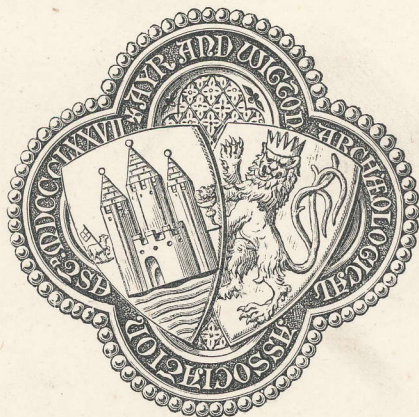


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X.

THE BOYD PAPERS.

INTRODUCTION.

THE Boyd Papers have remained in the custody of the town-clerks of Kilmarnock from the period of the attainder of the last Earl of Kilmarnock for accession to the Rebellion of 1745. A selection of these papers was published in the *Miscellany of the Abbotsford Club*, Vol. I., and some of them are to be found in the *Memorials of the Montgomeries*. Such of the papers already printed as are of special interest have been transcribed, and others have simply been noted.¹

The Boyd Papers, which cover a period of over one hundred years, are specially interesting as showing the rapid rise of the Boyd family to influence and wealth and their equally rapid fall.

Lord Boyd was created a peer towards the end of the reign of James II,² and through his influence, his brother, Sir Alexander Boyd, was appointed instructor in the art of chivalry to the youthful James III. Their ambition, however, aimed somewhat higher, and fortifying themselves, after the custom of the time, with a band,³ they hazarded the audacious enterprise of seizing the young King's person. While at a Court held at Linlithgow on 9th July 1466, the King was required by the Boyds and their friends to accompany them to Edinburgh. It does not appear that any violence was used, probably none was necessary, but that the

¹ It has not been thought necessary otherwise to refer to the following bands between the Boyds and the Lairds of Kelsoland, Bichoptown, Cauldwell, Kylbirny, Fargushill, Lochrig, Rouallane, Arroquhair, Cambustrodan, Blair, Cullellan, Ryisholm, and Assloss, William Farlie,

and Lord Angus ; all of which will be found in the first vol. of the *Abbotsford Miscellany*.

² Crawford's *Officers of State*, p. 313. Douglas's *Peerage*, Second Edition, ii. 32.

³ Printed in Tytler's *Hist. of Scotland*, vol. iv. App. p. 404.

conspirators had grave fears as to what might be the ultimate consequences of their exploit is proved by the anxiety they displayed in the endeavour to secure their safety. At a Parliament, held at Edinburgh on 13th October following, the King is made to declare that he had conceived no indignation against Lord Boyd and the others, and that no prejudice should, in future, arise to them on account of that raid, and this declaration was confirmed under the Great Seal. The highest honours were now within the reach of Lord Boyd; he was at once appointed governor of the King, his brothers, and the royal fortresses, during the minority; while his eldest son was shortly afterwards raised to the Earldom of Arran and united to the Princess Mary, sister of the King. The power of the Boyds was, however, destined to be of short duration. In 1469 the mind of the King was alienated from them; they were tried and found guilty of treason in respect of the raid at Linlithgow, and their lives and estates were forfeited. Lord Boyd only escaped from death by timely flight, while Sir Alexander, notwithstanding the King's former affection for him, was beheaded on the Castle-hill of Edinburgh. The Earl of Arran, who was at this time engaged in escorting home the royal bride, received warning from his wife of the fate in store for him and fled with her to Denmark. At the command of the King, however, the Princess Mary was compelled to leave her husband; and a divorce was obtained on the flimsy pretext, it is supposed, of a prior contract to the Lord Hamilton. During the lifetime of the Earl of Arran the Princess is said to have been confined in Dean Castle,¹ and after his death she was married to Lord Hamilton.

The family fortunes were to a considerable extent retrieved by Robert, fourth Lord Boyd, who was for many years the faithful friend and trusty counsellor of Mary Queen of Scots.

It only remains to add that the plates of Dean Castle,² the ancient seat of the Boyds, were presented by the late Duke of Portland, and that the architectural description which follows is from the pen of Mr. Galloway.

¹ Grose's *Antiquities*, ii. 214.

² Called also Kilmarnock Castle: Pont says:—"Killmarnock Castle, it is a staitly faire ancient bulding arysing in tuo grate heigh towers and bult arround courtewayes vith fyne low buldings. It (*sic*) is veill planted and

almost environed vith gardens, orchards, and a parke, it belonged first to ye Locartts, Lordes thereof, then to the Lord Soulis, and now the cheiffe duelling almost for 300 zeirs of ye Lords Boyde."—Dobie's *Pont's Cuninghame*, pp. 292, 293.

THE BOYD PAPERS.

1. *Confirmation, under the Great Seal, of a Declaration by King James the Third, in Parliament, that he was not offended by the conduct of Robert Lord Boyd, in riding with him from Linlithgow to Edinburgh.*¹ [25th October 1466.]

Jacobus dei gracia Rex Scotorum Omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Sciatis nos quoddam actum in parlamento apud Edinburgh anno die et mense subscriptis per nos proprio motu in presencia trium Regni nostri statuum pronunciatum et per clericum nostrorum Rotulorum et Registri infrascriptum nostro de mandato in scriptis redactum utique intellexisse sub hac forma In parlamento excellentissimi et potentissimi principis ac domini nostri metuendissimi domini Jacobi tercii dei gracia Scotorum Regis illustrissimi tento apud Edinburgh decimo tercio die mensis Octobris Anni M^{mi} iij^omi lxxvj^{ti} Ipso illustrissimo principe in Regali solio sedente Comparuit nobilis et potens dominus Robertus dominus Boyde peciit quod humiliter ad genua sedens coram tribus Regni statibus a sua serenitate declarari an aliquam animi indignacionem aut aliqualem offensionem contra eundem concepisset ex eo quod cum a palacio suo de Linlithqw post scaccarium ad Edinburgum cum eodem equitasset Qui supremus dominus noster mature et consulte avisatus coram eisdem Regni statibus vive vocis oraculo declaravit clare lucide quod edixit se nullam indignacionem offensam aut mentis rancorem contra eundem dominum Boyde Adam Hepburn filium et apparentem heredem Patricii domini Halis Johannem dominum Somervile Andream Ker filium et heredem apparentem Andree Ker de Cesfurde aut aliis cum eodem domino Boyde et personis predictis existentibus aliquialiter concepisse nec infuturum concepere velle sed eos ex huiusmodi equitatu per preceptum sue Serenitatis facto extra omnem noxiam et culpam esse et eos ut suos fidos ligios reputavit et in cares habuit Ita quod ex huiusmodi equitatu nullum eis et eorum alicui aut personis cum eisdem tunc presentibus futuris temporibus quovismodo preiudicium aliquod dampnum molestiam aut gravamen generaret Quam rem et suppremi domini nostri Regis declaracionem dictus dominus Boyde pro se et personis cum eo superius nominatis peciit in actis parla-

¹ *Acts of the Parliament of Scotland*, vol. ii. p. 185.

menti redeggi et sub magno sigillo suppressi domini nostri Regis sibi et aliis personis predictis ad perpetuam rei memoriam inde confeci et donari Extractum de libro actorum parlamenti per me Fergusium M'dowel clericum Rotulorum et Registri domini nostri Regis sub meis sigillo et subscriptione manuali anno die mense et loco predictis Quod quidem actum ac omnia et singula in eodem contenta in omnibus suis punctis et articulis approbamus et tenore presencium declaramus et confirmamus Datum sub magno sigillo nostro apud Strivelin vicesimo quinto die mensis Octobris Anno Domini M^{mo} iiii^{mo} lxxv^{to} et Regni nostri septimo.

ABSTRACT.

Ratification by King James III., under the Great Seal, of an Act passed in the Parliament at Edinburgh, on 13th October 1466, his Majesty being present, and sitting upon the throne, to the effect that Robert Lord Boyd having appeared before the three estates of the kingdom on that occasion, and kneeling down, humbly requested his Highness to declare whether he had conceived in his mind any indignation or displeasure against him, because he rode with him from his palace of Linlithgow after the Exchequer to Edinburgh. The king after consultation being ripely advised, declared clearly and distinctly by the lively oracle of his voice, that he had conceived no indignation, displeasure, or rancour of mind against the said Lord Boyd, Adam Hepburn, son and apparent heir of Patrick Lord Hales, John Lord Somerville, Andrew Ker, son and heir-apparent of Andrew Ker of Cessfurd, or other persons equally with the said Robert Lord Boyd ; nor did he intend in future to conceive any displeasure against them ; but that raid having taken place by command of his Highness, he accounted them free from all blame, and had them in favour as his faithful lieges ; and therefore that no prejudice or hurt should in future arise to them, or any one of them, on account of that raid. Which thing, and the declaration of his Majesty, the said Robert Lord Boyd, for himself and the persons named with him, requested to be recorded in the Acts of Parliament, and to be given to him and the other persons mentioned, under his Majesty's great seal, for the perpetual remembrance thereof ; which was done by this confirmation given under the great seal at Stirling, 25th October 1466.

2. *Appointment, under the Great Seal, of Robert Lord Boyd, as Governor of the King during his minority.*¹ [25th October 1466.]

Jacobus dei gracia Rex Scotorum Omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Quia nos in parlamento nostro ultimo tento apud Edinburgh mentem nostram coram tribus Regni nostri statibus declaravimus quod quam plurimum nobis placuit ut consanguineus noster Robertus dominus Boide gubernacionem et regimen nostre persone et fratrum nostrorum et fortaliciorum tanquam unus de intimis nostris consulibus habeat in nostre auctoritatis Regie et Justicie executione

¹ *Acts of the Parliament of Scotland*, vol. ii. p. 185.

usque ad nostram etatem legitimam viginti unius annorum Ea propter dictum Robertum dominum Boid consanguineum nostrum ex consensu et deliberacione ceterorum dominorum nostri concilii gubernatorem nostre persone ac fratrum nostrorum et fortalicioꝝ usque ad nostram etatem predictam constituimus et ordinavimus ac ut premittitur constituimus et ordinamus per presentes strictius inhiꝑentes ne quis in contrarium presentis nostre ordinacionis aliquotiens devenire presumat sub omni pena quam erga nostram Regiam incurrere poterit maiestatem in hac parte Datum sub magno sigillo nostro apud Strivelin vicesimo quinto die mensis Octobris Anno Domini M^o iiij^o sexagesimo sexto et Regni nostri septimo.

ABSTRACT.

Charter by King James the Third, under the great seal, whereby his Majesty, having already declared his mind to the Estates of Parliament, that Robert Lord Boyd as one of his most intimate counsellors should have the government of his Majesty's person, his brothers, and his fortresses, in the administration of his royal authority and justice, until his Majesty should attain to the lawful age of twenty-one years; therefore constituted and ordained the said Lord Boyd governor accordingly, with the consent and deliberation of the other Lords of his Majesty's council. Given at Stirling, 25th October 1466.

3. *Charter by King James the Third to Thomas Boyd, Earl of Arran, and Mary, his spouse, of the lands of Stewartoun and Others.*¹ [26th April 1467.]

Jacobus Dei gracia Rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos ob singularem favorem dilectionem et amorem quos erga carissimam sororem nostram Mariam Comitissam de Arane gerimus in honorem nostri sanguinis et sobilis ex ea veresimiliter sustentandum Atque propter obsequium et servicium dilecti consanguinei nostri Thome Boide Comitis de Arane sponsi dicte carissime nostre sororis dedisse concessisse et hac presenti carta nostra confirmasse dicto consanguineo Thome Boide Comiti de Arane et carrissime sorori nostre Marie sponse sue predictae et eorum alteri diutius viventi totas et integras terras nostras de Stewartoune cum tenentibus et tenandiis earundem cum pertinentiis jacentes infra vicecomitatum nostrum de Are Necnon omnes et singulas [terras] de Trarinzeane cum turre ac tenentibus et tenandiis earundem cum pertinentiis infra dictum vicecomitatum Necnon terras de Turnbery cum tenentibus et tenandiis jacentes in vicecomitatu nostro de Carric terras de Risedalemure cum pertinentiis jacentes in balliatu de Cunynghame infra dictum vicecomitatum de Are ac eciam omnes et singulas terras de Mekilcumray cum pertinentiis jacentes infra vicecomitatum nostrum de Bute Quas omnes et singulas predictas terras de Terinzeane

¹ *Registrum Magni Sigilli*, lib. vii. No. 115.

cum turre ac terras de Turnbery cum omnibus tenentibus et tenendiis terras de Risedalemure et Mekilcumray cum pertinentiis prefatis terris de Stewartoune annexuimus incorporavimus et univimus ac annexamus incorporamus et unimus pro perpetuo per presentes et ipsas omnes terras cum tenentibus et tenendiis cum pertinentiis ut premittitur invicem unitas et incorporatas in unam meram et liberam baroniam baroniam de Stewartoune nuncupandam creavimus et pro perpetuo creamus tenore presentis carte Tenendas et habendas omnes et singulas prenominate terras sive dictam novam creatam baroniam de Stewartoune cum pertinentiis ac omnibus tenentibus tenendiis dicto consanguineo nostro Thome comiti de Arane et prefate carissime sorori nostre Marie sponse sue et eorum alteri diutius viventi et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus nobis heredibus et successoribus nostris libere revertendas de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine in boscis planis moris marresiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis acupacionibus venacionibus piscacionibus petariis turbariis carbonariis lapicidiis lapide et calce fabrilibus braceriis brueriis et genestis cum curiis et earum exitibus herezeldis blwdwitis et merchetis mulierum cum tenentibus tenendiis et libere tenentium serviciis cum furca et fossa sok sak tholl theme infangand theif outfangand theif ac cum omnibus aliis et singulis libertatibus commoditatibus et asiamentis ac justis pertinentiis quibuscunque tam non nominatis quam nominatis ad prefatas terras et baroniam de Stewartoune cum pertinentiis ac omnibus tenentibus tenendiis suis spectantibus seu quovis modo juste spectare valentibus in futurum libere quiete plenarie integre honorifice bene et in pace sine aliquo retinemento revocatione et contradictione quibuscunque Reddendo inde annuatim dicti Thomas Comes de Arane et carissima soror nostra Maria comitissa sponsa sua et eorum alter diutius vivens et heredes inter ipsos legitime procreati seu procreandi nomine warde et relevii tres sectas ad tria placita capitalia curie balliatus nostri de Cunyngame Et reddendo annuatim fratribus burgi nostri de Irwin triginta tres solidos et quatuor denarios usualis monete regni nostri sicut dicta summa persolvi solebat ac eciam reddendo dilecto nostro Johanni Chalmir de Gaitgirth militi et heredibus suis duas (*sic*) farine ad terminos consuetos tantum In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi Testibus reverendo in Cristo patribus Andrea episcopo Glasguensi Thoma episcopo Aberdonensi dilectis consanguineis nostris Andrea domino Avandaile cancellario nostro Johanne Comite Atholl avunculo nostro Colino Comite de Ergile domino Cambell magistro hospicii nostri Jacobo domino Levinstoune magno camerario nostro Roberto domino Lile magistro Jacobo Lindisay preposito de Linclaudane nostri secreti sigilli custodi David Guthrie de eodem nostrorum compotorum Rotulatore et Archibaldo de Quhitlaw decano de Dumbar secretario nostro apud Edinburgh xxvj^o die mensis Aprilis anno domini M^o iiij^o lxvij^o et regni nostri septimo.

TRANSLATION.

James, by the grace of God King of Scots, to all honest men of his whole land, clergy and laity, greeting: wit ye us, for the singular favour and love which we bear towards our dearest sister Mary, Countess of Arran; and for creditably maintaining by her the honour of our blood and posterity, and for the obedience and service of our beloved cousin Thomas Boyd, Earl of Arran, husband of our said dearest sister, to have given, granted, and by this our present charter confirmed, to our said cousin Thomas Boyd, Earl of Arran, and our dearest sister Mary, his wife foresaid, and the longer liver of them, all and whole our lands of Stewartoun, with tenants and tenandries of the same, with the pertinents lying within our shire of Ayr; also all and sundry the lands of Trarinzeane, with the tower and tenants and tenandries of the same, with the pertinents, within the said shire; also, the lands of Turnbery, with tenants and tenandries, lying in our shire of Carric; the lands of Risedalemure with the pertinents lying in the bailiary of Cunynghame within the said shire of Ayr; as also all and sundry the lands of Mekilcumray with the pertinents lying within our shire of Bute: which all and sundry the foresaid lands of Terinzeane with the tower, and lands of Turnbery with all tenants and tenandries, lands of Risedalemure and Mekilcumray with the pertinents, we have annexed, incorporated, and united, as we for ever by these presents annex, incorporate, and unite to the foresaid lands of Stewartoun; and all these lands with the tenants and tenandries, with the pertinents united and incorporated together as is above said, we have created, and by the tenor of the present charter for ever create into one mere and free barony, to be called the Barony of Stewartoun: To be holden and had all and sundry the beforenamed lands, or the said new created barony of Stewartoun, with the pertinents, and with all tenants and tenandries, to our said cousin Thomas Earl of Arran, and our foresaid dearest sister Mary his spouse, and the survivor of them, and the heirs lawfully procreated or to be procreated between them, whom failing, to revert freely to us our heirs and successors, of us our heirs and successors in fee and heritage for ever, by all their right meithes, ancient and divided, as they lie in length and breadth, in woods, plains, muirs, marshes, ways, paths, waters, pools, rivers, meadows, pastures, and pasturages, mills, multures, and their sequels, fowlings, huntings, fishings, peats, turfs, coalheuchs, quarries stone and lime, smithies, brewhouses, brooms and heaths, with courts and their issues, herezelds, bloodwites, and merchets of women, with tenants, tenandries, and service of free tenants, with gallows and pit, sok, sak, tholl, theme, infangand thief, outfangand thief, and with all other and sundry freedoms, commodities and easements and just pertinents whatsoever, as well not named as named, belonging, or that may in any way justly belong in future to the foresaid lands and barony of Stewartoun with the pertinents, and all their tenants and tenandries, freely, quietly, fully, wholly, honourably, well, and in peace, without any withholding, again calling, and contradiction whatever. Rendering therefor yearly the said

Thomas Earl of Arran, and our dearest sister Mary his spouse, and the survivor of them, and the heirs lawfully gotten or to be gotten between them, in name of ward and relief, three suits at the three head pleas of the court of our bailiary of Cunynghame; and rendering yearly to the friars of our burgh of Irvine thirty-three shillings and fourpence, usual money of our kingdom, as the said sum was wont to be paid; and also rendering to our lovite John Chalmer of Gaitgirth, knight, and his heirs, two [chalders?] of meal, at the usual terms only: In witness of which thing, to this our present charter [we have commanded] our great seal to be affixed: witnesses, the reverend fathers in Christ Andrew bishop of Glasgow; Thomas bishop of Aberdeen; our beloved cousins Andrew Lord Avandale, our chancellor; John Earl of Athole, our uncle; Colin Earl of Argyll, lord Campbell, master of our household; James Lord Livingstone, our high chamberlain; Robert Lord Lisle; Mr. James Lyndsay, Provost of Lincludane, keeper of our privy seal; David Guthrie of that ilk, enroller of our accounts; and Archibald of Quhitlaw, dean of Dunbar, our secretary: At Edinburgh, the 26th day of the month of April, the year of the Lord 1467, and of our reign the seventh.

4. *Charter by King James the Third to Thomas Boyd, Earl of Arran, and Mary, his spouse, of the lands of Cavertoun, etc.*¹ [26th April 1467.]

Jacobus dei gracia Rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Thome Boide comiti de Arane et carissime sorori nostre Marie sponse dicti Thome et eorum alteri diutius viventi terras de Cavertoun cum pertinentiis jacentes infra vicecomitatum nostrum de Roxburgh terras baronie de Telling cum pertinentiis jacentes infra vicecomitatum de Forfar cum annuo redditu de Brichti infra eundem vicecomitatum de Forfare terras de Polgavy cum pertinentiis jacentes infra vicecomitatum nostrum de Perth cum omnibus et singulis pertinentiis ad dictas terras et annuum redditum cum pertinentiis spectantibus Quequid terre cum anno redditu cum pertinentiis fuerunt dilecti consanguinei nostri Roberti domini Boide patris dicti Thome hereditarie Et quas terras cum annuo redditu predicto cum pertinentiis idem Robertus non vi aut metu ductus nec errore lapsus sed sua mera et spontanea voluntate in manus nostras apud Edinburgh coram subscriptis testibus personaliter per fustem et baculum sursum Reddidit pureque simpliciter resignavit ac totum jus et clameum que in dictis terris at annuo redditu cum pertinentiis habuit seu habere potuit pro se et heredibus suis omnino quitteclamavit imperpetuum Tenendas et habendas totas et integras predictas terras cum prefato annuo Redditu cum pertinentiis dictis Thome comiti de Arane et sorori nostre carissime Marie sponse sue et eorum alteri diutius viventi et heredibus masculis inter ipsos legitime procreatis seu procreandis quibus forte deficientibus veris legitimis et propinquioribus heredibus

¹ *Registrum Magni Sigilli*, lib. vii. No. 116.

dicti consanguinei nostri Roberti domini Boide quibuscunque de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine cum omnibus et singulis libertatibus commoditatibus et asiamentis ac justis pertinentiis quibuscunque tam non nominatis quam nominatis ad dictas terras et annuum redditum cum pertinentiis spectantibus seu quouismodo juste spectare valentibus in futurum Et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut dictus Robertus dominus Boide aut predecessores sui predictas terras et annuum redditum cum pertinentiis de nobis aut predecessoribus nostris ante dictam resignationem nobis inde factam liberius tenuit seu possedit tenuerunt seu possederunt Faciendo inde annuatim dicti Thomas comes de Arane et carissima soror nostra Maria comitissa sua sponsa et eorum alter diutius vivens et heredes masculi inter ipsos legitime procreati seu procreandi quibus forte deficientibus veri legitimi et propinquiore heredes dicti Roberti domini Boide quicunque nobis heredibus et successoribus nostris servicia de dictis terris et annuo Redditu debita et consueta In cuius Rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus et de data in proxima precedente carta expressatis.

TRANSLATION.

James, by the grace of God King of Scots, to all honest men of his whole land, clergy and laity, greeting : Wit ye us to have given, granted, and by this our present charter confirmed to our beloved cousin Thomas Boyd, Earl of Arran, and our dearest sister Mary, spouse of the said Thomas, and the survivor of them, the lands of Cavertoun, with the pertinents, lying within our shire of Roxburgh ; the lands of the barony of Telling, with the pertinents, lying in the shire of Forfar, with the annualrent of Brichty within the same shire of Forfar ; the lands of Polgavy, with the pertinents, lying within our shire of Perth, with all and sundry pertinents belonging to the said lands and annualrent : which lands, with the annualrent, with the pertinents, belonged to our beloved cousin Robert Lord Boyd, father of the said Thomas, heritably, and which lands, with the annualrent foresaid, with the pertinents, the same Robert, not led by force or fear, nor fallen in error, but by his own mere and spontaneous will, surrendered, and purely and simply resigned personally, by staff and baton, in our hands, at Edinburgh, before the witnesses underwritten, and all right and claims which he had or can have in the said lands and annualrent, with the pertinents, he for himself and his heirs wholly quitclaimed for ever : To be holden and had all and whole the foresaid lands with the foresaid annualrent, with the pertinents, to the said Thomas Earl of Arran, and our dearest sister Mary his spouse, and the survivor of them, and the heirs-male lawfully gotten or to be gotten between them, whom failing, to the true lawful and nearest heirs whomsoever of our said cousin Robert, Lord Boyd, of us our heirs and successors in fee and heritage for ever, by all their just

meithes, ancient and divided, as they lie in length and breadth, with all and sundry liberties, advantages, and easements and just pertinents whatsoever, as well not named as named, belonging, or that may in any way justly belong in future to the said land and annualrent with the pertinents; and that as freely, quietly, fully, wholly, honourably, well, and in peace, in all and throughout all, as the said Robert Lord Boyd, or his predecessors, held or possessed the foresaid lands and annualrent, with the pertinents, of us or our predecessors before the said resignation thereof made to us: paying therefor yearly the said Thomas Earl of Arran, and our dearest sister Mary, the Countess, his spouse, and the survivor of them, and the heirs-male lawfully gotten or to be gotten between them, whom failing the true lawful and nearest heirs whosoever of the said Robert Lord Boyd, to us our heirs and successors, the services due and accustomed from the said lands and annualrent: In witness whereof, to this our present charter we have commanded our great seal to be affixed, with the witnesses and of the date expressed in the next preceding charter.

5. *Charter by King James the Third to Thomas Earl of Arran, and Mary, his spouse, of the lands of Arran.*¹ [26th April 1467.]

Jacobus Dei gracia Rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis quod ob singularem favorem dilectionem et amorem quas ad Mariam nostram carissimam sororem gerimus in honorem nostri sanguinis et sobilis ex ea veresimiliter suscitandum atque propter obsequium et servitium dilecti consanguinei nostri Thome Boide comitis de Arane dicte carissime sororis nostre sponsi dedimus et concessimus a presencium tenore damus et concedimus dictis Thome comiti de Arane et carissime sorori nostre predictae et eorum alteri diutius viventi et heredibus inter ipsos legitime procreandis omnes et singulas terras nostras Insule nostre de Arane cum pertinentiis jacentes infra vicecomitatum nostrum de Bute Quas omnes et singulas terras de Arane cum pertinentiis in unam meram et liberam baroniam baroniam de Arane perpetuis futuris temporibus nuncupandam creavimus ac creamus tenore presentis carte Tenendam et habendam totam et integram predictam baroniam baroniam de Arane ut predictum est nuncupandam cum suis pertinenciis dicto consanguineo nostro Thome comiti de Arane et sorori nostre Marie sponse sue et eorum alteri diutius viventi et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus nobis et heredibus et successoribus nostris libere revertendam De nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine in boscis planis moris maresiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupacionibus venacionibus piscacionibus petariis turbariis carbonariis lapide et calce frabilibus (*sic*) brasinis brueriis et genestis cum curiis et earum exitibus herezeldis bludewitis et merchetis mulierum furca fossa soc sac thol theme

¹ *Registrum Magni Sigilli*, lib. vii. No. 117.

infangand theiffe outfangand theiffe tenentibus tenandiis et libere tenencium serviiciis unacum ura et minis libera foresta et warennia ac cum omnibus libertatibus commoditatibus et asiamentis ac justis pertinentiis quibuscunque tam non nominatis quam nominatis ad predictas terras baronie de Arane cum pertinentiis spectantibus seu juste spectare valentibus in futurum libere quiete plenarie integre honorifice bene et in pace sine aliquo retinemento seu obstaculo quocunque Reddendo inde annuatim dictus Thomas et Maria eius sponsa prefata et eorum alter diutius vivens et heredes inter ipsos legitime procreati seu procreandi videlicet pro viginti mercatis de proprietate dictarum terrarum juxta capitale messuagium earundem proximo adiacentibus unum denarium argenti super solum dictarum terrarum in festo penthecostes nomine albe firme si petatur tantum Et pro omnibus et singulis predictis terris de Arane dictis viginti mercatis terrarum exceptis nobis heredibus et successoribus nostris servicia debita et consueta In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precipimus Testibus et de data in proxima precedente carta expressatis.

TRANSLATION.

James, by the grace of God King of Scots, to all honest men of his whole land, clergy and laymen, greeting : Wit ye that on account of the singular favour, regard, and love which we bear towards our dearest sister Mary, and for the better sustaining by her of the honour of our blood and family, and in consideration of the obedience and service of our beloved cousin Thomas Boyd, Earl of Arran, husband of our said dearest sister, we have given and granted, and by the tenor of these presents do give and grant to the said Thomas Earl of Arran and our dearest sister foresaid, and the survivor of them, and the heirs to be lawfully gotten between them, all and sundry our lands of our Island of Arran, with the pertinents, lying within our shire of Bute ; which all and sundry lands of Arran with the pertinents we have created, and by the tenor of this present charter do create, into one mere and free barony, to be called in all times coming the Barony of Arran : To be holden and had, all and whole, the foresaid barony, to be called as is before said the Barony of Arran, with its pertinents, to our said cousin Thomas Earl of Arran, and our sister Mary his spouse, and the survivor of them, and the heirs lawfully gotten or to be gotten between them ; whom failing, to revert to us and our heirs and successors, of us our heirs and successors, in fee and heritage for ever, by all its right measures, ancient and divided, as they lie in length and breadth, in woods, plains, muirs, marshes, ways, paths, waters, pools, streams, meadows, pastures and pasturages, mills, multures and their sequels, fowlings, huntings, fishings, peat-mosses, turfgrounds, coalheuchs, stone and lime, smithies, brewhouses, brooms and heaths, with courts and their issues, herezelds, bloodwites, and merchets of women, gallows, pit, soc, sac, thol, theme, infangand thief, outfangand thief, tenants, tenandries, and services of free tenants, together with ore and mines, free forest and warren, and with all freedoms, commodities, and easements, and just pertinents whatsoever, as well

not named as named, belonging or that may justly belong in future to the foresaid lands of the Barony of Arran, with the pertinents, freely, quietly, fully, wholly, honourably, well and in peace, without any hindrance or obstacle whatever: Rendering therefor yearly, the said Thomas and Mary his spouse aforesaid, and the survivor of them and the heirs lawfully gotten or to be gotten between them, namely, for twenty merks worth of the property of the said lands next adjacent to the principal messuage of the same, one penny of silver upon the grounds of the said lands on the feast of Pentecost, in name of blench farm if asked only; and for all and sundry the foresaid lands of Arran, excepting the said twenty merk lands, the services due and wont to us, our heirs and successors: In witness of which thing, to this our present charter we have commanded our great seal to be affixed, with the witnesses and of the date expressed in the next preceding charter.

