Patrik habet et gerit necnon pro observatione et impletione unius ejus partis cujusdam contractus matrimonialis initi et confecti inter dictos conjuges de data ——— die mensis ——— anno domini millesimo sexcentesimo decimo nono Necnon pro diversis aliis bonis rationabilibus causis et considerationibus eum ad effectum subscriptum moventibus propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actualem et realem totius et integre juste et equalis dimedietatis sue habitationis domus super dictas terras edificate ac pro presenti per ipsos possesse totius et integre juste et equalis dimedietatis horti sui dicte domui habitationis adjacentis vulgariter vocate the Southeist half Necnon totius et integre istius acre in mora vocate the Mureaiker cujus vero acre australis riga in crofta jacens ad finem dicti horti est et tanquam pars dicti acre computabitur prefate Margarete Patrick sue conjugi in vitali redditu pro omnibus illius vite diebus per terre et lapidis fundorum earundem prefate Margarete personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectum deliberavit Tenendarum de se suisque heredibus successoribus et assignatis in libera alba firma pro solutione annuatim unius denarii monete Scotie in die festi Penthecostes super solo dictarum terrarum nomine albe firme si petatur tantum secundum tenorem dicti contractus matrimonialis cartequae albe firme desuper conficiende Super quibus omnibus et singulis premissis prefata Margareta Patrick a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta

unum sive plura Acta erant hec super solum et fundum dictarum terrarum aliorumque prescriptorum horam circiter secundam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Hugone Montgomerie de Smeithstoun Joanne Park de Dubbis Hugone Park in Byrlone Kilwynning Joanne Galstoun in Corshill et Josua Drummond in Kilwynning testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MARGARET PATRICK.

In the year of the Lord a thousand six hundred and twenty, on the 13th day of the month of June, and of the reigns of James, King of Great Britain, France, and Ireland, the fifty-third and eighteenth years, in presence of the notary and witnesses, a worthy man, Robert Galt, portioner of Corshill Kilwynning, compeared personally upon the ground of those five shilling lands of new extent of Corshill Kilwynning, lying in the lordship and regality of Kilwynning, bailiery of Cunyngham, and within the shire of Ayr, belonging to him heritably; and there, for the singular love, grace, and favour which the said Robert had and bare towards his beloved spouse, Margaret Patrick, and for implement of his part of the marriage contract made between them of date 1619, and for divers other good and reasonable causes, he, with his own hands, gave state and seizin of liferent, and also bodily possession, actual and real, of the just and equal half of his dwelling house, built upon the said lands, and for the present possessed by themselves, and of the half of the yard adjacent to the said house, commonly called the South-east half; also of all and whole that acre in the muir, called Mureacre, of which the south rig in the croft lying at the end of the said yard is and is computed to be part of the said acre, to the said Margaret Patrick, his spouse, in liferent, by delivery to her, personally present and accepting thereof, of earth and stone of the grounds of the same; to be holden of himself, his heirs and successors, in free blench ferme, for payment yearly of one penny on the ground of the said lands, in name of blench ferme, if asked only; upon which all and sundry the premises the said Margaret craved from the notary instruments one or more: These things were done upon the grounds

aforesaid, about the second hour after noon of the day, month, and year before written, the witnesses there present being Hew Montgomerie of Smeithstoun, John Park of Dubbs, Hew Park in Byrlone, Kilwynning, John Galstoun in Corshill, and Josua Drummond in Kilwynning.

CLXXXVII.—PRO HUGONE PATRICK IN OVIRMAYNES.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Junii die decimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Hugo Patrick in Ovirmaynes super solum et fundum illarum sex solidatarum et octo denariatarum terrarum antiqui extentus de Ovirmaynes subscriptarum jacentium in parochia et regalitate de Kilwynning balliatu de Cunynghame et infra vicecomitatum de Air Et ibidem prefatus Hugo habens suisque in manibus tenens quodam sasine preceptum subscriptum vocatum clare constat factum datum et concessum per nobilem et prepotentem comitem Alexandrum Comitem de Eglintoun dominum Montgomerie etc. necnon dominum totius domini et regalitatis de Kilwynning nunc in loco et vice abbatis et conventus Monasterii de Kilwynning dominum superiorem earundem sub suo sigillo et subscriptione manuali honorabili viro Hugoni Montgomerie de Smythstoun ballivo suo deputato dicti domini et regalitatis directum pro sasina hereditaria totarum et integrarum prefatarum sex solidatarum et octo denariatarum terrarum antiqui extentus de Ovirmaynes cum pertinentiis ut supra jacentium dicto Hugoni Patrick tanquam filio legitimo et indubitato propinquiore heredi quondam Joannis Patrick in Ovirmaynes sui patris danda modo in dicto sasine precepto contento Quodquidem sasine preceptum prefatus Hugo Patrick dicto Hugoni Montgomerie de Smythstoun ballivo deputato antedicto in dicto sasine precepto specialiter nominato omni qua decuit reverentia presentavit et deliberavit eumque humiliter requirendo quatenus dictum sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus deputatus antedictus dictum sasine preceptum e manibus dicti Hugonis recepit mihique notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum

tradidit cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis Alexander Comes de Eglintoun dominus Montgomerie necnon dominus totius domini et regalitatis de Kilwynning nunc in loco et vice abatis et conventus monasterii de Kilwynning dominus superior terrarum subscriptarum dilecto nostro Hugoni Montgomerie de Smythstoun ballivo nostro deputato dicti nostri domini et regalitatis salutem Quia nobis clare constat et est notum per autentica documenta et sasine instrumenta nobis publice ostensa perlecta et demonstrata quod quondam Joannes Patrick in Ovir Maynes pater dilecti nostri Hugonis Patrick latoris presentium obiit ultimo vestitus ut de feodo ad fidem et pacem supremi domini nostri regis in totis et integris sex solidatis et octo denariatis terrarum antiqui extentus de Ovirmaynes cum pertinentiis jacentibus in parochia et regalitate nostra de Kilwynning balliatu de Cunynghame et infra vicecomitatum de Air Et quod dictus Hugo Patrick est legitimus et propinquior heres ejusdem dicti quondam Joannis sui patris de totis et integris predictis sex solidatis et octo denariatis antiqui extentus de Ovirmaynes cum singulis suis pertinentiis ut supra jacentibus Et quod est legitime etatis Et quod antedictæ sex solidate et octo denariate terre de Ovirmaynes cum pertinentiis de nobis heredibus et successoribus nostris dominis dicti domini et regalitatis ac in loco et vice abatis et conventus monasterii de Kilwynning pro annua solutione summe octo solidorum et quatuor denariorum monete hujus regni Scotie unius galine et unius dicte vulgo lie one dayis worke unacum multuris molendinis nostris debitis et consuetis Sub provisionibus conditionibus reservationibus et restrictionibus in antiquis infeofamentis dictarum terrarum particulariter contentis in feudifirma feodo et hereditati tenentur in capite tibi igitur precipimus et firmiter mandamus quatenus visis presentibus indilate statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum sex solidatarum et octo denariataram terrarum antiqui extentus de Ovirmaynes cum singulis suis pertinentiis ut supra jacentium prefato Hugoni Patrick tanquam filio legitimo et indubitato propinquiori heredi antedicti quondam Joannis Patrick sui patris per terre et lapidis fundi ejusdem illi ut moris est traditionem juste trades deliberes et habere facies sine dilatione secundum tenorem antiquorum infeofamentorum dicti quondam sui patris earundem (salvo jure cujuslibet) Et hoc nullo modo omittas ad quod faciendum tibi ballivo nostro deputato antedicto

nostram plenaream irrevocabilem tenore presentium committimus potestatem In cujus rei testimonium presentibus ex chyrographo Roberti Broun dicti nostri dominii et regalitatis clerici manuque nostra subscriptis sigillum nostrum proprium est appensum apud Eglintoun quinto die mensis Junii anno domini millesimo sexcentesimo vigesimo coram his testibus Thoma Neveine de Monkriding Roberto Cunynghame de Quhythirst et dicto Roberto Broun sic subscribitur Eglintoun T. Nevein of Monkriding wittnes R. Cunynghame wittnes R. Broun wittnes Post cujusquidem sasine precepti perlectionem publicationem et in vulgari expositionem prefatus Hugo Montgomerie de Smythstoun ballivus deputatus antedictus virtute et vigore sui officii et de mandato speciale dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum sex solidatarum et octo denariatarum terrarum antiqui extentus de Ovirmaynes cum pertinentiis ut supra jacentium memorato Hugoni Patrick tanquam filio legitimo et indubitato propinquiori heredi antedicti quondam Joannis sui patris earundem per terre et lapidis fundi dictarum terrarum illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter cum effectum hereditarie deliberavit secundum tenorem antiquorum infeofamentorum dicti quondam sui patris earundem dictique sasine precepti prescripti (salvo jure cujuslibet) Super quibus omnibus et singulis premissis prefatus Hugo Patrick a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter — antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Joanne Park de Dubbis Roberto Boyd in Cranberrimos Hugone Park in Byrlone Kilwynning Joanne Crawford in Byrhill Joanne Young in Todhollis et Josua Drummond in Kilwynning testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

Hoc instrumentum precedens scribitur manu Joannis Broun mei famuli.

R. BROUN.

ABSTRACT.

FOR HEW PATRICK IN OVERMAYNES.

In the year of the Lord a thousand six hundred and twenty, on the 13th day of the month of June, and of the reigns of James, King of Great Britain, France, and Ireland, the fifty-third and eighteenth years, a prudent man, Hew Patrick in Overmaynes, compeared personally upon the ground of those six shilling and eight penny lands of old extent of Overmaynes, lying in the parish and regality of Kilwynning, bailiery of Cunynghame, and sherifffdom of Ayr; and there the aforesaid Hew, having and in his hands holding a precept of seizin, called *clare constat*, made and granted by a noble and right potent earl, Alexander, Earl of Eglintoun, Lord Montgomerie, and lord of the whole lordship and regality of Kilwynning, lord superior of the same in place and stead of the abbot and convent of the abbey of Kilwynning, under his seal and subscription manual directed to an honourable man, Hew Montgomerie of Smeythstoun, his bailie depute of the said lordship and regality, for heritable seizin of the lands aforesaid to be given to the said Hew Patrick, as lawful son and undoubted nearest heir of the late John Patrick in Overmaynes; which precept of seizin the said Hew Patrick, with all due reverence, presented and delivered to the said Hew Montgomerie of Smythstoun, bailie depute specially nominated in the said precept, humbly requesting him to put the same to due execution forthwith; and the bailie, having received the said precept from the hands of the said Hew, delivered it to the notary public to be read, published, and explained in the vulgar tongue to the bystanders, of the which precept the tenor is given at length, and is to the effect above noted, adding, however, that the aforesaid six shilling and eight penny lands of Overmaynes are held in chief of the said earl and his successors, lords of the said lordship and regality, for the yearly payment of eight shillings and four pennies money of this kingdom of Scotland, and of one diet, vulgarly one day's work, together with the multures of the mill due and wont; the precept, written by Robert Broun, clerk of the said lordship and regality, is dated, sealed, and subscribed at Eglintoun the 5th day of June 1620; the witnesses being Thomas Neveine of Monkridding, Robert Cunyngham of Quhythirst, and the said Robert

Broun; after the reading, publication, and exposition in the common tongue of the said precept, the aforesaid Hew Montgomerie of Smythstoun, as bailie depute, did with his own hands give state and heritable seizin of the lands aforesaid, by delivery of earth and stone of the ground thereof to the aforementioned Hew Patrick, as son and heir of the said deceased John Patrick: These things were done upon the ground of the said lands, about the — hour before noon of the day, month, and year before written, the witnesses there present being John Park of Dubbs, Robert Boyd in Cranberrimos, Hew Park in Byrlone Kilwynning, John Crawford in Byrhill, John Young in Todholes, and Josua Drummond in Kilwynning.

CLXXXVIII.—PRO ——— CRAWFURD SPONSA HUGONIS
PATRICK.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Junii die decimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit probus vir Hugo Patrick in Ovirmaynes super solum et fundum illarum sex solidatarum et octo denariatarum terrarum antiqui extentus de Ovir Maynes subscriptarum sibi hereditarie pertinentium jacentium in parochia et regalitate de Kilwynning balliatu de Cunynghame et infra vicecomitatum de Air Et ibidem prefatus Hugo pro singularibus amore gratia et favore quos erga dilectam suam sponsam ——— Crawford habet et gerit Necnon pro observatione et impletione unius ejus partis cujusdam contractus matrimonialis initi et confecti inter eum et quondam Joannem Patrick in Ovirmaynes ejus patrem ab una dictamque ——— Crawford nunc ejus sponsam et Joannem Crawford portionarium de Byrhill ejus patrem ac onus super eum pro dicta ejus filia accipientem partibus ab altera Necnon pro diversis aliis bonis et rationabilibus causis et considerationibus eum ad effectum subscriptum moventibus propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actualem et realem totius et integre juste et equalis dimedietatis totarum et integrarum pre-

dictarum sex solidatarum et octo denariatarum terrarum antiqui extentus de Ovir Maynes et equalis dimedietatis domuum et horti super easdem constructorum et singulis pertinentiis dicte dimedietati correspondentibus prefate ——— Crawfurd sue sponse in vitali reddito pro omnibus illius vite diebus per terre et lapidis fundi earundem ille ut moris est personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu deliberavit Tenende de dicto Hugone suisque heredibus successoribus et assignatis in libera alba firma pro solutione annuatim unius denarii monete Scotie in die festi Penthecostes super solo dictarum terrarum nomine albe firme si petatur tantum

[*Incomplete.*]

ABSTRACT.

FOR ——— CRAWFURD, SPOUSE OF HEW PATRICK.

In the year of the Lord a thousand six hundred and twenty, on the 13th day of the month of June, there compeared personally a worthy man, Hew Patrick in Over Maynes, upon the ground of those six shilling and eight penny lands of old extent of Over Maynes, belonging to him heritably, lying in the parish and regality of Kilwynning: And there, for the singular love which he had towards his beloved spouse ——— Crawfurd, and in implement of his part of the marriage contract made between him and his father, the late John Patrick in Over Maynes, on the one part, and the said ——— Crawfurd his spouse and John Crawfurd, portioner of Byrhill, her father, on the other part, and for divers other good and reasonable causes and considerations moving him to that effect, he with his own hands gave seizin of liferent of the half of the said lands of Over Maynes, and of the houses and yard thereon, to the said ——— Crawfurd his spouse, by delivery to her, personally present and accepting, of earth and stone of the ground of the same: To be holden of the said Hew and his heirs in free blench ferme, for the yearly payment of one penny at Whitsunday, if asked only.