6. *Charter by King James the Third to the Earl and Countess of Arran, of the Barony of Kilmarnock.*¹ [26th April 1467.]

Jacobus Dei gracia rex Scotorum, omnibus probis hominibus totius terre sue clericis et laicis salutem Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Thome comiti de Arane totas et integras terras baronie de Kilmernok cum castro de Kilmernok necnon terras dominicales vlgariter nuncupatas le Holme manis terras de le Dene manis et Hartschawmur cum pertinentiis ac terras de Railstoune et decem libratas terrarum vlgariter nuncupatas Warnok landis Glastri Ganehill le twa Wellis et terciam partem terrarum de Ganeleich cum pertinentiis jacentes infra vicecomitatum nostrum de Are ac eciam terras de Naristoune cum pertinentiis jacentes infra vicecomitatum nostrum de Lanark necnon et annuum redditum decem mercarum usualis monete regni nostri terrarum de Mertuane jacentium infra dictum vicecomitatum nostrum de Are ac totas et integras terras baroniarum subscriptarum videlicet baroniam de Dalry cum pertinentiis baroniam de Kilbrid cum pertinentiis baroniam de Nodisdale cum pertinentiis et terras de Monefode et le Flat cum pertinentiis jacentes infra dictum vicecomitatum nostrum de Are Quequidem terre superscripte cum dicto castro et annuo redditu cum pertinenciis fuerunt dilecti consanguinei nostri Roberti domini Boyde patris dicti Thome hereditarie Et quas terras cum castro et annuo redditu predictis idem Robertus non vi aut metu ductus nec errore lapsus seu dolo circumventus set sua mera et spontanea voluntate in manus nostras apud Edinburgh coram subscriptis testibus per fustem et baculum personaliter sursum reddidit pureque simpliciter resignavit ac totum jus et clameum que in dictis terris castro et annuo redditu cum pertinentiis habuit seu habere potuit pro se et heredibus suis omnino quitteclamavit imperpetuum Que decem libratas terrarum predictas de Warnoklandis Glastir Ganehill et le twa Wellis et tercie partis de Ganeleich ac terras de Naristoune cum pertinentiis dicte baronie de Kilmernok

¹ *Registrum Magni Sigilli*, lib. vii. No. 118.

annexuimus incorporavimus et univimus ac annectimus incorporamus et unimus pro perpetuo tenore presentis carte Tenendas et habendas totas et integras terras predictas cum castro de Kilmernok et annuo redditu supra dicto cum pertinentiis dicto consanguineo nostro Thome Comiti de Arane et heredibus suis de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine in boscis planis moris marresiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis accupacionibus venacionibus piscacionibus petariis turbariis carbonariis lapicidiis lapide et calce fabrilibus brasinis brueriis et genestis cum curiis et earum exitibus herezeldis bludwitis merchetis mulierum cum tenentibus tenandiis et libere tenencium serviciis cum furca et fossa sok sak tholl theme infangand theif outfangand theif ac cum omnibus aliis et singulis libertatibus commoditatibus et asiamentis ac justis pertinentiis quibuscunque tam [non] nominatis quam nominatis ad predictas terras castrum et annum redditum predictum cum pertinentiis spectantibus seu quovismodo juste spectare valentibus in futurum Et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut dictus Robertus dominus Boide aut sui predecessores predictas terras castrum et annum redditum cum pertinentiis de nobis heredibus et sucessoribus nostris ante dictam resignationem nobis inde factam liberius tenuit seu possedit tenuerunt seu possederunt Reddendo inde annuatim dictus Thomas comes de Arane et heredes sui nobis heredibus et successoribus nostris pro dicto castro de Kilmernok et terris nuncupatis le Holme manis et le Dene manis et terris de Hartschawmur cum pertinentiis unum denarium argenti usualis monete regni nostri in festum penthecostis apud dictum castrum de Kilmernok nomine albe firme si petatur tantum Et faciendo pro ceteris terris et annuo redditu predicto cum pertinentiis servicia debita et consueta Reservato tamen libero tenemento omnium et singularum terrarum predictarum ac castri et annui redditus supradicti cum pertinenciis dicto Roberto domino Boide pro toto tempore vite sue et rationabili tercia parte earundem terrarum et dicti annui redditus cum pertinenciis sponse dicti Roberti cum contingerit In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precipimus Testibus et de data in proxima precedente carta expressatis.

TRANSLATION.

James, by the grace of God King of Scots, to all honest men, clergy and laity, of his whole land, greeting : Wit ye us to have given and granted, and by this our present charter to have confirmed, to our beloved cousin Thomas Earl of Arran, all and whole the lands of the Barony of Kilmarnok ; also the Kirklands, commonly called the Holme Mains, lands of the Dene Mains and Hartshawmuir, with the pertinents ; and lands of Railstoun, and ten pound lands commonly called Warnoklands, Glastry, Ganehill, the twa Wells, and third part of the lands of Ganeleich, with the pertinents,

lying within our shire of Ayr : and also the lands of Naristoun, with the pertinents, lying within our shire of Lanark : also an annualrent of ten merks usual money of our kingdom, of the lands of Mertuane, lying within our said shire of Ayr : and all and whole the lands of the baronies under written, to wit ; the Barony of Dalry, with the pertinents ; the Barony of Kilbride, with the pertinents ; the Barony of Nodisdale, with the pertinents ; and lands of Monfode and the Flat, with the pertinents, lying within our said shire of Ayr : which lands above written, with the said castle and annualrent, with the pertinents, belonged to our beloved cousin Robert Lord Boyd, father of the said Thomas, heritably ; and which lands, with the castle and annualrent foresaid, the same Robert, not led by force or fear, nor fallen in error, nor circumvented by fraud, but of his own mere and free will, personally surrendered, and purely and simply resigned in our hands, by staff and baton at Edinburgh before the underwritten witnesses ; and wholly renounced for ever for himself and his heirs, all right and claim which he had or could have in the said lands, castle, and annualrent, with the pertinents : which ten pound lands foresaid of Warnok lands, Glastir, Ganehill, and the Twa Wells, and third part of Ganeleich, and lands of Naristoun, with the pertinents, we have annexed, incorporated, and united, and do by the tenor of this present charter for ever annex, incorporate, and unite, to the said Barony of Kilmarnock : To be holden and had all and whole the foresaid lands with the castle of Kilmarnock and annualrent above mentioned, with the pertinents, to our beloved cousin Thomas Earl of Arran, and his heirs, of us and our heirs and successors, in fee and heritage for ever, by all their just, ancient, and divided measures, as they lie in length and breadth, in woods, plains, muirs, marshes, ways, paths, waters, pools, streams, meadows, pastures and pasturages, mills, multures and their sequels, fowlings, huntings, fishings, peat-mosses, turfings, coalheuchs, quarries stone and lime, smithies, brewhouses, brooms and heaths, with courts and their issues, herezelds, bloodwites, merchets of women, with tenants, tenandries, and services of free tenants, with gallows and pit, sok, sak, tholl, theme, infangand thief, outfangand thief, and with all other and sundry freedoms, commodities, and easements, and just pertinents whatsoever, as well not named as named, belonging or that may in any way justly belong in future to the aforesaid lands, castle, and annualrent, and that as freely, quietly, fully, wholly, honourably, well and in peace, in all and throughout all, as the said Robert Lord Boyd, or his predecessors, held or possessed the foresaid lands, castle, and annualrent, with the pertinents, of us our heirs and successors, before the said resignation was made thereof to us : Rendering therefor annually the said Thomas Earl of Arran and his heirs, to us our heirs and successors, for the said castle of Kilmarnock, and the lands called the Holme Mains and the Dene Mains, and lands of Hartshawmuir, with the pertinents, one penny of silver of the usual money of our realm, on the feast of Pentecost, at the said castle of Kilmarnock, in name of blench farm, if it is asked only ; and doing for the other lands and annualrent aforesaid, with the pertinents, the services due and wont : Reserving, nevertheless, the frank tenement of all and sundry the

lands aforesaid, and of the castle and annualrent abovesaid, with the pertinents, to the said Robert Lord Boyd, for all the time of his life, and a reasonable third part of the said lands and annualrent, with the pertinents, to the spouse of the said Robert when it shall happen : In witness of which thing, to this our present charter we have ordered our great seal to be affixed, with the witnesses and of the date expressed in the next preceding charter.

7. *Mutual Agreement betwixt the Earls of Argyle and Arran, Bishops of Glasgow and Aberdeen, Robert Lord Boyd, and others, anent the Government of the King's person.*¹ [25th April 1468.]

At Striveling the xxv day of the moneth of Aprile the yere of our lord j^m iiij^c sixty and aucht yeris at the bidding and command of oure soverane lord the King itt is appointit and fathfully promyetit betvix richt reverend faderis in Criste rycht noble and worschipfull lordis underwritin with thare awin subscribeionys manuell in maner and forme as efter folowis, that is to say, That thai and ilkane of thaim sal remayn and abide with oure soverane lord the King and ilkane with uther in the furthputting of his autorite and ministratioune of justice till all his leigis, and rewling and governyng of his person autorite landis and gudis according till his estate worschip and honour at all thare power bathe with thare personys and gudis agane ony personys that wald tend in the contrare tharof. And attoure the said lordis bindis and oblisith thame fathfully ilkane till uder that na ane of thame sal tak upone hand to deliver conclude nor end ony gret mater concernyng the King the gude of the Realme or justice withoute avise counsale and consent of the remanent of the lordis being present for the tym : and at thai sal mak the materis that salbe deliverit be the lordis in tyme to cum be put to dew execucioune and na breking nor varians to be maid therupon withoute avise consent and deliverans of all the lordis being present for the tym And at all the materis that beis deliverit and concludit be the lordis present salbe ratifiit and approvit be thaim absent as thai had bene present therat and at thai salbe ilkane lele and trew till uder and stand in a fald lufe laute frendship and kindnes and manteyn supple and defend utheris in all actiovnys causis and querellis lauchfull and honest defens of thare lifis landis heretaige roumys office and nane of thaim to heir se nor wit harme scathe deide nor dishorising til uderis in ony wise bot thai sal warne utheris tharof in dew tyme and let it at all thare power. And attour the said lordis lelely and trewly promyetis that thai sall with all thare diligens assist to Robert lord Boid and supple him in the governyng of the Kingis persone strenthis castellis housis and all vther thingis grantit to him be our soverane lord in his parliament contenit in the lettres under the gret sele maid to him thareupon : And at thai sal induce and persuaid oure soverane lord to hald and schew his hart lufe favouris and singulare tendernes to the said Robert lord Boid. And attour the said lord Boid

¹ *Kilmarnock Writs*, printed in *Abbotsford Miscell.*, vol. i. p. 5.

trewly promyctis that he sal do the counsale and avise of the remanent of the lordis of counsale underwritin in the rewling of our soverane lordis persone justice autorite and gudis and do na grete materis concernyng his hienes and the guid of the Realme withoute thare avise and deliverans nor mak na varians nor breking in ony materis deliverit be thaim withoute thare avise and consent. And gif it happynnys him, as God forbeid, to falze or come in the contrare heirof he beand warnyt and reprevit be the lordis quharein he falzeis and nocht mendand nor reformand it agane with thare avise It salbe than lefull to the remanent of the lordis all or part to pas thare way and be fre and dischargit of this band and to the observyng keping and fulfilling of all and sindri the thingis abonewritin in all poyntis and artikillis forsaid all the lordis underwirtin ar lelely and treuly bundin and oblist til our soverane lord and ilkane till uder be the fathis of thare boydis the haly ewangelis be thame twichit and for the witnessing heiroff has subscrivit this lettir to endure unto our soverane lordis aige of xxi yeris complete with thare awin handis day yere and place abonewritin.

De speciali mandato nostro

JAMES REX.

A. EPUS ḡ j

ABBIRDEN C.

ERL of ERGYLE

ROB^t LORD BOYD

ERL of ARAN

YE PREUE SELE LYND SAY

ARCHI^{DUS} QUHYTELAW.

8. *Process and Sentence in Parliament against Robert Lord Boyd, Thomas his eldest son, and Sir Alexander Boyd of Drumcoll, Knight.*¹ [22d November 1469.]

Jacobus dei gracia Rex Scotorum procuratores Alexandri ducis Albanie comitis Marchie domini vallis Annandie et Mannie etc et Johannis comitis de Mar et Garvi-
auch ceterique comites magnates proceres barones civitatum et burgorum commissarii
in Parlamento apud burgum de Edinburgh tento et inchoato vigesimo die mensis
Novembris anno Domini millesimo quadringentesimo sexagesimo nono Universis ad
quorum noticias presentes litere pervenerint salutem in omnium salvatore Vestre
universitati notum facimus quod nos pro tribunali sedente vigesimo secundo die dicti
mensis Novembris anni predicti coram nobis in pretorio burgi de Edinburgh in Parlia-
mento prefato presentari et perlegi fecimus quasdam literas summonicionis capelle
nostre sub sigillo officii Cancellarie sigillatas sufficienter et legitime executas et pro-
batas vicecomiti et ballivis suis de Air directas et suo sigillo in testimonium execu-
cionis earundem sigillatas pro summonicione Roberti domini Boyd et Thome Boyd
eius filii promogeniti emanatas Quarum quidem literarum virtute dicti Robertus et
Thomas apud capitale messuagium de Kilmarnok et apud crucem et forum dicti burgi

¹ *Acts of the Parliament of Scotland*, vol. ii. p. 186.

de Air legitime et peremptorie summoniti fuerunt ut luculenter apparebat per executionem probacionem et indorsacionem vicecomitis predicti sub suo sigillo legitime factam dictisque literis et earundem probacione et executione publice perlectis dicti Robertus et Thomas sepe vocati ad comparandum personaliter coram nobis dicto vigesimo secundo die mensis Novembris in Parlamento predicto ad respondendum nobis pro proditoria capcione nostre persone Regie tempore nostre existentis in Scaccario nostro apud burgum nostrum de Lynlythqw nono die mensis Julii in anno Domini millesimo quadringentesimo sexagesimo sexto contra nostre voluntatis libitum et in contrarium acti Parlamenti Necnon pro proditoria vituperacione et degradacione autoritatis et maiestatis nostre Regie proditorie sumendo in se regimen et gubernacionem nostre persone ac fratrum nostrorum Et pro quam plurimis aliis proditoriis actionibus rebellionibus criminibus et transgressionibus per dictos Robertum et Thomam contra nos et in opprobrium nostre maiestatis commissis et perpetratis Quiquidem Robertus et Thomas ut premittitur sepe vocati non comparuerunt tunc magister David Guthre de eodem clericus rotulorum et registri noster proloquutor de mandato nostro speciali ad probandum et clare deliberandum dictos Robertum et Thomam commisisse et perpetrasse proditoriam tradicionem in diversis transgressionibus predictis per ipsos perpetratis produxit et pronunciavit quam plures rationes allegaciones jura acta et statuta parliamentorum Quibus auditis et intellectis post longam communicacionem inter nos Barones et commissarios burgorum habitam et ad plenum intellectam comperimus dictos Robertum et Thomam proditoriam commisisse tradicionem in omnibus articulis et actionibus precedentem proditoriam tradicionem tangentibus juxta acta et statuta Parliamentorum ac jura communia canonica et civilia ac eciam ipsos Robertum et Thomam criminosos esse et fuisse in omnibus transgressionibus antedictis Tunc vero remotis omnibus et singulis dominis prelati dicti Parlamenti et ceteris clericis infra sacros ordines constitutis quibuscunque datum fuit pro judicio per os David Dempster de Carrelstoun judicatoris curie Parlamenti quod dicti Robertus et Thomas pro dictis suis proditoriis criminibus per ipsos perpetratis ut expressum est et forisfecerunt eorum vitam et a se et eorum heredibus suas terras redditus et possessiones superioritates et officia ac omnia bona sua mobilia et immobilia ad usum et utilitatem nostram et successorum et assignatorum nostrorum hereditarie pro perpetuo applicanda Dicto etiam vigesimo secundo die mensis Novembris coram nobis in nostro parlamento predicto personaliter comparuit Alexander Boyd de Drumcoll miles per consimiles literas summonicionis nostre capelle predictae alias legitime et peremptorie ac personaliter summonitus ad respondendum nobis pro proditoria capcione nostre persone Regie tempore nostre existentis in scaccario nostro apud burgum de Lynlythqw ut supra contra nostre voluntatis libitum et in contrarium acti parlamenti in nostre Regie maiestatis derogacionem et vituperacionem et pro quam plurimis aliis proditoriis actionibus criminibus et rebellionibus per dictum Alexandrum contra nostram regiam maiestatem commissis et perpetratis Post quarum quidem literarum summonicionis lecturam Lancilotus de Abirnethie noster proloquutor

dictum dominum Alexandrum Boyd de proditoriis criminibus et transgressionibus predictis accusavit et calumniavit Quam calumniam ipse Alexander penitus denegavit et ad declaracionem assise subscripte se submitit videlicet consanguineorum nostrorum David comitis Crawfordie Jacobi comitis de Mortoun Gulielmi domini Abernethie Georgii domini Seytoun Georgii domini Gordoun Alexandri domini Glamis Georgii domini Halyburtoun Walteri domini Lorne Johannis Dischingtoun de Ardros Archibaldi Dundas de eodem Johannis Stewart de Cragie Gulielmi thani de Calder Alexandri Stratoun de Lawrestoun Johannis Wardlaw de Richartoun et Georgii Campbell de Lowdoun vicecomitis nostri de Air Quibus personis magno sacramento interveniente tactis sacrosanctis Dei evangeliiis juratis accusacionibus nostris necnon allegacionibus et rationibus dicti Alexandri perprieus auditis et intellectis ipsisque de parlamento remotis et mature avisatis ac postea in eodem reintratis per os dicti Gulielmi domini de Abirnethy proloquutoris dicte assise decretum et deliberatum extitit dictum Alexandrum Boyd proditoriam tradicionem contra nos commisisse et reum criminis et culpabilem in omnibus transgressionibus predictis esse et fuisse juxta acta et statuta parliamentorum et jura communia canonica et civilia Tunc vero remotis omnibus et singulis dominis prelati dicti nostri parlamenti ac ceteris clericis infra sacros ordines constitutis quibuscunque datum fuit pro judicio per os David Dempster de Carrelstoun Judicatoris predicti caput dicti Alexandri Boyd supra montem Castri de Edinburgh pro suis proditoriis criminibus per ipsum perpetratis a suo corpore amputari et decollari Et quod terras suas redditus et possessiones superioritates et officia cum pertinenciis ac omnia bona sua mobilia et immobilia pro perpetuo forisfecit a se et suis heredibus ad usum et utilitatem nostrum nostrorumque successorum et assignatorum hereditarie et perpetuo applicanda Preterea vigesimo septimo die mensis Novembris anni predicti in dicto nostro parlamento de consensu et unanimi assensu omnium et singulorum prelatorum baronum burgorum commissariorum et liberi tenencium tres status Regni nostri representancium statutum extitit et ordinatum quod omnia et singula dominia terre et castra cum eorum pertinenciis inferius eorum propriis nominibus designata videlicet dominium de Bute cum castro de Rothesay dominium de Arran dominium de Cowalle cum castro de Dunnune comitatus de Carrik terre de Dundonnald cum castro eiusdem baronia de Renfrew cum terris et tenandriis eiusdem dominium de Stewartoun dominium de Kilmarnok cum castro eiusdem dominium de Dalry terre de Noddisdail terre de Kilbryde terre de Nairstoun terre de Cavertoun cum omnibus et singulis annexis superioritatibus et pertinenciis omnium et singularum Comitatus Dominiorum Baroniarum et terrarum prescriptarum necnon Trarinzean Drumcoll Trabach cum fortalicio eiusdem Principibus primogenitis Regum Scocie successorum nostrorum perpetuis temporibus futuris uniantur incorporentur et annexentur necnon quod terre de Teling cum annuo redditu de Brechyne que olim fuerunt dicti Thome Boyd jacentes infra vicecomitatum de Forfar nobis et successoribus nostris Regibus Scocie ac juri nostre corone Regie perpetuis futuris temporibus uniantur incorporentur et annexentur ac presentium

ordinacionis et statuti vigore realiter unita fuit incorporata et annexata Ita quod non erit licitum nobis aut successoribus nostris quibuscunque Scocie Regibus aut Principibus primogenitis ut predictum est prefata dominia terras castra vel aliquam partem eorum vlllo tempore futuro cuicunque persone cuiuscunque status vel condicionis existat in feodo aut libero tenemento dare vel concedere seu a jure et proprietate corone Regie et principibus primogenitis quovismodo alienare nisi ipsa donacio vel alienacio fuerit de avisamento matura deliberacione et decreto parlamenti trium statuum Regni nostri Et hoc etiam pro evidente commodo et manifesta utilitate nostra et successorum nostrorum Et si aliquod vel aliqua de dominiis terris vel castris antedictis per nos aut successores nostros aut Principes primogenitos nostros successores futuris temporibus absque matura deliberacione consensu et decreto parlamenti vel preter evidens commodum et manifestam utilitatem nostram et Principum primogenitorum successorum nostrorum ut premittitur quovismodo fieri contingat Que donacio seu alienacio cuiusmodi taliter facta nullius sit penitus roboris vel momenti Quinimmo licitum erit nobis Principibus primogenitis successoribus Scocie Regibus prefatas alienaciones contra presentis statuti tenorem et vigorem factas seu faciendas penitus revocare ipsaque dominia terras et castra sic alienata ad jus et proprietatem nostre corone Regie et principibus primogenitis nostris successoribus et ad usus proprios absque processu quocunque judiciario desuper habendo pro nostro libito et voluntate libera reassumere In quorum omnium et singulorum fidem et testimonium premissorum magnum sigillum nostrum apponi precipimus unacum sigillis quorundam eorum ibidem existentium prelatorum baronum et burgorum commissariorum sunt appensa anno die mense et loco prescriptis.

ABSTRACT.

Act of Parliament narrating that Robert Lord Boyd and Thomas Boyd his eldest son were duly summoned before the tribunal of Parliament, in the Court House of the burgh of Edinburgh, on the 22d of November 1469, to answer for their treasonable seizing of the king's person at Linlithgow on the 9th of July 1466, against his Majesty's will, and contrary to Act of Parliament; and also for their treasonably abusing and degrading of the king's authority and majesty, by taking upon themselves the government of his person and of his brothers, and for other treasonable actions and crimes; and that the said Robert and Thomas not having obeyed the summons, were found guilty of treason as libelled, and their sentence pronounced by the mouth of David Dempster of Carrelstoun, to the effect that they had forfeited their lives, and that their lands, offices, and goods were forfeited to his Majesty's use. Further, that Alexander Boyd of Drumcoll, knight, having also been summoned on the said day, for the same crimes, appeared personally to answer therefor; and having been accused by Launcelot of Abernethy, his Majesty's prolocutor, he altogether denied his guilt, and submitted himself to the declaration of an assize, composed of George Earl of Crawford, James Earl

of Mortoun, William Lord Abernethy, George Lord Seytoun, George Lord Gordon, Alexander Lord Glamis, George Lord Halyburton, Walter Lord Lorne, John Dishington of Ardros, Archibald Dundas of that ilk, John Stewart of Cragie, William, Thane of Calder, Alexander Straton of Laurieston, John Wardlaw of Richartown, and George Campbell of Lowdoun, Sheriff of Ayr, who having been sworn, and after deliberation, found the said Alexander Boyd guilty ; whereupon sentence was given that his head should be struck off from his body on the Castlehill of Edinburgh, and his estates forfeited to the crown. And further, that on the 27th of November of the same year, the Parliament ordained the Lordship of Bute with the Castle of Rothesay ; the Lordships of Arran and Cowall, with the Castle of Dunoon ; the Earldom of Carrick, the lands and castle of Dundonald, barony of Renfrew ; Lordships of Stewartoun and Kilmarnock, with the castle thereof ; Lordship of Dalry, and lands of Noddisdale, Kilbryde, Nairston, and Caverton, with the lands of Trarinzean, Drumcoll, and Trabach, to belong to the first born princes of the kings of Scotland ; and the lands of Teling, with an annualrent from Brechin which belonged to the said Thomas Boyd, in the shire of Forfar, to be annexed to the crown, under the provisions expressed in the said Act of Parliament, which is confirmed under the great seal, with the seals of certain of the prelates, barons, and commons in Parliament assembled.

9. *Memorandum of Crown Charter to Mary Lady Hamilton, of the frank tenement of the Barony of Teling and others.*¹ [14th October 1482.]

Data fuit carta Marie domine Hammiltoun de libere tenemento omnium et singularum terrarum dominiorum baroniarum et annui redditus infrascriptorum cum pertinenciis pro toto tempore vite sue que et qui fuerunt quondam Roberti olim domini Boid et quondam Thome Boid militis sui filii videlicet omnium terrarum baronie de Telyng cum pertinenciis cum tenentibus et tenandriis iacencium infra vicecomitatum de Forfar terrarum de Cavertoun cum pertinenciis incencium infra vicecomitatum de Roxburgh terrarum de Naristoun cum pertinenciis cum tenentibus et tenandriis iacencium infra vicecomitatum de Lanark ; terrarum de Polgavy cum pertinenciis iacencium infra vicecomitatum de Perth et annui redditus decem librarum de terris de Brechty cum pertinenciis iacencium infra vicecomitatum de Forfare de data xiiij Octobris Anno Domini j^m iiii^c lxxxij.

ABSTRACT.

Charter was given to Mary Lady Hamilton of the frank tenement of the Barony of Teling, in the shire of Forfar ; the lands of Cavertoun, in the shire of Roxburgh ; lands of Nairstoun, in the shire of Lanark ; lands of Polgavy, in the shire of Perth ; and an annualrent of £10 out of the lands of Brechty, in the shire of Forfar, which belonged

¹ *Registrum Magni Sigilli*, lib. x. No. 35.

to the late Robert, sometime Lord Boyd, and to the late Thomas Boyd, knight, his son.
Dated 14th October 1482.

10. *Memorandum of Crown Charter to Mary Lady Hamilton of the frank tenement of the Barony of Kilmarnock and others.*¹ [14th October 1482.]

Data fuit alia carta Marie Domine Hammiltoun de eadem data prescripta de libero tenemento omnium et singularum terrarum dominiorum baroniarum castri et annui redditus infrascriptorum tentorum de principe que et qui fuerunt quondam Roberti olim domini Boid et Thome Boid militis filii sui videlicet terrarum baronie de Kilmar-nok cum castro ac tenentibus et tenandriis eiusdem baronie terrarum baronie de Dalry et Kilbridy cum tenentibus et tenandriis terrarum de Noddisdale et Munfoid cum pertinenciis iacencium in Dominio de Cunyngham infra vicecomitatum de Are: terrarum de Rivisdalemur Railstoun et Flat cum pertinenciis iacencium infra dictum vicecomitatum terrarum de Ganenhill Warnokland duarum Wellis mercate de Gavenleth cum pertinenciis terrarum de Ormishewch, Dollywra, Pottartoun, Dryrig, Bollinschaw, Chapel-toun, Mylnetoun, Crevach, Cuttiswra, Corshill, Clerkland, Blaklaw, Harschaw, Cokilvy, duarum mercatarum cum dimidia terrarum de nethir Robertland iacencium in dominio de Stewartoun infra dictum vicecomitatum et decem mercatarum annui redditus de terris baronie de Mertuane cum pertinenciis iacencium infra eiusdem vicecomitatum.

ABSTRACT.

Charter was given to Mary Lady Hamilton of the frank tenement of the barony of Kilmarnock, with the castle thereof; the barony of Dalry and Kilbride, the lands of Noddisdale and Munfoid, in the lordship of Cunningham and shire of Ayr; lands of Rivisdalemure, Railstown, and Flat, in the same shire; lands of Ganenhill, Warnokland, Two Wells, merkland of Gavenleth; lands of Ormesheuch, Dollywra, Pottartoun, Dryrig, Bollinshaw, Chapel-toun, etc., in the lordship of Stewarton and shire of Ayr; and ten merks of annualrent out of the barony of Mertuane, in the same shire, which belonged to the late Robert Lord Boyd and Thomas his son. Dated 14th October 1482.