CLXXXIX.—PRO JOANNE BOYMAN EJUSQUE SPONSA.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Junii die decimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentis personaliter comparuerunt probe persone Joannes Boyman in Eister Brigend Kilwynning et Joneta Reid ejus sponsa super solum et fundum illarum viginti denariatarum terrarum antiqui extentus de Eister Brigend subscriptarum pro presenti per semetipsos occupatarum et possessarum jacentium in parochia et dominio de Kilwynning balliatu de Cunynghame et infra vicecomitatum de Ayr Et ibidem prefati conjuges habentes eorumque in manibus tenentes quandam feudifirme cartam preceptum sasine subscriptum in fine ejusdem continentem factam datam et concessam per nobilem et prepotentem comitem Alexandrum comitem de Eglintoun dominum Montgomerie necnon dominum totius domini et regalitatis de Kilwynning illis eorumque alteri diutius viventi in conjuncta infeodatione heredibus inter eos legitime procreatis seu procreandis quibus deficientibus dicto Joanni suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie de totis et integris predictis viginti denariatis terris antiqui extentus de Eister Brigend cum domibus edificiis hortis partibus pendiculis et singulis suis pertinentiis occupatis et jacentibus ut prefertur honorabili viro Hugoni Montgomerie de Smythstoun ballivo deputato dicti nobilis et prepotentis comitis dicti domini et regalitatis directum pro sasina hereditaria prefatis conjugibus eorumque alteri diutius viventi in conjuncta infeodatione earundem modo subscripto danda Quamquidem cartam preceptum sasine in se continentem prefati conjuges dicto Hugoni Montgomerie de Smythstoun ballivo deputato antedicto in dicto sasine precepto specialiter nominato et constituto omni reverentia qua decuit presentaverunt et deliberaverunt eumque humiliter requirendo quatenus dictum sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus deputatus antedictus dictam feudifirme cartam preceptum sasine in se continentem e manibus dictorum conjugum recepit mihique notario publico subscripto perlegendum publicandum et in vulgari astantibus

exponendum tradidit Cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis In super dilectis nostris Hugoni Montgomerie de Smythstoun et vestrum cuilibet conjunctim et divisim ballivis deputatis dicti nostri dominii et regalitatis salutem vobis precipimus et firmiter mandamus quatenus visis presentibus indilate statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum viginti denariatarum terrarum antiqui extentus in Eister Brigend cum domibus edificiis hortis partibus pendiculis et singulis suis pertinentiis ut supra jacentium et pro presenti per dictum Joannem ejusque sponsam occupatarum et possessarum prefatis Joanni Boyman et Jonete Reid ejus conjugii eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi earundem illis ut moris est traditionem et deliberationem juste tradatis deliberetis et haberi faciatis sine dilatione Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis deputatis dicti nostri dominii et regalitatis committimus potestatem In cujus rei testimonium presentibus ex chyrographo Roberti Broun notarii publici dicti nostri dominii et regalitatis clerici manuque nostra subscriptis sigillum nostrum proprium presentibus est appensum apud Eglintoun octavo die mensis Junii anno domini millesimo sexcentesimo vigesimo coram his testibus Thoma Neveine de Monkriding Joanne Montgomerie de Cockilbie et dicto Roberto Broun sic subscribitur Eglintoun T. Neveine of Monkriding wittnes J. Montgomerie wittnes R. Broun wittnes Post cujusquidem carte preceptique sasine suprascripti in eadem contenti perlectionem publicationem et in vulgari expositionem prefatus Hugo Montgomerie de Smythstoun ballivus deputatus antedictus virtute et vigore sui officii ac de mandato speciali dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum viginti denariatarum terrarum antiqui extentus in Eister Brigend cum domibus edificiis hortis partibus pendiculis et singulis suis pertinentiis occupatarum et jacentium ut prefertur memoratis Joanni Boyman et Jonete Reid conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi earundem illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie

deliberavit secundum vim formam et tenorem dicte feudifirme carte preceptique sasine suprascripti in eadem contenti Super quibus omnibus et singulis premissis prefati Joannes Boyman et Joneta Reid conjuges ac eorum alter pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter ——— postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Joanne Park de Dubbis Roberto Boyd in Cranberriemos Hugone Park in Byrlone Kilwynning Hugone Patrick in Ovirmaynes et Josua Drummond in Kilwynning testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

Hoc instrumentum precedens scribitur manu Joannis Broun mei famuli.

R. BROUN.

ABSTRACT.

FOR JOHN BOYMAN AND HIS SPOUSE.

In the year of the Lord a thousand six hundred and twenty, on the 13th day of the month of June, and of the reigns of James, King of Great Britain, France, and Ireland, the fifty-third and eighteenth years, there compeared personally worthy persons, John Boyman in Easter Brigend, Kilwynning, and Jonet Reid his spouse, upon the ground of those twenty penny lands of old extent of Easter Brigend, presently occupied and possessed by themselves, lying in the parish and lordship of Kilwynning, bailiery of Cunynghame, and within the shire of Ayr: And there the said spouses, having, and in their hands holding, a charter of feuferme, containing in the end thereof the precept of seizin granted by a noble and right potent earl, Alexander, Earl of Eglintoun, to them and the longer liver of them, in conjunct fee, and to the heirs lawfully procreated or to be procreated between them, which failing, to the said John and his lawful and nearest heirs and assignees whatsoever, of all and whole the aforesaid twenty penny lands of old extent of Easter Brigend, with houses, etc., directed to an honourable man, Hew Montgomerie of Smythstoun, bailie depute of the said noble earl, of the lordship and regality of Kilwynning, for

seizin of the same to be given to the said spouses in conjunct fee : Which charter, containing in it the precept of seizin, the aforesaid spouses, with all due reverence, presented and delivered to the said Hew Montgomerie, as bailie depute, humbly requesting him that he would forthwith put the same to due execution, according to the tenor thereof: The which bailie depute, having received the said charter containing the precept from the hands of the said spouses, delivered it to the notary public to be read, published, and explained in the common tongue to the bystanders; which precept, of the tenor already recited, is dated at Eglintoun the 8th day of June 1620, before witnesses, namely, Thomas Neveine of Monkriding, John Montgomerie of Cockilbie, and Robert Broun, writer of the charter, and clerk of the said lordship and regality: After the reading and exposition of which charter and precept, the said Hew Montgomerie, bailie depute, by virtue of his office, and by the special mandate of the said precept, did with his own hands give state and heritable seizin, and likewise bodily possession of the aforesaid lands of Easter Brigend to the said John Boyman and Jonet Reid, in conjunct fee, by delivery of earth and stone to them, personally present and accepting thereof with their hands joined: These things were done upon the ground of the said lands, about the ——— hour after noon of the day, month, and year above mentioned, the witnesses there present being John Park of Dubbs, Robert Boyd in Cranberrimos, Hew Park in Byrlone Kilwynning, Hew Patrick in Over Maynes, and Josua Drummond in Kilwynning. R. Broun, the notary, attests that the instrument was written by the hand of John Broun his servant.

CXC.—PRO JOANNE PARK DE DUBBIS.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Junii die decimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Joannes Park in Dubbis super sola et funda terrarum aliarumque particulariter subtus specificatarum videlicet super solum et fundum totarum et integrarum

illarum viginti sex solidatarum et octo denariatarum terrarum antiqui extentus de Dubbis necnon super solum et fundum illarum undecim solidatarum terrarum antiqui extentus de Dalgaw extendentium in toto ad triginta septem solidatas et octo denariatas terras antiqui extentus jacentium inter terras de Arddires boge ex australi terras de Meirsyd ex boreali terras de Byrhill et Todhollis ex orientali et terras de Wester Dubbis et Castelhill ex occidentali partibus ab una et aliis ac etiam super solum et fundum illarum viginti solidatarum terrarum novi extentus de Corshill subscriptarum et parvule domus et horti eisdem contigue adjacentis Necnon super solum et fundum illarum sex solidatarum et octo denariatarum terrarum antiqui extentus de Wester Smythstoun omnes jacentes in parochia et regalitate de Kilwynning balliatu de Conynghame et infra vicecomitatum de Air Et ibidem prefatus Joannes habens suisque in manibus tenens quoddam sasine preceptum subscriptum vocatum clare constat factum datum et concessum per nobilem et prepotentem Comitem Alexandrum Comitem de Eglintoun dominum Montgomerie etc. Necnon dominum totius dominii et regalitatis de Kilwynning ac dominum superiorem dictarum terrarum honorabili viro Hugoni Montgomerie de Smythstoune ballivo deputato dicti nobilis et prepotentis comitis dicti dominii et regalitatis de Kilwynning directum Pro sasina hereditaria omnium et singularum prefatarum terrarum aliarumque particulariter prescriptarum cum singulis suis pertinentiis ut supra jacentium prefato Joanni Park tanquam filio legitimo indubitato et propinquiore heredi antedicti quondam Alexandri sui patris danda modo subscripto Quodquidem sasine preceptum prefatus Joannes dicto ballivo deputato cum reverentia qua decuit presentavit et deliberavit humiliter requirendo quatenus dictum sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus deputatus antedictus dictum sasine preceptum e manibus dicti Joannis recepit mihiq[ue] notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis Alexander Comes de Eglintoun dominus Montgomerie etc. Necnon dominus totius dominii et regalitatis de Kilwynning ac dominus superior terrarum subscriptarum dilectis nostris Hugoni Montgomerie de Smythstoun et vestrum cuilibet conjunctim et divisim ballivis deputatis dicti nostri dominii et regalitatis salutem Quia nobis clare constat et est notum per autentica documenta et sasine in-

strumenta nobis publice ostensa perlecta et demonstrata quod quondam Alexander Park de Dubbis pater dilecti nostri Joannis Park latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem supremi domini nostri regis in totis et integris terris aliisque particulariter subscriptis videlicet in totis et integris viginti sex solidatis et octo denariatis terrarum antiqui extentus de Dubbis et undecim solidatis terrarum antiqui extentus de Dalgaw cum singulis earundem pertinentiis extendentibus in toto ad triginta septem solidatas et octo denariatas terrarum antiqui extentus jacentibus inter terras de Ardeires boig ex australi terras de Meirsyd ex boreali terras de Byrhill et Todhollis ex orientali et terras de Wester Dubbis et Castelhill ex occidentali partibus ab una et aliis Necnon in totis et integris illis viginti solidatis terrarum novi extentus de Corshill perprius Hugoni Tarbert hereditarie pertinentibus cum parvula domo et horto eidem contigue adjacente olim per Joannem Tarbert occupata ac in omnibus aliis domibus edificiis mansionibus et hortis super dictas terras constructis necnon in totis et integris illis sex solidatis et octo denariatis terrarum antiqui extentus de Wester Smythstoun cum pertinentiis Omnes jacentes in parochia et regalitate nostra de Kilwynning balliatu de Conynghame et nostro vicecomitatu de Air Et quod dictus Joannes Park est legitimus et propinquior heres ejusdem dicti quondam Alexandri Park de Dubbis sui patris de omnibus et singulis predictis terris aliisque particulariter prescriptis cum singulis earundem pertinentiis ut supra jacentibus Et quod est legitime etatis Et quod eedem terre cum pertinentiis nunc de nobis heredibus et successoribus nostris tanquam dominus dicti domini et regalitatis ac in loco et vice abatis et conventus monasterii de Kilwynning in feudifirma et hereditate immediate tenentur in capite pro annua solutione feudifirme firmarum divoriarum aliarumque particulariter subscriptarum videlicet predictae viginti sex solidate et octo denariate terre antiqui extentus de Dubbis et undecim solidate terre antiqui extentus de Dalgaw cum singulis earundem pertinentiis pro annua solutione summe quinquaginta solidorum et quatuor denariorum monete Scotie quinque caponarum quinque gallinarum et quatuor cariagiarum tanquam antiquam feudifirme firmam et augmentationem in originali feudifirme carta contentam una etiam cum octo dietis et dimedia diete vulgo lie aucht dayes work and ane halfe dimedia capone dimedia galline septemdecim denariis pro lie dam silver octo denariis et uno obulo pro lie dyk silver et uno carriagio in antiquo

rentali dicti nostri domini et regalitatis contentis cum multuris molendinis nostris debitis et consuetis antedictae viginti solidate novi extentus terrarum de Corshill cum domibus edificiis mansionibus et hortis super easdem constructis et parvula domo et horto prescriptis pro annua solutione viginti trium solidorum et quatuor denariorum monete tanquam feudifirme firmam et augmentationem in originali feudifirme carta contentam unacum multuris molendinis nostris debitis et consuetis omnibus aliis debitis divitiis et servitiis usitatis et consuetis ac in nostro antiquo rentali dicti nostri domini contentis Necnon tote et integre predictae sex solidate et octo denariate terre antiqui extentus de Wester Smythstoun pro annua solutione octo solidorum et undecim denariorum monete unius capone unius galline unius carragii tanquam feudifirme firmam et augmentationem in antiquo infeofamento contentam cum multuris molendinis nostris debitis et consuetis Ac pro annua solutione unius dietae et dimedie dietae vulgo lie ane dayes work and ane half quatuor denariorum pro lie dam silver et duorum denariorum pro lie dyk silver unius fedre dimedie fedre et sexte partis fedre glebarum vulgo lie ane fiddler half fiddler and saxt pairt fiddler peittis in antiquo rentali dicti nostri domini et regalitatis contentarum Necnon observando et perimplendo omnes et singulas provisiones conditiones reservationes et restrictiones in omnibus antiquis infeofamentis dictarum terrarum contentes Vobis igitur et vestrum cuilibet conjunctim et divisim ballivis nostris deputatis dicti nostri domini et regalitatis stricte precipimus et firmiter mandamus quatenus visis presentibus indilate statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum predictarum viginti sex solidatarum et octo denariatarum terrarum antiqui extentus de Dubbis et undecim solidatarum terrarum antiqui extentus de Dalgaw cum pertinentiis necnon totarum et integrarum predictarum viginti solidatarum terrarum de Corshill novi extentus cum domibus edificiis mansionibus et hortis super easdem constructis et parvula domo et horto prescriptis olim per dictum Joannem Tarbert occupatis eisdem contigue jacentibus Ac etiam totarum et integrarum predictarum sex solidatarum et octo denariatarum terrarum antiqui extentus de Wester Smythstoun cum singulis suis pertinentiis omnium ut premittitur jacentium prefato Joanni Park tanquam filio legitimo indubitato et propinquiore heredi antedicti quondam Alexandri sui patris secundum tenorem antiquorum infeofamentorum dicto quondam suo patri ejusque predicatoribus