11. *Instrument of Sasine in favour of James Lord Boyd, of the Barony of Kilmarnock, etc.*² [22d October 1482.]

In Dei nomine, Amen, per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno Incarnacionis dominice millesimo quadingentesimo octuagesimo secundo mensis vero Octobris die vicesimo secundo indictione prima pon-

¹ *Registrum Magni Sigilli*, lib. x. No. 36.

² *Kilmarnock Writs*.

tificatus sanctissimi in Christo patris ac domini nostri domini Sixti divina providentia pape quarti anno eius duodecimo In mei notarii publici et testium subscriptorum presencia personaliter constitutus honorabilis vir Robertus Mure dominus de Powkelle vicecomes in hac parte de Ayr et ballivus de Conynghame supremi domini nostri regis vigore cuiusdam precepti sasine capelle ipsius desuper directi personaliter accessit ad castrum de Kylmernok et ibidem tradidit donavit et deliberavit nobili et illustri domino Jacobo domino Boyde sasinam hereditariam statum et possessionem omnium et singularum terrarum tocius baronie de Kylmernok cum castro predicto tenentibus et tenandriis ac aliis suis pertinenciis secundum tenorem carte dicti supremi domini nostri regis sibi desuper confecte per tradicionem terre et lapidis ut in consimilibus moris est Reservato tamen libero tenemento dictarum terrarum tocius baronie de Kylmernok cum castro tenentibus tenandriis et pertinenciis earundem Marie domine Hammiltoun matri dicti Jacobi domini Boyde pro toto tempore vite ipsius domine Super quibus omnibus et singulis prefatus Jacobus dominus Boyde a me notario publico subscripto sibi fieri peciit unum vel plura instrumentum vel instrumenta Acta erant hec infra castrum predictum de Kylmernok apud portam ferream eiusdem hora undecima ante meridiem vel eo circa sub anno mense die indiccione et pontificatu quibus supra presentibus ibidem Georgeo Maxwell de Carsaloch Alexandro Boyde avunculo dicti domini Archibaldo Boyde Johanne Boyde fratribus Archibaldo Craufurde de Crawfordland Roberto Dalzell Alexandro Fowlfurd Alexandro Hamiltoun Roberto Craufurd Johanne Craufurd Thoma Boyde et Jacobo Moncreif testibus ad premissa vocatis specialiter et requisitis etc.

Et ego Johannes Wilzamsoun presbyter Glasguensis diocesis publicus imperiali et regali auctoritatibus notarius predictæ sasine donacioni et eiusdem recepcioni ceterisque omnibus et singulis premissis dum sic agerentur dicerentur et sic fierint una cum prenominatis testibus presens interfui ea que sic fieri vidi scivi et audiavi ac in notam cepi Ideoque hoc presens publicum instrumentum manu mea propria scriptum confeci publicavi et in hanc formam publicam redegi signoque et nomine meis solitis et consuetis signavi et subscripsi in fidem et testimonium veritatis omnium et singulorum premissorum rogatus et requisitus, etc.

JOHANNES WILZAMSONE.

ABSTRACT.

Instrument of Sasine, proceeding on precept from Chancery addressed to Robert Mure, Lord of Powkelly, sheriff of Ayr in that part, in favour of James Lord Boyd, of the lands of the Barony of Kilmarnock, and the castle thereof, reserving the frank tenement of the same to Mary Lady Hamilton, mother of the said Lord James. Done at the Castle of Kilmarnock, at the iron gate thereof, at eleven o'clock before noon, on the 22d October 1482: The witnesses present being Alexander Boyd, uncle of the said Lord James, and Archibald and John Boyd brothers, etc.

12. *Instrument of Sasine in favour of James Lord Boyd, of the lands of Monfod, Kilbryd, Flat, Ravisdalemure, Dalry, etc.*¹ [25th October 1482.]

In Dei nomine, Amen, per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis Dominice millesimo quadringentesimo octuagesimo-secundo mensis vero Octobris die vicesimo quinto indicione prima pontificatus sanctissimi in Christi patris ac domini nostri domini Sixti divina providencia pape quarti anno eius duodecimo In mei notarii publici et testium subscriptorum presencia personaliter constitutus honorabilis vir Robertus Mure de Powkelle vicecomes de Ayr et ballivus de Conynghame in hac parte supremi domini nostri regis vigore cuiusdam precepti sasine capelle ipsius sibi desuper directi personaliter accessit ad omnes et singulas terras et baronias subscriptas et ibidem tradidit et donavit circumspecto viro Archebaldo Boyde legitimo actornato nobilis et prepotentis domini Jacobi domini Boyde sasinam hereditariam statum et possessionem omnium et singularum terrarum de Montfoyde cum pertinenciis: Et secundo ac consequenter omnium terrarum baronie de Kilbryde cum tenentibus et tenandriis ac aliis pertinenciis eiusdem: Tercio omnium terrarum de Flat cum pertinenciis: Quarto omnium terrarum baronie de Nodisdaill cum tenentibus et tenandriis eiusdem ac aliis pertinenciis eiusdem: Quinto omnium terrarum de Ravisdaillmur cum pertinenciis: Sexto baronie de Dalry cum tenentibus et tenandriis eiusdem ac aliis pertinenciis per tradicionem terre et lapidis ut moris est ad singulas terras et baronias predictas secundum tenorem carte dicti supremi domini nostri regis sibi Jacobo domino Boyde desuper confecti Super quibus omnibus et singulis dictus Archebaldus Boyde actornatus ut supra dicti Jacobi domini Boyde a me notario publico subscripto sibi fieri peccit publicum seu publica instrumentum seu instrumenta ad singula loca suprascripta Acta erant hec primo apud principale messuagium terrarum de Montfoyde hora nona ante meridiem vel eo circa hiis testibus Johanne Boyde Jacobo Fawk Thoma Dunsyare Jacobo Boyde Patricio Boyll Henrico Steill et Carolo Dawrumpill: Secundo apud principale manerium baronie de Kylbryde hora decima ante meridiem vel eo circa coram hiis testibus magistro Jacobo Brone vicario de Kylbryde Roberto Boyde Patricio Boyll Thoma Boyde clerico parochiali David Gillys et Thoma Gillis: Tercio apud principale messuagium terrarum de Flat hora xj ante meridiem vel eo circa coram hiis testibus Georgii Mongumry de Scaylmur Willelmo Boyle de Caylburne Willelmo Kelsoland inferiori domino Archebaldo Card capellano Johanne Fresall et Roberto Thomsoun: Quarto apud principale manerium baronie de Nodisdaill hora xij vel eo circa meridiem coram hiis testibus Johanne Kelsoland de eodem Johanne Beith Hugone Beith Johanne Jamesoun Thoma Boyde Johanne Symoun Johanne Alexandersoun et Alexandro Brone: Quinto apud domum Patricii Hanyng in Rywisdaillmur hora secunda post meridiem vel eo circa testibus Carolo Dawrumpill Patricio Boyll et Patricio Hanyng: Sexto apud principale manerium baronie de Dalry hora quarta post meridiem vel eo circa testibus Thoma

¹ *Kilmarnock Writs.*

Boyde dominis Gawino Herwy et Thoma Craufurde capellanis sub anno mense die indiccione et pontificatu quibus supra testibus ad premissa vocatis pariter et rogatis jacentes infra vicecomitatum et balliam predictam.

Et ego Johannes Wilzamsone presbyter Glasguensis diocesis publicus imperiali et regali auctoritatibus notarius predictarum sasinarum donacionibus et earundem recepcionibus ceterisque omnibus et singulis premissis dum sic agerentur dicerentur et fierent unacum prenominatis testibus presens interfui eaque sic fieri vidi scivi et audivi ac in notam cœpi ex qua hoc publicum instrumentum manu mea propria scriptum confectum publicavi et in hanc publicam formam redegi signoque et nomine meis solitis et consuetis signavi et subscripsi in fidem et testimonium veritatis omnium premissorum rogatus et requisitus.

JOHANNES WILZAMSONE.

ABSTRACT.

Instrument of Sasine, proceeding on Precept from Chancery, in favour of James Lord Boyd, for whom Archibald Boyd appeared as attorney, of the lands of Monfod, barony of Kilbryde, lands of Flat, barony of Nodisdale, lands of Ravisdalemure, barony of Dalry, etc. Done at the chief messuage of Monfode at nine o'clock forenoon; then at the manor-house of Kilbryde at eleven; at the chief messuage of Flat at the same hour; at the manor-house of Nodisdale at noon; at the house of Patrick Hanyng in Rywisdalemure at two o'clock, and at the manor-house of Dalry at four o'clock afternoon, before the witnesses respectively named in the deed, on 25th October 1482.

13. *Sasine in favour of James Lord Boyd, of the lands of Ormscleuch, Chapelton and others, in the Lordship of Stewarton.*¹ [26th October 1482.]

In dei nomine, amen: Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno Incarnacionis Dominice millesimo quadringentesimo octuagesimo secundo mensis vero Octobris die vicesimo sexto indiccione prima pontificatus sanctissimi in Christo patris ac domini nostri domini sexti divina providencia pape quarti anno eius duo decimo In mei notarii publici et testium subscriptorum presencia personaliter constitutus honorabilis vir Robertus Mur de Powkelle vicecomes de Air et ballivus de Conynghame in hac parte supremi Domini nostri regis vigore cujusdam precepti sasine ipsius capelle directi personaliter accessit ad terras de Stewartone jacentes infra vicecomitatum de Air et balliam predictam de Conynghame et ibidem tradidit donavit et deliberavit circumspecto viro Archebaldo Boyd legitimo actornato nobilis et prepotentis domini Jacobi domini Boyd sasinam hereditariam statum et possessionem omnium et singularum terrarum de Ormyscleuch ac eciam terrarum de

¹ *Kilmarnock Writs.*

Chapelton Bollynschaw Dririg le Mylnton Crewocht Dollywraa Pottarton Cuttiswraa Cokilbe Corshil Clerkland le Blaklaw le Hairschaw et duarum mercatarum terrarum cum dimedia mercata terrarum de nether Robertland jacencium in dominio de Stewarton et vicecomitatum de Air cum pertinenciis earundem terrarum Per tradicionem terre et lapidis ut moris est secundum tenorem carte dicti supremi domini nostri regis sibi Jacobo domino Boyd desuper confecte Reservato tamen libero tenemento omnium terrarum predictarum illustri domine Marie domine Hammiltoun matri dicti Jacobi domini Boyd pro toto tempore vite ipsius Domine super quibus omnibus et singulis prefatus Archebaldus actornatus ut supra nomine et ex parte dicti Jacobi domini Boyd a me notario publico subscripto sibi fieri peciit publicum seu publica instrumentum seu instrumenta Acta erant hec primo apud antiquos muros de Ormysheuch hora nona ante meridiem vel eo circa secundo apud Pottarton et Dollywraa hora undecima ante meridiem vel eo circa Tercio apud le Chapelton Bollynschaw Dririg Mylnton Crewocht hora duodecima in tempore meriediei quarto apud Cokilby Cuttiswraa Nethir Robertland Corshill et Clerkland hora secunda post meridiem vel eo circa Quinto apud Blaklaw et Harishaw hora tertia post meridiem vel eo circa sub anno die mense indicione et pontificatu quibus supra presentibus ibidem honorabilibus et discretis viris Carolo Dawrumpill Johanne Ahar Johanne Huchunsoun Johanne Knok Johanne Bog Peris de Strazern Johanne Weir Johanne Broster Roberto Falow et Richardo Loudon testibus ad premissa vocatis pariter et rogatis.

Et ego Johannes Wilzamsone, etc. (in forma communi).

ABSTRACT.

Instrument of Sasine proceeding on Precept from Chancery in favour of James Lord Boyd, of the lands of Ormyscleuch, Chapelton, Bollynschaw, Dryrig, the Milnton, Crevoch, Dollywrae, Potterton, Cuttiswrae, Cokilbe, Corshil, Clerkland, the Blacklaw, the Hairshaw, and two merks of the half merk lands of Nether Robertland, in the Lordship of Stewarton and shire of Ayr. Reserving the frank tenement of the said lands to Mary Lady Hamilton, mother of the said Lord James : Done at the ancient walls of Ormyscleuch at nine, at Pottartoun and Dollywra at eleven forenoon, at the Chapelton, etc., at noon, at Cokilby, etc., at two, and at Blaklaw, etc., at three o'clock afternoon, of 26th October 1482.

14. *Instrument on the citation of the Freeholders and Barons of Forfarshire, upon the service of Margaret Boyd, Lady Forbes, as heir to her brother James Boyd.*¹
[27th March 1495.]

In dei nomine, amen : Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno incarnationis dominice millesimo quadringentesimo nonagesimo quinto, die

¹ *Kilmarnock Writs.*

vero mensis Marcii vicesimo septimo, indiccione decima.tercia, pontificatus sanctissimi domini nostri domini Alexandri pape octavi anno tercio, in mei notarii publici et testium subscriptorum presencia personaliter constitutus providus vir Patricius Homyltoun sariandus deputatus per discretum et providum virum Patricium Homyltoun unum vicecomitum deputatorum per suppreum dominum regem ut luculenter patet per unum breve capelle regie impetratum per honorabilem dominam Margaretam Boyd dominam de Forbes sororem et apparentem heredem quondam Jacobi Boyde de cuius deputacionis mandato michi constabat accessit ad crucem ville de Forfar, vocato que sibi discreto viro Jacobo Richardson communi clerico eiusdem burghi de Forfar, rogavit eundem Jacobum ut predictum suum mandatum deputacionis sue sariandrie publice legeret, una cum brevi eciam capelle regie populo circumstanti insinuaret et manifestaret; quibusquidem per eundem Jacobum communem clericum sic perlectis et in vulgari manifestatis, predictus Patricius Homyltoun, sariandus deputatus monuit et citavit omnes et singulos libere tenentes et barones predicti comitatus de Forfar ad comparendum in pretorio ville de Air coram prepotentibus dominis per commissionem supprei domini nostri regis deputatis videlicet, Patricio comite de Bothuile, Alexandro domino de Hwme, magno camerario Scocie, Hugone Cambell de Lowdown, Roberto Homyltoun de Fyngaltoun, Jacobo Homyltoun de Shawfeld et Patricio Homyltoun in hac parte vicecomitibus, ad serviendum unum breve inquisicionis terrarum jacencium in vicecomitatibus de Air Lanrik Edinburgh Perth and Forfar secundum omnes et singulos punctos et precepta in eodem brevi capelle regie contenta decimo die mensis Aprilis proximo futuro: Super quibus omnibus et singulis prescriptus Patricius Homyltoun sariandus ut supra deputatus a me notario publico subscripto sibi fieri peciit unum vel plura publicum seu publica instrumentum seu instrumenta Acta fuerunt hec in burgo de Forfar predicto prope crucem communis fori ut moris est hora quasi quarta post meridiem vel eo circa sub anno die mense indiccione et pontificatu quibus supra presentibus ibidem honorabilibus et discretis viris videlicet dominis David Mortymar et Johanne Keyr capellanis, David Watsoun David Rychardsoun Jacobo de Fontibus Johanne Kede et Johanne Taylzour laycis predicteque ville burgensibus fide dignis testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes de Camera presbyter Aberdonensis, etc. (in communi forma).

ABSTRACT.

Notarial Instrument on the citation of the Freeholders and Barons of Forfarshire, to compare in the Court of the Burgh of Ayr on the 10th of April following, before the deputies appointed by commission from the King, for serving a brieve of Inquest obtained by Lady Margaret Boyd, Lady Forbes, sister and apparent heir of the deceased James Boyd, in lands lying in the counties of Ayr, Lanark, Edinburgh, Perth, and Forfar. Done near the market-cross of Forfar on 27th March 1495.

15. *Instrument on the Premonition made to King James the Fourth, of the service of Margaret Boyd, Lady Forbes, to her brother James Lord Boyd.*¹ [3d July 1495.]

In Dei nomine, amen: Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno ab incarnatione domini millesimo quadringentesimo nonagesimo quinto die iij^a mensis Julii, indiccione xiiij pontificatus sanctissimi in Christo patris ac domini nostri domini Alexandri divina providencia pape sexti anno tercio, in mei notarii publici et testium subscriptorum presenciam personaliter constitutus nobilis dominus Alexander dominus Hwme, camerarius supremi domini nostri regis commissariusque et vicecomes in hac parte specialiter constitutus et pro executione sui officii juratus accessit ad presenciam excellentissimi illustrissimi et serenissimi principis et domini nostri Jacobi quarti Scotorum regis moderni et suam excellenciam certificavit et premunivit quod certa brevia inquisitionis capelle sue ad instanciam Margarete Boid sororis germane quondam Jacobi domini Boyd exequenda erant vicesimo septimo die instantis mensis Julii in pretorio Edinburgi hora consueta ubi et quando dicta Margareta prout presumebatur proposuit prosequi terras in quibus dictus suus frater germanus obiit ultimo vestitus et sasitus ut de feodo et sic si sua maiestas regia habuit aliquod contra execucionem dictorum brevium vel processum opponeret de execucione dictorum brevium ipse nullam justam pretenderet ignoranciam: Quicquid supremus dominus noster rex se certificatum et premunitum ad dictos diem et locum pro suo interesse fatebatur fuisse et ex sua speciali gracia huiusmodi certificacionem et premunicionem legitimas approbavit, ratificavit et admisit sicut spacium quadraginta dierum habuissent non obstante quod tempus huiusmodi premunicionis brevius tempus quam quadraginta dierum a tempore deservicionis dictorum brevium continebat: Super quibus omnibus et singulis premissis prefata Margareta domina Forbes a me notario publico subscripto sibi fieri peciit publicum seu publica instrumentum seu instrumenta: Acta erant hec in opido sive palacio reverendissimi in Christo patris ac domini Roberti Dei et apostolice sedis gracia archiepiscopi Glasguensis hora quasi octava post meridiem sub anno die mense indiccione et pontificatu prescriptis, presentibus nobilibus et potentibus dominis Archibaldo comite Angucie et cancellario Scocie, Cuthberto domino Kilmawris, Matheo Stewart, filio et herede apparenti comitis de Lenax et Vilelmo Dowglas herede Jacobi Dowglas de Drumlangrigh, testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes de Thornton Glasguensis diocesis presbiter, etc. (in communi forma).

ABSTRACT.

Notarial Instrument narrating that on the 3d of July 1495, Alexander, Lord Hume,

¹ *Kilmarnock Writs.*

Chamberlain of the King, and Commissary and Sheriff in that part specially constituted, and sworn for the execution of his office, went to the presence of the most excellent, illustrious, and serene Prince, James the Fourth, King of Scots, and certified and premonished his Excellency, that certain brieves of inquest of his chancery were to be executed at the instance of Margaret Boyd, sister-german of the deceased James Lord Boyd, on the 27th day of July instant, in the court-house of Edinburgh, where and when, as was presumed, the said Margaret proposed to make suit for the lands in which her said brother died last vest and seized as of fee, and so if his Majesty had anything to object against execution of the said brieves, he might pretend no just ignorance of the said execution: whereupon the King acknowledged that he was certified and premonished as to the said day and place for his interest; and of his special favour approved, ratified, and admitted the said certification and premonition as lawful, just as if they had the space of forty days, notwithstanding that the time of this premonition was shorter than forty days from the time of the service of the said brieves: whereupon the said Margaret craved instruments. Done in the castle or palace of Robert Archbishop of Glasgow, at eight o'clock in the evening of the day aforesaid.

16. *Instrument on the Proclamation of the Brieve of Service of Margaret Boyd, widow of Alexander Lord Forbes.*¹ [9th July 1495.]

In Dei nomine, amen: Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum, quod anno ab incarnatione Domini, millesimo quadringentesimo nonagesimo quinto, die vero mensis Julii nono, indictione decima tertia, pontificatus sanctissimi in Christo patris et domini nostri domini Alexandri, divina providencia pape sexti, anno tercio, in mei notarii publici et testium subscriptorum presencia, personaliter accessit Johannes Hamiltoune, seriandus in hac parte constitutus, ad crucem foralem burgi de Lanerk, hora nona diei ante meridiem, et ibidem ad mandatum providi viri Rogeri Clelande in hac parte vicecomitis presentis, quoddam breve inquisitionis capelle supreme domini nostri regis, pro Margareta Boid, sponsa quondam Alexandri domini Forbes, secundum tenorem eiusdem publice proclamabat fore serviendum in pretorio burgi de Edinburgh die Lune vicesimo septimo die mensis Julij supradicti, coram vicecomitibus in hac parte constitutis coniunctim et divisim contentis in dicto brevi supreme domini nostri regis; citans omnes et singulos barones et locum tenentes vicecomitatus de Lanerk, in predicta proclamatione, quod comparerent ibidem prescriptis die et loco super servicione eiusdem: Super quibus omnibus et singulis prefatus Rogerus Cleland a me notario publico subscripto sibi fieri peciit publicum instrumentum seu publica instrumenta: Acta erant hec ad prescriptum crucem foralem antedicti burgi, hora nona ante meridiem, vel eo circa, sub anno, die, mense, indictione et pontificatu quibus supra presentibus ibidem, providis et discretis

¹ *Kilmarnock Writs.*

viris, videlicet Thoma Weir, Johanne Mowat, ballivis dicti burgi, Andrea Williamsone, Johanne Doby, Willelmo Pursell, Willelmo Dikesone, Roberto Pedecrw, Thoma Lumisdail, Thoma Bannathyne, Johanne Madar, et domino Adam Frame, capellano, testibus ad premissa, vocatis, pariter et requisitis.

Et ego Johannes Stephani presbiter Glasguensis, etc. (in communi forma).

ABSTRACT.

Notarial Instrument on the Proclamation of the Brieve of Chancery for the Service of Margaret Boyd, widow of Alexander Lord Forbes, at the market-cross of Lanark, by John Hamiltoun, serjeant in that part, citing the barons and lieutenants of the shire of Lanark to appear for that purpose in the court-house of Edinburgh, on Monday the 27th of July following.

17. *Letters of Procuratory by Alexander Boid in Kilmarnock, to David Colville and others, to obtain a Dispensation for his Marriage with Janet Colville.*¹ [3d October 1505.]

In Dei nomine amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno Incarnacionis dominice millesimo quingentesimo quinto mensis vero Octobris die tercia indiccione nona pontificatusque sanctissimi in Christo patris et domini nostri domini Julii divina providencia pape secundi anno secundo. In mei notarii publici et testium subscriptorum presencia personaliter constitutus nobilis vir Alexander Boid in Kilmarnock omnibus meloribus modo via et forma quibus melius et efficacius potuit et debuit fecit constituit creavit nominavit et solempniter ordinavit nobiles viros David Colvile Jacobum Colvile Philippum Colvile Georgium Morane et dominum Andream Mechelsone capellanum et eorum quemlibet insolidum coniunctim et divisim suos veros legitimos et indubitatos procuratores actores factores et negociorum suorum gestores ac nuncios speciales et generales Dando et concedendo dictis suis procuratoribus et eorum cuilibet suam veram liberam puram et expressam potestatem ac mandatum speciale et generale ad comparendum pro se et nomine suo coram venerabili in Christo patre et domino domino Jacobo paciencia Dei abbate de Dunfermyne eiusve deligatis seu deligandis quibuscunque diebus et locis et ibidem quamdam dispensacionem sive affirmacionem matrimonii alias contracti inter ipsum constituentem et Jonetam Colvile suam pretensam sponsam super tercio et tercio ac quarto et quarto gradibus consanguinitatis inter eosdem existentibus Neenon super quibuscunque aliis impedimentis levandum impetrandum et optinendum ac proles inter eosdem procreatas seu procreandas legitimari petendum unum quoque vel plures procuratorem seu procuratores loco suo et cuiuslibet eorundem substituendum qui similem in omnibus et singulis premissis habeat seu habeant potestatem Et generaliter omnia alia et singula faciendum gerendum et exercendum que in premissis et circa ea necessaria fuerint seu eciam oportuna cum singulis clausulis necessariis et de jure requisitis in uberiori forma, etc. Et que ipsemet dominus constituens faceret

¹ *Kilmarnock Writs.*

seu facere posset si in premissis omnibus et singulis presens personaliter interesset ac si talia sint que mandatum exigant magis speciale promisit insuper idem dominus constituens michi notario publico subscripto stipulanti et recipienti vice nomine omnium et singulorum quorum interest intererit aut interesse poterit se ratum gratum firmum atque stabilem habentem et habiturum totum id et quicquid per dictos suos procuratores aut eorum aliquem substitutum seu substitutos ab eiis seu eorum aliquo actum factum gestum et quomodolibet procuratum fuerit in premissis seu aliquo premissorum sub ypotheca et obligatione omnium bonorum suorum presencium et futurorum Et in maiorem fortificationem premissorum idem dominus constituens sigillum officii officialatus Glasguensis sibi concessum huic instrumento appendi cum instancia debita procuratum Super quibus omnibus et singulis prefatus dominus constituens a me notario publico subscripto sibi fieri peciit hoc presens publicum instrumentum seu publica instrumenta Acta erant hec in ecclesia metropolitana Glasguensi loco consistoriali eiusdem sub anno die mense indictione et pontificatu quibus supra presentibus ibidem discretis viris magistris Jacobo Neilson David Dwne Matheo Steward Willelmo Blak domino Johanne Paris capellano et Gilberto Bynnyng cum diversis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Willelmus Kennyde artium magister ac presbiter Glasguensis diocesis publicus auctoritatibus apostolica et regali notarius Quia prefatorum procuratorum constitutioni nominacioni et potestatis dacioni ratihibicioni necnon sigilli procuracioni et concessioni et omnibus aliis et singulis premissis dum sic ut premittitur agerentur dicerentur et fierent unacum prenominationis testibus presens personaliter interfui Eaque omnia et singula sic vidi scivi et audiui ac in notam cepi ideoque hoc presens publicum manu alterius fideliter scriptum confeci et in hac publica redegei signoque nomine meis solitis et consuetis signavi rogatus et requisitus in fidem et testimonium omnium et singulorum premissorum.

WILLELMUS KENNADY.

ABSTRACT.

Letters of Procuratory by a noble man, Alexander Boyd, in Kilmarnock, solemnly ordaining these noble men, David Colville, James Colville, Philip Colville, George Morane, and Sir Andrew Mechelsone, chaplain, his lawful procurators, to compear for him and in his name, before a venerable father, James, by the patience of God, Abbot of Dunfermline, or his delegates, and there to ask and obtain a certain dispensation or affirmation of marriage, formerly contracted between the said Alexander and Janet Colville, his pretended spouse, upon the third and third and fourth and fourth degrees of consanguinity existing between them, and upon any other impediments; and also that the children begotten or to be begotten between them be legitimated, etc.: For the greater confirmation of which Letters of Procuratory, the seal of office of the official of Glasgow was granted to be appended thereto: Done in the Metropolitan Church of Glasgow, in the consistorial place thereof, on 3d October 1505.

18. *Instrument on appointment of Procurators by Janet Colville, for Dispensation of her Marriage with Alexander Boyd.*¹ [27th October 1505.]

In Dei nomine amen: per hoc presens publicum instrumentum cunctis pateat evidenter quod anno Incarnacionis Dominice millesimo quingentesimo quinto die vero mensis Octobris vicesimo septimo, indiccione nona pontificatus Sanctissimi in Christo patris ac domini domini nostri Julii divina providencia pape secundi anno secundo in mei notarii publici et testium subscriptorum presencia personaliter constituta honorabilis mulier Joneta Colvill soror egregii viri domini Willelmi Colvill de Wechiltre militis, fecit constituit et solenniter nominavit honorabiles viros Robertum Coluill de Hyltoun, Philippum Colvill magistrum Johannem Walles vicarium de Linlithquhow et Johannem M'Adame suos veros legitimos et indubitatos procuratores actores factores et negociorum suorum gestores ac nuncios speciales et generales Dando et concedendo dictis suis procuratoribus et eorum cuilibet coniunctim et divisim suam liberam plenariam potestatem et mandatum speciale ad comparendum pro se et nomine suo coram venerabili in Christo patre et domino Jacobo permissione divina abbate de Dumfermline eiusve delegatis vel delegandis quibuscunque diebus et locis, et ibidem quamdam dispensacionem seu confirmacionem matrimonii alias de facto et non de jure contracti inter ipsam constituentem et Alexandrum Boyd suum pretensum sponsum super impedimento in tercio et tercio ac quarto et quarto gradibus consanguinitatis inter eosdem existenti necnon super quibuscunque aliis impedimentis levandum impetrandum et optinendum et proles inter eosdem procreatas seu procreandas legitimari petendum absolucionisque beneficium ipsi constituenti a reatu incestus exigendum et recipiendum Et generaliter omnia alia et singula gerendum et exercendum que in premissis et circa ea fuerint necessaria seu opportuna cum singulis clausulis necessariis et in uberiori forma et que ipsamet constituens facere possit si in premissis personaliter interesset et si que sint que mandatum exigant magis speciale promisit insuper ipsa constituens michi notario publico subscripto stipulanti et recipienti se ratum et gratum firmum ac stabile habentem et habituram totum et quicquid dicti sui procuratores eorumve alter duxerit seu duxerint in premissis et circa premissa exequendum sub ypotheca et obligacione omnium bonorum suorum presencium et futurorum: Super quibus omnibus et singulis peciit dicta Joneta constituens a me notario publico subscripto publicum seu publica instrumentum ac instrumenta sibi fieri: Acta erant hec apud Berneweil hora quasi octava ante meridiem aut ea circa sub anno die mense indiccione et pontificatu quibus supra Presentibus ibidem providis et discretis viris Johanne Symontoun Johanne Boman et Thoma Duncane testibus ad premissa vocatis pariter et rogatis.

Et ego Edwardus Blair arcium magister ac presbyter Glasguensis diocesis publicus apostolica et regali auctoritatibus notarius, etc. (in forma communi).

¹ *Kilmarnock Writs.*

ABSTRACT.

Instrument on the appointment by an honourable woman, Janet Colville, sister of an eminent man, Sir William Colville of Ochiltre, knight, of procurators—namely, the honourable men Robert Colville of Hyltoun, Philip Colville, Mr. John Wallace, vicar of Linlithgow, and John M'Adam—solemnly authorising them to appear for her before James, Abbot of Dunfermline, or his delegates, and there to ask and obtain a dispensation or confirmation of the marriage formerly contracted in fact but not in law, between her and Alexander Boyd, her pretended spouse, in regard to an impediment existing between them in the third and third and fourth and fourth degrees of consanguinity; and to crave that the children born or to be born between them be declared legitimate; and to require and obtain for her the benefit of absolution from the guilt of incest; and generally, to do all other things necessary which she herself might do in the premises if she were personally present; promising to hold firm and stable all that her said procurators should deem proper to be done in and about the premises, under the hypothec of all her goods present and to come. These things were done in presence of Edward Blair, notary, and witnesses therein named, at Bernweill, at 8 o'clock before noon of the 27th October 1505.

19. *Notarial Letters of Dispensation in favour of Alexander Boyd and Janet Colville.*¹ [23d November 1505.]

Universis et singulas has litteras seu hoc presens publicum Instrumentum visuris lecturis pariter ac audituris Jacobus permissione divina Abbas monasterii beate Margarete de Dunfermylne ordinis sancti Benedicti Sancti Andreæ diocesis salutem in domino Cum nobis per sanctissimum dominum nostrum dominum Julium divina providencia papam secundum ad dispensandum in et super consanguinitatis et affinitatis impedimentis cum viris et mulieribus in certo numero tunc expresso sit gracie concessa et attributa facultas hujusmodi tenorem qui sequitur continens Julius Episcopus servus servorum Dei dilecto filio Jacobo abbati monasterii beate Margarete de Dunfermylne ordinis sancti Benedicti Sancti Andreæ diocesis salutem et apostolicam benedictionem personam tuam nobis et apostolice sedi devotam tuis exigentibus meritis paterna benevolencia prosequentes illam tibi grariam libenter impendimus per quam te posse aliis reddere graciosum tuis in hac parte supplicationibus inclinati tibi cum vigintiquinque viris et totidem mulieribus regni Scocie et precipue civitatis et diocesis Sanctiandreæ in tercio ac tercio et quarto ac ab inde infra affinitatis et consanguinitatis simplicibus duplicibus et mixtis gradibus coniunctis seinvicem matrimonialiter coniungendi desiderantibus de quibus tibi videbitur ut impedimento quod ex consanguinitate vel affinitate hujusmodi provenit nequaquam obstante matrimonium inter se contrahere et si contractum fuerit etiam scienter vel

¹ *Kilmarnock Writs.*

ignoranter tam in contracto et consummato quam contrahendo matrimonio huiusmodi remanere libere et licite valeant dummodo mulieres ipse propter hoc rapte non fuerint dispensandi et prolem ex eis tam susceptam quam suscipiendam legitimam enunciandi ac personas quas in gradibus premissis contraxisse repereris a censuris quas premisorum occasione incurrerint in forma ecclesie consueta absolvendi plenam et liberam auctoritate apostolica tenore presentium licentiam concedimus et facultatem Datum Rome apud sanctum Petrum anno Incarnacionis dominice millesimo quingentesimo quarto quinto nonas Julii pontificatus nostri anno primo Hinc est et per presentes notum facimus quod ex parte discreti viri Alexandri Boide in Kilmernok laici et Janete Colvil mulieris Glaskewensis diocesis per suos procuratores ad hoc specialiter constitutos de quorum potestatis mandato per scripta et instrumenta publica luculenter constabat nobis oblata petitio continebat quod ipsi prefati Alexander et Janeta ex certis rationabilibus causis desiderant in matrimonio inter eos de facto contracto libere et licite remanere sed quia tertio et tertio et quarto et quarto gradibus consanguinitatis invicem sunt coniuncti et hec impedimenta scientes matrimonium in facie ecclesie de facto contraxerunt et sese pluries carnaliter cognoscentes prolem procrearunt desiderium eorum in hac parte adimplere non possunt dispensatione apostolica super hoc non optenta quare supplicarunt humiliter idem procuratores nobis suis hiis vigore predictae facultatis apostolice nobis concesse de opportune dispensationis gratia misericorditer providere Nos igitur ipsorum Alexandri et Janete cupientes animarum providere saluti eorum in hac parte procuratorum supplicationibus inclinati cum predictis Alexandro et Janeta quod impedimento consanguinitatis huiusmodi non obstante in matrimonio inter eos ut premittitur contracto libere et licite valeant remanere auctoritate apostolica qua in hac parte fungimur Dispensavimus prout tenore presentium dispensamus et prolem ex eis tam susceptam quam suscipiendam legitimam enunciantes: In quorum omnium et singulorum fidem et testimonium has nostras dispensationis et legitimationis literas seu hoc publicum instrumentum sigillo nostro quo ad hoc utimur communiri et per notarium publicum subscriptum subscribi iussimus et publicari. Datum et actum apud palacium regium Sancte Crucis vicesimo tertio die mensis Novembris sub anno Incarnationis dominice millesimo quingentesimo quinto Indictione nona pontificatus prefati sanctissimi Domini nostri anno tertio hora quarta post meridiem vel ea circa presentibus ibidem discretis et venerabilibus viris Andrea Lundy de Balgony magistro Cudberto Bailzhe canonico Glaskewensi.

Et ego Robertus Schanwell artium magister presbyter sanctiandreae diocesis publicus Imperiali et regalia auctoritatibus notarius, etc. (in communi forma).

ABSTRACT.

Notarial Letters of Dispensation and Legitimation granted by James, abbot of the Convent of St. Margaret of Dunfermline, in virtue of apostolic letters by Pope Julius second, therein engrossed, in favour of Alexander Boid, in Kilmarnock, and Janet

Colville, who had contracted marriage within the third and third and fourth and fourth degrees of consanguinity, and had children begotten between them, dispensing with the said marriage and declaring the children legitimate, in terms of the petitions presented by the said parties through their procurators. Given at the palace of Holyrood, 23d November 1505.

20. *Indenture between Margaret, Queen of Scotland, and Alexander Boyd in Kilmarnock, for a Tack of the Lordship of Kilmarnock to the latter.*¹ [26th June 1508.]

This Indenture maid at Edinburgh the xxvj day of Junij the yeir of God ane thousand five hundrethe and aucht yeris contenis proportis and beris witnes that It is appunctit and finaly concordit betuix ane richt hie and michtie princes Margaret be the grace of God queyne of Scotland with the consent and assent of the richt excellent hie and michtie prince James the ferde King of Scottis hir derrest spous on the ta part and Alexander Boyde in Kilmernok on the tother part in maner and forme as efter followis, that is to say the said richt excellent princes with the consent of the hie and michtie prince hir spous forsaid Settis and to maill lattis to the said Alexander Boyde and to his aieris ane or maa all and haill the lordschipe and landis of Kilmernok Dalry Nodisdaill and Kirkbryde the Flatt Narstoun and the annuell of Martuam with tenand and tenandry and thar pertinence pertenyng to the said princes and gevin to hir in dowry liand in the lordschipe of Cunyngham and the Sherefdome of Aire with all maner of casualiteis wardis relivjs and mariage pertenyng to the said lordschippis quhen thai sall happin to fall and now wacand ffor all the dais and termes of nyne zeris nixt and immediat followand the fest of Witsonday last bipast befor the dait of thir present lettres quhilk feist of Witsonday was the entre of the said Alexander and his aieris in and to the said lordschippis and landis with tennand and tennandry and thar pertinence and fra thin furth till indure for all the dais and termes of the said nyne yeris To be haldin and had the said lordschipe and landis of Kilmernok Dalry Nodisdaill and Kirkbryde the Flatt Narstone and annuell forsaid with tennand and tennandry and thar pertinence and casualiteis forsaidis of the said Richt excellent princes induring the said nyne yeris as the said lordschippis and landis lyis in lenth and breid with castell fortalice and pertinence tharto pertenant or richtwislie is knawin to pertene ony maner of way and with power to have subtennandis and under siddillis under thame ane or maa as thai think expedient and to remove and input the samyn at thare plesure the said Alexander and his aieris pay-and to the said hie and michtie princes or to her chalmerlanis procuratouris or factouris havand pover of hir hie Grace within the town of Edinburgh the sovme of ane hundreth pundis usuall money of Scotland for the haill rest of his last compt at

¹ *Kilmarnock Writs.*

thir termes under writine that is to say fourty pundis of the said money at the feist of Lammes callit advincula Sancti Petri nixt tocum and the remanent of the said soume at the fest of Mertymes in winter nixt tharefter followand but ony langar delay and als the said Alexander sall content and pay to the said richt hie and michtie princes or to hir Chalmerlanis procuratouris or factouris yeirlie induring the said nyne yeris the soume of sex hundreth merkis usuall money of Scotland in the said toun of Edinburgh at twa usuall termes in the yere Mertymes in winter and Witson-day be evinlie portions alanerlie and the first terme of payment to be at the feist of Mertymes in winter nixt tocum efter the dait herof And the nixt terme of payment to be at the fest of Witsonday nixt tharefter followand and sa furth ay termlye Mertymes and Witsonday unto the ische of the said nyne yeris and the said Alexander sall find for him and his aieris sufficient plegis and dettouris burges of the burgh of Edinburgh or utheris personis responsall for the soumes and yeirlie payment forsaid to be pait in the said toun of Edinburgh at the termes abone expremitt or within fourty dais immediat followand ilk terme to the said richt hie and michtie princes hir chalmerlanis procuratouris factouris or to ony utheris quham hir hienes will assigne tharto and the said Alexander sall cause the personis quham he fyndis plegis and dettouris for him to compere befor the lordis of our soveran lordis counsall and confesse this contract and grant and confesse thame oblist and bundin for the fulfilling thir premissis and payment of the said soumes at dais and termes befor expremitt or at the ferrest the Mertymes maill to be pait at the feist of Sanct Thomas the appostill yeirlie befor the nativite of our Lord and the Witsondais maill at the fest of Sanct Thomas the merthir the sevint day of Julij but ony langar delay in the stratest still and forme of obligacioun And gif it happinnis the said Alexander or his aieris or the plegis and dettouris quhen he fyndis thame as said is to failze in the payment of the soumes and yeirlie maill before expremitt at the dais and termes as said is the said Alexander and plegis and dettouris sall consent and grant in that cace that this contract have the strenth and effect of ane decret gevin be the lordis of Counsall and thatoure soverane lordis letres be writine to compell and distrenze the saidis Alexander the plegis and dettouris thare landis and guidis for the payment of the forsaid soumes and yeirlie maill at dais and termes befor expremitt as accordis and as use is and as it ware recoverit debt befor the lordis of Counsall And attoure gif the said Alexander or his aieris or thar plegis and dettouris failzeis in the payment of the soumes and malis forsaid termelie and yeirlie as is befor expremitt or at the ferrest the mertymes maill at Sanct Thomas day before Yole and the Witsonday maill at Sanct Thomas day the marthir as said is the said takkis maid to the said Alexander thane as now and now as thane to be exspirit and of nane awaile strenth force nor effect as it ware undone or maid gif it be the will and plesure of the said richt hie and michtie princes And the said princes sall cause the castell and place of Kilmernok to be thekit and maid watter ticht incontinent with all deligence apoun the expense of the said hie and michtie princes And the said Alexander and

his aieris sall uphald the said castell and place unto the ische of the said nyne yeris siclik as it beis deliverit to him now efter the thekin and makin of the samyn watter ticht And gif the said hie and michtie princes happinnis to cum to the said castell and place of Kilmernok the said Alexander and his aieris sall ressave the said princes with hir court that cumis to the said castell and place of Kilmernok and mak thame to have fre ische and entre tharintill in all placis and houssis of the said castell at thare plesure and thar to remane als lang as plesis the said mychtie princes apoun hir awne expensis And gif the said hie and michtie princess chalmerlanis factouris or servandis cumis to the said place the said Alexander sall ressave thame and minister meit drink and uther necessaris to thaim for the tyme apoun his expensis and tret thame honestlie as efferis And for the fulfilling of all and sindry punctis and articulis abone expremitt the said Alexander plegis and dettouris for the said Alexander salbe bundin befor the lordis of our soverane lordis counsall efter the forme befor expremitt And gif the said Alexander or his plegis failzeis in ony punct of thir premiss the forsaid tak and assedacioun to be of nane awaile strenth force nor effect in tyme to cum gif it be the will and plesure of the [said] hie and michtie princes providand all wayes that the said Alexander observe and keip the assedations maid be the said princes or hir commissaris the per[sonis] quham to scho maid the samyn at the generale [asse]datioun In witnes of the quhilk thing to the part of this Indentur remanand with the said hie and michtie princes the said Alexander Boid has affixt his sele and subscrivit the samyn with his hand and to the part of this Indentur remanand with the said Alexander the said hie and michtie princes has affixt hir signete and subscrivit the samyn with hir hand And the said hie and michtie prince hir spous in takin of his consent has subscrivit this writ with his hand day yere and place forsaid.

(Signed) JAMES R.
MARGARETT.

Per hanc literam allocatur in computo ballivi de Cunynghaim reddito anno etc. quingentesimo nono de fermis et relevio de Braidle et de relevio de Lyne jacente in dominio de Dalry—xvij ti.

Per hanc literam allocatur in computo ballivi de Cuninghame reddito anno quingentesimo decimo de relevio de Petcon jacente in dominio de Dalry—xx ti.

21. *Precept of Sasine by David Kennedy of Leswalt, for infesting John Kennedy of Knokreocht in the lands of Balgray.*¹ [7th November 1508.]

David Kenneyde de Leswalt miles ac dominus terrarum de Bawgraye delectis meis Gilberto Kenneyde de Kirkmichel Thome Kenneyde David Kenneyde et Ramfer Cathtkert

¹ *Kilmarnock Writs.*

ballivis meis in hac parte coniunctim et divisim specialiter constitutis, salutem : Quia concessi et vendidi hereditarie dilecto meo Johanni Kennyde de Knokreocht heredibus suis et assignatis omnes et singulas decem mercatas terrarum de Bawgraye cum tenentibus et tenandriis et libere serviciis tenencium cum pertinenciis jacentes in parochia de Irwyne dominio de Cwnyghame et infra vicecomitatum de Ayr prout in carta mea sibi desuper confecta plenius continetur vobis igitur et vestrum cuilibet coniunctim et divisim precipio et firmiter mando quatenus visis presentibus statum et saisinam hereditariam necnon realem actualement et corporalem possessionem de omnibus et singulis predictis decem mercatis terrarum de Bawgraye antiqui extentus cum tenentibus tenandriis et libere tenencium serviciis cum pertinenciis prefato Johanni Kennyde heredibus suis et assignatis vel suo certo actornato latori presencium per tradicionem terre et lapidis ut moris est tradatis seu alter vestrum tradat indilate saluo jure cuiuslibet ad quod faciendum vobis et vestrum cuilibet coniunctim et divisim meam plenariam ac irrevocabilem tenore presencium committo potestatem In cuius rei testimonium sigillum meum presentibus est appensum apud burgum de Ayr septimo die mensis Novembris anno domini millesimo quingentesimo octavo coram hiis testibus Thoma Corre de Kelwoud Gilberto Kennyde de Coif Gilberto Kennyde de Kirkmichel David Kennyde dominis Georgio Blayr et Joanne Fayr capellanis ac notariis publicis cum diversis aliis. (Signed) DAWYD KANYDY

balze of Carryk w^t my hand.

ABSTRACT.

Precept of Sasine by David Kennedy of Leswalt, knight, lord of Bawgray, for infefting John Kennedy of Knokreoch, and his heirs, in all and whole the ten merk lands of Bawgray, with tenants and tenandries, and services of free tenants, in the parish of Irvine, lordship of Cunyngham and shire of Ayr, in terms of his charter granted thereupon. Dated at Ayr, 7th November 1508.

22. *Act for Robert Lord Boyd and his Spouse.*¹ [10th November 1513.]

Jacobus Dei gratia Rex Scotorum omnibus probis hominibus suis ad quos presentes literae pervenerint salutem : Sciatis quod suscepimus Jacobum Boyd vel eorum aliquos vel aliquem actornatos vel actornatum dilectorum nostrorum consanguineorum Roberti domini Boyd et Margarete Culquhoun sue sponse in omnibus negociis et loquelis placitis et querelis motis seu movendis ipsos Robertum et Margaretam tangentibus seu tangere valentibus quibuscunque diebus et locis contra quoscunque et coram quibuscunque Quare vobis precipimus et mandamus quatenus dictos

¹ *Kilmarnock Writs.*

[Jacobum Boyd, etc.] vel eorum aliquos vel aliquem quos vel quem presentes vel presentem esse contigerit tanquam actornatos vel actornatum dictorum Roberti et Margarete in premissis recipiatis presentibus post annum minime valituris : In cuius rei testimonium has literas nostras sibi fieri fecimus patentes. Apud Edinburgh decimo die mensis Novembris anno regni nostri primo.

(*On tag*) Actum pro consanguineo nostro Roberto Domino Boyd et sua sponsa.

TRANSLATION.

James, by the grace of God King of Scots, to all his faithful men to whom these present letters shall come, greeting : Know ye that we have accepted James Boyd or any of them attorneys or attorney of our beloved cousins Robert Lord Boyd, and Margaret Culquhoun his spouse, in all affairs and debates, pleas and complaints, moved or to be moved, concerning or that may concern the said Robert and Margaret, on whatever days and at whatever places, against whomsoever and before whomsoever : Wherefore we command and charge you to receive the said James Boyd or any of them present, or that shall happen to be present, as attorneys or attorney of the said Robert and Margaret in the premises : these presents not to be of force after one year. In witness whereof, we have caused these our letters to be made patent to them : At Edinburgh the tenth day of the month of November, in the first year of our reign.

(*On tag*) Act for our cousin Robert Lord Boyd and his spouse.

23. *Notarial Instrument on the Complaint and Appeal of Margaret Countess of Cassills, from the Sentence of the Arbiters between her and Gilbert Earl of Cassills.*¹ [9th February 1515.]

In dei nomine, amen : Per hoc presens publicum Instrumentum cunctis pateat evidenter quod anno Incarnationis dominice millesimo quingentesimo decimo quinto mensis vero Februarii die nono Indictione quarta pontificatus sanctissimi in Christo patris et domini nostri Leonis divina providencia pape decimi anno tercio in mei notarii publici et testium subscriptorum presentia personaliter constituta nobilis domina Margareta comitissa de Cassillis habens et tenens in manibus suis quamdam cedulam papiream formam appellationis in se continentem quam michi publico notario subscripto tradidit perlegendam publicandam copiandam et in hanc publicam Instrumenti formam redigendam vigore cuius cedule realiter et cum effectum appellavit et reclamavit Quequidem cedula huiusmodi sequitur sub tenore Cum commune suppli-

¹ *Kilmarnock Writs.*

cationis auxilium contra arbitros inique pronunciantes presertim ubi compromittentes enormiter leduntur seu gravantur matura juris provisione introducatur hinc est quod ego Margareta comitissa de Cassillis sentiens me enormiter lesam et gravatam per quoddam pretensum decretum arbitrale prolatum per vos Reverendum in Christo patrem et dominum David miseracione divina Candidecase ac capelle regie Sterlingensis episcopum nobilem et prepotentem dominum Colinum comitem de Ergile arbitros pro parte Gilberti comitis de Cassillis contra me electos Gawinum Dunbar archidiaconem Sanctiandree ac Willelmum Scott de Balwery militem in una voce superiores nominatos ad cognoscendum et decidendum super controversiis inter me et prefatum Gilbertum comitem de Cassillis hinc inde vertentibus ac in compromisso inter nos confecto contentis ex et pro eo quod vos domini arbitri et superiores antedicti procidentes et more vestro cognoscentes super certis controversiis inter nos hinc inde vertentibus ac in prefato compromisso contentis vestram pretensam sententiam sive decretum arbitrale pro prefato Gilberto comite et contra me nulliter inique et contra omnem juris dispositionem tulistis prefatum Gilbertum comitem ab impetitionibus meis coram vobis deductis et luculenter probatis absolvendo meque ex adverso in petitis per eum non confessatis nec legitima probatione liquidatis condemnando enormiterque ledendo et gravando prout ex processu coram vobis deducto induci ad quem Deo duce luculenter constabit Reverenciis et honoribus vestris semper salvis. Ob igitur premissa gravamina et enormem lesionem prefatam per vos dominos arbitros et superiores prefatos et pretensum vestrum decretum michi illata a vobis dominis arbitris et superioribus prefatis ac iniquo decreto sive arbitrio per vos prolato ac omnibus punctis clausulis et articulis eiusdem me aut jus meum quovismodo ledentibus et non alias nec alio modo ac ab eorundem enormi lesione ad venerabilem et egregium virum magistrum Willelmum Wawane in decretis licenciatum cancellarium Rossensem, etc. ac officialem Sanctiandree infra archidiaconatum Laudonie tanquam iudicem vestrum in hoc casu ordinarium et ad arbitrium suum tanquam arbitrium boni viri reclamo et dictum pretensum decretum reduci peto instanter instantius et instantissime prefatum decretum in omnibus suis punctis clausulis et articulis me aut jus meum nequaquam gravantibus aut enormiter ledentibus et non aliis expresse emologando et approbando Insuper subicio me et omnia bona mea mobilia et immobilia tuitioni protectioni et omnimodo defensionis prefati domini officialis et eius venerabilis auditorii antedicti Protestando solempniter de hanc meam supplicationem et reductionem mutandi corrigendi muniendi eidem addendi et ad calamum reformandi totiens quotiens opus fuerit et de jure licebit cum certis clausulis necessariis et opportunis: Super quibus omnibus et singulis prefata domina comitissa reclamans a me notario publico subscripto sibi fieri petiit presens publicum instrumentum seu plura publica instrumenta Acta erant hec in ecclesia collegiata beati Egidii de Edinburgh hora quarta post meridiem vel eo circa sub anno mense die Indictione et pontificatu quibus supra Presentibus ibidem honorabilibus et discretis viris Patricio Hammiltoun de Kincavill milite Roberto Bruse de Arth Johanne Levingstoun de eodem magistro

Johanne Donaldi et domino Roberto Ade testibus cum diversis aliis ad premissa vocatis pariter et rogatis.

Et ego Edwardus Bog presbyter Sanctiandree diocesis publicus auctoritatibus sacra apostolica et regali Notarius quia dicte reclamacionis seu appellacionis interpositioni ceterisque omnibus et singulis dum sic ut premittitur agerentur dicerentur et fierent unacum prenominationis testibus presens personaliter interfui eaque omnia et singula sic fieri scivi vidi et audivi ac in notam cepi Ideoque hoc presens publicum Instrumentum manu mea propria fideliter scriptum exinde confeci signoque et nomine ac subscriptione meis solitis consuetis signavi et subscripsi rogatus et requisitus in fidem et testimonium omnium et singulorum premissorum.

EDWARDUS BOG.

(*Dorso.*)

In Dei nomine amen Per hoc presens publicum Instrumentum cunctis pateat evidenter quod anno Incarnacionis dominice Millesimo quingentesimo decimoquinto mensis vero Februarii die penultimo Indictione quarta pontificatus sanctissimi in Christo patris domini nostri domini Leonis divina providencia pape decimi anno tertio in mei notarii publici et testium subscriptorum presentia personaliter constituta nobilis domina Margareta comitissa de Cassillis retroscripta accessit ad personalem presenciam venerabilis viri magistri Gawini Dumbar archidiaconi Sanctiandree unius Judicum superiorum retroscriptorum sibi que retroscriptas reclamacionis literas in duplici forma Instrumenti redactas realiter et cum effectum intimavit informavit et notificavit et quia presencias aliorum retroscriptorum Judicum pro tempore habere nequiebat—eo quod non erant omnes presentes infra presens burgum de Edinburgh unde intimationem literarum retroscriptarum facere potuerat ut asseruit protestatur quod eorum absencie sibi minime preiudicaret eo quod fecisset suam exactam diligentiam pro eorum presentiis habendis: Super quibus omnibus et singulis prefata domina comitissa a me notario publico subscripto sibi fieri peciit presens publicum instrumentum seu instrumenta Acta erant hec in ecclesia collegiata beati Egidii de Edinburgh hora octava ante meridiem vel eo circa sub anno mense die Indictione et pontificatu quibus supra Presentibus ibidem providis viris Roberto Lesly et Stephano Dumbar testibus cum diversis aliis ad premissa vocatis pariter et rogatis.

Et ego Edwardus Bog presbyter Sanctiandree diocesis publicus auctoritatibus sacra apostolica et regali notarius quia retroscriptarum literarum Intimationi ceterisque omnibus et singulis dum sic ut premittitur agerentur dicerentur et fierent unacum prenominationis testibus presens personaliter interfui eaque omnia et singula sic fieri scivi vidi et audivi ac in notam cepi Ideoque hoc presens publicum Instrumentum manu mea propria fideliter scriptum exinde confeci signoque et nomine ac subscriptione meis solitis et consuetis signavi

et subscripsi rogatus et requisitus in fidem et testimonium omnium et singulorum premissorum.

EDWARDUS BOG.

(*Mem: dorso.*)

Penultimo Februarii anno infrascripto hora viij ante meridiem intimata fuit hec appellacio pro parte archidiacono Sanctiandree coram Roberto Lesly et Stephano Dumbar.

ABSTRACT.

Notarial Instrument on the Protest and Appeal of Margaret Countess of Cassillis, against a pretended decret-arbitral pronounced by David bishop of Galloway and of the Chapel Royal of Stirling, and Colin earl of Argyle, arbiters elected on the part of Gilbert earl of Cassillis, against the said Countess, and Gavin Dunbar, archdeacon of St. Andrews, and William Scott of Balwery, knight, superiors nominated by mutual consent to cognosce and decide upon the matters in controversy between the said appellant and Gilbert, Earl of Cassillis, contained in the compromise entered into on both sides; because the said arbiters had given sentence partially and to her disadvantage, and against all order of law, by absolving the said Earl Gilbert from her complaints led and clearly proved before them, and on the other hand, condemned her in the matters sought by him, not confessed nor cleared by lawful probation, and thereby grievously injuring her, as should be clearly made manifest, God being her guide, from the process led before them, saving always their reverences and honours: For which cause she reclaimed against the said pretended decret pronounced against her by the said arbiters and superiors, and all the points and articles therein injurious and hurtful to her, and not otherwise, and appealed to a venerable and worthy man, Mr. William Wawane, licentiate in Decrees, chancellor of Ross, and official of St. Andrews within the archdeanery of Lothian, as their judge ordinary in that cause, and to his judgment as the judgment of a good man; and she craved earnestly, more earnestly, and most earnestly, that the said pretended decret be reduced, but expressly approving the same in all points in no way hurting her right, and not in others. She also subjected herself and all her goods, movable and immovable, to the safeguard and protection of the said lord official and his venerable auditor; solemnly protesting for this complaint and reduction that it should be altered, corrected, strengthened, added to, and reformed at the pen as far as might be needful: Done in the collegiate Church of St. Giles of Edinburgh, about four o'clock afternoon of 9th February 1515.

(*On the back.*)

Notarial Instrument on the Intimation of the foregoing complaint and appeal by the said Margaret Countess of Cassillis, personally, in the presence of Mr. Gavin

Dunbar, archdean of St. Andrews, one of the judges superior aforesaid; protesting that whereas the other judges were not then present within the burgh of Edinburgh, their absence should not be to her prejudice since she had used exact diligence in order to have their presence. Done in the said Church of St. Giles of Edinburgh, at 8 o'clock before noon on the 27th of February 1515.