et authoribus desuper confectorum per terre et lapidis fundorum earundem illi ut moris est traditionem juste tradatis deliberetis et haberi faciatis sine dilatione (salvo jure cujuslibet) Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis nostris deputatis dicti nostri dominii et regalitatis committimus potestatem In cujus rei testimonium presentibus ex chyrographo Roberti Broun notarii publici dictique nostri dominii et regalitatis clerici manuque nostra subscripto sigillum nostrum proprium presentibus est appensum Apud Eglintoun quinto die mensis Junii anno domini millesimo sexcentesimo vigesimo Coram his testibus Thoma Neveine de Monkridding Roberto Conynghame de Quhythirst et prefato Roberto Broun sic subscribitur Eglintoun T. Nevein of Monkridding wittnes R. Broun wittnes R. Conynghame witnes Post cujusquidem sasine precepti perlectionem publicationem et in vulgari expositionem prefatus Hugo Montgomerie de Smythstoun ballivus deputatus antedictus dicti nobilis et prepotentis comitis predicti dominii et regalitatis de Kilwynning virtute et vigore sui officii ac de mandato speciale dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem omnium et singularum terrarum aliarumque particulariter supra et subtus specificatarum videlicet Totarum et integrarum predictarum viginti sex solidatarum et octo denariatarum terrarum antiqui extentus de Dubbis et undecim solidatarum terrarum antiqui extentus de Dalgaw cum pertinentiis necnon totarum et integrarum predictarum viginti solidatarum terrarum de Corshill novi extentus cum domibus edificiis mansionibus et hortis super easdem constructis et parvula domo et horto prescriptis olim per dictum Joannem Tarbert occupatis eisdem contigue jacentibus Ac etiam totarum et integrarum predictarum sex solidatarum et octo denariatarum terrarum antiqui extentus de Wester Smythstoun cum singulis suis pertinentiis omnium ut premittitur jacentium prefato Joanni Park tanquam filio legitimo indubitato et propinquiori heredi antedicti quondam Alexandri sui patris earundem per terre et lapidis fundorum dictarum terrarum aliarumque particulariter prescriptarum illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum tenorem infeofamentorum dicto quondam Alexandro suo patri ejusque predicesoribus et authoribus desuper confectis dictique sasine precepti prescripti (salvo jure cujuslibet) Super quibus omnibus et singulis

premissis prefatus Joannes a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda predictarum terrarum aliarumque particulariter prescriptarum respective singulatim et successive per se videlicet super dictas terras de Wester Smythstoun horam circiter undecimam et per dictas terras de Dubbis et Dalgaw horam circiter duodecimam in meridie et super dictas terras de Corshill horam circiter primo postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Kelsow in Mylnehous Hugone Patrick in Over Maynes Roberto Boyd in Cranberrimos Joanne Young in Todhollis et Josua Drummond in Kilwynning testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

Hoc instrumentum precedens scribitur manu Joannis Broun mei famuli de meo mandato.

R. BROUN.

ABSTRACT.

FOR JOHN PARK OF DUBBS.

In the year of the Lord a thousand six hundred and twenty, on the 13th day of June, and of the reigns of James, King of Great Britain, France, and Ireland, the fifty-third and eighteenth years, there compeared personally a prudent man, John Park in Dubbs, on the ground of the lands and others under specified, that is to say, upon the ground of those twenty-six shilling and eight penny lands of old extent of Dubbs; also upon the ground of those eleven shilling lands of old extent of Dalgaw, extending in whole to thirty-seven shilling and eight penny lands of old extent, lying between the lands of Ardeires bog on the south, the lands of Meirsyd on the north, lands of Byrhill and Todholes on the east, and lands of Wester Dubbs and Castlehill on the west; and also upon the ground of those twenty shilling lands of new extent of Corshill, and small house and yard adjacent to the same; also upon the ground of those six shilling and eight penny lands of old extent of Wester Smythstoun: all lying in the parish and regality of Kilwynning, bailiery of Cunyngham, and within the sherifdom of Ayr; and there the aforesaid John, having and holding in his hands a certain precept of seizin, called *clare constat*, granted by a noble earl, Alexander, Earl of Eglintoun, Lord Montgomerie, and lord of the whole lordship and regality of Kilwynning, and lord

superior of the said lands, directed to an honourable man, Hew Montgomerie of Smythstoun, bailie depute of the said earl of the lordship and regality aforesaid, for giving heritable seizin of all and sundry the lands before written to the said John Park, as lawful son and nearest heir of the late Alexander Park; which precept of seizin the said John, with becoming reverence, presented and delivered to the said bailie depute, humbly requesting that he would forthwith put the same to due execution; and the said bailie depute, having taken the precept from the hands of the said John, delivered it to the notary public to be read, published, and explained to the bystanders in the vulgar tongue, the tenor of which was to the effect that the said earl had it plainly made known to him by authentic documents publicly shown and read to him, that the late Alexander Park of Dubbs, father of the said John, died last vest and seized, at the king's faith and peace, in the lands above mentioned, namely, the 26s. 8d. lands of Dubbs; 11s. lands of Dalgaw; 37s. 8d. lands lying between the lands of Ardeiris bog on the south, the lands of Meirsyd on the north, the lands of Byrhill and Todholes on the east, and the lands of Wester Dubbs and Castlehill on the west; 20s. lands of new extent of Corshill, formerly pertaining to Hew Tarbert, with the small house and yard adjacent thereto, formerly occupied by John Tarbert; the 6s. 8d. lands of Wester Smythstoun; all lying in the parish and regality of Kilwynning; and that the said John Park is nearest and lawful heir of his said father in these lands, which are all held in chief of the said earl, as lord of the lordship and regality of Kilwynning, in stead and place of the abbot and convent of the monastery thereof, for the yearly payment of the feufermes and other duties, that is to say, for the lands of Dubbs and Dalgaw the sum of fifty shillings and four pennies, five capons, five hens, and four carriages, as the ancient feuferme and augmentation contained in the original charter of feuferme; together with eight and a half day's work, half a capon, half a hen, seventeen pennies for the dam silver, eight pennies and one half-penny for the dyke silver, and one carriage, contained in the old rental of the said lordship and regality, with the mill multures due and wont; for the lands of Corshill, with houses, mansions, yards, and the small house and yard before written, paying yearly twenty-three shillings four pennies as the feuferme and augmentation contained in the original charter, with mill multures due

and wont, and other services contained in the old rental; and for the lands of Wester Smythstoun, eight shillings eleven pennies yearly, one capon, one hen, one carriage, as the feuferme and augmentation contained in the old infeftment, with multures of the mill due and wont; and one and a half day's work yearly, four pennies for the dam silver, and two pennies for the dyke silver, one fiddler, half a fiddler, and sixth part of a fiddler of peats, contained in the said old rental, and fulfilling and observing all the conditions contained in the old infeftments of the said lands; the precept is dated at Eglintoun, 5th June 1620, the witnesses being Thomas Neveine of Monkriding, Robert Conynghame of Quhythirst, and Robert Broun, notary, writer of the deed: After the reading of the which precept the said bailie depute gave seizin in terms thereof to the said John Park: These things were done on the ground of the lands of Wester Smythstoun about the eleventh hour, and on the lands of Dubbs and Dalgaw about noon, and on the lands of Corshill about the first hour after noon of the aforesaid 13th day of June 1620, before witnesses, namely, William Kelsow in Mylnehous, Hew Patrick in Over Maynes, Robert Boyd in Cranberrimos, John Young in Todholls, and Josua Drummond in Kilwynning. Robert Broun attests that this instrument was written by John Broun, his servant, at his command.

CXCI.—PRO JEANNA KELSO.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Junii die decimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris

[*Incomplete.*]

ABSTRACT.

Instrument in favour of Jean Kelso, dated 13th June 1620 . . .

CXCII.—PRO ADAMO FAIRLIE DE BOIG.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Julii die primo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium

subscriptorum presentiis personaliter comparuit providus vir Adamus Fairlie de Boig super solum et fundum illarum tredecim solidatarum et quatuor denariatarum terrarum antiqui extentus de Boig subscriptarum pro presenti per dictum Adamum et ejus subtenentes occupatarum jacentium in parochia regalitate et dominio de Kilwynning balliatu de Conynghame et infra vicecomitatum de Air Et ibidem prefatus Adamus habens suisque in manibus tenens quandam feudifirme cartam preceptum sasine subscriptum in fine ejusdem continentem factam datam et concessam per nobilem et prepotentem Comitem Alexandrum Comitem de Eglintoun dominum Montgomerie et Kilwynning etc ac dominum superiorem terrarum supra subscriptarum sub suo sigillo et subscriptione manuali honorabili viro Hugoni Montgomerie de Smythstoun ballivo suo deputato dicti domini et regalitatis directum pro sasina hereditaria prefatarum tredecim solidatarum et quatuor denariatarum terrarum antiqui extentus de Boig cum suis pertinentiis ut supra jacentium prefato Adamo modo subscripto danda Quamquidem cartam preceptum sasine in se continentem prefatus Adamus dicto Hugoni Montgomerie ballivo deputato dicti nobilis et prepotentis comitis dicti domini et regalitatis in dicto sasine precepto specialiter nominato et constituto omni reverentia qua decuit presentavit et deliberavit eumque pro debita executione ejusdem requirendo Qui vero ballivus antedictus dictam feudifirme cartam preceptum sasine in se continentem e manibus dicti Adami recipit mihique notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis In super dilectis nostris Hugoni Montgomerie de Smythstoun ballivo deputato nostro dicti nostri domini et regalitatis de Kilwynning et vestrum cuilibet conjunctim et divisim ballivis nostris in hac parte specialiter constitutis salutem vobis precipimus et firmiter mandamus quatenus visis presentibus indilate statum et sasinam hereditariam pariter et possessionem realem actualem et corporalem totarum et integrarum prefatarum tredecim solidatarum et quatuor denariatarum terrarum de Boig antiqui extentus cum suis pertinentiis ut supra occupatarum et jacentium prefato Adamo Fairlie vel suo certo actornato latori presentium per terre et lapidis fundi dictarum terrarum ut moris est traditionem secundum formam et tenorem antedictae carte nostre quam de nobis inde habent juste haberi faciatis tradatis et deliberetis sine dilatione Et hoc nullo modo omittatis ad quod faciendum vobis et

vestrum cuilibet conjunctim et divisim ballivis nostris in hac parte antedictis nostram plenaream et irrevocabilem tenore presentium committimus potestatem In cujus rei testimonium huic presenti carte nostre manu Thome Neveine de Monkriding scripte manuque nostra subscripte sigillum nostrum est appensum apud Eglintoun octavo die mensis Maii anno domini millesimo sexcentesimo vigesimo Coram his testibus dicto Thoma Neveine de Monkriding Roberto Levingstoun et Jacobo Kirk nostris servitoribus sic subscribitur Eglintoun T. Neveine of Monkriding witness R. Levingstoun witnes James Kirk witnes Post cujusquidem carte preceptique sasine suprascripti in eadem contenti perlectionem publicationem et in vulgari expositionem prefatus Hugo Montgomerie de Smythstoun ballivus deputatus antedictus dicti nobilis et prepotentis comitis dicti dominii et regalitatis virtute et vigore sui officii ac de mandato speciale dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem realem actualem et corporalem totarum et integrarum prefatarum tredecim solidatarum et quatuor denariatarum terrarum de Boig antiqui extentus cum suis pertinentiis ut supra occupatarum et jacentium prefato Adamo Fairlie de Boig per terre et lapidis fundi earundem illi personaliter presenti et acceptanti ut moris est traditionem dedit tradidit pariter et cum effectum hereditarie deliberavit secundum formam et tenorem antedictae feudifirme carte dictique sasine precepti prescripti in eadem contenti Super quibus omnibus et singulis premissis prefatus Adamus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter sextam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Niniano Neveine de Darnboig Magistro Alexandro Writtoun in Kilwynning Magistro Hugone Neveine filio legitimo Thome Neveine de Monkriding et Alexandro Stewart filio legitimo quondam Magistri Roberti Stewart ministri verbi Dei apud ecclesiam de Rothesay testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR ADAM FAIRLIE OF BOIG.

In the year of the Lord a thousand six hundred and twenty, on the first day of July, a prudent man, Adam Fairlie of Boig, compeared personally upon the ground of the thirteen shilling and four penny lands of old extent of Boig, presently occupied by him and his subtenants, lying in the parish, regality, and lordship of Kilwynning, bailiery of Conynghame, and within the sherifffdom of Ayr; and there the said Adam, having and holding in his hands a certain charter of feuferme, containing in the end of it a precept of seizin, made and granted by Alexander, Earl of Eglintoun, lord superior of the lands, under his seal and subscription manual directed to an honourable man, Hew Montgomerie of Smythstoun, his bailie depute of the said lordship and regality; which charter, containing precept, the said Adam, with all due reverence, presented and delivered to the said Hew Montgomerie, requesting him for due execution of the same; and the said bailie, having taken the charter, with precept, from the hands of the said Adam, delivered it to the notary to be read, published, and explained in the common tongue to the bystanders; of which precept the tenor was that the said Earl of Eglintoun charged and straitly commanded the bailie depute aforesaid to give state, heritable seizin, and corporal possession of the aforesaid lands of Boig to the said Adam Fairlie, in the usual form, and without delay, according to the tenor of the charter aforesaid, which was written by the hand of Thomas Neveine of Monkriding, and dated at Eglintoun the 8th day of May 1620, the witnesses thereto being the said Thomas Neveine of Monkriding, Robert Levingstoun and James Kirk, the earl's servitors; after the reading and exposition of which charter and precept of seizin the said Hew Montgomerie, with his own hands, gave seizin by delivery of earth and stone of the ground thereof to the aforesaid Adam Fairlie of Boig: These things were done upon the ground of the said lands, about the sixth hour after noon of the said first day of July, the witnesses there present being Ninian Neveine of Darnboig, Mr. Hew Neveine, son of Thomas Neveine of Monkriding, and Alexander Stewart, son of the late Mr. Robert Stewart, minister of the Word of God at the kirk of Rothesay.