24. *Remission under the Privy Seal to William Cuningham, Knight, Master of Glencairn, etc., for the slaughter of Mr. Mathew Montgomery, etc.*¹ [24th April 1517.]

Preceptum remissionis factum cum consensu gubernatoris Willelmo Cunynghaim militi Magistro de Glencarne filio et heredi apparente Cuthberti comitis de Glencarne et xxvij aliis pro crudele interfectione quondam Magistri Mathei Montgomery Archibaldi Caldwell et Johannis Smyth ex precogitata feloniam commissa et pro omnibus actione et crimine etc., ac pro lesione Johannis Montgomery filii et heredis apparentis Hugonis comitis de Eglington ac pro omnibus aliis actionibus, etc., proditoria traditione in personam regis et sui tutoris incendiis rapta mulierum murthuro communi furto et omnibus aliis homicidiis exceptis, etc. Apud Edinburgh xxiiij Aprilis anno regni regis quarto [1517] deliberatum per dominum.

Per Signetum.

ABSTRACT.

Precept for remission, with consent of the Governor, to William Cunynghame, knight, Master of Glencairn, son and apparent heir of Cuthbert Earl of Glencairn, and twenty-seven others, for the cruel slaughter of the late Mr. Mathew Montgomery, Archibald Caldwell, and John Smyth, committed of forethought felony; and for the wounding of John Montgomery, son and heir apparent of Hugh Earl of Eglington, etc. Given under the Privy Seal at Edinburgh, 24th April, the 4th year of the King's reign (1517).

25. *Discharge by Archibald Earl of Angus to Robert Lord Boyd for the fermes of Kilmarnock, etc.*² [24th June 1525.]

JHESUS MARIE.

We Archibald Erl of Angusse Lord of Douglass, etc., grantis us weill contented assitht and pait be oure lovit Robert Boyd of all malis fermes and wthyr dewiteis of

¹ *Regist. Secreti Sigilli*, v. fol. 108.

² *Kilmarnock Writs*.

the landis and lordschip of Kylmarnok pertenant to our spouse Margaret qweyn of Scotland in drowry or wthyrways bayth of this last term of Mertimes bipast and all wthyr termes bigane to this last Witsonday and quitelamis and discharges the said Robert of all and sundry the forsaidis malis fermis proffittis and wthyr dewiteis intromittit wyth be him as fermorar and takisman chalmerlane and baillie of the forsaidis landis and lordschip bayth of the said term of Mertimes and all wthyr termes bipast for now and ewirmare be thir presentis subscrivit with our hand at Edinburgh the xxiiij day of Junii the yher of God ane thowsand fyfe hundreth and twenty fyf yeris befor the witnesses.

A. ERL OF ANGUS.

26. *Discharge by Margaret, Queen of Scots, to Robert Lord Boyd, for the Fermes of Kilmarnock, etc.*¹ [27th November 1529.]

We Margaret be the grace of God quene of Scotland and liferentare of the landis and Lordschip of Kilmarnok with the pertinentis with expresse avise consent and assent of our derrest spows Henry Lord Methven grantis ws to have ressavit at the making herof be the handis of our lovit servitour Robert Boyd the soume of twa hundreth markis in full contentatioun and payment of this last Mertymes terme of the yere of God Im v^c xxix yeris for all malis fermes proffettis and dewiteis of our saidis landis of Kilmarnok Dary Noddisdale Kilbrid with the Law with the pertinentis and dischargis the said Robert his aris executouris and assignays of the said soume of twa hundreth merkis for ws our aris executouris and assignays for now and ever And attour grantis ws wele content and payt of all utheris yeris and termes preceding the dait herof for all melling occupatioun and intrometting be the said Robert Boyd or ony in his name with our saidis landis of Kilmarnok Dary Noddisdale Kilbrid with the Law and dischargis him his aris executouris and assignays for ws or ony uther in our name for evermore and attour sall warrand acquiet and defend the said Robert his aris assignays and subtennents in peciable brouking josing and using of our saidis landis of Kilmarnok Dary Noddisdale Kilbrid with the law and the pertinentis thereof during all the termes of his assedatioun quhilk he hes of ws aganis all deidlie as law will In witnes of the quhilk thing to thir our present letters of discharge subscrivit with our hand and with the hand of our said spous our Signet is affixt at Edinburgh the xxvij day of November the yere of God Im v^c xxix yeris.

(L.S.)

MARGARET R.
HENRY LORD METHWEN.

¹ *Kilmarnock Writs.*

27. *Act appointing Robert Boyd in Kilmarnok a Squire of the Household.*¹

[26th June 1525.]

REX.

We with avise of the lordis of our secrete consall etc., will and ordinis that our lovitt Robert Boyd in Kilmernok be ane squyar in our houshald and that he have therfore for him self with tua servandis in our hous sic feis and dewiteis as ony utheris squyaris had in houshald of umquhile our derrest fader or ws in tymis bigane, and we sall caus him to be ansuerit and pait therof yeirly as efferis. Subscrivit with our hand and be the lordis foirsaidis at Edinburgh the xxvj day of Junii the yere of God j^m v^c twenty and fyve yeris.

JAMES R.

28. *Bond of Mutuall Assistance by Queen Margaret and the Lord Methven her husband, to Lord Boyd.*² [26th May 1529.]

Be it kend to all men be thir present lettres ws Mergarete be the grace of God quene of Scotland wyth avise and consent of our derest spous Hary lord of Methven to he bundin and oblist and be thir present lettres the faith and treuth in our body lelely and trewlie bindis and oblissis ws to our weilbelovit man and servand Robert Boyd in Kilmernok fforsamekill as he is bundin and oblist to ws in manrent and service first and before all utheris our derest sone the kingis grace alanerlie exceptit for all the tyme and space that he hes or happinnis to get or have of ws takkis of our landis and lordschip of Kilmernok as at mair lenth is contenit in his lettres of manrent maid and gevin to ws therupown Tharfor we and our said spous wyth our freindis men servandis tenentis and all that we may steir sall supple manteine and defend the said Robert in the peciabil brouking and joising of our saidis landis and lordschip of Kilmernok durring his takkis therof gottin or to be gottin be him of ws of the samin and of all uthiris his takkis stedingis roumis possessionis cornis catell and guidis movabill and unmovabill quhatsumevir and sall do for him and tak his afald leill and trew pairt in all his gud actionis caussis and querelis lefull and honest during the said space aganis all that levis and de may our allegiance to our soverane lord the king alanerlie exceptit: In witnes of the quhilk to thir our lettres of manteinance subscrivit wyth our hand our signet is affixt togidder wyth the seill and subscription of our said spous in signe of his consent to thir premissis at Edinburgh the xxvj day of Maii the yeir of God I^m v^c xxix yeiris.

(L.S.)

MARGARET R.

(L.S.)

HENRY LORD METHWEN.

¹ *Kilmarnock Writs.*² *Kilmarnock Writs*, printed in the *Abbotsford Miscell.*, i. 7.

29. ABSTRACT.¹

Decreet-Arbitral pronounced by Robert bishop of Ergile, James Houstone, subdeacon of Glasgow, Colin Campbell of Archinglas and others, between Hugh, first Earl of Eglington, on the one part, and Robert Boyd in Kilmernok and Mungo More of Rovallane on the other part, ordaining, that for the settlement of all slaughters, spulzies, and quarrels between them in time past, and for order and concord in time to come, they should mutually discharge certain specified pecuniary obligations; also, that Robert should marry his son and heir to one of the Earl's "oos." Dated at Glasgow 2d May 1530.

30. *Notarial Instrument on the Investiture of Robert Boyd, junior, with the office of Bailiery of the Lordship of Kilmarnock, in room of his father.*² [5th May 1534.]

In Dei nomine amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno Incarnacionis dominice millesimo quingentesimo trigesimo quarto die vero mensis Maii quinto Indiccione septima pontificatusque sanctissimi in Christo patris ac domini nostri domini Clementis divina providencia pape septimi anno undecimo in mei notarij publici et testium subscriptorum presenciis constituti venerabilis vir Jacobus Somerwell rector de Duncce et Robertus Boyd junior filius et heres apparens Roberti Boid in Kilmernok personaliter comparuerunt coram dicto Roberto Boyd seniori apud ecclesiam parochialem de Dalry super fundum terrarum de Dalry et dominium de Kilmernok loco judiciali sede pro tribunali sedente unacum tenentibus dictarum terrarum et dominij secum copiose congregatis pro quadam curia dicto die per ipsum dictum Robertum Boyd seniore ibidem tenenda pro ministracione judicij inter dictos tenentes et signanter pro assedatione dictarum terrarum et dominij antedicti prescriptis tenentibus tanquam in curia penthecostes ipsis dictis tenentibus legitime assignata Et ibidem prefatus Jacobus Somerwell rector de Duncce antedictus nomine et ex parte dicti Roberti Boyd junioris ante confirmationem dicte curie publice produxit et ad manus predicti Roberti Boyd senioris porrexit quasdam literas papiro scriptas et confectas per excelentissimam dominam nostram Margaretam reginam Scotie sub signeto et subscriptione manuali eiusdem unacum subscriptione manuali sui karissimi sponsi viz. Henrici domini Methuen in signo ipsius consensus ad huiusmodi prescripto Roberto Boyd juniore heredibus suis et assignatis in uberiori forma confectas ut michi notario publico subscripto luculenter ac lucidissime ibidem publice patentes legitime constabant Et primo produxit quandam literam assedacionis per ipsam dictam dominam nostram Reginam de consensu et assensu predicti sui karissimi sponsi prefato Roberto Boyd juniore heredibus suis et assignatis confectam de omnibus et singulis terris et dominio de Kilmernok unacum

¹ *Memorials of the Montgomeries*, ii. 110.² *Kilmarnock Writs*.

castro fortalicio et hortis eidem spectantibus et pertinentibus videlicet Kilmernok Dalry Noddisdale Killbride Flat et Naristoun cum quodam annuo redditu de Martuam unacum molendino de Kilmernok ac omnibus et singulis aliis molendinis tocius dicti dominij cum tenentibus et tenandriis eiusdem cum suis pertinenciis quibuscunque jacentibus in dominio de Cwnyngham et infra vicecomitatum de Air pro spatio nouem annorum a die date dicte litere assedacionis videlicet de data apud Edinburghum die xiiij^o mensis Junij Anno Domini millesimo quingentesimo trigesimo secundo prout in eadem litera assedacionis magis expresse et latius continetur Tum secundo idem rector de Duncce antedictus nomine et ex parte dicti Roberti Boid junioris ut supra produxit unam sufficientem literam ballivatus de eisdem terris et dominio de Kilmernok per dictam excellentissimam dominam nostram Reginam de consensu et assensu sui karissimi sponsi antedicti dicto Roberto Boyd juniore ut supra confectam pro spatio novem annorum cum potestate plenaria sibi dicto Roberto et deputatis suis pluribus aut uno in uberiori forma, etc. datum apud Edinburghum xiiij^{to} die mensis Junij anno Domini M^o V^{co} xxxij^o prout in eadem litera plenius continetur. Tum tertio sepedictus rector de Duncce nomine quo supra produxit quandam aliam literam per dictam excellentissimam dominam nostram reginam de consensu et assensu sui karissimi sponsi antedicti dicto Roberto Boyd ut supra confectam facientem mentionem in se ubi ipsa dicta excellentissima domina nostra Regina de consensu et assensu dicti sui karissimi sponsi actualiter corporaliter et realiter cum effectu personaliter recepit dictum Robertum Boyd juniorem suum tenentem ballivum et camerarium in et ad omnes et singulas prescriptas terras et dominium de Kilmernok antedictum constabulariumque et custodem castri manerie domus ac fortalicij eiusdem cum suis pertinenciis pro spatio dictorum novem annorum in omnibus et per omnia tenore prescriptarum literarum assedacionis et ballivatus et prout in eisdem literis plenius continentur et hoc cum consensu et assensu eciam prescripti Roberti Boyd senioris per suam resignacionem et deliberacionem eiusdem in manibus prefate excellentissime domine nostre regine ibidem pro tempore personaliter presentis Idem sepedicta excellentissima domina nostra regina cum consensu et assensu prescripti sui karissimi sponsi premissa perfecit prout in dicta litera plenius continetur Datum apud Edinburghum xiiij^{to} die mensis Junij anno Domini millesimo quingentesimo trigesimo secundo. Preterea ad verificanda premissa ipsa dicta excellentissima domina nostra regina cum consensu et assensu dicti sui karissimi sponsi dictum Robertum Boyd juniorem ex tunc suum tenentem ballivum et camerarium prescriptarum terrarum et dominii de Kilmernok predicti constabulariumque et custodem dicti castri manerie domus et fortalicij eiusdem cum suis pertinenciis ut supra nuperime confectum et receptum tanquam suum familiarem servum et hospitalem hominem pro spatio decem aut duodecim dierum secum personaliter tenuit ut dictus rector de Duncce nomine et ex parte dicti Roberti Boyd junioris asseruit Tum quarto idem rector de Duncce nomine et ex parte dicti Roberti junioris produxit quoddam preceptum per dictam nostram excellentissimam Reginam cum consensu et assensu dicti sui karissimi sponsi ut supra confectum mandans et onerans

in se omnes et singulos tenentes et inhabitantes dictas terras et dominium de Kilmernok cum pertinenciis parere et obedire prefato Roberto Boyd juniori pro spatio dictorum novem annorum in omnibus et per omnia secundum formam et tenorem dictarum literarum assedacionis et ballivatus sibi dicto Roberto juniori desuper confectarum et prout in eisdem plenius continentur ac prout prius fecerunt prefato Roberto Boyd seniori omnibus temporibus elapsis prout ipsi et cuilibet eorum per se respondere voluit aut voluerunt sibi dicte excellentissime domine nostre regine et suo karissimo sponso antedicto pro suo interesse sub omni pena que competere poterit aut poterint ad manus eorundem secundum formam et tenorem dicti precepti et prout in eodem latius continetur Datum apud Edinburghum xiiij^{to} die mensis Junij anno Domini millesimo quingentesimo xxxij^o Post quarumquidem literarum prescriptarum productionem ac ibidem publice perlectionem et intellectionem earundem prefatus Jacobus Somerwell rector de Duncie antedictus nomine et ex parte prefati Roberti Boyd junioris vigore dictarum literarum requisivit dictum Robertum Boyd seniore ac eciam omnes et singulos tenentes et inhabitantes dictas terras et dominium de Kilmernok antedictum cum pertinenciis ex tunc ibidem presentes nomine serenissime dicte domine nostre regine et dicti sui karissimi sponsi parere et obedire prefato Roberto Boyd juniori in omnibus et per omnia secundum formam et tenorem omnium et singularum prescriptarum literarum dicto Roberto Boyd juniori ut supra desuper confectarum Quiquidem Robertus Boyd senior cum omni reverencia qua decuit ibidem publice dixit et concessit quod parere et obedire voluit dicte sue excellentissime domine nostre regine suoque karissimo sponso antedicto et suis literis in omnibus et per omnia secundum formam et tenorem earundem Et similiter omnes et singuli prefati tenentes ibidem presentes ad huiusmodi concesserunt publice una voce dicentes et clamantes absque aliqua contradictione Quibus vero omnibus et singulis sic ut premittitur debite peractis idem Jacobus Somerwell rector de Duncie antedictus vigore dictarum literarum et nomine quo supra dictum Robertum Boyd seniore de sede tribunali expulsit et dictum Robertum Boyd juniorem loco suo judiciali in pacifico possessione dicti officii ballivatus et assedacionis predictarum terrarum et dominij de Kilmernok sepedicti ac officii camerarii eiusdem et eciam constabularij et custodis prefati castri manerie domus ac fortalicij eiusdem cum suis pertinenciis personaliter realiter actualiter et corporaliter imposuit vestivit et legitime introduxit in omnibus et per omnia secundum formam et tenorem omnium et singularum prescriptarum literarum sibi dicto Roberto Boyd juniori prius desuper confectarum vigore eciam quarum dictus Robertus junior dictam assedacionem et officia prescripta tenore earundem literarum in se et super se debite acceptavit et ibidem statim constituit fecit et creavit omnes et singulos officarios et membra curie necessaria videlicet clericum seriandos sectatores et deputatos et eosdem separatim et divisim jurare causavit sacrosanctis Dei evangeliiis reverenter tactis se debite et juste in dictis suis officiis exercere et ministrare postea vero ibidem legitime confirmavit curiam nomine supremi Domini nostri Regis ac sue excellentissime matris Margarete Scotorum Regine

illustrissime suique karissimi sponsi Henrici domini Methuen, etc. antedicti ac nomine ipsius dicti Roberti Boyd junioris ballivi dictarum terrarum et dominij de Kilmernok antedicti et suorum deputatorum coniunctim et divisim ibidem loco judiciali sede pro tribunali sedens in uberiori forma, etc. Et justiciam omnibus et singulis ibidem conquirentibus debite et juste ministravit ac dictas terras de Dalry et tocus dicti dominij de Kilmernok in illa parte existentes predictis tenentibus ibidem presentibus nomine et ex parte ipsius dicti Roberti Boyd junioris virtute sui officij prescripti pro spatio trium annorum a proximo festo penthecostes inde sequente pro firmis earundem debitis et consuetis more solito eiusdem dominij assedavit locavit et ad firmam dimisit Super quibus vero omnibus et singulis sic premissis prefatus Jacobus Somerwell rector de Dunce antedictus nomine et ex parte dicti Roberti Boyd junioris a me notario publico subscripto sibi fieri peciit unum seu plura publicum seu publica instrumentum vel instrumenta Acta erant hec infra dictum dominium de Kilmernok super solum dictarum terrarum de Dalry prope ecclesiam perochialem eiusdem ut supra horis decima et undecima ante meridiem vel ea circa sub anno mense die indicione et pontificatu quibus supra Presentibus ibidem providis et discretis viris videlicet Magistro Cristallo Boyd preposito ecclesie beate Marie virginis nunc condite apud civitatem Glasguensem nuperime Jacobo Cunyngham in Montgrenane Thoma Boyd Jacobo Aslose de eodem et Thoma Boyd clerico dicte curie cum diversis aliis testibus ibidem copiose congregatis ad premissa vocatis pariter et rogatis.

Et ego vero Stephanus Prestoune clericus Glasguensis diocesis sacraque auctoritate apostolica notarius publicus, etc.

ABSTRACT.

Notarial Instrument narrating that a venerable man, James Somervell, rector of Dunse, and Robert Boyd, younger, son and apparent heir of Robert Boyd in Kilmarnock, personally compeared before the said Robert Boyd, elder, at the parish church of Dalry, on the ground of the lands of Dalry and lordship of Kilmarnock, sitting in that place on the judgment-seat, where also the tenants of the said lands and lordship were numerously assembled, for a certain court appointed to be held there by the said Robert Boyd, elder, for the ministration of justice among the said tenants, and in particular for the purpose of setting the said lands and lordship to them, as assigned to them in the court at Whitsuntide: and there the said James Somervell, on behalf of the said Robert Boyd, younger, before the confirmation of the court, publicly produced and stretched out to the hands of the said Robert Boyd, elder, certain letters written on paper, granted by the most excellent lady, Margaret, Queen of Scotland, under her signet and subscription manual, together with the subscription of her husband, Henry, Lord Methven, in token of his consent, to the said Robert Boyd, younger, his heirs and assignees: and first he produced a Letter of Assedation

by the said Queen Margaret to the said Robert Boyd, younger, of the lands and lordship of Kilmarnock, with the castle, fortalice, and gardens belonging thereto ; namely, Kilmarnock, Dalry, Noddisdale, Kilbride, Flatt, and Nariston, with an annualrent of Martuam, and with the mill of Kilmarnock, and all other mills of the whole lordship, with the holdings and tenandries of the same, in the lordship of Cunningham and shire of Ayr, for the space of nine years ; dated at Edinburgh 13th June 1532 : And secondly, the said James Somervell, on behalf of the said Robert Boyd, younger, produced a sufficient Letter of Bailiery of the said lands and lordship of Kilmarnock, granted by the said Queen Margaret to the said Robert Boyd, younger, for nine years ; dated at Edinburgh 14th June 1532 : And thirdly, another letter granted by the said Queen, with consent foresaid, to the said Robert Boyd, younger, making mention that the said most excellent lady had actually, bodily, and really, with effect, personally received the said Robert Boyd, younger, as her tenant, bailie, and chamberlain, in and to all and sundry the aforesaid lands and lordship of Kilmarnock, and as constable and keeper of the castle, manor-house, and fortalice thereof, for nine years, and this with consent of the aforementioned Robert Boyd, elder, by his assignation of the same in the hands of Her Majesty, in person ; dated at Edinburgh, 14th June 1532. Further, to verify the premisses, the said Most Excellent Lady, with consent of her husband, personally detained with herself as her familiar servant and household man for ten or twelve days the said Robert Boyd, younger, from thenceforth her tenant, bailie, and chamberlain, etc., as the said rector of Dunse asserted. Then, fourthly, the said rector produced a precept by the said Queen Margaret, commanding all the tenants and inhabitants of the said lands and lordship to obey the said Robert Boyd, younger, for the said period of nine years, in terms of the said letters, as they would answer to the said Queen Margaret ; dated at Edinburgh, 14th June 1532. After the production and reading of which letters, the said James Somervell, in virtue thereof, required the said Robert Boyd, elder, and also all the tenants and inhabitants of the lordship of Kilmarnock, to obey the foresaid Robert Boyd, younger, in all things, in terms of the said letters : whereupon Robert Boyd, elder, with all due reverence, publicly declared that he would obey the said Most Excellent Lady the Queen in all things, according to the tenor of the said letters ; and in like manner all the tenants there present publicly acknowledged, speaking and crying out with one voice, without any contradiction, to the same effect : which things having been thus duly performed, the said James Somervell, in virtue of the said letters, expelled the said Robert Boyd, elder, from the judgment-seat, and personally, really, actually, and bodily imposed, vested, and lawfully introduced the said Robert Boyd, younger, into his judicial place, in peaceful possession of the said office of bailiery, and of the tack of the said lands and lordship of Kilmarnock and office of chamberlain thereof, and also of constable and keeper of the castle, etc. All which the said Robert Boyd, younger, duly accepted, and there forthwith appointed all necessary officers and members of court, namely, clerk, serjeants, suitors, and deputes, and caused them to be sworn by reverently

touching the holy evangels of God, that they should justly exercise their respective offices ; after which the said Robert Boyd, younger, proceeded to administer justice to all there making complaint. These things were done near the parish church of Dalry, at the hours of ten and eleven before noon of the 5th May 1534 ; the witnesses present being Mr. Cristal Boyd, Provost of the Church of St. Mary, lately founded in the city of Glasgow ; James Cuningham, in Montgrenane ; Thomas Boyd ; James Aslose of that Ilk, etc.

31. *Instrument on the Transfer of the Castle of Cassillis from Robert Boyd in Kilmarnock, to William, Abbot of Crosraguell, and Exoneration of the former therefor.*¹ [26th June 1534.]

In Dei nomine amen per hoc presens publicum instrumentum cunctis pateat evidenter quod anno Incarnacionis Dominice millesimo quingentesimo trigesimo quarto die vero mensis Junii vicesimo sexto indictione septima pontificatusque sanctissimi in Christo patris et domini nostri domine Clementis divina providencia pape septimi undecimo in mei notarii publici et testium subscriptorum presenciis personaliter constitutus venerabilis in Christo pater Willelmus permissione divina abbas monasterii de Corsraguell ac curator nobilis et potentis domini Gilberti comitis de Cassillis fatebatur se nomine et ex parte dicti comitis ac virtute dicti sui officii recipisse a Roberto Boyd in Kilmernok herede et executore quondam domine Margarete Boyd comitis de Cassillis castrum et locum de Cassillis cum hortis pomeriis edificiis et singulis suis pertinenciis una cum silvis ac omnibus et singulis aliis edificiis existentia in manibus dicte domine Margarete comitisse de Cassillis tempore sui decessus spectantia et pertinentia dicto comiti de Cassillis tam sufficientia in omnibus et per omnia et meliora quam dicta domina Margareta eadem tempore deliberacionis sibi eorundem recepit Et hoc in omnibus et per omnia secundum formam et tenorem cuiusdam scripti medio tempore inter eosdem confecti Quodquidem scriptum dicte partes michi notario publico subscripto tradiderunt perlegendum excopiandum et in hanc publicam formam instrumentalem redigendum Cuiusquidem scripti tenor sequitur et est talis videlicet The xxvj day of Junii the yeir of God j^m v^c xxxiiij yeiris Williame be the permissione of God abbot of Corsraguell and curatour to ane nobill and mychty lord Gilbert erill of Cassillis grantit him in name and behalf of the said erill to have ressavit fra the said Robert Boyd ayr and executour to the said umquhile dame Margarete Boyd the castell and place of Cassillis with the yardis orchyardis biggingis and all pertinentis quhatsumevir pertenyng tharto togydder with the woddis and all uther biggingis with thair pertynentis quhatsumevir being in hir handis the tyme of hir deces pertenyng to the said erill of Cassillis als

¹ *Kilmarnock Writs.*

sufficient and bettir in all sortis na quhen scho ressavit the samyn ffor the quhilk the tyme of hir resate tharof Williame Boyd of Banhaith come cautioun and soverte himself and his aris for the uphalding of the samyn And because the said Robert Boyd in Kilmernok ayre and executoure foresaide to the said umquhile dame Margarete Boyd hes delyverit to the said venerable fader in God in name and behalf of the said erill his brother sone as curatour foresaid the said place and castell with the yardis orchyardis biggingis thareof and all pertinentis quhatsumevir pertenyng thareto togydder with the woddis and all uther biggingis quhatsumevir with thare pertinentis pertenyng to the said erill being in hir handis the tyme of hir deces and delyverit to hir in maner as said is als sufficient and bettir be his awin grant na quhen scho resavit the samyn Tharfore the venerabill fader in God in name and behalf of the said Erill of Cassillis as his curatour forsaid quytclamyt and dischargit the said Robert Boyd in Kilmernok as ayr and executour forsaid to the said umquhile Dame Margarete Boyd and Williame Boyd of Banhaith hir cautionare and soverte forsaid thare ayris executouris and assignais thareof for now and evir And attour James Kennedy of Blarquhan personally present at instance and requeist of the said venerable fader in God band and oblist him his aris executouris and assignais in the stratest forme and stile of obligatioun to the said Robert Boyd in Kilmernok ayr and executour forsaid to warrand releif and keipe skaithles the said Robert Boyd in Kilmernok and Williame Boyd of Banhaith thare airis executouris and assignais anentis the samyn at the handis of the said erill of Cassillis and all utheris havand enteres tharto be ony maner of way and siclyke the said venerable fader in God band and oblist hym and his successouris in the stratest forme and style of obligatioun to warrand releif and keipe skaithles the said James Kennedy of Blarquhane his airis executouris and assignais at the handis of the said erill of Cassillis his ayris executouris and assignais and of all utheris havand enteres thareto anentis the samyn be ony maner of way And mare attour band and oblist hym and his successouris in the stratest forme and style of obligatioun to cause the said erill of Cassillis himself to quytclame and discharge the saidis Robert Boyd in Kilmernok Williame Boyd of Banhaith and James Kennedy of Blarquhan thar airis executouris and assignais thareof in the stratest forme and style of exoneratioun incontynent efter his hayme cumyng owte of France leallely and trewly but fraude or gyle: Super quibus vero omnibus et singulis sic premissis prefatus Robertus Boyd in Kilmernok a me notario publico subscripto sibi fieri peciit unum seu plura publicum seu publica instrumentum vel instrumenta Acta erant hec apud portam castri de Cassillis hora sexta post meridiem aut eacirca sub anno mense die indictione et pontificatu quibus supra Presentibus ibidem honorabilibus viris videlicet magistro Valtero Kennedy canonico Glasguensi Thoma Corry de Kelwode Jacobo Stewart de Blakhaw Thoma Davidsons de Grenane Jacobo Blayr de Myddill Auchindrane magistris Georgio Kennedy et Gilberto Corry capellanis ac notariis publicis domino Johanne Kennedy prebendario de Mayboill Thoma Boyd seniore Roberto Park Jacobo Slos de eodem Thoma Boyd juniore ac dominis Georgio

Blayr et Alexandro Jamesone capellanis ac notariis publicis cum diversis aliis testibus ad premissa vocatis debitaque cum instantia rogatis et requisitis.

Et ego vero Stephanus Prestoun clericus Glasguensis diocesis sacraque auctoritate apostolica notarius, etc.

32. *Letter of Reversion by Richard Bothwell, Provost of the Kirk of Field, to Robert Boyd in Kilmarnock, over the lands of Raith.*¹ [26th January 1542-3.]