CXCIH.—PRO MARGARETA SMAILLIE.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Julii die decimo quinto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo tercio et decimo octavo In mei notarii publici et testium subscriptorum presentis personaliter comparuit probus vir Joannes Logane textor in Kilwynning super solum et fundum istius sui domus et hortorum eidem adjacentium ac sibi hereditarie pertinentium jacentium in villa de Kilwynning ex boreali latere communis vie ejusdem perprius per Andream Fladger occupatarum et possessarum nunc vero per semetipsum jacentium inter hortum vulgariter vocatum the Belhous yeard ex orientali per Joannem Simpsoun fabrum lignarium occupatum et possessum et wardam vocatam lie But medow domino de Montgreinane pertinentem ex occidentali partibus ab una et aliis Et ibidem prefatus Joannes pro singularibus amore gratia et favore quos erga dilectam suam futuram sponsam Margaretam Smaillie filiam legitimam Joannis Smaillie textoris in Auldmure habet et gerit necnon pro observatione et impletione unius ejus partis cujusdem contractus matrimonialis initi et confecti inter semetipsum ab una dictamque Margaretam pro semetipsa et cum expressis advisamento et consensu dicti sui patris dictumque Joannem Smaillie pro semetipso et onus super eum pro dicta ejus filia accipientem partibus ab altera de data presentium propriis suis manibus statum sasinam vitalis redditus pariter et possessionem corporalem actuaalem et realem totius et integre juste et equalis dimedietatis domus sui predicti et equalis dimedietatis hortorum eidem adjacentium ut prefertur bondatorum et jacentium prefate Margarete ejus future sponse in vitali redditu pro omnibus illius vite diebus per terre et lapidis fundi ejusdem dicte Margarete personaliter presenti et acceptanti ut moris est traditionem dedit tradidit et deliberavit Tenendorum de semetipso suisque heredibus et assignatis in libera alba firma pro solutione annuatim unius denarii monete Scotie in die festi Penthecostes super sola dictarum domorum et hortorum nomine albe firme si petatur tantum ac pro solutione suo immediato superiori earundem juste et equalis dimedietatis feudi-firme firmarum et divoriarum per eum pro eisdem debitis ac in ejus

infeofamento eorundem contentarum secundum tenorem dicti contractus matrimonialis cartequ albe firme desuper conficiende Super quibus omnibus et singulis premissis prefata Margareta a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti domus et hortorum prescriptorum horam circiter quintam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Hugone Montgomerie de Smeithstoun Joanne Cunynghame in Aschinyard Joanne Park in Dubbis et Hugone Smaillie sartore in Kilwynning testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MARGARET SMAILLIE.

In the year of the Lord a thousand six hundred and twenty, on the fifteenth day of the month of July, a worthy man, John Logane, weaver in Kilwynning, compeared personally upon the ground of that his house, and of the yards adjacent to the same, belonging to him heritably, lying in the town of Kilwynning, on the north side of the common way thereof, formerly occupied and possessed by Andrew Fladger, but now by himself, lying between the yard, commonly called the Belhous yeard, on the east, occupied and possessed by John Simpson, wright, and the ward called the But meadow, belonging to the Laird of Montgreinane, on the west: And there the said John, for the singular love which he had towards his future spouse, Margaret Smaillie, lawful daughter of John Smaillie, weaver in Auldmure, and for implement of the marriage contract between himself on the one part, and the said Margaret for herself, and with the express advice and consent of her said father, and the said John Smaillie for himself, and taking burden upon him for his said daughter, on the other part, of the date hereof, did, with his own hands, give state, seizin of liferent, and likewise possession, bodily, actual, and real, of the just half of his house aforesaid, and of the yards adjacent thereto, to the said Margaret his future spouse, in liferent, by delivery to her, personally present and accepting thereof, of earth and stone of the ground of the same: To be holden of himself and his heirs in free blench

ferme, for the payment yearly of one penny at Whitsunday in name of blench ferme, if asked only; and for payment to his immediate superior of the same the just half of the feu fermes and duties due by him therefor, and contained in his infeftment thereof, according to the tenor of the said marriage contract, and of the charter of blench ferme to be made to her thereupon, upon all which the said Margaret craved instruments from the notary: These things were done on the grounds of the said house and yards, about the fifth hour after noon of the day, month, and year before written, the witnesses there present being Hew Montgomerie of Smeithstoun, John Cunynghame in Aschinyard, John Park in Dubbs, and Hew Smaillie, tailor in Kilwynning.

CXCIV.—PRO ALEXANDRO PARK.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Augusti die primo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo quarto et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Joannes Park de Dubbis filius et heres quondam Alexandri Park de Dubbis super solum et fundum illarum viginti solidatarum terrarum novi extentus de Corshill et parvule domus et horti eisdem adjacentium quondam per Joannem Tarbert occupatarum et possessarum ac perprius quondam Hugoni Tarbert nunc vero sibi hereditarie pertinentium jacentium in dominio de Kilwynning parochia et regalitate ejusdem balliatu de Cunynghame et infra vicecomitatum de Air Et ibidem prefatus Joannes pro observatione et impletione unius ejus partis cujusdam contractus initi et confecti inter semetipsum ab una et Alexandrum Park ejus fratrem germanum pro semetipso et cum expressis avisamento consensu et assensu Hugonis Park in Byrlone Kilwynning ejus avunculi Roberti Boyd in Cranberrimos Joannis Young in Todhollis et Joannis Boyll in Chappeltoun ejus curatorum pro earum interesse illique pro semetipsis et onus super eos pro dicto Alexandro ratione illius minoritatis accipientes et tanquam cautionarios et fidejussores conjunctim et divisim propter eum pro observatione ejus partis dicti contractus partibus ab altera penes hoc presens infeofa-

mentum subscriptum de data presentium confecti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totarum et integrarum predictarum viginti solidatarum terrarum novi extentus de Corshill et parvule domus et horti prescriptorum eisdem terris adjacentium omniumque aliorum edificiorum domuum et hortorum quorumcunque super dictas terras constructorum cum singulis dictarum terrarum annexis connexis partibus pendiculis et pertinentiis quibuscunque ut supra jacentium prefato Alexandro Park suo fratri germano per terre et lapidis fundi dictarum terrarum illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione regressu pacto promisso seu reversionis conditione quocunque deliberavit Tenendarum de se suisque heredibus et assignatis in feudifirma feodo et hereditate imperpetuum secundum tenorem dicti contractus carteque de data presentium desuper confecte ac sub provisionibus restrictionibus et reservationibus in eisdem particulariter contentis Super quibus omnibus et singulis premissis prefatus Alexander a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter duodecimam in meridie aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Hugone Montgomerie de Smeithstoun Hugone Smyth incola in Kilwynning apud Abayyett prefato Hugone Park in Byrlone Kilwynning et Josua Drummond in Kilwynning ac Willielmo Kelso in Mylnehous de Doggatland testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ALEXANDER PARK.

In the year of the Lord a thousand six hundred and twenty, the first day of the month of August, there compeared personally a prudent man, John Park of Dubbs, son and heir of the late Alexander Park of Dubbs, upon the ground of those twenty shilling lands of new extent of Corshill, and of the little house and yard adjacent to the same, lately occupied and possessed by John Tarbert, and previously

pertaining to the late Hew Tarbert, but now pertaining to himself heritably, lying in the lordship of Kilwynning, parish and regality of the same, bailiery of Cunynghame, and within the sheriffdom of Ayr: And there the aforesaid John, for observation and implement of his part of a contract of this date, begun and perfected between himself on the one part, and Alexander Park his brother-german, for himself, and with express advice, consent, and assent of Hew Park in Byrlone Kilwynning, his uncle, Robert Boyd in Cranberrimos, John Young in Todholes, and John Boyll in Chapeltoun, his curators, for their interest, and they for themselves, and taking burden upon them for the said Alexander, by reason of his minority, and as cautioners and trustees conjunctly and severally for him, for observing his part of the said contract, on the other part, anent this present infetment, did with his own hands give state, heritable seizin, and likewise possession, bodily, actual, and real, of the aforesaid lands of Corshill, little house and yard beforewritten adjacent to the same lands, and of all other biggings, houses, and yards whatsoever constructed on the said lands, to the aforesaid Alexander Park his brother-german, by delivery to him, personally presenting and accepting, of earth and stone of the ground of the same, heritably and irredeemably: To be holden of himself and his heirs in feu ferme, fee, and heritage for ever, according to the tenor of the said contract, and charter of the date hereof made thereupon: upon the which all and sundry the premises, the said Alexander asked instruments: These things were done about noon of the day, month, and year before mentioned, before these witnesses, Hew Montgomerie of Smeithstoun, Hew Smyth, indweller in Kilwynning at the Abbey Yett, the aforesaid Hew Park in Byrlone Kilwynning, Josua Drummond in Kilwynning, and William Kelso in Mylnehouse of Doggatland.

CXCV.—PRO QUINTINO MURE EJUSQUE SPONSA.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Augusti die decimo nono regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo quarto et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir

Joannes Blair unus ballivorum burgi de Irwing super solum et fundum istius tenementi terre et terrarum particulariter subscriptarum perprius ad quondam Joannem Mure in Fleschmercat burgensem dicti burgi hereditarie pertinentium Et ibidem quia sibi clare constat et est notum per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dictus quondam Joannes Mure in Fleschmercat pater Quintini Mure latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti supremi domini nostri regis in toto et integro illo tenemento terre ante et retro cum pertinentiis olim capellanie altari de Sancto Petro mortificato sive fundato jacenti infra dictum burgum ex occidentali latere communis vie regie ejusdem inter tenementum olim quondam Roberti Houstoun nunc vero Patricii Peiblis ex boreali et tenementum Willielmi Mure ex australi partibus ab altera Necnon in tota et integra equali dimedietate omnium et singularum illarum quinque rodarum terrarum burgalium jacentium in territorio dicti burgi in orientali capite ejusdem in via ducente ad aquam de Annok inter terras olim Roberti Craig nunc vero Roberti Dunlop fabri ferrarii burgensis dicti burgi ex australi ab una et terras olim quondam Hugonis Tran nunc vero heredum quondam Adami Galt ex boreali partibus ab altera Ac etiam in tota et integra justa et equali dimedietate istius rode terrarum burgalium jacente in dicto orientali fine dicti burgi inter terras olim quondam Joannis Quhyt et Willielmi Patoun nunc vero heredum quondam Willielmi Robisone ex australi ab una et terras olim quondam Thome Kyll et Hugonis Montgomerie nunc vero predicti Joannis Blair ex boreali partibus ab una et alijs Et quod dictus Quintinus est legitimus et propinquior heres ejusdem dicti quondam Joannis sui patris de toto et integro predicto tenemento ante et retro aliisque terris predictis cum singulis earundem pertinentiis jacentibus et bondatis respective ut premittitur Et quod est legitime etatis Et quod de prefato supremo domino nostro rege in libero burgagio tenentur in capite more burgali Propterea prefatus Joannes ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem totius et integri predicti tenementi terre ante et retro cum pertinentiis necnon totius et integre predictae equalis dimedietatis omnium et singularum predictarum quinque rodarum terrarum burgalium et equalis

dimedietatis istius rode terrarum burgalium cum singulis earundem pertinentiis jacentium et bondatarum respective ut premittitur prefato Quintino Mure tanquam filio legitimo et indubitato propinquiore heredi antedicti quondam Joannis sui patris per terre et lapidis fundi dicti tenementi et terrarum particulariter prescriptarum respective et successive illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem antiquorum infeofamentorum dicti quondam Joannis sui patris earundem (Salvo jure cujuslibet) Tenendarum de dicto supremo domino nostro rege more burgali Quibus peractis prefatus Quintinus pro singularibus amore gratia et favore quos erga dilectam suam conjugem Mariam Mackgachan habet et gerit ac pro diversis aliis bonis causis et considerationibus eum ad effectum subscriptum moventibus totum et integrum suum tenementum terre ante et retro subtus et supra Necnon totam et integram predictam ejus justam et equalem dimedietatem totarum et integrarum prefatarum quinque rodarum terrarum burgalium et dimedietatem suam predictae rode cum singulis earundem pertinentiis jacentium et bondatarum respective ut premittitur In manibus predicti Joannis Blair ballivi antedicti sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure et titulo sibi suisve heredibus et assignatis in et ad predictum tenementum et terras prescriptas seu aliquam earundem partem competentibus In favores ac pro hac nova sasina et infeodatione hereditaria totius et integri predicti tenementi terre et terrarum particulariter prescriptarum cum singulis earundem pertinentiis prefatis Quintino Mure et Marie Mackgachan conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque legitime inter eos procreandis Quibus quod absit deficientibus legitimis et propinquieribus heredibus et assignatis dicti Quintini quibuscunque hereditarie per dictum ballivum danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii ac de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integri predicti

tenementi terre ante et retro subtus et supra Necnon totius et integre predictae equalis dimedietatis omnium et singularum predictarum quinque rodarum terrarum burgalium et equalis dimedietatis predictae unius rode terre cum singulis earundem pertinentiis ut supra jacentium prefatis Quintino Mure et Marie Mackgachan conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi earundem respective et successive illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum tenorem dicte resignationis prescripte Tenendarum de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Quintinus et Maria conjuges ac eorum alter pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi et terrarum respective prescriptarum singulatim et successive per se horam circiter undecimam antemeridiam aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Mure uno novissimorum ballivorum dicti burgi Jacobo Blair juniore mercatore Davide Tuedie ephippiario burgensibus dicti burgi Joanne Broun meo servitore Willielmo Stevinstoun et Joanne Ryburne seriandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR QUINTIN MURE AND HIS SPOUSE.

In the year of the Lord a thousand six hundred and twenty, on the nineteenth day of the month of August, and of the reigns of James, King of Great Britain, France, and Ireland, the fifty-fourth and eighteenth years, an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally upon the ground of that tenement of land, and of the lands particularly underwritten, formerly belonging to the late John Mure in Fleschmercat, burgess of the said burgh, heritably: And there, because it was evident and clearly known to him by authentic documents and instruments of seizin publicly

shown, read, and demonstrated, that the said late John Mure in Fleschmercat, father of Quintin Mure, bearer hereof, died last vest and seized as of fee, at the king's faith and peace, in that tenement of land, fore and back, of old mortified or founded to the chaplainry of the altar of Saint Peter, lying within the said burgh, on the east side of the common royal way thereof, between the tenement sometime of the late Robert Houstoun, but now of Patrick Peiblis, on the north, and the tenement of William Mure on the south; also in the equal half of those five roods of burghal lands, lying in the territory of the said burgh, on the east head thereof, in the way leading to the Water of Annok, between the lands formerly of Robert Craig, but now of Robert Dunlop, smith, burgess of the said burgh, on the south, and the lands sometime of the late Hew Tran, but now of the heirs of the late Adam Galt, on the north; and also, in the just half of that rood of burghal lands, lying in the said east end of the said burgh, between the lands formerly of the late John Quhyt and of William Patoun, but now of the heirs of the late William Robisone, on the south, and the lands sometime of the late Thomas Kyll and of Hew Montgomerie, but now of the aforesaid John Blair, on the north; and that the said Quintin is lawful and nearest heir of the said deceased John his father, of the aforesaid tenement and lands, lying and bounded respectively as is premised; and that he is of lawful age; and that they are held of the king in chief in manner of burgh: Wherefore the said John, bailie aforesaid, by virtue of his office, did, with his own hands, give state and heritable seizin, and also possession, bodily, actual, and real, of the aforesaid tenement of land, and also of the just and equal half of the lands respectively aforesaid, to the said Quintin Mure, as lawful and undoubted heir of his said deceased father, by delivery to him of earth and stone of the tenement and lands particularly before written, respectively and successively: Which things having been done, the said Quintin, for the singular love which he had towards his dear spouse, Mary Mackgachan, and for divers other good causes and considerations moving him to that effect, did surrender, and purely and simply, by staff and baton, as the custom is, resign, renounce, and overgive his tenement of land aforesaid, and his just half of the lands above mentioned, in the hands of the aforesaid John Blair, bailie, in favour of, and for this new seizin and

heritable infeftment of the same to be given to the said Quintin and Mary, spouses, and the survivor of them in conjunct fee, and to the heirs to be lawfully procreated between them, which failing, as may it not be! to the lawful and nearest heirs whatsoever of the said Quintin, heritably: Which resignation having been admitted and received by the said bailie, he gave seizin accordingly to the said Quintin and Mary in conjunct fee, by delivering to them of earth and stone of the grounds of the same tenement and lands respectively, which they, being both personally present, received with their hands joined: These things were done on the ground of the said tenement and lands respectively, singly, and successively, about the eleventh hour before noon of the day before mentioned, the witnesses there present being William Mure, one of the last bailies of the burgh, James Blair, younger, merchant, David Tuedie, saddler, burgesses of the said burgh, John Broun, servitor of the notary, William Stevinstoun and John Ryburne, serjeants.

CXCVI.—PRO ALEXANDRO BLAIR.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Augusti die decimo nono regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernice regis fideique defensoris annis quinquagesimo quarto et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit proba mulier Joneta Tuedie filia legitima quondam Joannis Tuedie naucleri burgensis burgi de Irwing super solum et fundum terrarum aliarumque particulariter subscriptarum sibi hereditarie pertinentium Et ibidem prefata Joneta non vi aut metu ducta nec errore lapsa fraude nec dolo aliquo circumventa sed sua mera pura libera et spontanea voluntate utilitate et commodo suo undique previsis et pensatis matura deliberatione prehabita pro semetipsa et cum expressis avisamento consensu et assensu discreti viri Magistri Joannis Watsoun ludimagistri incorporationis de Bangour infra regnum Hybernice sui mariti pro ejus interesse illique ambo unanimi consensu et assensu pro observatione et impletione unius eorum partis cujusdam contractus matrimonialis initi et confecti inter dictum Magistrum Joannem ab una dictamque Jonetam et Alexandrum Blair ephippiarium incolam infra dictam incorporationem vitricum dicte Jonete et Margaretam Hammiltoun

sponsam dicti Alexandri et matrem dicte Jonete partibus ab altera ac pro certis pecuniarum summis in dicto contractu contentis per dictum Alexandrum dicto Magistro Joanni nomine dotis ratione infeofamenti subscripti persolutis et persolvendis modo in dicto contractu matrimoniali contento totas et integras illas tres rodas terrarum cum singulis suis pertinentiis dicte Jonete hereditarie pertinentes jacentes infra dictum burgum ad finem orientali ejusdem inter terras olim quondam Joannis Houstoun nunc vero ——— ex australi et terras olim quondam Willielmi Robisoun nunc vero ——— ex boreali Ac etiam totas et integras illas quinque rodas terrarum aut eo circa ad dictam Jonetam similiter hereditarie pertinentes jacentes infra territorium dicti burgi inter terras olim quondam Willielmi Scott nunc vero ——— ex australi et terras olim dicti quondam Willielmi Robisoun nunc vero ——— ex boreali partibus ab una et aliis In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas illi eorumve heredes successores et assignati in et ad easdem terras seu aliquam earundem partem cum pertinentiis habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterunt In favorem ac pro hac nova sasina et infeodatione hereditarea omnium et singularum prefatarum terrarum cum singulis earundem pertinentiis ut supra jacentium prefato Alexandro Blair heredibusque suis de illius corpore inter eum et dictam Margaretam Hammiltoun ejus sponsam ac matrem dicte Jonete legitime procreatis seu procreandis Quibus quod absit deficientibus equaliter inter heredes quoscunque dicti Alexandri et dictam Jonetam et ejus heredes quoscunque dividendas et revertendas per dictum ballivum danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii ac de mandatis specialibus propriis suis manibus statum et sasinam hereditaream dictorum Jonete et Magistri Joannis Watsoun ejus mariti resignantium personaliter super fundum dictarum terrarum existentium pariter et possessionem corporalem actuaalem et realem totarum et integrarum prefatarum trium rodarum et quinque rodarum terrarum respective prescriptarum cum singulis earundem pertinentiis

jacentium et bondatarum ut premittitur prefato Alexandro Blair per terre et lapidis fundi earundem illi personaliter presenti et acceptanti ut moris est traditionem dedit tradidit et hereditarie deliberavit secundum tenorem dicte resignationis ac contractus matrimonialis prescripte Tenendarum de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Alexander Blair a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum respective singulatim et successive per se horam circiter sextam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Cauldwell de Annanhill Alexandro Montgomerie mercatore et Willielmi Stevinstoun et Joanne Ryburne seriandis dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ALEXANDER BLAIR.

In the year of the Lord a thousand six hundred and twenty, on the nineteenth day of August, and of the reigns of James, King of Great Britain, France, and Ireland, the fifty-fourth and eighteenth years, a worthy woman, Jonet Tuedie, lawful daughter of the late John Tuedie, shipmaster, burgess of Irvine, compeared personally upon the ground of the lands after mentioned, belonging to her heritably; and there the said Jonet, not led by force or fear, nor fallen in error, nor circumvented by fraud or guile, but of her own pure, free, and spontaneous will, her utility and advantage having been foreseen and weighed on every side with mature deliberation, for herself, and with the advice, consent, and assent of a discreet man, Mr. John Watsoun, schoolmaster of the Incorporation of Bangour, within the kingdom of Ireland, her husband, for his interest, and they both, with unanimous consent and assent, for observing and fulfilling their part of a matrimonial contract made between the said Mr. John on one part, and the said Jonet and Alexander Blair, saddler, indweller within the said Incorporation, stepfather of the said Jonet, and Margaret Hammiltoun, spouse of the said Alexander, and

mother of the said Jonet, on the other part, and for certain sums of money contained in the said contract, paid and to be paid by the said Alexander to the said Mr. John in name of dowry, by reason of this infetment, did surrender, and by staff and baton purely and simply resign and overgive those three roods of land pertaining heritably to the said Jonet, lying within the said burgh, at the east end thereof, between the lands sometime of the late John Houstoun, but now of —, on the south, and the lands formerly of the late William Robisoun, but now of —, on the north; and also those five roods of land or thereby, belonging likewise to the said Jonet, heritably, lying within the territory of the said burgh, between the lands formerly of the late William Scott, but now of —, on the south, and the lands formerly of the said deceased William Robisoun, but now of —, on the north, in the hands of an honourable man, John Blair, one of the bailies of Irvine, for this new seizin and infetment thereof to be given by him to the said Alexander Blair and the heirs of his body begotten between him and the said Margaret Hamiltoun, his spouse, which failing, as may God forbid! to revert to and be divided equally between the heirs whatsoever of the said Alexander and the said Jonet and her heirs whatsoever; upon which resignation the bailie gave seizin accordingly, in presence of the said Jonet and Mr. John Watsoun, her husband, who were personally upon the ground of the said lands, by delivery of earth and stone thereof to the said Alexander Blair: These things were done upon the said lands, about the sixth hour after noon of the day aforesaid, the witnesses being William Cauldwell of Annanhill, Alexander Montgomerie, merchant, and William Stevinstoun and John Ryburne, serjeants of the said burgh.

CXCIV.—PRO THOMA GEORGE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo et vigesimo mensis vero Septembris die ultimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo quarto et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Joannes M'Ildeine cives civitatis

Glasguensis super solum et fundum istius tenementi terre subscripti vocati Roxburch perprius ad Thomam George filium et heredem quondam Archibaldi George prefecti burgi de Irwing nunc vero ad Allanum Dunlop urbisprefectum ejusdem hereditarie pertinentis jacentis infra dictum burgum de Irwing ex occidentali latere communis vie regie ejusdem inter tenementa quondam Niniani Barclay Joannis Hilhous et Jacobi Patoun partibus ab una et aliis respective Et ibidem prefatus Joannes tanquam procurator et eo nomine probi viri Archibaldi George filii legitimi secundo geniti dicti quondam Archibaldi rite et legitime constitutus virtute cujusdam procuratorialis litere in quadam renunciationis resignationis et extradonationis litera contente per dictum Archibaldum prefato Thome pro certis pecuniarum summis illi per dictum Thomam ejus fratrem germanum persolutis facta de omnibus jure titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Archibaldus ejusve heredes et assignati in et ad totum et integrum predictum tenementum terre ante et retro subtus et supra cum horto et singulis ejusdem pertinentiis ut supra jacens habuerunt habent seu quovismodo in futurum in et ad easdem seu aliquam earundem partem aut portionem habere clamare vel pretendere poterint virtute cujuscunque infeofamenti illi de eodem tenemento seu aliqua ejusdem parte concessi per resignationem dicti quondam Archibaldi sui patris seu quovis alio modo quocunque de data ——— die mensis ——— anno domini millesimo sexcentesimo et decimo ——— totum et integrum predictum tenementum terre vocatum Roxburgh ante et retro subtus et supra cum horto et singulis ejusdem pertinentiis ut supra jacens unacum omnibus jure titulo interesse et juris clameo prefato Archibaldo ejusve heredibus et assignatis in et ad predictum tenementum terre cum horto et pertinentiis seu ad aliquam ejusdem partem competentibus virtute cujusvis infeofamenti illi de eodem seu aliqua ejusdem parte vel portione per resignationem dicti quondam sui patris vel quovis alio modo quocunque ut predicatur concessi In manibus honorabilis viri Adami Conynghame unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favorem ac pro hac nova sasina et infeodatione hereditarea per dictum ballivum de eodem prefato Thome George suisque heredibus et assignatis danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur

facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Conyngham ballivus antedictus virtute et vigore sui officii ac de mandato speciale dicti Joannis procuratoris et resignantis antedicti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integri predicti tenementi terre vocati Roxburgh ante et retro subtus ut supra cum horto et singulis ejusdem pertinentiis ut supra jacentis prefato Allano Dunlop urbisprefecto dicti burgi de Irwing tanquam actornato et eo nomine dicti Thome (de cujus actornatoriali potestate dicto ballivo mihi que notario publico et testibus subscriptis satis lucide constabat) per traditionem et deliberationem sibi terre et lapidis fundi ejusdem ut moris est dedit tradidit pariter et cum effectum hereditarie deliberavit secundum formam et tenorem dicte renunciationis resignationis et extradonationis litere litereque procuratorialis prescripte in eadem contente in omnibus Tenendi de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Allanus Dunlop actornatus antedictus et eo nomine dicti Thome George quo supra a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter secundum postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Andersoun fabro lignario incola dicti burgi ——— ejus servitore Willielmo Stevinstoun et Joanne Ryburne seriandis dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR THOMAS GEORGE.

Instrument narrating that a prudent man, John M'Ildeine, citizen of the city of Glasgow, compeared personally upon the ground of that tenement of land called Roxburgh, formerly belonging to Thomas George, son and heir of the late Archibald George, provost of the burgh of Irvine, but now pertaining heritably to Allan Dunlop, provost of the same, lying within the said burgh of Irvine, on the west side of the common royal way of the same, between the tenements of the late Ninian

Barclay, John Hilhous, and James Patoun, on the one part and the other, respectively; and there the aforesaid John, as procurator and in name of a worthy man, Archibald George, second son of the said deceased Archibald, lawfully constituted by virtue of a letter of procuratory contained in a certain letter of renunciation made by the said Archibald to the aforesaid Thomas, for certain sums of money paid to him by the said Thomas, his brother german, of all right, title, and property which he, the said Archibald, had in and to the tenement aforesaid, fore and back, below and above, with yard and pertinents thereof, by virtue of any infeftment of the same tenement, or any part of it, granted to him by resignation of the said deceased Archibald, his father, or in any other way whatever, which letter of renunciation is of date ——— 161—, did surrender, and by staff and baton purely and simply resign, renounce, and overgive all and whole the aforesaid tenement called Roxburgh, with all right, title, interest, and claim of right competent to the aforesaid Archibald or his heirs in and to the same, or to any part thereof, in the hands of an honourable man, Adam Conynghame, one of the bailies of the said burgh, in favour and for this new seizin and heritable infeftment of the same to be given by the said bailie to the aforesaid George and his heirs, in due and competent form; which resignation so made being admitted and received by the bailie, he, with his own hands, by virtue of his office, and on the special mandate of the said John, procurator and resigner, did give state, heritable seizin, and also possession, bodily, actual, and real, of the said tenement called Roxburgh, by delivery of earth and stone of the ground of the same to the aforesaid Allan Dunlop, provost of Irvine, as attorney and in name of the said Thomas, according to the tenor of the said renunciation and resignation: These things were done on the ground of the said tenement, about the second hour after noon of the 30th day of September 1620, the witnesses there present being James Anderson, wright, inhabitant of the said burgh, ——— ———, his servitor, William Stevinsoun and John Ryburne, serjeants.

CXCVIII.—PRO DOMINO WILLIELMO MURE SENIORE DE
ROWALLANE MILITE.