Till all and sindry quhais knowlege thir present lettres sall cum Maister Richart Bothuell provost of oure Ladyis college Kirk of Feild within the wallis of the burgh of Edinburgh greting in God everlasting wittis your universiteis That albeit ane honorable man Robert Boyd in Kilmarnok to me myne airis and assignais hes sald and analijt heretable be charter and sasing all and sindry his fiffe pund land of Raith auld extent with the mylne of the samyn and thair pertinence liand in the barony of Ovir Lowdoun parochiane of Kilmarnok balliery of Cvnyngname and within the scherefdome of Air as at mair lenth is contenit in his charter maid and gevin to me thairupone Nevirtheles I will and grantis and alsua lelelie and treulie bindis and oblissis me be the faith and treuth in my body my airis and assignais that quhat tyme or how sone it sal happin the said Robert Boyd in Kilmarnok his airis or assignais upon ane day betuix the sone rising and ganging to of that Ilk into the college kirk of Sanct Geill of Edinburgh and thair upon Sanct James altar the apostill situat within the samyn to content and pay to me myne airis or assignais the soume of four hundreth markis in gold and silver gude and usuale money of Scotland havand cours of payment for the tyme That than incontinent eftir the payment of the said soume of four hundreth markis swa to be maid payit and deliverit as said is I myne airis and assignais sall renunce purelie and simplie resigne quitclame ourgif and frelie deliver agane to the said Robert Boyd his airis or assignais all and sindry the said fiffe pund land of Raith auld extent with the mylne of the samyn and thair pertinence with charter sasing and all uther evidentis maid and gevin to me thairupone and witht all richt and titill of richt clame properte and possessioun heretable quhilk in the fairsaid fiffe pund land of Raith auld extent with the mylne of the samyn and thair pertinence I have had hes or may have for me my airis or assignais be ony maner of way in tyme to cum And that I my airis nor assignais sall nocht fraudfullie nor wilfullie absent ws fra the ressaving of the said soume of four hundreth markis I or thai being lauchfullie warnit thairto be the said Robert Boyd his airis or assignais outhur personalie or at our duelling place for the tyme upon fourty dayis warnyng of befor in presens of ane notar and witnes as efferis And gif I myne airis or assignais fraudfullie or wilfullie absentis ws fra the ressaving of the said soume of four hundreth markis as God forbeid we do we beand warnit as

¹ *Kilmarnock Writs.*

said is Than it salbe lesum to the said Robert Boyd his airis and assignais to have full regres and ingres in and to the properte and possessioun heretable of all and sindry the said fiffe pund land of Raith auld extent with the mylne of the samyn and thair pertinence like as he had of the samyn befor the alienatioun maid and gevin to me of the samyn Nevirtheles the foirsaid soume of four hundreth markis to the utilite and proffet of me myne airis and assignais under sicker keping to be put in the handis of the thesaurar or dene of geld of the burgh of Edinburgh quhilk for the tyme sall be all cavillatioun fraud and gile secludit and away put In witnes of the quhilk thing to thir present lettres subscrivit with my hand my seill is to hanging at Edinburgh the twenty-sext day of Januar the yeir of God ane thousand fiffe hundreth and fourty twa yeris befor thir witnes Maister Malevme Riche Alexander Somerwell Sir Thomas Richesone chapellane and James Young notar publict with utheris divers.

(Signed)

RICHARDUS BOITHUELL.

33. ABSTRACT.¹

Oblisement by the Earles of Argyle and others to warrand and assist Robert Boyd of Kilmarnock in all the actions he shall have to do, dated the year 1543.

34. *Letters of Charge inhibiting the Master of Glencarne from executing a Warrant against Robert Boyd, for delivery of the Castle of Kilmarnock.*² [29th October 1543.]

Marie be the grace of God Quene of Scottis to our lovit Schireffis of Renfrew baillies of Kyle and Cwnynghame and to their deputtis and till our lovittis heraldis maisseris messingeris our schireffis in that part greting : Forsamekle as we are informit that thair is lettres rasiit at the instance of maister of Glencarne for charge of Robert Boyd or any otheris withhaldaris of the castell of Kilmarnock to deliver the samyn to him or his serwandis within certane days or houris undir the pane of putting of thame to the horne quhilk days or houris being bipast for to put thame to our horne Quhilk lettres gif thai have effect in this trublis tyme may be occasioun of gret dissensioun and surrectioun amang our leigis Oure will is heirfor that ye or ane of you as ye be requirit pas to the personale presens of the said maister or ony wther executour of the saidis lettres and dischairge thame fra ony execution of the said lettres, and failzeing of thair personal presens that ye pas to the heid burghis of the schiris and wther places neidfull and thair discharge the executioun of the saidis lettres and the effect thareof in our name and our darrest tutour and governour for certane causis moving ws thareto And als giff the said Robert or ony of his complices be verteu of the saidis lettres be put to the horne that ye or ony ane of you being requirit thare to relax thame tharefra and giff thame the

¹ *Abbotsford Miscell.*, i. 12.² *Kilmarnock Writs.*

wand of peax Dischargeing you and all otheris our officiaris in that part for executioun of the saidis lettres of horning upon the said Robert quhill we and our darrest tutour and governor be avisit tharewith at our nixt parliament. Alsua that ye in our name and our said derrest tutour and governouris charge bayth the saidis parties that nane of thame mak gaderingis or convocation of our leigis a contra otheris undir the pane of deid The quhilk to do we commit to you and ilk ane of you our full powar be thir our lettres delivering thame be you deulie execut and indorsate agane to the berar. Gevin at Striveling and subscrivit with our said governour and undir our signete the xxix day of October and of our regne the first yeir.

JAMES G.

35. *Confirmation by Cardinal Beaton of Charter by the Abbot of Kilwinning to William Boyd of Baddinhaith of the lands of Barcraigs.*¹ [30th April 1545.]

David miseratione divina tituli sancti Stephani in Celio Monte sancte Romane ecclesie presbiter cardinalis Sanctiandree archiepiscopus tocius regni Scotie primas apostolice sedis legatus natus ac per universum regnum predictum eiusdem sedis de Latere Legatus discretis viris precentori et subdecano ecclesie Glasguensis ac officiali Glasguensi generali salutem in Domino sempiternam hiis que pro monasteriorum et aliorum religiosorum locorum commodo et utilitate facta fuisse noscuntur ut firma perpetuo et illibata persistent sedes apostolica cum ab ea petitur libenter apostolicam mandat adiici firmitatem exhibita nobis nuper pro parte dilecti nobis in Christo honorabilis viri Willelmi Boyd de Baddinhaith Glasguensis diocesis petitio continebat quod alias religiosi viri Alexander abbas monasterii de Kylwynnyng et eiusdem conventus ordinis sancti Benedicti dicte Glasguensis diocesis unanimi consensu et assensu propter hoc capitulariter congregati utilitate et commodo dicti monasterij et successorum suorum undique previsis et consideratis diligenti tractatu et matura deliberatione prehabitis pro evidenti utilitate dicti monasterij in augmentum annum rentalis eorundem ad summam sex solidorum et octo denariorum usualis monete regni Scotie plusquam unquam terre subscripte prius eiis aut predecessoribus suis persolverunt necnon pro policia in dicto regno Scotie habenda ac intuitu statutorum parlamenti desuper editorum verum etiam pro certis pecuniarum summis ipsis abbati et conventui premanibus per prefatum Willelmum exponentem gratanter et integre persolutis ac nonnullis aliis gratitudinibus et bene meritis per ipsum Willelmum eiis multipliciter impensis Totas et integras terras suas de Barcraigs vulgo nuncupatas extendentes annuatim ad tredecim solidatas et quatuor denariatas dicte monete antiqui extentus cum singulis suis pertinentiis in parrochia de Beith regalitate eorundem de Kylwynnyng Balivatu de Cunynghame et infra vicecomitatum de Ayr iuxta suos confines consistentes et jacentes et ad dictum monasterium legitime pertinentes dicto Wilelmo exponenti heredibus suis et assignatis quibuscunque per eos

¹ *Kilmarnock Writs.*

de abbate et conventu prefatis et eorundem successoribus in feudifirma emphiteosi et hereditate imperpetuum tenendas et habendas et per omnes rectas metas suas antiquas et divisas prout jacebant in longitudine et latitudine in boscis planis moris marresiis viis semitis aquis stagnis rivulis pratis pascuis et pasturis aucupationibus venationibus piscationibus petariis turbariis columbis columbariis cuniculis cuniculariis carbonibus carbonariis pomis pomeriis silvis nemoribus virgultis domibus edificiis ortis tignis lignis lapicidiis lapide et calce fabrilibus brueriis et genestis ac mulierum marchetis cum communi pastura libero introitu et exitu et cum omnibus aliis et singulis libertatibus commoditatibus proficuis asiamentis ac iustis pertinenciis suis quibuscunque tam non nominatis quam nominatis tam subtus terram quam supra terram procul et prope ad predictas terras cum pertinenciis spectantibus seu juste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliquo impedimento revocatione contradictione aut obstaculo aliquali sub annuo canone sive censu summe viginti solidorum dicte monete Scotie per Willelmum exponentem prefatum heredes suos et assignatos Alexandro abbati et conventui prefatis et eorundem successoribus pro tempore existentibus pro una videlicet in penthecostes et alia medietatibus annui census huiusmodi in sancti Martini episcopi mensis Novembris festivitibus annis singulis unacum multuris solitis et consuetis ac tribus pultriis annuatim in terminis solitis integre persolvendo et in primo anno introitus cuiuslibet heredis ad totas et integras prenominatas terras cum pertinenciis dictum canonem sive annum censum duplicando Ac quod exponens heredes et assignati sui prefati tres sectas ad tria abbatis et conventus ac successorum predictorum placita capitalia regalitatis dicti monasterii de Kylwynnyng annuatim tenenda cum servitiis in curiis eorundem justiciarie et camerarie cum contigerint faciant nomine feudifirme tantum pro omni alio onere exactione questione demanda seu servitio seculari que de predictis terris cum pertinenciis juste exigi possent quomodolibet vel requiri Alexander vero abbas et conventus prefati et eorundem successores totas et integras prenominatas terras de Barcraigis cum pertinenciis Willelmo exponenti heredibus suis et assignatis quibuscunque adeo libere quiete plenarie in omnibus et per omnia forma pariter et effectum ut premissum est contra omnes mortales varantizare acquietare et imperpetuum defendere teneremur ac forsam sub certis aliis pactis legibus conditionibus declarationibus et limitationibus tunc forsam expressis salvo sedis apostolice dederant concesserant locaverant arendaverant et ad feudifirmam et perpetuam emphiteosim dimiserant prout in ipsorum Alexandri et conventus prefatorum carta manibus eorundem subscripta et sigillo communi dicti monasterii sigillata seu aliis literis instrumentis et documentis publicis desuper confecta seu confectis plenius dicitur contineri Ipseque Willelmus exponens dationis concessionis locationis et dimissionis earundem vigore possessionem terrarum predictarum cum pertinenciis huiusmodi forsam assecutus extitit Cum autem sicut eadem subiungebat petitio datio concessio locatio et dimissio huiusmodi in evidentem cesserint et cedant dicti monasterii de Kylwynnyng utilitatem Cupiatque prefatus exponens illas pro

earum subsistentia firmiori apostolice confirmationis munimine roborari Quare supplicari fecit humiliter idem exponens sibi super hiis per dictam sedem apostolicam de opportuno remedio misericorditer provideri Nos igitur ad infrascripta sufficienti apostolica facultate potiti deque premissis certam noticiam non habentes dictarum terrarum cum pertinentiis situationes confines veros annuos valores qualitates quantitates et circumstantias ac veriora vocabula necnon carte et literarum seu instrumentorum huiusmodi veriores tenores presentibus pro sufficienter expressis habentes ac attendentes quod in hiis in quibus monasteriorum et aliorum religiosorum locorum evidens procuratur utilitas favorabiles esse debemus atque benigni auctoritate apostolica nobis concessa et qua fungimur in hac parte discretioni vestre committimus et mandamus Quatenus si et postquam vocatis Alexandro abbate et conventu prefatis et seu pro tempore existentibus abbate et conventu ac aliis qui fuerunt evocandi de datione concessione locatione et dimissione ac aliis permissis ut prefertur factis Et quod ille in evidentem dicti monasterii utilitatem cedant vobis aut duobus vestrum coniunctim procedentibus legitime constiterit Super quibus conscientiam vestram oneramus Easdem dationem concessionem locationem et dimissionem ac prout illas concernunt omnia et singula in carta et literas seu instrumentis predictis contenta licita tamen et honesta apostolica auctoritate approbetis et confirmetis Eiisque perpetue firmitatis robur adiiciatis ac illa valida et efficaciter existere suosque effectus sortiri et perpetuo inviolabiliter observari Sicque per quoscunque iudices quavis auctoritate fungentes sublata eiis et eorum cuilibet quavis aliter iudicandi et interpretandi facultate et auctoritate iudicari et diffiniri debere ac quicquid secus attemptari contigerit irritum et inane decernatis Omnesque et singulos juris et facti defectus si qui forsitan intervenerint in eisdem suppleatis Non obstantibus premissis ac felicitis recordationis Domini Pauli pape secundi de rebus ecclesiasticis non alienandis et quibusvis aliis apostolicis ac in provincialibus et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus ac monasterij et ordinis predictorum etiam juramento confirmatione apostolica vel quavis firmitate alia roboratis statutis et consuetudinibus privilegiis quoque indultis et literis apostolicis eisdem monasterio et ordini ac illorum personis sub quibuscunque tenoribus et formis ac cum quibusvis etiam derogatoriis derogatoriis aliisque fortioribus efficacioribus et insolitis clausulis irritantibusque et aliis decretis etiam iteratis vicibus concessis approbatis et innovatis Quibus omnibus tenores illorum ac si de verbo ad verbum nichil penitus omisso et forma in illis tradita observata insererentur presentibus pro expressis habentes illis alias in suo robore permansuris hac vice dumtaxat specialiter et expresse derogamus ceterisque contrariis quibuscunque Datum Edinburgi nostre Sanctiandree diocesis sub sigillo nostri legationis anno incarnationis dominice millesimo quingentesimo quadragesimo quinto pridie Kalendas Maij pontificatus sanctissimi in Christo patris et domini nostri domini Pauli divina providentia pape tertii anno undecimo.

ABSTRACT.

Confirmation by Cardinal David (Beaton) of a Charter of feu ferme, granted by Alexander, abbot of Kilwinning, to William Boyd of Baddinhaith, of the lands of Barcraigs, in the parish of Beith, regality of Kilwinning, bailiary of Cunynghame, and shire of Ayr, at the yearly rent of twenty shillings Scots, which should be doubled at the entry of each heir. Dated at Edinburgh 30th April 1545.

36. *Sasine on Crown Precept, in favour of Robert Boyd, son and heir-apparent of Robert Boyd of Kilmarnock, of the Lordship of Kilmarnock, and others.*¹
[22d September 1545.]

In Dei nomine, amen: per hoc presens publicum instrumentum cunctis pateat evidenter quod anno incarnationis Dominice millesimo quingentesimo quadragesimo quinto mensis vero Septembris die vicesimo secundo indictione quarta pontificatusque sanctissimi in Christo patris et domini nostri Pauli divina providentia pape tertii anno undecimo in nostrum notariorum publicorum et testium subscriptorum presentia personaliter constitutus probus vir Robertus Boyd in Clerkland ballivus de Cunynghame in hac parte quoddam sasine preceptum supreme domine nostre regine pergameno scriptum sub testimonio sui magni sigilli alba cera pendentis more cancellarie ballivo de Cunynghame et deputatis suis directum sibi que Roberto per Thomam Boyd de Lyne actornatum honorabilis viri Roberti Boyd filii et heredis apparentis Roberti Boyd de Kilmernok presentatum reverenter accepit et illud nobis notariis publicis subscriptis tradidit plegendum exemplandum et in hanc publicam formam instrumentalem redigendum cuius vero sasine precepti tenor sequitur et est talis Maria Dei gratia regina Scotorum ballivo nostro de Cunynghame et deputatis suis necnon dilectis nostris Jacobo Wylee Roberto Boyd in Clerkland, etc., ac eorum cuilibet coniunctim et divisim ballivis nostris de Cunynghame in hac parte salutem Quia nos tanquam princeps et Scotie Senescalla cum avisamento autoritate et consensu charissimi consanguinei et tutoris nostri Jacobi Aranie comitis domini Hammyltoun, etc., regni nostri protectoris et gubernatoris dedimus et concessimus hereditarie dilecto nostro Roberto Boyd filio et heredi apparenti Roberti Boyd de Kilmernok heredibus suis et assignatis Omnes et singulas terras dominium et baroniam de Kilmernok cum castro fortalicio maneriis ortis pomariis molendinis multuris piscariis brasinis lie outsettis partibus pendiculis silvis annuis redditibus annexis connexis tenentibus tenandriis et libere tenentium servitiis advocacione donatione et jure patronatus ecclesiarum et capellaniarum earundem et suis pertinentiis Terras et baroniam de Dalry cum manerie ortis pomariis molendinis multuris piscariis annuis redditibus brasinis lie outsettis partibus pendiculis silvis annexis connexis tenentibus tenandriis libere tenentium serviciis advocacione et donatione ecclesiarum et capel-

¹ *Kilmarnock Writs.*

laniarum earundem et suis pertinentiis Terras et baroniam de Kilbryde cum manerie ortis pomariis molendinis multuris piscariis annuis redditibus brasinis silvis lie outsettis partibus pendiculis annexis connexis tenentibus tenandriis libere tenentium serviciis advocacione et donatione ecclesiarum et capellaniarum earundem et suis pertinentiis Terras de Ryvisdalemure cum manerie ortis pomariis molendinis multuris piscariis annuis redditibus brasinis silvis lie outsettis partibus pendiculis annexis connexis tenentibus tenandriis libere tenentium serviciis advocacione et donatione ecclesiarum et capellaniarum earundem et suis pertinentiis Terras de Nodisdale cum molendinis piscariis brasinis partibus et pendiculis earundem et suis pertinentiis Terras de Flat cum molendinis piscariis brasinis partibus et pendiculis earundem et suis pertinentiis et terras de Monfoid cum suis pertinentiis jacentes in balliatu nostro de Cunynghame et infra vicecomitatum nostrum de Aire Quequidem omnes et singule terre dominium et baronie suprascripte cum castro fortalicio maneriis hortis pomariis molendinis multuris piscariis annuis redditibus brasinis silvis lie outsettis partibus pendiculis annexis connexis tenentibus tenandriis libere tenentium serviciis advocacione et donatione et jure patronatus ecclesiarum et capellaniarum ac omnibus suis pertinentiis fuerunt dicti Roberti Boyd senioris perprius hereditarie et quas idem per fustim et baculum in manibus prefati nostri gubernatoris tanquam in manibus nostris apud Falkland personaliter sursum reddidit pureque et simpliciter resignavit prout in carta nostra desuper confecta plenius continetur Vobis precipimus et mandamus quatenus prefato Roberto Boyd juniore vel suo certo actornato latori presentium sasinam predictarum terrarum dominii et baroniarum cum castro fortalicio maneriis ortis pomariis molendinis multuris piscariis annuis redditibus brasinis silvis lie outsettis partibus pendiculis annexis connexis tenentibus tenandriis libere tenentium serviciis advocacione donatione et jure patronatus ecclesiarum et capellaniarum earundem ac omnibus suis pertinentiis secundum tenorem dicte nostre carte quam de nobis inde habet juste haberi faciatis et sine dilatione Salvo nichilominus et reservato libero tenemento et vitali redditu omnium et singularum terrarum dominii baroniarum et annuorum reddituum suprascriptorum cum castro fortalicio maneriis molendinis multuris piscariis brasinis silvis lie outsettis partibus pendiculis annexis connexis tenentibus tenandriis libere tenentium serviciis advocacione et donatione ecclesiarum et capellaniarum earundem ac omnibus suis pertinentiis prefato Roberto Boyd seniori pro toto tempore vite sue Et rationabili tercio earundem sponse sue quum contigerit Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet coniunctim et divisim ballivis nostris de Cunynghame in hac parte committimus potestatem Datum sub testimonio nostri magni sigilli apud Falkland sexto die mensis Septembris anno regni nostri tertio Quoquidem sasine precepto viso et perlecto idem Robertus Boyd in Clerkland ballivus de Cunynghame in hac parte antedictus virtute sui officii accessit et statum ac sasinam hereditariam necnon realem actuaalem et corporalem possessionem primo totarum et integrarum terrarum et baronie de Dalry predictarum cum manerie ortis pomariis molendinis multuris piscariis annuis redditibus brasinis

lie outsettis partibus pendiculis silvis annexis connexis tenentibus tenandriis libere tenentium serviciis advocacione et donatione ecclesiarum et capellaniarum earundem et suis pertinentiis tum secundo totarum et integrarum prescriptarum terrarum de Ryvisdailmure cum manerie ortis pomariis molendinis multuris piscariis annuis redditibus brasinis silvis lie outsettis partibus pendiculis annexis connexis tenentibus tenandriis libere tenentium serviciis advocacione et donatione ecclesiarum et capellaniarum earundem et suis pertinentiis Tum tertio terrarum de Flat cum molendinis piscariis brasinis partibus et pendiculis earundem et suis pertinentiis Tum quarto prefatarum terrarum de Nodisdale cum molendinis piscariis brasinis partibus et pendiculis earundem et suis pertinentiis Tum quinto totarum et integrarum predictarum terrarum et baronie de Kylbryde cum manerie ortis pomariis molendinis multuris piscariis annuis redditibus brasinis silvis lie outsettis partibus pendiculis annexis connexis tenentibus tenandriis libere tenentium serviciis advocacione et donatione ecclesiarum et capellaniarum earundem et suis pertinentiis et ultimo perscriptorum terrarum de Monfoid cum suis pertinentiis dicto Thome Boyd de Lyne actornato prefati Roberti Boyd junioris Reservans supra reservata secundum tenorem prescripte carte supreme domine nostre regine sibi desuper confecte per terre et lapidis predictarum terrarum fundi traditionem ut moris est separatim et successive dedit et deliberavit imperpetuum Literarum vero actornatus supreme domine nostre Regine more sue cancellarie directarum nobisque notariis publicis subscriptis per dictum Thomam Boyd in premissis ostensarum tenor sequitur Maria Dei gratia regina Scotorum omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Sciatis quod suscepimus Thomam Boyd de Lyne Jacobum Prestoun vel eorum aliquos vel aliquem actornatos vel actornatum dilecti nostri Roberti Boyd filii et heredis apparentis Roberti Boyd de Kilmernok in omnibus negotiis et laquelis placitis et querelis motis seu movendis ipsum Robertum juniorem tangentibus seu tangere valentibus quibuscunque diebus et locis contra quoscunque et coram quibuscunque Quare vobis precipimus et mandamus quatenus dictos Thomam Jacobum, etc., vel eorum aliquos vel aliquem quos vel quem presentes vel presentem esse contigerit tanquam actornatos vel actornatum dicti Roberti Boyd junioris in premissis recipiatis presentibus post annum minime valituris in cuius rei testimonium has literas nostras sibi fieri fecimus patentes apud sanctum Andream septimo die mensis Septembris anno regni nostri tertio Super quibus vero omnibus et singulis sic premissis prefatus Thomas Boyd de Lyne actornatus antedictus nomine et ex parte memorati Roberti Boyd junioris a nobis notariis publicis subscriptis sibi fieri petiit instrumenta unum aut plura Acta erant hec super solum predictarum terrarum videlicet apud Gowanley in Dalry hora nona ante meridiem vel ea circa apud Catburne in Ryvisdalemure hora undecima ante meridiem vel ea circa apud mansionem de Flat et apud Nodisdale hora prima post meridiem vel ea circa apud Brewlandis in Kylbryde et apud Monfoid hora quarta post meridiem vel ea circa sub anno die mense Indictione et pontificatu quibus supra Presentibus ibidem Alexandro

Cunynghame filio Jacobi Cunynhame de Skelmurley Thoma Boyd in Cukistoun
Johanne Boyd in Dalry Johanne Montgomery in Flat et domino Johanne Brown
capellano testibus ad premissa vocatis pariter et rogatis.

Et ego vero Henricus Prestoun clericus Glasguensis diocesis sacraque autoritate
apostolica Notarius publicus ac scriba curie vicecomitatus de Aire, etc.

Et ego vero Robertus Boyd clericus Glasguensis diocesis sacraque apostolica et
imperiali auctoritatibus notarius publicus, etc.

ABSTRACT.

Instrument of Sasine, proceeding on Precept by Mary Queen of Scots, in favour of Robert Boyd, son and heir-apparent of Robert Boyd of Kylmernok, and upon resignation by the latter personally in the hands of James Earl of Arran, Governor of Scotland, of all and whole the lands, lordship, and barony of Kylmernok, with the castle, fortalice, manor-place, and others thereto belonging; the lands and barony of Dalry; lands and barony of Kylbryde; lands of Ryvisdalemure, Nodisdale, Flat, and Monfoid; all lying in the bailiary of Cunynghame and shire of Ayr, with the mills and fishings of the respective lands; and with the advocation, donation, and patronage of the churches and chapels of Kilmernok, Dalry, Kilbryde, and Ryvisdalemure. Dated 22d September 1545.

37. *Obligation by Dame Marion Seytoun, Countess of Eglyntoun, to Robert Master of Boid.*¹ [16th May 1547.]

Be it kend tyll all men be thir present letteris, me Dayme Merioun Seytoun, Cunetass of Eglyntoun, to be bundin and oblist, and be the tenour herof bindis and oblisses me to ane honorabill man, Robert Master of Boid, be the faitht and threucht in my body, that I sall nocht mare nor contract mariage with na maner of persone nor persones, nor sett takis nor rowmes pertening the houss and lordschep of Montgumre to na gentilman bot thai that ar in possessioun now presentle, or else to thaim that succedis to the possessiounis and tenentis now instant, without avise and consent of the said Robert Maister Boyd; and herto bindis and oblisses me under the panis of periure and defamatioun: In witnes of the quhilk I haif subscrivit this my obligatioun with my hand at Edinbrught, the sextene day of Maii, the yeir of God I^m fyf hundreth fourte and sevin yeris, befoir thir witnes, Charles Mouat of Knokyntebir, Adame Montgumre of Murehouss, Hew Montgumrie, balye depute of Killvynning, Thomas Nevin of Monkreddin, and Schir Allane Porterfeld, notar publik, with utheris divers.

Signature

¹ *Memorials of the Montgomeries*, ii. 143.

38. ABSTRACT.¹

Letters of Relaxation from the process of the horne, by Mary, Queen of Scots, in favour of Robert, Master of Boyd, John Brysbane of Bischoptoun, David Fairlie, younger of that Ilk, and others, inasmuch as they had found bail for their appearance before the Justiciary Court, to answer for the cruel slaughter of Nele Montgomery of Langschaw, Knight. Given under the Signet, at Edinburgh, 11th December 1548.

39. ABSTRACT.²

Letters of Remission by Mary, Queen of Scots, with consent of the Regent Arran, to Robert, Master of Boyd, John Birsbane of Bischoptoun, David Fairlie, younger of that Ilk, Charles Mowat of Busby, Robert Boyd, younger of Portincroce, Robert Boyd in Clerkland, Archibald Boyll and William Blair, for not joining the army appointed to assemble at Glaidismuir, to oppose the English; and for the slaughter of Neill Montgomery of Langschaw, Knight. Given under the Privy Seal, at Edinburgh, 11th December 1548.

40. *Indenture between James Earl of Arran, and Robert Lord Boyd.*³

[12th March 1548.]

Thir Indenturis maid at Edinburgh the tuelf day of Marche the yeir of God ane thousand five hundreth fourty aucht yeris It is appunctit aggreit and finalie contractit betuix ane noble and mychty lord James Erle of Arrane, lord Hammyltoun protector and governour of Scotland on that ane part and Robert Lord Boyd of Kilmarnok on that uthir part in maner forme and effect as efter followis fforsamekle as the said Robert is ellis servit and retourit be brevis of oure soverane ladeis chapell as aire to umquhile James Boyd of Kilmarnok his eme of certaine landis quhilkis pertenit to the said umquhile James and is to raise brevis to be servit and retourit of the remanent of all landis annuale rentis and utheris quhilkis pertenit to the said umquhile James his eme and to obtaine preceptis of our soverane ladeis chancellarie for heretable infeftmentis sesingis to be gevin to him therof And my lord governour bindis and oblis him and his airis gif it hapins him or thame to succaid and cum to the croune of Scotland than he and thai sall ratify and appreif the saidis infeftmentis ellis obtenit and to be obtenit be the said Robert and his airis of the saidis landis and gif neid beis sall infeft the said Robert and his airis heretable of new agane in the saidis landis and utheris quhilkis pertenit to his said umquhile eme efter dissolutioun maid be him with avise of the thre estaittis of this Realme in Parliament for annexatioun of landis to his crown in the maist sicker forme that the said Robert or his airis can devise or will desire to be done And als the said lord governour sall gif and dispone frelie to the said Robert his airis and assignais the ward relief and nonentre of all and sindry

¹ *Memorials of the Montgomeries*, ii. 146.