Anno domini millesimo sexcentesimo et vigesimo mensis vero Octobris die decimo septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo quarto et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir dominus Gulielmus Mure senior de Rowallane super solum et fundum omnium et singularum terrarum aliarumque particulariter subscriptarum videlicet et primo super solum et fundum totarum et integrarum quinque mercatorum terrarum de Grange ac secundo super solum et fundum illarum quadraginta solidatarum terrarum vocatarum Tounend Kilmarnok ac tercio super solum et fundum illarum quinque mercatarum terrarum de Monkland ac ultimo super solum et fundum illarum sex mercatarum terrarum de Skirleland omnes jacentes in regalitate de Kilwynning parochia de Kilmarnok et balliatu de Conynghame ac unitas annexatas et incorporatas in unam integram et liberam tenandriam de Skirleland nuncupatam Et ibidem prefatus dominus Gulielmus habens suisque in manibus tenens quoddam sasine preceptum subscriptum factum datum et concessum per nobilem et prepotentem comitem Alexandrum Comitem de Eglintoun dominum Montgomerie et Kilwynning etc ac superiorem dictarum terrarum ballivis suis deputatis dicti domini sui et regalitatis de Kilwynning directum pro sasina hereditarea totius et integre dicte tenandrie de Skirleland comprehendentis in se terras particulariter supra specificatas cum singulis earundem pertinentiis subscriptis dicto domino Willielmo Mure de Rowallane militi tanquam filio legitimo et heredi dicti quondam Willielmi Mure de Rowallane sui patris modo subscripto danda Quodquidem sasine preceptum prefatus dominus Willielmus honorabili viro Hugoni Montgomerie de Smeithstoun ballivo deputato dicti nobilis et prepotentis comitis dicti domini et regalitatis de Kilwynning presentavit et deliberavit eumque requirendo quatenus dictum sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus deputatus antedictus dictum sasine preceptum e manibus dicti domini Willielmi reverentia qua decuit recepit mihique notario publico subscripto perlegendum publicandum et

in vulgari astantibus exponendum tradidit cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis Alexander Comes de Eglintoun Dominus Montgomerie et Kilwynning etc superior terrarum subscriptarum dilectis nostris ballivis nostris deputatis domini nostri et regalitatis de Kilwynning etc ac vestrum cuilibet conjunctim et divisim ballivis nostris in hac parte specialiter constitutis salutem Quia per inquisitionem de mandato supremi domini nostri regis per quatuor clavigeros ordinarios ballivos regalitatis de Kilwynning in hac parte per commissionem dicti supremi domini nostri regis sub testimonio sui magni sigilli specialiter constitutos factam et ad capellam dicti supremi domini nostri regis retornatam compertum est quod quondam Gulielmus Mure de Rowallane pater dilecti nostri domini Willielmi Mure de Rowallane militis latoris presentium obiit ultimo vestitus ut de feodo ad pacem et fidem dicti supremi domini nostri regis in totis et integris quinque mercatis terrarum de Grange quadraginta solidatis terrarum vocatarum Tounend Kilmarnok quinque mercatis terrarum de Monkland et sex mercatis terrarum de Skirleland extendentibus in integro ad novem decim mercatas terrarum antiqui extentus cum domibus edificiis hortis pomariis singulisque suis pertinentiis in proprietate et tenandria cum tenentibus tenandriis libere tenentium servitiis earundem jacens in regalitate de Kilwynning parochia de Kilmarnok et balliatu de Conynghame omnes unitas annexatas et incorporatas in unam integram et liberam tenandriam tenandriam de Skirleland nuncupatam et unam sasinam super sola dictarum terrarum de Skirleland apud toftam earundem capiendam decernitur et ordinatur sufficientem esse sasinam pro omnibus terris prescriptis cum tenentibus tenandriis libere tenentium servitiis et omnibus earundem pertinentiis non obstante quod eedem minime insimul et contigue sed in diversis partibus et locis jacent Et quod dictus dominus Gulielmus Mure est legitimus et propinquior heres dicti quondam Gulielmi Mure sui patris de dicta tenandria cum pertinentiis Et quod est legitime etatis Et quod de nobis tanquam domino superiore earundem in libera alba firma tenentur in capite prout in dicto retornatu et precepto regio nobis e cancellaria sua nobis desuper directo plenius continetur per quod preceptum mandatus et requisitus fuimus quatenus quum idem dominus Gulielmus Mure nobis fecerit pro dicta tenandria cum pertinentiis quod de jure facere tenetur sibi vel suo certo actornato latori presentium sasinam earundem juste habere faceremus sine dilatione mandato cujus

quidem precepti in omnibus (ut tenemur) obedire volentes Vobis igitur et vestrum cuilibet conjunctim et divisim precipimus et firmiter mandamus quatenus visis presentibus indilate statum et sasinam hereditariam pariter et possessionem corporalem actualet et realem totius et integre dicte tenandrie de Skirleland in se comprehendentis particulares terras supra et subscriptas videlicet quinque mercatas terrarum de Grange quadraginta solidatas terrarum vocatarum Tounend Kilmarnok quinque mercatas terrarum de Monkland et sex mercatas terrarum de Skirleland extendentes in integro ad dictas novem decem mercatas terrarum antiqui extentus cum domibus edificiis hortis pomariis singulisque suis pertinentiis in proprietate et tenandria cumque tenentibus tenandriis libere tenentium servitiis et omnibus earundem pertinentiis ut dictum est jacentium memorato domino Gulielmo Mure de Rowallane militi tanquam filio legitimo et heredi dicti quondam Gulielmi Mure sui patris vel suo certo actornato latori presentium per traditionem et deliberationem terre et lapidis fundi earundem Super solum dictarum terrarum de Skirleland apud toftam earundem secundum formam et tenorem dicti precepti regii et antiqui infeofamenti dicto quondam Gulielmo Mure desuper confecti juste haberi faciatis tradatis et deliberetis sine dilatione et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis nostris in hac parte antedictis nostram plenariam et irrevocabilem tenore presentium committimus potestatem In cujus rei testimonium (presentibus per Jacobum Ramsay servitorem Gulielmi Conynghame scribe signeto regio scriptis) manu nostra subscriptis sigillum nostrum proprium est appensum apud Eglintoun decimo sexto die mensis Octobris anno domini millesimo sexcentesimo vigesimo coram his testibus Laurencio Scott de Harperrig advocato Thoma Neveine de Monkriding Alexandro Mure filio dicti domini Willielmi Mure de Rowallane militis et Joanne Craig notario sic subscribitur Eglintoun Laurence Scott witnes T. Neveine of Monkriding witnes Alexander Mure witnes Johne Craig notar witnes Post cujusquidem sasine precepti perlectionem publicationem et in vulgari expositionem prefatus Hugo Montgomerie de Smeithstoun ballivus deputatus dicti nobilis et prepotentis comitis dicti dominii et regalitatis de Kilwynning virtute et vigore sui officii ac de mandato speciali dicti sasine preceptum prescripti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualet et realem totius et integre predictae tenandrie

de Skirleland in se comprehendentis particulares terras supra et subscriptas videlicet quinque mercatas terrarum de Grange quadraginta solidatas terrarum vocatarum Tounend Kilmarnok quinque mercatas terrarum de Monkland et sex mercatas terrarum de Skirleland extendentes in integro ad novemdecem mercatas terrarum antiqui extentus cum domibus edificiis hortis pomariis singulisque suis pertinentiis in proprietate et tenandria cumque tenentibus tenandriis et libere tenentium servitiis et omnibus earundem pertinentiis ut dictum est jacentes memorato domino Willielmo Mure de Rowallane militi tanquam filio legitimo et heredi dicti quondam Willielmi Mure de Rowallane sui patris per terre et lapidis fundi omnium et singularum dictarum terrarum prefato domino Willielmo personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie secundum formam et tenorem dicti precepti regii et antiqui infeofamenti dicto quondam Willielmo Mure ejus patri desuper confecti in omnibus punctis deliberavit Super quibus omnibus et singulis premissis prefatus dominus Gulielmus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum omnium et singularum predictarum terrarum separatim et successive per se videlicet super terras de Grange et Tounend Kilmarnok horam circiter decimam antemeridiem aut eo circa ac super solum et fundum dictarum terrarum de Monkland horam circiter duodecimam in meridie ac super solum et fundum dictarum terrarum de Skirleland horam circiter primam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem super dictas terras de Grange et Tounend Kilmarnok Adamo Mure servitore dicti domini Willielmi Roberto Bankheid in Tounend Kilmarnok et Joanne Wilsoun filio legitimo Joannis Wilsoun incole ibidem Et super terras de Monkland prefato Adamo Mure Roberto Connachhill in Monkland et Jacobo Patoun filio legitimo Jacobi Patoun in Winterberrie Et super dictas terras de Skirleland Roberto Broun et Thoma Broun ejus fratre germano incolis ibidem et prefato Adamo Mure testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR SIR WILLIAM MURE ELDER, OF ROWALLANE.

In the year of the Lord a thousand six hundred and twenty, on the seventeenth day of the month of October, an honourable man, Sir William Mure elder, of Rowallane, compeared personally upon the ground of all and sundry the lands and others particularly underwritten, namely and first, upon the ground of the five merk lands of Grange; and secondly, upon the ground of the forty shilling lands called Tounend Kilmarnok; and thirdly, upon the ground of the five merk lands of Monkland; and lastly, upon the ground of the six merk lands of Skirleland, all lying in the regality of Kilwynning, parish of Kilmarnock, and bailiery of Conynghame, and united, annexed, and incorporated into one whole and free tenandry, called the Tenandry of Skirleland; and there the said Sir William, having and in his hands holding a certain precept of seizin, granted by a noble and right potent earl, Alexander, Earl of Eglintoun, Lord Montgomerie and Kilwynning, as superior of the said lands, directed to his bailies depute of the said lordship and regality, to the effect therein specified; which precept of seizin the aforesaid Sir William presented and delivered to an honourable man, Hew Montgomerie of Smeithstoun, bailie depute of the said noble earl of the said lordship and regality, requesting him that he would forthwith put the same to due execution; the bailie, accordingly, with all due reverence, received the precept from the hands of the said Sir William and delivered it to the notary to be read, published, and explained in the vulgar tongue to the bystanders; the tenor of which precept is: that whereas it was found, by inquest made at the king's command by four ordinary macers, bailies of the regality of Kilwynning, in that behalf specially constituted by the king's commission under the testimonial of his great seal, and retoured to his majesty's chancery, that the late William Mure of Rowallane, father of the said Sir William Mure of Rowallane, knight, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in the five merk lands of Grange, and others before mentioned, in property and tenandry, all united and incorporated into the whole and free Tenandry of Skirleland, and one seizin, taken at the toft of the same, being a sufficient seizin for the whole of the

lands before written, notwithstanding that they do not lie together and contiguously, but in divers parts and places; and that the said Sir William Mure is lawful and nearest heir of his said deceased father, in the said tenandry; and that he is of lawful age; and that the lands are held in chief of the said earl as lord superior thereof, as is more fully contained in the said retour and royal precept directed from Chancery to the said earl, whereby he is charged and required forthwith, when the same Sir William should do to the granter what he is of right bound to do for the said tenandry, to cause seizin of the same to be justly given to him, or to his certain attorney, without delay; the mandate of which precept the said earl being willing to obey in all things, as he is bound to do, hereby commanded and straitly charged his bailie depute aforesaid to give seizin accordingly of the lands before written to the said Sir William Mure, knight, as lawful heir of his said father; which precept, written by James Ramsay, servitor of William Conynghame, writer to the royal signet, is subscribed and sealed at Eglintoun, the 16th day of October 1620, the witnesses being Lawrence Scott of Harperrig, advocate, Thomas Neveine of Monkriding, Alexander Mure, son of the said Sir William Mure, and John Craig, notary: After the reading, publication, and exposition of which precept, the aforesaid Hew Montgomerie of Smeithstoun, bailie depute of the said noble earl, gave state and heritable seizin, and likewise possession, bodily, actual, and real, of the aforesaid tenandry of Skirleland, comprehending the particular lands above written, to the said Sir William Mure of Rowallane, knight, by delivery to him of the usual symbols: These things were done upon the ground of the said lands, separately and successively, that is to say, on the lands of Grange and Tounend Kilmarnock about the tenth hour before noon; upon the lands of Monkland about the twelfth hour in noon; and upon the lands of Skirleland about the first hour after noon of the day, month, and year before mentioned: the witnesses being, on the lands of Grange and Tounend Kilmarnock, Adam Mure, servitor of the said Sir William, Robert Bankheid in Tounend Kilmarnock, and John Wilson, son of John Wilson, indweller there; upon the lands of Monkland, the said Adam Mure, Robert Connachhill in Monkland, and James Patoun, son of James Patoun in Winterberrie; and upon the lands of Skirleland, Robert Broun, and Thomas Broun, his brother-german, indwellers there, and the aforesaid Adam Mure.

CXCIX.—PRO DOMINO WILLIELMO MURE DE ROWALLANE
MILITE.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Octobris die decimo septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo quarto et decimo octavo In mei notarii publici et testium subscriptorum presentis personaliter accessit honorabilis vir dominus Willielmus Mure senior de Rowallane miles filius et heres quondam Willielmi Mure de Rowallane ad solum et fundum terrarum de Skirleland nuncupatarum tenandriam de Skirleland comprehendentem in se terras particulariter subscriptas videlicet quinque mercatas terrarum de Graynge quadraginta solidatas terrarum vocatarum Tounend Kilmarnock quinque mercatas terrarum de Monkland ac sex mercatas terras de Skirleland jacentes in regalitate de Kilwynning parochia de Kilmarnok et balliatu de Cunynghame apud toftam dicte tenandrie tanquam locum pro sasina capienda pro omnibus et singulis predictis terris per preceptum sasine subinsertum specialiter designatum Et ibidem prefatus dominus Willielmus habens suisque in manibus tenens quoddam sasine preceptum subscriptum factum datum et concessum per nobilem et prepotentem comitem Alexandrum Comitem de Eglintoun dominum Montgomerie et Kilwynning superiorem earundem terrarum sub sua subscriptione manuali ballivis suis deputatis dicti domini et regalitatis directum pro sasina hereditaria totius et integre predictae tenandrie de Skirleland comprehendentis in se terras particulariter prescriptas cum singulis earundem pertinentiis subscriptis prefato Domino Willielmo Mure de Rowallan militi tanquam filio et heredi dicti quondam Willielmi Mure de Rowallan sui patris modo inferius mentionato danda Quodquidem sasine preceptum prefatus dominus Willielmus honorabili viro Hugoni Montgomerie de Smeytstoun ballivo deputato dicti nobilis et prepotentis comitis dicti domini et regalitatis presentavit et deliberavit eumque requirendo quatenus dictum sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus deputatus antedictus dictum sasine preceptum e manibus dicti domini Willielmi reverentia qua decuit recepit mihique notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit

cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis Alexander Comes de Eglintoun dominus Montgomerie et Kilwynning etc superior terrarum subscriptarum dilectis nostris ballivis nostris deputatis domini nostri et regalitatis de Kilwynning ac vestrum cuilibet conjunctim et divisim ballivis nostris in hac parte specialiter constitutis salutem Quia per inquisitionem de mandato supremi domini nostri regis per quatuor Clavigeros ordinarios ballivos regalitatis de Kilwynning in hac parte per commissionem dicti supremi domini nostri regis sub testimonio sui magni sigilli specialiter constitutos factam et ad capellam dicti supremi domini nostri regis retornatam compertum est quod quondam Willielmus Mure de Rowallan pater dilecti nostri domini Willielmi Mure de Rowallan militis latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti supremi domini nostri regis in totis et integris quinque mercatis terrarum de Grange quadraginta solidatis terrarum vocatarum Tounend Kilmarnok quinque mercatis terrarum de Monkland et sex mercatis terrarum de Skirleland extendentibus in integro ad novemdecim mercatas terrarum antiqui extentus cum domibus edificiis hortis pomariis singulisque suis pertinentiis in proprietate et tenandria cum tenentibus tenandriis libere tenentium servitiis earundem jacentes in regalitate de Kilwynning parochia de Kilmarnok et balliatu de Cunyngham omnes unitas annexatas et incorporatas in unam integram et liberam tenandriam tenandriam de Skirleland nuncupatam et unam sasinam super solo dictarum terrarum de Skirleland apud toftam earundem capiendam decernitur et ordinatur sufficientem esse sasinam pro omnibus terris prescriptis cum tenentibus tenandriis libere tenentium servitiis et omnibus earundem pertinentiis non obstante quod eedem minime insimul et contigue sed in diversis partibus et locis jaceant Et quod dictus dominus Willielmus Mure est legitimus et propinquior heres dicti quondam Willielmi Mure sui patris de dicta tenandria cum pertinentiis Et quod est legitime etatis Et quod de nobis tanquam domino superiore earundem in libera alba firma tenentur in capite prout in dicto retornatu et precepto regio nobis e cancellaria sua desuper directo plenius continetur Per quod preceptum mandatus et requisitus fuimus quatenus quum idem dominus Willielmus Mure nobis fecerit pro dicta tenandria cum pertinentiis quod de jure facere tenetur Sibi vel suo certo actornato latori presentium sasinam earundem juste habere faceremus sine dilatione mandato cujusquidem

precepti in omnibus (ut tenemur) obedire volentes Vobis igitur et vestrum cuilibet conjunctim et divisim precipimus et firmiter mandamus quatenus visis presentibus indilate statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integre dicte tenandrie de Skirleland in se comprehendentis particulares terras supra et subscriptas videlicet quinque mercatas terrarum de Grange quadraginta solidatas terrarum vocatarum Tounend Kilmarnok quinque mercatas terrarum de Monkland et sex mercatas terrarum de Skirleland extendentes in integro ad dictas novemdecim mercatas terrarum antiqui extentus cum domibus edificiis hortis pomariis singulisque suis pertinentiis in proprietate et tenandria cumque tenentibus tenandriis et libere tenentium servitiis et omnibus earundem pertinentibus ut dictum est jacentium memorato domino Willielmo Mure de Rowallan militi tanquam filio legitimo et heredi dicti quondam Willielmi Mure sui patris vel suo certo actornato latori presentium per traditionem et deliberationem terre et lapidis fundi earundem super solum dictarum terrarum de Skirleland apud toftam earundem secundum formam et tenorem dicti precepti regii et antiqui infeofamenti dicto quondam Willielmo Mure desuper confecti juste haberi faciatis tradatis et deliberetis sine dilatione Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis nostris in hac parte antedictis nostram plenaream et irrevocabilem tenore presentium committimus potestatem In cujus rei testimonium presentibus per Jacobum Ramsay servitorem Willielmi Cunynghame scribe signeto regio manu nostra subscriptis sigillum nostrum proprium est appensum apud Eglintoun decimo sexto die mensis Octobris anno domini millesimo sexcentesimo vigesimo Coram his testibus Laurencio Scott de Harperrig advocato Thoma Neveine de Monkriding Alexandro Mure filio dicti domini Willielmi Mure de Rowallane militis et Joanne Craig notario sic subscribitur Eglintoun Laurence Scott witnes T. Neveine of Monkriding witnes Alexander Mure witnes Johnne Craig notar witnes Post cujusquidem sasine precepti perlectionem publicationem et in vulgari expositionem prefatus Hugo Montgomerie de Smeythstoun ballivus deputatus antedictus dicti nobilis et prepotentis comitis dicti dominii et regalitatis virtute et vigore sui officii ac de mandato speciale dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integre predictae tenandrie de

Skirleland in se comprehendendis terras particulariter supra et subscriptas videlicet quinque mercate terrarum de Grange quadraginta solidate terrarum vocatarum Tounend Kilmarnok quinque mercate terrarum de Monkland et sex mercate terrarum de Skirleland extendentium in integro ad dictas novemdecim mercatas terrarum antiqui extentus cum domibus edificiis hortis pomariis singulisque suis pertinentiis in proprietate et tenandria cumque tenentibus tenandriis et libere tenentium servitiis et omnibus earundem pertinentiis ut dictum est jacentium memorato domino Willielmo Mure de Rowallane militi tanquam filio legitimo et heredi dicti quondam Willielmi Mure de Rowallane sui patris personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectum hereditarie secundum formam et tenorem dicti precepti regii et antiqui infeofamenti dicto quondam Willielmo Mure ejus patri desuper confecti dictique sasine precepti prescripti in omnibus deliberavit per terre et lapidis fundi terrarum de Skirleland apud toftam earundem tanquam locum pro sasina capienda pro omnibus et singulis predictis terris per dictum sasine preceptum specialiter designatum Super quibus omnibus et singulis premissis prefatus dominus Willielmus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum de Skirleland apud toftam earundem horam circiter primam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Roberto Broun et Thoma Broun ejus fratre germano incolis in Skirleland et Adamo Mure servitore dicti domini Willielmi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR SIR WILLIAM MURE OF ROWALLANE, KNIGHT.

Instrument in terms similar to the preceding, only that in this the said Sir William does not compear on the different lands as before, but only upon the ground of the lands of Skirleland, from which the whole Tenandry was named, and the Toft of which was specially designated in the king's precept as the place for taking seizin of the whole lands at once, instead of having the formality transacted upon the grounds of

the several parts of the Tenandry, as was (erroneously) done in the previous case; accordingly this instrument concludes in a form different from that of the preceding one, thus: These things were done upon the ground of the said lands of Skirleland, at the Toft of the same, about the first hour after noon of the 17th day of October 1620, the witnesses there present being Robert Broun and Thomas Broun his brother-german, indwellers in Skirleland, and Adam Mure, servitor of the said Sir William.

CC.—PRO JOANNE GOTTRAY.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Octobris die decimo nono regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo quarto et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Alexander Montgomerie unus ballivorum burgi de Irwing super solum et fundum tenementi terre subscripti Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Petrus Gottray burgensis burgi de Irwing patruus Joannis Gottray mercatoris burgensis dicti burgi latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem supremi domini nostri regis in toto et integro illo tenemento terre subscripto ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis jacenti infra dictum burgum de Irwing ex occidentali latere communis vie regie ejusdem inter tenementum Roberti Kille super lie north west et tenementum olim quondam Willielmi Stevinstoun nunc vero Willielmi Conynghame burgensis dicti burgi super lie southeist partibus ab una et aliis Et quod dictus Joannes Gottray est legitimus et propinquior heres ejusdem dicti quondam Petri sui patrui de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacenti Et quod est legitime etatis Et quod prefatum tenementum terre cum pertinentiis de dicto supremo domino nostro rege tenetur in capite more burgali Propterea prefatus Alexander Montgomerie ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem

corporalem actuaalem et realem totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacentis memorato Joanne Gottray tanquam indubitato propinquiori legitimo heredi dicti quondam Petri sui patru ejusdem per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem antiqui infeofamenti dicti quondam Petri sui patru ejusdem (Salvo jure cujuslibet) Tenendi de dicto rege more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Joannes Gottray a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi terre horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Alexandro Conynghame scriba in Edinburgh Roberto Smyth ejus servitore Cuthberto Davie seniore pistore Willielmo Conynghame Joanne Cruikis mercatoribus et Niniano Garven notario comburgensibus dicti burgi et Joanne Ryburne seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOHN GOTTRAY.

In the year of the Lord a thousand six hundred and twenty, on the 19th day of the month of October, an honourable man, Alexander Montgomerie, one of the bailies of the burgh of Irvine, compeared personally upon the ground of the tenement after mentioned: And there, because it clearly appeared and was known to him by authentic documents and instruments of seizin publicly shown and read to him, that the late Peter Gottray, burgess of Irvine, paternal uncle of John Gottray, merchant, burgess of the said burgh, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in that tenement of land, fore and back, under and above, with yard and tailing rig, lying within the said burgh, on the west side of the common royal way thereof, between the tenement of Robert Kille

on the north-west, and the tenement formerly of the late William Stevinstoun, but now of William Conynghame, burgess of the said burgh, on the south-east; and that the said John Gottray is lawful and nearest heir of the said Peter his uncle, of the tenement and others aforesaid; and that he is of lawful age; and that the said tenement is held in chief of the king: Therefore the said Alexander Montgomerie, bailie, by virtue of his office, with his own hands gave state and heritable seizin of the same to the said John Gottray, by delivery to him, who was personally present, of earth and stone of the ground thereof, according to the tenor of the old infeftment of the said Peter his uncle: To be holden of the king, burgage-wise, for payment yearly of the burghal fermes and duties used and wont: These things were done upon the ground of the said tenement about the tenth hour before noon of the day above written, the witnesses there present being Alexander Conynghame, writer in Edinburgh, Robert Smyth, his servitor, Cuthbert Davie elder, baker, William Conynghame, John Cruikes, merchants, and Ninian Garven, notary, burgesses of Irvine, and John Ryburne, serjeant.

CCL.—PRO JACOBO ROS FABRO LIGNARIO WILLIELMO
CAULDWELL EJUSQUE SPONSA ETC.

Anno domini millesimo sexcentesimo et vigesimo mensis vero Octobris die decimo nono regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo quarto et decimo octavo In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Alexander Montgomerie unus ballivorum burgi de Irwing super solum et fundum domus sive aule et lie brewsteid subscriptarum Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Alexander Ros faber lignarius burgensis dicti burgi pater Jacobi Ros fabri lignarii burgensis incorporationis de Bangour infra regnum Hybernie latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti supremi domini nostri regis in tota et integra illa domo sive aula et lie brewsteid nunc vero stabulo cum pertinentiis

jacentibus infra dictum burgum in tenemento olim pertinenti ad quondam Matheum Rainkeine in modo subsequenti videlicet dictus domus et aula jacens inter domum et horreum Alexandri Gray cultellarii burgensis dicti burgi et olim vero quondam Hugonis Neveine prepositi ex occidentali et domum dicti Alexandri et perprius quondam Hugonis Montgomerie ex orientali et dictum stabulum vocatum lie brewhous staid jacens inter domum dicti Alexandri Gray et olim vero dicti quondam Hugonis Montgomerie ex occidentali et lie housstaid et horta dicti quondam Mathei Rainkeine nunc vero ——— ex orientali partibus omnes jacentes inter tenementum dicti quondam Hugonis Montgomerie nunc vero Willielmi Cauldwell ex boreali et tenementum olim quondam Joannis Buckle nunc vero Thome Spark et Jacobi Johnstoun ex australi partibus Necnon in toto et integro uno annuo reddito decim mercarum usualis monete hujus regni Scotie annuatim levando et percipiendo de dicta domo sive aula et lie brewstaid prescripta Et quod dictus Jacobus Ros est legitimus et propinquior heres ejusdem dicti quondam Alexandri sui patris de tota et integra predicta domo sive aula et lie brewhous staid nunc vero in stabulo edificato et annuo reddito prescripto ex eisdem levando Et quod est legittime etatis Et quod predicta domus sive aula et stabulum predictum et annuus redditus prescriptus de dicto supremo domino nostro rege tenentur in capite more burgali Propterea prefatus Alexander Montgomerie ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integre predictae domus sive aule et lie brewhousstaid nunc vero stabuli cum pertinentiis ut supra respective jacentium Necnon totius et integri predicti annui redditus decim mercarum monete prescripte annuatim ex eisdem levandi prefato Jacobo Ros tanquam filio legitimo et propinquiori heredi dicti quondam Alexandri sui patris ejusdem per terre et lapidis fundi dicte domus sive aule et stabuli prescripti ac unius denarii ut moris est probo adolescenti Willielmo Hector servitori dicti Willielmi Cauldwell tanquam actornato et eo nomine dicti Jacobi Ros rite et legittime constituto traditionem et deliberationem (de cujus actornatoriali potestate dicto ballivo mihiq[ue] notario publico et testibus subscriptis satis lucide constabat) dedit tradidit pariter et cum effectum hereditarie deliberavit secundum formam et tenorem antiquorum infeofamentorum dicti quondam Alexandri sui patris earundem (salvo jure cujuslibet) Tenendorum de

dicto supremo domino nostro rege more burgali Quibus peractis prefatus Willielmus Hector actornatus antedictus tanquam procurator et eo nomine dicti Jacobi Ros rite et legitime constitutus virtute cujusdam procuratorialis litere contente in quadam dispositionis litera facta per dictum Jacobum de dicta sua domo sive aula et lie brewhous sted nunc vero stabulo cum pertinentiis ut supra jacentibus et annuo reddito prescripto ex eisdem annuatim exigendo ut predicatur dicto Willielmo Cauldwell de Annanhill et Jeanne Dunlop ejus sponse eorumque alteri diutius viventi in conjuncta infeodatione eorumque heredibus et assignatis subscriptis hereditarie penes hoc presens infeofamentum subscriptum de data secundo die mensis Octobris instantis pro certis pecuniarum summis dicto Jacobo per dictos conjuges in pecunia numerata persolutis modo in dicta dispositionis litera contento totam et integram predictam domum sive aulam et lie brewhous sted nunc vero stabulum cum pertinentiis ut supra jacentem et annum redditum decim mercarum annuatim ex eisdem ut predicatur levandum In manibus dicti Alexandri Montgomerie unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum et unum denarium ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Jacobus ejusve heredes successores aut assignati in et ad predictas domum sive aulam stabulum et annum redditum habuerunt habent seu quovismodo in futurum in et ad eadem habere clamare vel pretendere poterint omnino quieteclamavit imperpetuum In favores ac pro hac nova sasina et infeodatione earundem per dictum ballivum prefatis Willielmo Cauldwell et Jeanne Dunlop conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Willielmo suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Alexander Montgomerie ballivus antedictus virtute et vigore sui officii ac de requestu speciale dicti Willielmi Hector procuratoris et resignantis antedicti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integre predictae domus sive aule et lie

brewhous sted nunc vero stabuli cum pertinentiis ut supra respective jacentium Necnon totius et integre predicti annui redditus decim mercarum monete prescripte annuatim ex eisdem levandi prefatis Willielmo Cauldwell et Jeanne Dunlop conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi dictorum aule et stabuli respective et unius denarii ut moris est dicto Willielmo Cauldwell personaliter presenti et provido viro Joanne Peiblis de Knodgerhill tanquam actornato et eo nomine dicte Jeanne Dunlop acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis prescripte Tenendorum de dicto supremo domino nostro rege more burgali Reddendo inde annuatim firmas burgales aliqua onera et divorias solvi solitas et consuetas Super quibus omnibus et singulis premissis prefatus Willielmus Hector actornatus antedictus et eo nomine dicti Jacobi Ros quo supra necnon dictus Willielmus Cauldwell pro semetipso et prefatus Joannes Peiblis actornatus antedictus et eo nomine dicte Jeanne Dunlop sponse dicti Willielmi a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicte domus sive aule et lie brewhous sted nunc vero stabuli horam circiter primam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Alexandro Gray cultellario et Thoma Airmour comburgensibus dicti burgi Hugone Edwart in Kilmarnok et Joanne Ryburne seriando dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JAMES ROS, WRIGHT, WILLIAM CAULDWELL AND
HIS SPOUSE.