² *Ibid.* ii. 146.

³ *Kilmarnock Writs*.

the landis quhilkis pertent to the said umquhile James Boyd of all yeris and termes bigane that the samyn hes bene in the quenis grace handis or hir predecessouris be ressoun of ward or nonentres And als sall mak the said Robert and his airis assignais and transfer the richt of the maillis fermis and dewities of the saidis landis of all yeris and termes bigane and to cum during the tyme of the minorite of the quenis grace gif the saidis malis fermes and dewiteis can or may be askit or cravit fra thame be ressoun of propirte to hir grace ffor the quhilkis causs the said Robert Lord Boyd sall gif his band of manrent for him and his airis to be leill and trew servandis to my said lord governour and his airis perpetualie in competent and dew forme aganis all personis as use is the Croune of Scotland allanerlie exceptit And sall gif to my said lord governour and his airis the mariage of Thomas Boyd oy and aire to the said Robert Boyd and failyeing of him be decese the mariage of ony uthir his aire quhilk sal happin to succed to his landis and heretage to be mariit upoun sic party agreeable as my said lord governour his airis or assignais sall think expedient be thair avise And gif the said Robert Lord Boyd and his airis be nocht content and contractis nocht his said oy and failyeing of him be deceise ony uthir his aire or airis that sal happin to succed to his heretage upoun sic party agreeable as my said lord governour his airis and assignais sall please desire to be done thai being requirit therto In that caise the said Robert Lord Boyd bindis and oblis him and his airis to refound content and pay to my said lord governour his airis and assignais the soume of ane thousand pundis usuale money of Scotland for the proffettis of the said Robertis oy or airis mariage abone writtin and that within the space of fourty dayis efter the said oy or air as said is be of lauchfull aige and failyeis to mary as said is thai being requirit therto be my said lord governour his airis or assignais as said is And als the said lord governour sall gif his letres of mantenance for him and his airis perpetualie to the said Robert Boyd and his airis in the sickere forme that can be devisit and als bindis and oblis him and his airis to refound content and pay to the said Robert Boid and his airis the soume of fourty pundis usuale money of Scotland yerlie at twa termes for thair yerlie feale for thair said service as sal be contenit in the band of manrent and letre of mantenance to be maid therupoun And in caise the said Robert Boyd or his airis failyeis in the said band of manrent or ony part abonewrittin for thair part to my said lord governour his airis or assignais In that caise this contract to be fra the begynning the said falt or failye being sufficientlie provin of nane availl In sa fer as concernis the thingis to be fulfillit to the said Robert Boyd and his airis And gif the said lord governour and his airis failyeis be himself or his airis in fulfilling of thair partis of the said contract (the said falt being in likewyse provin) fra thyne-furth the said Robert and his airis sall nocht be haldin to fulfill thair partis therof to my said lord governour his airis and assignais foirsaidis And for fulfilling heirop baith the saidis partiis ar faithfullie bundin oblist and sworne and hes selit and subscrivit thir presentis interchangeablie to utheris with thair selis and hand writtis day yeir and place foirsaidis Befoir thir witnes ane reverend fader in God Johnne bishop of Dun-

keld venerable faderis George and Williame commendataris of Dunfermling and Culroise maister Thomas Merioribanks of Ratho Robert Carnegy of Kynnard and maister James Makgill with utheris diverse. (Signed) JAMES, G. ROBERT BOYD of Kilmarnok wyth my hand at the pen led be James Reid notar publict at my comand, etc.

Ita est Jacobus Reid notarius quoad subscriptionem dicti Roberti de mandato eiusdem.—J. R.

[Two seals in good preservation.]

41. *Bond of Maintenance by James Earl of Arran to Robert Lord Boyd.*¹
[13th March 1548.]

Be it kend till all men be their present letres Ws James Erle of Arrane Lord Hammyltoun etc. protector and governour of Scotland fforsamekle as oure weilbelovit freynd and servand Robert Lord Boyd of Kilmernok has bundin and oblist him and his airis perpetualie to be leill afauld and trew servandis and men to ws and oure airis and to tak oure afauld and trew parte in all oure actionis causs querellis and debaittis quhilkis we haif or sal happin to haif movit be ws or aganis ws and to do all uthir humanyteis and servitude that men and servandis aucht and suld do to thair lord and maister as at mair lenth is contenit in his band of manrent under his sele of armys and subscriptioun manuale gevyn for him and his airis perpetualie to ws and our airis therupoun Tharfore to be bundin and oblist and be the faith and treuth in our body lelely and trewlie byndis and oblissis ws and our airis perpetualie to be leill trew and afauld maisteris and gude lordis to the saidis Robert Lord Boyd and his airis and sall be our selfis oure kynnismen freyndis servandis allia men tennentis and utheris that will do for ws fortify and manteine the saidis Robert and his airis thair freyndis kynnismen tennentis and servandis and sall tak thair trew and afauld parte in all and sundry thair actionis caussis querellis and debaittis honest and lefull aganis quhatsumeveir personis in the law or by the law the Crown of Scotland alanerly except and sall suffir na truble nor skaith to cum to thame in any sort but sall stop and resist the samyne at our power and to that effect sall be oureself our kynnismen freyndis servandis and part-takaris ryde and gang with the said Robert and his airis thair freyndis tennentis and servandis als oft as we salbe desyrit and requirit be thame thairto and sall nowthir heir nor se thair skaith hurt nor displeasour bot sall schaw thame the samin and stop the saidis skaithis to be done at our utir power and sall gif the said Robert and his airis the best and trew counsale we can in all behalffis for thair honour wele and proffit and the counsale thai schaw to ws sall concele and attour sall do all thingis concerning the premissis that apperteins to ane lord and maister to do to his trew man and servand And attour we bynd and oblise ws and oure airis to content and pay yerlie to the said Robert Boyd and his airis (our servandis and men

¹ *Kilmarnock Writs.*

forsaidis) the soume of fourty pundis usuale money of Scotland yerlie for thair feall for thair service to be done to ws and our airis in manner forsaid at twa termes in the yeir Witsonday and Mertymes in wynter be equale portionis and for observyng of the premissis we bynd and oblise ws and our airis herto perpetually to the said Robert Boyd and his airis faithfully be the faithis and treuthis in our bodeis the haly evangelis tuichit nevir to cum in the contrar heirof under the payne of periurie Infamyee and nevir to brouke honour nor haif credence gif we cum in the contrar heirof In witnes of the quhilk to thir our letres of mantenance subscrivit with our hand our sele of armys is affixt at Edinburgh the threttene day of Merche the yeir of God ane thowsand five hundrethe fourty aucht yeiris Befor thir witnes ane Reverend fader in God Johnne bischope of Dunkeld venerable faderis George and William commendatouris of Dunfermling and Culros master Thomas Merioribankis of Ratho Robert Carnegy of Kynnard and master James M'Gill with utheris diverse.

(Signed) JAMES G.

[Seal almost entire.]

42. ABSTRACT.¹

Decree by the Lords of Council, ordaining Hugh, third Earl of Eglintoun, to relieve Robert Lord Boyd, Alexander Boyd in Craig, and their sureties, of the payment of 350 merks, claimed from them by John Montgomery, for the slaughter of his father. Edinburgh, 29th May 1555.

43. ABSTRACT.²

Agreement betuixt Mary, Queen Regent, and Robert, Lord and Master of Boid, for mutwall assistance against thair enemies, dated the 6th November 1557.

44. *Charter by Hugh Montgomery of Hesilheyd, to Helen Boyd, daughter of Robert Lord Boyd, of the lands of Lyandcorse and Williyard, in liferent.*³ [10th January 1559-60.]

Omnibus hanc cartam visuris vel audituris Hugo Mungumrye de Hesilheid ac dominus terrarum subscriptarum salutem in domino sempiternam noveritis me vendidisse alienasse et hac presenti carta mea confirmasse necnon vendere alienare et hac presenti carta mea confirmare dilecte mee Helene Boyde filie nobilis domini Roberti domini Boyde in libero tenemento et vitali redditu durante toto tempore vite sue nunc in sua pura intacta et inviolata virginitate totas et integras illas meas decem mercatas terrarum antiqui extentus de Lyandcorse jacentes in parrochia de Neilstoune et infra vicecomitatum de Renfrew necnon viginti solidatas terrarum eiusdem extentus

¹ *Memorials of the Montmeries*, ii. 151.

² *Abbotsford Miscell.*, i. 16.

³ *Kilmarnock Writs*.

de Williyard jacentes in parrochia de Beyth et regalitate de Kilwynning et hoc pro quadam certa pecunie summa michi per dictum nobilem et potentem dominum Robertum dominum Boyde nomine et ex parte dicte Helene persoluta ac etiam pro perimptione cuiusdam partis unius contractus initi et confecti inter prefatum nobilem dominum et dictam Helenam eius filiam ab una et me Hugonem Mungumry ab altera partibus de data apud Glasgw die vigesimo septimo mensis Decembris anno domini millesimo quingentesimo quinquagesimo nono Tenendas et habendas totas et integras prefatas decem mercatas terrarum antiqui extentus de Lyandcorse necnon viginti solidatas terrarum eiusdem extentus de Williyarde jacentes ut supra dicte Helene Boyde in sua virginitate in libero tenemento et vitali reddito durante toto tempore vite sue de me heredibus meis et assignatis per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine in domibus edificiis bostis planis moris marresiis aquis viis semitis stagnis rivolis lacubus pratis pascuis pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis columbis columbariis cuniculis cuniculariis fabrilibus brasinis brueriis et genestis silvis nemoribus et virgultis lignis lapicidiis lapide et calce cum curiis et earum exitibus herezeldis bluduettis et merchetis mulierum cum communi pastura libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis asiamentis ac justis suis pertinentiis quibuscunque tam non nominatis quam nominatis tam sub terra quam supra terram procul et prope ad predictas terras cum earundem pertinentiis spectantibus seu juste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliquo retenemento revocatione aut contradictione quacunque Reddendo inde annuatim dicta Helena Boyde in libero tenemento et vitali reddito durante toto tempore vite sue abbati et conventui Monasterii de Kilvynnyng firmas et devorias feudifirmales prius solvi solitas et consuetas nomine annualis redditus feudifirme tantum pro omni alio onere exactione questione demanda seu servicio seculari que de predictis terris cum earundem pertinenciis per quoscunque juste exigi poterit quomodolibet vel requiri Et ego vero prefatus Hugo Mungumry de Hesilheid heredes mei et assignati totas et integras prefatas decem mercatas terrarum antiqui extentus de Liandcorse jacentes in parrochia de Neilstoune et infra vicecomitatum de Kilvynnyng necnon dictas viginti solidatas terrarum eiusdem extentus de Williyard cum singulis earundem pertinenciis jacentes in parrochia de Beyth et regalitate de Kilvynnyng dicte Helene Boyd in libero tenemento et vitali reddito durante toto tempore vite sue in omnibus et per omnia forma pariter et effectum ut premissum est Et signanter ab omnibus wardis releviis non introitibus dominarum terciis conjunctis infeodationibus forisfacturis eschetis recognitionibus alienationibus ac periculis et incommodis tam preteritis quam futuris sic quod dicta Helena Boyd easdem terras libere et pacifice gaudere valeat durante toto tempore vite sue contra omnes mortales varantizabimus acquittabimus et imperpetuum defendemus In cuius rei testimonium huic presenti carte mee manu mea subscripte sigillum meum est appensum apud Glasgw die decimo mensis Januarii

anno domini millesimo quingentesimo quinquagesimo nono coram his testibus videlicet Johanne Cwnyghame juniori de Cwnighame Georgio Mungumry et Willelmo Hegait notario cum diversis aliis.

(L.S.)

(Signed)

HEW MONTGOMERY of Hesselheyd.

ABSTRACT.

Charter by Hugh Montgomery of Hesselheyd, in implement of contract between Robert Lord Boyd and Helen Boyd his daughter, on the one part, and the said Hugh on the other, of date at Glasgow 27th December 1559, granting to the said Helen in her pure, spotless, and inviolate virginity, all and whole his ten merk land of old extent of Lyandcorse, in the parish of Neilstoune and shire of Renfrew; and his 20/ lands of old extent of Williyard, in the parish of Beith and regality of Kilwinning: To hold of the granter and his heirs, to the said Helen in her virginity, in free tenement and liferent, for all the days of her life, for rendering to the abbot and convent of Kilwinning the fermes and duties used and wont in name of feu ferme. Dated at Glasgow, 10th January 1559-60.

45. ABSTRACT.¹

Contract between Robert Lord Boyde and Neil Mungumrye of Langschaw, for themselves and their respective friends, etc., whereby the latter became bound, for himself and his friends, to remit to the former and his friends, the slaughter of Sir Neil Mungumry, his father, upon their publicly asking forgiveness for the same in the kirk, or at the market-cross at Irvin, upon payment of certain sums. Glasgow, 10th February 1560.

46. ABSTRACT.²

Obligation by Neil Mungumrie of Langshaw, to Robert Lord Boyde, Charles Mowate, Robert Boyde, and William Blair, renouncing the part of the preceding contract, obliging the said Charles, Robert, and William, to depart to France at Neil's pleasure. February 1560.

47. ABSTRACT.³

Letters of Slains by Neill Montgomery of Langschaw, and his kin, to Robert Lord Boyd and others, for the slaughter of Sir Neill Montgomery of Langschaw, Knight. [1560.]

¹ *Memorials of the Montgomeries*, ii. 155.² *Ibid.* ii. 158.³ *Ibid.* ii. 158.

48. ABSTRACT.¹

Mutual Bond of Defence between Hugh, third Earl of Eglintownne, and Robert Lord Boyde ; signed interchangeably by them, at Glasgow, 25th August 1563.

49. ABSTRACT.²

Instrument of assignation by Hugh, third Earl of Eglintounne, to Robert Lord Boyde, of his right to the office of bailie of the canon-lands of Cwnyghame, pertaining to the canons and chapter of Glesgw. Glasgow, 25th August 1563.

50. ABSTRACT.³

Letters of Remission by Henry (Darnley), King of Scots, to Archibald Earl of Eryll, Robert Lord Boyd, Thomas Master of Boyd, William Mungumry, brother of the Earl of Eglintoun, and others, for all actions, quarrels, and crimes whatsoever, committed by them ; and commanding them to repair to Court. Dated 6th March 1565.

51. *Passport by Queen Elizabeth to the Lord Boyd.*⁴ [18th December 1568.]

Elizabeth R. By the Quene. Wheras the Lord Boyd bearer herof doth presently repayr unto the Quene of Scottis to communicate unto her certain thinges he hath to declare unto her from us Our will and pleasour is that ye do not only suffer him with six servauntz in his cumpany quietly to pas by youe without any your lett or interruption but also that youe see him and his said servauntz and guyde furnished from place to place betwene this and the place where the sayd Quene doth make her abode at prices reasounable of able hors to ryde post, with all other thinges necessary for his journey. Not failling herof as ye tender our pleasour and will aunswer for the contrary. Geven under our signet at our honour of Hamptoun Court the xviiith daye of December 1568, the elleventh yeir of our reign.

To all maiours, shirifs, baillifs, constables, Hedboroughes, and all other our officers, ministers, and subiectz to whom in this case it shall apperteyn, and to every of them.

¹ *Memorials of the Montgomeries*, ii. 193.² *Ibid.* ii. 194.³ *Ibid.* ii. 200.⁴ *Kilmarnock Writs*.

52. *Ratification of the Proceedings on Commission granted by Queen Mary to Lord Boyd and others to treat with the Queen of England anent her and her affairs.*¹ [9th February 1568.]

Marie be the grace of God Quene of Scottis and Dowarier of Fraunce Forsamekle as we apointit our traist cousignes counsalouris and freindis Johnne bischope of Ros Williame Lord Levingston Robert Lord Boyde Johnne Lord Herys Gawayne commendar of Kilvynnyng Johnne Gordon of Lochinvar Knycht James Cockburn of Skirling Knycht our commissioneris to treate for ws and for our effaris with our derrest sister the Quene of England or hir commissioneris at the citie of Yoorke or in onie uther place within the Realme of Ingland quhair it plesit hir to apoynt, we haveing perused thair proceedingis and understanding thair faythfull mynde and trew service thairintill dois verie weill allow thairof, quhilk we make notifiit be thir presentis. Gevin vnder our Signett and subscrivit with our hand at Tutberrie the nynt day of Februar the yeir of God j^m v^c thre scoir aucht yeiris and of our Regne the tuentie sevint yeir.

MARIE R.

53. *Passport by Queen Elizabeth to the Bishop of Ross and the Lord Boyd.*²
[17th April 1569.]

These are to requyre and charge yow in the Quenes Majesties name by virtue of my commission that ye see the Bishoppe of Rosse and the Lord Boyd furnished of eight able horses besides a guld to cary them with their servauntes and necessities journey wise from Burton unto my howse of Wingfeld for reasonable payment according to the Quenes Highnes prices in suche cases, not failing herin as ye woll aunswer for the contrary. Writen at her highnes Castle at Tutbery under my hand and seal the xvijth day of Aprill in the xjth yeir of her Majesties most noble Reigne 1569.

To the Balief of Burton upoun Trent and the Constables of the same and to all other the Quenes Majesties officers and subjectes within the same toune and to every of them.

(L.S.)

G. T. SHROVESBURY.

[*Note in Shrewsbury's own hand, appended to the preceding.*]

Bayley of Borton, for that my the bishop of Rosse and Boyde is nott yett recovered of his syknes I wytt you see them fornyshed with ij wmblyng (?) geldynges for there one sadelles and speshally Mr. Caldwell's horse and the constabilles—because there requeste is to have them. From Tutbury this xvij day of Aprill.

G. T. SHROVESBURY.

G. T., G. S.

¹ *Kilmarnock Writs.*

² *Ibid.*

[The seal or signet to the Passport is clearly impressed into the wax through the paper. The monogram for G. T., before Shrovesbury, occurs in every instance of his signature; and there is a monogram at the extremity of the line drawn under his name, which seems to be G. T., G. S., and may stand for "George Talbot, Great Seneschal," that being his name, and for the time his title.]

54. *Passport to the Lord Boyd.*¹ [16th May 1569.]

Whereas the Quene of Scottis dothe presentlie send up the lord Boyd this berere unto the Quenes maiestie upon certen her speciall affaires These are to requyre and charge you in hir highnes name that upon the sight herof ye see him well furnished of fyve able horses to cary him and his iiij men besidis a guyd from place to place unto the courte in poste or otherwise at his libertie for redy payment according to her maiesties pricis in suche like cases without failing as ye woll [answere] for the contrary. In witnes I have subscribed my [name] and set to my Seall the xvjth day of May in the xjth yere of her highnes most noble Reigne 1569.

To all Justicis of peace maiouris Sherifes postis baliefes hedborowes constables and to all other the Quenes maiesties officers and subiectis to whome this shall com or apperteyn and to every of them.

(L.S.)

G. T. SHROVESBURY.

55. *Commission by Mary Queen of Scots to John Bishop of Ross and Robert Lord Boyd to request aid from the Queen of England.*² [18th May 1569.]

Marie be the grace of God Quene of Scottis and Dowarier of France to all and sindri quhais knowledge thir presentis sall cum Greting in God ewerlesting. fforsamekill as we being movit with the greit trust and confidence quhilk we hade and hes in the rycht hiegh rycht mychty and excellent princes the Quene of England our derrest sister and maist tender Cousignes in the warld of bloode come in this hir realme of England hoiping thairthrouch and for the mvtuale freindschip and amytie keipit and intertenyet amongis ws to obteane support of hir aganis certane our unnaturall and disobedient subiectis quha hade not allanerlie impresonit our persoun bot also did that was in thame to tak awaye our lyfe, usurpit our authoritie and yeat undewtifully malignis thairintill And thairfor be hir only ayde and support to cause thame recognosce there dewitie to ws as to there naturale soverane Lady and princes, that we might enjoy our realme in quyetnes according to our calling be God thereto, And we

¹ *Kilmarnock Writs.*

² Original in General Register House.

staying ourselff alhail and depending thereupoun hes diferrit to desyre or resave ony support of uthiris princes our gud freindis allyes and confideratis Remaning and avaiting in this our gud sisteris realme the space of tuelf monethis bygane and now looking for ane gud and finale resolutioun at hir hand hes therefor upone the certane knowledge that we haif of the fidelitie wisdome and circumspectioun of our right trusty and weil-belovit counsalours Johne Bischop of Ros and Robart Lord Boyd made constitute and ordanit and be thir [presentis]¹ makis constitutis and ordanis tha[me or any ane of] thame our commissioneris Geving granting and committing to thame or ony ane of thame our frie full powar commissioun auctor[itie] and commandiment generall and speciall for ws and in our name to pas to the presens of our said derrest sister the Quene of England and there in maist hartlie and effectuous maner to desyre hir to gif ws hir gud ayde favour and assistance, be the quhilkis we maye with expeditioun be restored to our realme of Scotland autoritie, estait croun and gouvernement thereof and to peceably enjoy the samyn according to our vocatioun as undoutit quene and soverane thereof, Quhilk ayde we maist hartlie and earnestlie crave, and desyres of hir before all uthiris princes, and to quhome nixt under God we will think ws therefor maist addettit and oblissit, quhilk we hoip assuredly to ressave at hir handis, for the quhilk we are willing to do ony thing that lyes in our powar (our crown honour and estait being reservit) quhilk maye be to hir pleasour contentment and for sure keiping of freindschip and amytie in tyme cuming, Apoun the quhilkis and all uthiris purposes tending to the glorie of God, conferming and menteining of band and treatie of peax amity and freindschip betuix our said gud sister and ws our realmes dominions and subiectis thair of as apoun all uther contraverseis in tymes bygane and present we gif our saidis counsalouris and commissioneris or ony ane of thame Our full powar and commissioun in our name to commoun treat and conclude with our said derrest sister or with the Lordis of hir maist honorabill counsale to be appoyntit to that effect And thairapoun contract and Indent in maist sure and ample forme And als towart the contraversie standing betuix ws and certane our disobedient subiectis, at the sycht and plesour of our said derrest sister to extend our clemencie towartis thame And generally to do all thingis concerning the weill of ws and our cuntrey as thay or ony ane of thame sall think expedient and quhat our said counsalouris and commissioneris or ony ane of thame aggreis to in our name We promise upone the word of ane prince to hald ferme and stable, ratifie and appreve the samen inviolablie to be observit in all tymes cuming. In witnes of the quhilk we haif subscrivit thir presentis with our hand and hes cawsit affix our Signet thairto at W[ing]feild the xvij daye of Maye the yeir of God jm^{ve} threscoir nyne yeiris and of our Regnne the xxvij yeir.

(L.S.)

MARIE R.

¹ Original defaced.

56. *Commission by the Queen for prosecuting a Divorce from Bothwell.*¹

[May 1569.]

Marie be the grace of God Quene of Scottis and dowarrier of France to all and sindrie quhais knowlege thir present letteris sall cum Greting in God everlesting fforsamekill as we are credible informit be sindrie and divers noble men of our realme that the pretendit mariage sum tyme contractit, and in a maner solemnizat betuix ws and James erle Boithuell, was for divers respectis unlauchful and may nocht of guid conscience nor law stand betuix ws (albeit it seemit utherwayis to ws and our counsall at that tyme) considering thairfor with ourself, and thinking that the samin dois tuitche ws so hiechlie in honour and conscience that it daylie and hourlye troublis and wexis our sprite, quhairthroucht we ar movit to seik remedy thairfor, ffor this caus we haif askit counsall of the gretast clarkis, best learned and expert doctouris in divine and humane lawis as we could haif in dyvers cuntreys, be quhome we ar assuretlie informit and certanelie persuadit that the said pretendit maryage is one na wayis lauchfull, nor can in ony wayis, be the lawis, be menteinit as guide nocht onelie becaus that he wes befoir contractit to ane uther wyf and he nocht lauchfullie divorcet fra hir, bot also (althocht we war informit thair wes na impedymment) that thair wes dyvers gret impedimentis of affinitie and utherwayis standing betuix ws quhilkis gif thay haid bene knawin to ws wald haif maid lett and impedymment to our [proce]dingis And now being revelit to ws . . . sufficient to mak ws cleirlye understand . . . may be seperatt fra him be the lawis for . . . atione of com . . . mynd and will to accord to all thingis quhilkis baithe g . . . honorabill for discha . . . conscience releif of our troublit and afflictit sprite in that behalf as also for the declaratione of our awin honour and contentatione of our estaittis and guide subiectis of our realme, We of our awin motive frie will and mynd haif maid constitute nominat and ordanit and be the tennour of thir presentis makis constitutis nominattis and ordanis Our weilbelovitis

oure verray lauchfull undoutit and irrevocable commissionaris procuratouris, actouris, factouris and spetiell eirand beraris Givand grantand and committand unto thame and ilkane of thame coniunctlie and severalie Our full powar expres command and charge for ws and in our nayme, to compeir befoir ane reverend father in God Johne archie-bischop of Sanctandrois primat and legat of our realme, or ony of his commissaris or Juges depute or to be depute be him to that effect Or befoir the commissaris of the spirituall Jurisdictione and consistorie of Edinburgh, or ony uther Juge or Juges spirituall or temporall quhatsumevir, ather within our realme of Scotland or utitue the samin haifing powar to the effect underwrettin within the toun of Edinburgh or

¹ Original in H.M. General Register House.

quhatsumevir place or places within or vithout our realme as said is, quhatsumevir day or dayis And thair to raise summonis in ordour of law, summoning all thame quha hes entres And to propone ane cause of divorce in oure nayme contrary the said James erle Boithuell for sic impedimentis as lauchfullie may be proponit And thairapoun lybell and petitione to gif in or in caise the samin sal happin to be persewit be the said James or ony utheris to ansuer thairto in forme of law for ws exceptionis alsueill dilafouris as peremtouris to propone reply duply and uther defences . . exhibite Lites contestatione to mak wit . . . Instrumentis and all kynd of probatione to lead exhibite and produce . . . Interloquitouris and diffinitives to . . . to be pronuncet and thairapone actis and Instrumentis to tak ask and req . . . Letteris testimoniellis of the decreitis in forme as effeiris to lift and obtene And generallie to do all maner of thingis in persewing of the said caus of divorce or ansuering thairto as gif we war our self in Jugement at every diet in proper persone . Promising faythfullie in the word of a princes we sall hald ferme and stable all and quhatsumevir thingis our saidis commissioneris and procuratouris or ony ane of thame sall do in our name and behalf in the premissis under the pane of perjury and infame and nevir sall cum in the contrar thairof In witnes of the quhilk we haif subscryvit this present procuratorie with our hand and hes causet our Signet to be affixit thairto, quhilk we will to be als sufficient as oure gret seall war affixit to the samin. At Wingfeild the day of May in the yeir of God ane thousand fyve hundrethe threescoir nyne yeiris and of oure Reigne the xxvij yeir Befoir thir witnessis Oure trest cousing and counsallour Robert Lord Boyd our familiar servitouris Johnne Betoun of Lochuod ane of our maisteris of houshald, James Borthuik ane of the maisteris of our curye Raulet our secretar and James Boyd of Kipps.

MARIE R.

57. *A Passport for the Lord Boyd of Scotland by Queen Elizabeth of England.*¹

[22d May 1569.]

Elizabeth R. By the Quene. Whereas the lord Boyd of Scotland [hath] made sute unto us for our licence unto him to repaire from hens in to Scotland by the way of our [w]est borders and to return from thens hither agayn : we let you wete that we have asented unto his said sute wherfore we will and commaunde you not only to suffer him quietly to passe by you in to Scotland with his trayne and company and all other his baggis baggagis and necessities without any your let stay or trouble but also to permit him likewyse to return either hither or to the Scottis Quene and to helpe him for his reasonable money to post horses and suche other necessities by the way wherof faile you not as ye tender our [plea]sure and will aunswer for the contrary. And these our lettres shal be your sufficient discharge in this behalf. Given

¹ *Kilmarnock Writs.*

under our signet at our manour of Grenwiche the xxijth of May the xjth yere of our reign 1569.

To all mayouris sherreffis bailiffis constables wardens and other officers of our marches and to all other our ministers and subiectis to whom in this case
(L.S.) it shall apperteyn.

Extractum per Clyffe . . .

58. *Letter from Queen Mary to the Earl of Cassillis.*¹

[Wingfield, 4th June 1569.]