In the year of the Lord a thousand six hundred and twenty, on the 19th October, an honourable man, Alexander Montgomerie, one of the bailies of the burgh of Irvine, compeared personally upon the ground of the house or hall and the brewstead under written; and there, because it was evidently known to him by authentic documents and instruments

of seizin publicly shown, read, and demonstrated to him, that the late Alexander Ros, wright, burgess of the said burgh, father of James Ros, wright, burgess of the Incorporation of Bangour, within the kingdom of Ireland, bearer hereof, died last vest and seized as of fee, at the faith and peace of the king, in all and whole that house or hall and the brewstead, now a stable, lying within the burgh of Irvine, in the tenement formerly pertaining to the late Mathew Rankeine, in manner following, that is to say, the said house or hall lying between the house and barn of Alexander Gray, cutler, burgess of the said burgh, and formerly of the late Hew Neveine, provost, on the west, and the house of the said Alexander, and formerly of the late Hew Montgomerie, on the east; and the said stable, called the Brewhous stead, lying between the house of the said Alexander Gray, and formerly of the said Hew Montgomerie, on the west, and the house, stead, and yards of the said late Mathew Rankeine, but now of ———, on the east; all lying between the tenements of the said deceased Hew Montgomerie, but now of William Cauldwell, on the north, and the tenement sometime of the late John Buckle, but now of Thomas Spark and James Johnstoun, on the south; also, in an annualrent of ten merks usual money of this kingdom of Scotland, to be taken yearly from the said house or hall, and the brewstead before written; and that the said James Ros is lawful and nearest heir of the said Alexander, his father, of the house or hall aforesaid, and the Brewhouse stead, now built as a stable, and the annualrent before written, to be taken from the same; and that he is of lawful age; and that the said house, stable, and annualrent are held of the king in chief in burghal manner; therefore the said Alexander Montgomerie, bailie, by virtue of his office, did, with his own hands, give state and heritable seizin, and also bodily possession of the said house or hall, and of the Brewhouse stead, now a stable, lying respectively as aforesaid; also of the said annualrent of ten merks levied from the same, to the aforesaid James Ros, as lawful son and nearest heir of the said deceased Alexander, by delivery of earth and stone of the house and stable, and of one penny, as the custom is, to a worthy young man, William Hector, servitor of the said William Cauldwell, as attorney and in name of the said James Ros, lawfully constituted, according to the form and tenor of the old infestments of the said deceased Alexander; to be holden of the king in burghal manner; which things having been

done, the said William Hector, attorney aforesaid, as procurator and in name of the said James Ros, lawfully constituted by letter of procuratory contained in a disposition granted by the said James, of his said house, brewstead, and annualrent aforewritten, to the said William Cauldwell of Annanhill, and Jean Dunlop his spouse, and the survivor of them in conjunct fee, and their heirs heritably, of date the second day of October instant, for certain sums of money paid to the said James by the said spouses, did surrender, and purely and simply resign, renounce, and overgive, by staff and baton and one penny, all and whole the subjects afore described, in the hands of the said Alexander Montgomerie, bailie, for this new seizin to be given by him of the same to the said William Cauldwell and Jean Dunlop in conjunct fee, and to the heirs procreated or to be procreated between them; which failing, to the said William and his nearest and lawful heirs whatsoever, heritably and irredeemably, without any reversion, redemption, or regress whatsoever; which resignation having been so made, and by the said bailie admitted and received, he, by virtue of his office, and at the special request of the said William Hector, procurator and resigner, did with his own hands give state, heritable seizin, and likewise bodily possession of the aforesaid house or hall, brewhouse stead or stable, and annualrent, to the said William Cauldwell and Jean Dunlop, spouses, by delivery of earth and stone of the ground thereof, and of one penny, to the said William Cauldwell, who was personally present, and to a prudent man, John Peiblis of Knodgerhill, as attorney and in name of the said Jean Dunlop; upon which the said William Hector, in name of the said James Ros, and the said William Cauldwell for himself, and the said John Peibles in name of the said Jean Dunlop, craved from the notary instruments one or more: These things were done on the grounds of the said subjects, respectively, about the first hour after noon of the day before mentioned, the witnesses there present being Alexander Gray, cutler, and Thomas Airmour, burgesses of Irvine, Hew Edwart in Kilmarnok, and John Ryburne, serjeant of the said burgh.

CCII.—PRO JACOBO HENRYSOUN ET SPONSA.

Anno Domini millesimo sexcentesimo et vigesimo mensis vero Octobris die vigesimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo quarto et decimo octavo In mei notarii publici et testium subscriptorum presentis personaliter comparuerunt probe persone Jacobo Scott custumarius regius burgi de Irwing et Agneta Blair ejus sponsa super solum et fundum illorum duorum tenementorum terre subscriptorum insimul et contigue jacentium olim quondam Matheo Scott burgensi dicti burgi hereditarie pertinentium nunc vero dicto Jacobo Scott ejusdem ——— jacentium infra dictum burgum inter tenementum Joannis Blair unius novissimorum ballivorum dicti burgi ex occidentali viam regiam directe ducentem ad pontem vulgariter vocatam the Bridggait ex australi tenementum vocatum Sanct Wissingis ex orientali et clausuram illam vulgariter vocatam Bowmies Clos ex boreali partibus ab una et aliis Et ibidem prefatus Jacobus pro semetipso et cum expressis avisamento consensu et assensu prefate Agnete Blair ejus sponse pro omnibus jure titulo et interesse sibi in et ad predicta duo tenementa cum hortis et singulis suis pertinentiis et annuum redditum subscriptum annuatim ex eisdem exigendum et levandum competentibus ratione conjuncte infeodationis vitalis redditus seu quocunque alio modo tam non expressato quam expressato dictaque Agneta pro semetipsa et cum expressis avisamento consensu et assensu dicti sui mariti illique ambo unanimi consensu et assensu pro summa ducentum et triginta mercarum usualis monete hujus regni Scotie illis in pecunia numerata tempore presentium confectionis per probas personas Jacobum Henrysoun fabrum lignarium burgensem dicti burgi et Cristenam Neveine ejus sponsam plenarie et integre persoluta Necnon pro observatione unius eorum partis cujusdam dispositionis litere per eos unanimi consensu et assensu dictis Jacobo Henrysoun et Cristene Nevein ejus conjugii eorumque alteri diutius viventi in conjuncta infeodatione eorumque heredibus et assignatis subscriptis de totis et integris predictis eorum duobus tenementis terre ante et retro cum hortis et singulis earundem pertinentiis ac annuo redditu subscripto facte de data decimo ——— die mensis Octobris instantis tota et integra predicta eorum duo tenemento terre ante et retro cum hortis et singulis earundem per-

tinentiis jacentia bondata ut premittitur Necnon totum et integrum illud
 annuum redditum undecim mercarum usualis monete hujus regni Scotie
 in quo debite et legitime infeodati existunt annuatim exigendum et
 levandum de totis et integris predictis duobus tenementis terre ante et
 retro cum hortis et singulis eorundem pertinentiis ad duos anni terminos
 consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per
 equales portiones unacum omnibus jure titulo et interesse illis eorumque
 heredibus et assignatis quibuscunque in et ad predicta duo tenementa
 cum hortis et pertinentiis seu aliquam earundem partem et annuum
 redditum prescriptum competentibus In manibus honorabilis viri
 Alexandri Montgomerie unius ballivorum dicti burgi sursum reddiderunt
 pureque et simpliciter per fustim et baculum et unum denarium ut
 moris est resignavit renunciavit et extradonavit imperpetuum In favores
 ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum
 dictis Jacobo Henrysoun et Cristene Nevein conjugibus eorumque alteri
 diutius viventi in conjuncta infeodatione heredibusque inter eos legitime
 procreatis seu procreandis quibus deficientibus legitimis et propinquiore
 heredibus et assignatis dicti Jacobi Henrysoun quibuscunque hereditarie
 et irredimabiliter absque aliqua reversione redemptione aut regressu
 quocunque danda et conficienda Qua resignatione sic ut premittitur
 facta debite et legitime per dictum ballivum admissa et recepta prefatus
 Alexander ballivus antedictus virtute et vigore sui officii ac de requestu
 dictorum resignantium propriis suis manibus statum et sasinam heredi-
 tariam pariter et possessionem corporalem actualem et realem totorum
 et integrorum dictorum duorum tenementorum insimul ut premittitur
 jacentium ante et retro cum hortis et singulis suis pertinentiis ut supra
 jacentibus Necnon predicti annui redditus undecim mercarum monete
 annuatim ex eisdem vel aliqua earundem parte ad dictos duos anni
 terminos levandi Prefatis Jacobo Henrysoun et Cristene Nevein conjugi-
 bus eorumque alteri diutius viventi in conjuncta infeodatione per terre
 et lapidis fundi earundem et unius denarii illis personaliter presentibus
 ut moris est traditionem dedit tradidit et hereditarie et irredimabiliter
 sine reversione deliberavit secundum tenorem dicte resignationis litereque
 dispositionis prescripte Tenendorum de dicto supremo domino nostro rege
 more burgali In super in presentia dicti ballivi prefata Agneta extra
 presentiam sui mariti se ad premissa per eum minime coactam fuisse
 sed ex sua libera et spontanea voluntate fecisse et omnia premissa

ratificavit et de non revocando in futurum suum corporale prestitit juramentum Super quibus omnibus et singulis prefati Jacobus et Cristena conjuges a me notario publico sibi fieri petierunt hoc presens publicum instrumentum Acta erant hec super fundum dictarum terrarum hora nona mane sub anno die mense regnisque regis quibus supra Presentibus ibidem dicto Joanne Blair Andrea Henrysoun textore Joanne Deyn burgensibus dicti burgi et Willielmo Steinsoun seriando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

Memorandum
the 88 leave
omittit.

R. BROUN.

This booke conteanes ane hounder and fourtie leaffes comptand fyve scoir to the hounder all marked as the same beares.

J. HAY.

ABSTRACT.

FOR JAMES HENRYSOUN AND SPOUSE.

In the year of the Lord a thousand six hundred and twenty, on the 20th day of the month of October, and of the reigns of James, King of Great Britain, France, and Ireland, the fifty-fourth and eighteenth years, there compeared personally the worthy persons, James Scott, the king's custumar of the burgh of Irvine, and Agnes Blair, his spouse, upon the ground of those two tenements of land lying together and contiguously, belonging before heritably to the late Mathew Scott, burgess of the said burgh, but now to the said James Scott, his —, lying within the said burgh, between the tenement of John Blair, one of the last bailies of Irvine, on the west, the royal way leading directly to the bridge, commonly called the Bridggait, on the south, the tenement called Saint Wissings on the east, and the close, vulgarly called Bowmies Close, on the north; and there the aforesaid James, for himself, and with express advice and consent of Agnes Blair, his spouse, and she for herself, with his advice and consent, and they both, with unanimous consent and assent, for the sum of 230 merks usual money of this kingdom of Scotland, paid to them at the same time in counted money by the worthy persons, James Henrysoun, wright, burgess of Irvine, and Christina Neveine, his spouse; and for observing their part of a disposition granted by them to the said James Henrysoun and his spouse, did surrender, and purely and simply resign, their two tenements

aforesaid, with the yards and pertinents; and also an annualrent of eleven merks, in which they stood infeft, to be taken yearly from the same two tenements of land, in the hands of an honourable man, Alexander Montgomerie, one of the bailies of Irvine, with the usual formality, for new infeftment of the said tenements and annualrent to be given by him to the said James Henrysoun and Christina Nevein, his spouse, in conjunct fee, and to the heirs procreated or to be procreated between them, which failing, to the lawful and nearest heirs of the said James Henrysoun, heritably and irredeemably; which resignation having been so made, and by the bailie received, he with his own hands gave seizin accordingly by delivery of earth and stone of the ground of the said tenements, and of one penny, to the said James and Christina, who were personally present; to be holden of the king in manner of burgh: Moreover, the aforesaid Agnes Blair, in presence of the bailie, but outwith the presence of her husband, ratified the premises, declaring that she was not forced by him thereto, but did the same of her own free and spontaneous will; and gave her bodily oath that she would never revoke the same in future; upon which all and sundry the said James and Christina, spouses, craved of the notary this present public instrument: These things were done on the ground of the said lands about the ninth hour of the morning of the day before mentioned, the witnesses there present being the said John Blair, Andrew Henrysoun, weaver, John Deyn, burgesses of the said burgh, and William Stevinsoun, serjeant.