Richt traist cousigne and counsalour, we greit yow weill. Forsamekill as in tyme bypast we haif ewer advertesit yow, be our letters, of our proceedingis with the Quene of England, our gud sister, nocht sa amply as we wald haif done, be ressonne of the discommoditie of passage hes bene betuix thir realmes, bot at the leist of the gud opinioun we hade of the resolutioun thair of; and now, our traiste cousigne and counsalour, my Lord Boyd, ane of our Commissioneris towartis our said sister, being returnit fra hir and hir Counsale, we haif depeschit him with thir presentis in our realme to declair unto yow at lenth the treuth and gud estait of our affaires, and our mynd in all thingis, quhilk, becaus of his sufficiency, we wald nocht wryt amply; bot referring the same to him, quhome ye sall credeit as our selfe, committis yow to the protectioun of God Almychtie. Of Wingdfeild, the iiij day of Junij 1569.—Your good cusignes,

MARIE R.

To our richt traiste cousigne and counsalour the Erle of Cassillis.

59. *Commission by Queen Mary to Robert Lord Boyd to treat with her subjects of Scotland anent Reconciliation.*² [4th June 1569.]

Marie be the grace of God Quene of Scottis and dowarier of France to all and syndrie quhais knowlege thir presentis sall cum Greting in God ewerlasting. fforsamekill as we being movit with the greit luiff and affectioun quhilk we beir to our naturale realme and of the petie and commiseratioun that we haif to understand that our maist obedient and affectionat subiectis are now myserably opprest and mollestit We will (gif it be possible) prefer the rest and tranquillitie of thame and of our haill realme to all uthir thing, quhairto we maye condescend with our honour, conservatioun of our estait and libertie of our said realme Quhairfor nochtwithstanding the indignations and grevous offences quhairby we haif bene provokit to

¹ *The Lennox*, ii. 423.

² *Kilmarnock Writs*.

just anger aganis sum quha ar inobedient subiectis unto ws, We ar content and desyris to use the waye of meiknes and benevolence towartis all man And thairfor upoun the certane knowledge that we haif of the fidelitie visdom and circumspectioun of our Richt trusty and veilbelovit counsigne and counsalour Robart Lord Boyd, hes maid constitute and ordainit and be thir presentis makis constitutis and ordanis him Our commissioner Geving granting and committing to him our frie full powar, commissioun, authoritie and commandiment generale and speciale to pas in our said realme of Scotland and thair to commoun and confer for ws and in our name with James earle of Murraye to heir and understand the conditions that maye be proponit unto him be the said erle of Murraye for vaye and moyen of appoyntment and reconciliatioun betuix ws him and our inobedient subiectis And to reassone confer and dail with him upoun the saidis conditiouns and moyens of appoyntment as the matter sall requyre and as salbe found necessaire be our said rycht trusty counsigne counsalour and commissioner And quhatewer he agreis to in our name We promeis upoun the word of ane prince to hald ferme and stabill, ratifie and approve the same inviolabillie to be observit in all tymes cuming In Witnes of the quhilk we haif subscriyvit thir presentis with our hand and causit affix our Signet thairto at Wingdfeild the fourt daye of Junii The yeir of god j^m v^c threscoir and nyne yeiris and of our regnne the xxvij yeir.

(L.S.)

MARIE R.

60. *Passport to the Lord Boyd.*¹ [4th June 1569.]

Wheras the Quene of Scottes hath presentlie depeched the Lord Boyd this berer unto Scotland upon certen her speciall causes, These are to require and charge you in the Quenes maiesties name by vertue of my commission that ye see him furthwith upon the sight herof well furnished of sixe able horses to cary him and his servauntis besides a guyde from place to place unto Carlill thitherwardes and so from thens hither agayn in his retorne, in post or iorney wise at his choise for readye payment according to her highnes prices in suche cases, without failing herin as ye woll answer for the contrary. In witnes I have subscribed my name and set to my Seal. At my house of Wingfeld the iiijth of June, the xjth yere of her maiesties most noble reign 1569.

To all Justices of peace maiouris sherifes postes Baliefes Hedborowes Constables and all other the Quenes maiesties officers and subiectis to whome this shall com and appertein and euery of them.

(L.S.)

G. T. SHROVESBURY.

¹ *Kilmarnock Writs.*

61. *Agreement between the Earl of Mortoun and Mar; and the Earls of Ergile, Cassillis, and Eglintoun, and Lord Boyd, whereby the latter agree to serve the King and the Regent.*¹ [12th August 1571.]

At Striveling the xii day of August, the yeir of God I^M V^C thre scoir ellevin yeris : My Lordis, the Erll of Mortoun, Chancellair of Scotland, and the Erll of Mar, on the ane part, and my Lordis, the Erllis of Ergile, Cassillis, Eglintoun, and Lord Boyd, on the other part, convening and deliberating upoun the present estait of this troublit commoun welth ; it is commonit, condescendit, and agreit unto amangis thame as followis—

First, my Lordis, the Erllis of Ergile, Cassillis, Eglintoun, and Lord Boyd, considering the calamities quhairwith this realme, thair native cuntrie, is plaigit, throw the invard troublis and civile dissentioun sa lang continewing within the same, to the apparent subversioun of the commoun weill thair of ; and understanding the Kingis Maiestie to be crownit and inaugurat, and the Quene, his moder, to be presentlie in the realme of England ; willing thairfore to yeild to all gude meanis that may quiet the troublit state, and settle the same to His Hienes obedience, thay ar content to serve the king, and His Hienes present Regent and to subscribe a band to that effect.

Thay sal have a remitt to thame, thair freindis and servandis, for not obeying and serving the king in tymes bigane, and for all other causes ; except the murtheris of the king, fader to our soverane Lord, and the Erll of Murray, His Hienes lait Regent, fire, murther, slauchter, revissing of women, thift, ressett of thift, and witchecraft ; exceptand furth of the said exceptioun, slauchter and uther crymes committit in the commoun caus, or depending thairupoun, quhilkis sall allwyys be comprehendit under the said remitt.

All sic as my saidis Lordis of Ergile, Cassillis, Eglintoun, and Boyd, may procure to the kingis obedience and service sal have the like appointment as they presentlie gett, being in the like state as they now ar in.

And seeing the intentioun of the noblemen on baith pairtes is to procure the quietnes and commoun weill of the realm, and that the same can not be rather hinderit, nor be uptaking of the eschaetis and guidis of the personis now cuming to the kingis obedience, for crymes obiectit to thame in the common caus, and depending thairon ; Thairfore, all eschaettis of the noblemen abone-writtin, thair freindis or servandis, disponit upoun the occasioun of the common caus, or depending thairon, sall tak na effect efter the dait heirof, bot be simplie dischargeit ; and all convenient securitie salbe maid thairupoun, be actis of counsale and parliament, or utherwys as salbe thoct expedient : Like as alsua, all panis and unlawis for nonentering of personis callit to underly the law for materis tueching the said common caus, or depending thairon, sall semblably be dischargeit.

Signatures.

¹ *Memorials of the Montgomeries*, ii. 207.

62. *Remission to Robert Lord Boyd and others.*¹ [8th September 1571.]

Jacobus Dei gratia Rex Scotorum omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Sciatis quia ex nostra speciali gratia cum avisamento consensu et autoritate charissimi nostri consanguinei Joannis comitis de Mar domini Erskin, etc., nobis nostrisque regno et liegiis regentis Remisimus consanguineo nostro Roberto domino Boyd Thome magistro Boyd Roberto Boyd de Baddinhaith eius filiis Adamo Boyd de Pinkill magistro Jacobo Boyd de Trochrig eius filio Roberto Boyd de Portincoss Archibaldo Boyd eius filio et heredi apparenti Thome Boyd de Petcon Roberto Boyd eius fratri Joanni Boyd de Boyneschaw Jacobo Boyd de Hullirhill Alexandro Boyd in Craig Roberto Boyd eius filio Thome Boyd de Kippis Jacobo Boyd eius filio Joanni Boyd in lie Kirkstoun de Kilmarnok Georgio Boyd eius filio Roberto Boyd in Kilbryde Willelmo Boyd et Joanni Boyd marcatoribus in Kilmarnok Joanni Boyd burgensi civitatis Glasguensis Roberto Boyd in Cuikistoun Joanni Boyd in Quhitlyburne Willelmo Boyd in Noddisdal Johanni Boyd in Gowanelie Roberto Boyd in Wardlaw Roberto Boyd in Lyne Roberto Boyd eius filio Willelmo Boyd in Laswaid Quintino Boyd eius fratri Alexandro Boyd servo dicti nostri consanguinei domini Boyd Hugoni Craufurde de Kirkwod Archibaldo Boyill in Rysholme Waltero Craufurde in Gairbraid Joanni Craufurde in Quhitlieburne Joanni Lindesay in Greneleyis Patricio Colquhoun fratri Joannis Colquhoun de Kilmardony Joanni Craufurde in Wolstoun Thome Ross in Bordland Joanni Lokhart in Unthank Jacobo Auchsloss de eodem Hugoni Wallace de Meynefurde Patricio Hamiltoun de Bogsyde Archibaldo Kelso in Hingdok Archibaldo Kelso in Newsyde Joanni Blair in Wyndy-edge Willelmo Blair eius filio Joanni Blair in Quhyteraig Willelmo Blair eius filio Willelmo Blair in Langsyde Jacobo Craufurde in Myddiltoun Joanni Montgomerie in Flat Matheo Montgomerie eius fratri Joanni Montgomerie filio Joannis Montgomerie in Flat Andree Wod in Largis Archibaldo Kelso de Kelsoland Alexandro Hammiltoun eius servo Georgio Ross de Hanyng Joanni Fergushill de eodem Andree Schaw de Sornbeg Joanni Schaw Roberto Schaw et Schaw filiis dicti Domini de Sornebeg Joanni Kneland de Foscan Oswald Kneland Gavino Kneland et Georgio Kneland eius fratribus Hugoni Craufurde de Kilbirny Willelmo Craufurde et Patricio Craufurde eius filiis Davidi Barclay de Ladieland Joanni Barclay eius fratri Patricio Craufurde de Cartisburne Davidi Craufurde eius filio Roberto Craufurde filio Joannis Craufurde de Kirkwod Cuthberto Craufurde de Auchincloyth Davidi Barclay in Kamehill Hugoni Dillop in Crawfeild Willelmo Craufurde in Munnok Joanni Craufurde filio Joannis Craufurde de Clowbarhill Joanni Grenehill et Alano Dillop servitoribus dicti Hugonis Craufurde de Kilbirny Willelmo Schaw in Munnok ac omnibus et singulis dictarum personarum hominibus tenentibus et servitoribus rancorem animi nostri sectam regiam et omnem actionem quem seu quas contra ipsos aut eorum aliquem concepimus habuimus

¹ *Abbotsford Miscell.*, i. 29.

habemus seu quovismodo habere poterimus pro eorum proditoria existentia contra nos ad campum seu bellum de Langsyde et deprivatione nostri authoritatis nostre regalis eandemque vi armorum et alias resistent. ac nobis tanquam boni subditi tempore preterito a nostra coronatione non obediend. et serviend. Et pro omnibus actione et crimine que ipsis aut eorum alicui inde quovismodo imputari aut desuper sequi poterint Necnon pro omnibus aliis actionibus criminibus prodicionibus transgressionibus et offensis quibuscunque per ipsos tempore retroacto a coronatione nostra predict. commisi. Murthuris charissimi nostri patris bone memorie et quondam Jacobi comitis Moravie ac Mathei Lennocie comitis nostri charissimi avi nobis nostrisque regno et liegiis regentium incendio murthuris interfectione mulierum raptu furto receptione furti arte magica exceptis Excipiendo omni modo e dicta exceptione interfectionem et alia crimina in communi causa resistentie nostre auctoritatis commiss. aut desuper dependen. quas sub presenti nostra remissione semper comprehensas esse volumus dummodo partibus conquerentibus et damna passis taliter satisfaciant ut nullam super hoc de cetero justam querimoniam audiamus Et supradictas personas sub firma pace et protectione nostra juste suscipien. firmiter inhibemus ne quis eis occasione predict. proditorie existentie et deprivationis omniumque aliarum actionum criminum prodicionum transgressionum et offensarum antedict. malum molestiam iniuriam aut gravamen aliquod inferre presumat iniuste super nostram plenariam forisfacturam aut mortem eis inferat sub pena amissionis vite et membrorum In cuius rei testimonium has literas nostras remissionis pro toto tempore vite prefatarum personarum duraturas sub nostro magno sigillo sibi fieri fecimus patentes apud Striveling octavo die mensis Septembris anno Domini millesimo quingentesimo septuagesimo primo Et regni nostri anno quinto.

63. *Contract between Robert Lord Boyd and Robert Boyd of Portincross, for the sale of the lands of Portincross.*¹ [19th April 1572.]

At Leyth the xix day of Aprile the yeir of God I^m V^c. lxxij yeiris it is appoyntit aggreit and finalie contractit betuix thir honorable pairteis eftirfollowing That is to say ane noble lord Robert Lord Boyd with avise and consent of Thomas maister of Boyd his sone and apperand air on that ane parte and Archibald Boyd sone and apperand air to Robert Boid of Portincroce on that uther parte in maner forme and effect as efter followis That is to say the said Archibald Boyd bindis and oblissis him and his airis with all possible diligence to obtene him selff heretable and sufficientlie infeft and seisit in all and haille the ten merk land of Portincroce and Ardneill with the toure fortalice maneir place and thair pendiclis and pertinentis liand within the baillierie of Cunnyngame and sherefdom of Air owther befor the deceis of the said Robert Boyd his father or immediatlie thaireftir as tyme sall geve occasioun And the said Archibald swa being dewlie infeft in the saidis landis with the toure fortalice and thair pertinentis bindis and oblissis him and his airis incontinent and immediatlie thaireftir to resigne and upgeve the samin purelie and simplie be staff and bastoun in

¹ *Kilmarnock Writs.*

the handis of the Kingis Maiestie his derrest Regent or utheris havand his regiment and power for the tyme in favouris of the said Robert Lord Boyd his airis and successouris for heretable infestment to be maid and gevin to thame thairupoun And the said Archibald sall mak seill subscribe and deliver to the said noble Lord his airis and successouris sufficient mandate lettres of procuratorie and utheris neidfull to the effect foirsaid And nochtwithstanding the said infestment the said noble Lord understanding that be vertew thair of he aucht nocht to bruik the heretable rycht and propertie of the saidis landis bot onlie the superioritie therof according as his predecessouris immediate superiouris of auld to the said Archibaldis predecessouris of the samin did of befor thairfoir to be bundin and oblist and be the tenour heirof bindis and oblissis him his airis and successouris to infest the said Archibald Boyd his airis lauchfullie to be gottin of his bodye in all and haill the foirsaid ten mark land of Portincroce and Ardneill with the toure fortalice and thair pendiclis and pertinentis To be haldin of the said Robert Lord Boyd his airis and successouris as native superiouris thair of siclike and als frelie and for payment of sic dewitie and dew service yeirlie as the said Archibaldis predecessouris held and bruikit the samin of the said noble Lordis predecessouris of befor and according to thair auld infestmentis maid and gevin to thame thairupoun and sall mak seill subscribe and deliver to the said Archibald his airis lauchfullie to be gottin of his bodye sufficient charter infestment and precept of seasing to that effect ffor the quhilk caus and infestmentis respective abonewrittin swa to be maid and gevin the samin being first done and perfyteit in favouris of ather of saidis parteis in maner foirsaid The said Robert Lord Boyd bindis and oblissis him his airis and successouris to accept and ressave the said Archibald as native auld and kyndlie tennent rentaller and possessour of all and haill the fourty schilling and fourty pennyworth of land of Undir-the-hill with the pertinentis liand within the parrochin of Kilbryde baillierie and sherefdome foirsaid quhilk wes bruikit and possedit be the said Archibaldis predecessouris be rentall grantit to thame be the said lordis predecessouris thir diverse yeiris bigane and sall mak the said Archibald sic securitie thairupoun as his predecessouris bruikit and joisit the saidis landis of the said noble Lordis predecessouris of befor for payment of siclike yeirlie maill dewitie and dew service usit and wount of auld attoure the said noble Lord bindis and oblissis him and his foirsaidis that incontinent he or thai be dewlie infest in the saidis landis with the toure fortalice and thair pertinentis to renunce and discharge the decreit obtenit be the said noble lord aganis the said Robert Boyd of Portincroce decerning him to flitt and remove fra the saidis landis of Undirthehill with the pertinentis with all utheris decreittis actioun rycht title interes and clame of rycht quhilkis the said noble lord had hes or may haif or clame aganis the said Robert for the violent occupatioun of the saidis landis sen the feist of Witsonday nixt eftir the warning quhairupoun the said decrete of removing procedit detentioun of the violent proffettis thair of or for quhatsumevir caus rycht title or occasioun bigane following and depending upoun the said warning or decrete removing foirsaid or as accessouris thairto in ony sorte in favouris of the said Archibald Boyd and his airis maill lauchfullie to be gottin of his body allanerlie simpliciter in

tyme cuming swa that he as air to his said fader aftir his deceis may be relevit of all dampnage and skayth that he may sustene thairthrow and heirto ather of the saidis pairteis faythfullie bindis and oblissis thame ilkane to utheris be the fayth and treuth in thair bodyis and ar content and consenttis that this present contract be insert and registrate in the bukis of oure soverane Lordis counsale and decernit to haif the strenth of ane decreit of the Lordis thairof with executoriallis to pas thairupoun in forme as efferis and to that effect makkis constitutis and ordanis Mr David Borthuik Alexander King

And ilkane of thame coniunctlie and severalie thair ver-ray lauchfull undouttit and irrevocable procuratouris committand to thame thair full powir to compeir befor the saidis Lordis quhatsumevir day dayis or places lauchfull and thair to consent to the registering of this present contract in the saidis bukis as said is promittand to hald forme and stable etc. In witnes of the quhilk thing bayth the saidis pairteis hes subscrivit this present contract with thair handis day yeir and place foirsaidis befor thir witnes David Fairlie of that ilk Williame Crawford of Drumslowy James Boyd Alexander Boyd Walter Crawford servitouris to the said noble Lord and Williame McKie servitour to Johnne Lawsone nottair.

R. BOYD.

THOMAS BOYD.

ARCHIBALD BOYD with my hand at the pen
led be the notair undirwrittin at my command.

Ita est Joannes Lawsone notarius publicus de mandato dicti Archibaldi scribere
nescientis manu propria.

Dorso.

At Leith the xij day of Maij the yeir of God I^m V^c lxxij yeiris in presence of the lordis of consale comperit Robert Lord Boyd personalie and Maister David Borthuik procuratour for Thomas Maister of Boyd on that ane pairt and Alexander King procuratour for Archibald Boid sone and appirand air to Robert Boid of Portincorse on that uther pairt and gaif in this contract and appunctment underwrittin subscrivit with thair handis as followis and desyrit the samin to be actit and registrat in the bukis of counsale and to haif the strenth of ane act and decreit of the Lordis of Counsale and letres and executorialis to be direct thairupoun in forme as effeirs The quhilk desyre the saidis lordis thocht ressonable and thairfoir ordains the said contract and appoyntment to be actit and registrat in the saidis bukis and to haif the strenth of thair act and decreit And hes interponit and interponis thair decreit and auctorite thairto And ordanis letres and executorialis to be direct thairupoun eftir the form and tenor thairof in forme as effers Off the quhilk the tenour followis At Leith the xix day of April the yeir etc. Sic subscribitur R. Boyd Thomas Boyd Archibald Boyd with my hand at the pen led be the notar underwrittin at my command.

Ita est Joannes Lawson notarius publicus de mandato dicti Archibaldi scribere
nescientis manu propria. Extractum, etc.

64. *Sasine in favour of Robert Lord Boyd, of the lands of Portincorse and Ardneill.*¹ [24th May 1574.]

In Dei nomine amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo quingentesimo septuagesimo quarto die vero mensis Maij vigesimo quarto in mei notarij publici et testium subscriptorum presentijs personaliter constitutus honorabilis vir Joannes Crawford de Quhytliburn balivus in hac parte habens et tenens in manibus suis quoddam preceptum sasine serenissimi domini nostri Regis Jacobi Sexti Scotorum Regis de data apud Halyrudhouse undecimo die mensis Marcij anno Domini millesimo quingentesimo septuagesimo tertio et Regni sui septimo accessit ad decem mercatas terrarum antiqui extentus cum pertinenciis de Portincorse et Ardneill cum turre fortalicio et manerie loco jacentium in parochia de Kilbryd balliatu de Cunyngham et infra vicecomitatum de Ayr et ibidem dictus ballivus mihi notario publico dictum preceptum sasine perlegendum et vulgariter interpretandum dedit cuius tenor sequitur Jacobus Dei gratia Rex Scotorum vicecomiti et ballivis suis de Ayr necnon dilectis nostris Joanni Crawford et eorum cuilibet coniunctim et divisim vicecomitibus nostris de Ayr in hac parte Salutem Quia cum avisamento et consensu charissimi nostri consanguinei Jacobi comitis de Mortoun domini Dalkeith nostri regni et liegi-
orum nostrorum Regentis dedimus et concessimus hereditarie dilecto nostro consanguineo Roberto domino Boyd de Kilmernok heredibus suis et assignatis quibuscunque Totas et integras decem mercatas terrarum de Portincorse et Ardneill cum turre fortalicio manerie loco cum omnibus et singulis suis pendiculis et pertinenciis earundem jacentes in balliatu de Cunyngham infra vicecomitatum de Ayr Quequidem tote et integre prediacte decem mercate terre de Portincorse et Ardneill cum turre fortalicio manerie pendiculis et pertinenciis earundem ad Archibaldum Boyd de Portincorse perprius hereditarie pertinuerunt Et per ipsum per fustem et baculum in manibus dicti nostri charissimi regentis tanquam in manibus nostris auctoritatem et potestatem nostram habentis resignationes terrarum de nobis immediate tentarum durante nostra minoritate recipere personaliter apud Halyrudhouse resignate fuerunt cum omnibus jure et juris clameo que in easdem habuit seu habere potuit pro se et heredibus suis omnino quiete clamate erant in perpetuum prout in carta nostra desuper confecta plenius continetur Vobis precipimus et mandamus quatenus dicto nostro consanguineo Roberto domino Boyd vel suo certo actornato latori presentium sasinam totarum et integrarum prenominatarum decem mercatarum terrarum de Portincorse et Ardneill cum turre fortalicio et manerie loco et omnibus earundem pendiculis et pertinenciis secundum formam et tenorem antedictae carte nostre quam de nobis inde habet juste haberi faciatis et sine dilatione et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet coniunctim et divisim vicecomitibus nostris de Ayr in hac parte committimus potestatem Datum sub testimonio nostri magni sigilli apud Halyrud-

¹ *Kilmarnock Writs.*

howse undecimo die mensis Martij anno Domini millesimo quingentesimo septuagesimo tertio et regni nostri septimo Post cuiusquidem precepti lecturam ut premittitur dictus ballivus virtute sui officij statum sasinam hereditariam necnon realem actualem et corporalem possessionem omnium et singularum predictarum decem mercatarum terrarum antiqui extentus de Portincroce et Ardneill cum omnibus et singulis suis pertinenciis prenominate jacentium ut supra per terre et lapidis traditionem ut moris est nobili et potenti domino Roberto domino de Boyd personaliter presenti et acceptanti heredibus suis et assignatis secundum tenorem dicti precepti et carte desuper confecte in perpetuum tradidit et deliberavit Super quibus omnibus et singulis sic premissis dictus nobilis et potens dominus Robertus dominus de Boyd a me notario publico subscripto sibi fieri petijt unum vel plura instrumentum seu instrumenta Acta erant hec super fundum dictarum terrarum horam circiter undecimam ante meridiem presentibus ibidem Davide Farnlie de eodem Willielmo Cunyngham de Hiefeild, Roberto Algeo et Archibaldo Lorymer servitoribus dicti domini testibus ad premissa vocatis et requisitis.

Et ego vero Adam Curbat notarius publicus clericus Glasguensis diocesis, etc. (in communi forma).

ADAM CURBAT Notarius.

ABSTRACT.

Sasine proceeding on Crown Precept in favour of Robert Lord Boyd of Kilmarnock of the ten merk lands of Portincroce and Ardneill, which formerly belonged to Archibald Boyd of Portincroce, and were resigned by him in the hands of James Earl of Mortoun, regent, at Holyroodhouse. The precept is dated 11th March 1573.

65. ABSTRACT.¹

Contract between Hugh, third Earl of Eglintoun, on the one part, and Robert Lord Boyd of Kilmarnock on the other part, for the marriage of Hugh, Master of Eglintoun, son of the former, with Gelis Boyd, daughter of the latter, before Michaelmas next after : For which marriage the Earl was bound to infest the said Hugh, and Gelis his spouse, in the lands and barony of Eggillishame, with the tour of Polnone and others ; reserving to himself the liferent of the lands, and the right of occupying the tower of Polnone : and Robert Lord Boyd was bound to pay to the Earl 8000 merks : In respect of the youth of the couple (the bridegroom being only 14 years of age), whereby they were unmeet for the governing and guiding of a house, it was agreed to appoint an honest man to attend to their interests till the said Hugh, Master of Eglintoun, should attain the age of seventeen years. Edinburgh, Irwin, and Baidlay, 13th, 16th, and 20th May 1576.

¹ *Memorials of the Montgomeries*, ii. 214.

66. *Procuratory of Resignation by John Craufurd of Craufurdland, of the Mains of Giffertland and Birkat in superiority, in favour of Robert Lord Boyd.*¹ [27th August 1577.]

Excellentissimo et serenissimo principi et domino domino Jacobo Sexto Dei gratia Scotorum regi illustrissimo Vester humilis liegius et servitor Johannes Craufurd de Craufurdland ac dominus superior terrarum subscriptarum cum omni subiectione et famulatu ad sursum reddendum pureque et simpliciter resignandum in manibus vestre celsitudinis tanquam principis et senescalli Scotie seu vestre maiestatis charissimi regentis ad hoc potestatem habentis tanquam in manibus domini mei superioris Totam et integram meam superioritatem totarum et integrarum trium librarum terrarum de Manys de Giffertlande alias vocatarum Nethirtoune cum manerie domibus pomariis hortis et molendino earundem cum astrictis et aliis multuris eisdem spectantibus necnon superioritatem totarum et integrarum duarum mercatarum cum dimedia mercate terrarum de Birkat per omnia antiqui extentus cum singulis suis pertinentiis jacentium in dominio de Giffertland ballivatu de Conyghame et infra vicecomitatum de Aire mihi hereditarie spectantium Quam de serenitate vestra tanquam principe et senescalpo Scotie teneo in capite honorabiles viros Allanum dominum Cathcart

et eorum quemlibet coniunctim et divisim meos veros legitimos et indubitatos ac irrevocabiles procuratores actores et factores pro perimptione unius partis cuiusdam contractus seu appunctuamenti initi et confecti inter me ab una et nobilem et potentem dominum Robertum dominum Boyde ex altera et Isabellam Craufurde ac Mergaretam Craufurde heredes quondam Joannis Craufurde de Giffertlande et Joannem Craufurde et Thomam Craufurde earum sponsores pro eorum interesse ex tertia partibus de data apud Glasgu et Craufurdland diebus ultimo mensis Julii et secundo mensis Augusti respective proxime elapsorum, facio constituo et irrevocabiliter ordino sic quod ad huiusmodi perficiendum meam plenariam et irrevocabilem potestatem ac mandatum speciale habeant per presentes Quam etiam superioritatem totarum et integrarum predictarum trium librarum terrarum de Manys de Giffertland alias vocatarum Nethirtoun cum manerie domibus pomariis hortis et molendino ac multuris earundem et prescriptarum duarum mercatarum cum dimedia mercate terrarum de Birkatt per omnia antiqui extentus cum suis pertinentiis jacentium ut prescribitur Ego non vi aut metu ductus nec errore lapsus compulsus aut coactus sed mea mera et spontanea voluntate utilitateque mea previsa in manibus vestrae maiestatis tanquam principis et senescalli Scotie et domini mei superioris eiusdem per has meas procuratorii et resignationis literas sursum reddo et per fustem ac baculum pure et simpliciter resigno ac totum jus et clameum titulum proprietatem et possessionem que in eadem superioritate habeo seu quovismodo habere seu clamare possum pro me heredibus et successoribus meis renuntio et quieteclamo In favorem prefati nobilis et potentis domini Roberti domini Boyde heredum suorum masculorum et successorum

¹ *Kilmarnock Writs.*

Pro vestris carta precepto et instrumento Saisine ac infeodatione sub vestro magno sigillo sibi heredibus suis prescriptis et successoribus desuper dandis et conficiendis Et generaliter omnia alia et singula faciendis dicendis gerendis et exercendis que ad officium procuratorum in consimilibus casibus de jure aut consuetudine dinoscuntur pertinere et que egomet facerem seu facere possem si presens personaliter interesssem Ratum et gratum firmum atque stabile habens et habiturus totum id et quicquid dicti mei procuratores aut eorum aliquis meo nomine duxerint seu duxerit faciendum sub ipotheca et obligatione omnium bonorum meorum mobilium et immobilium presentium et futurorum In cuius rei testimonium presentibus manu mea propria subscriptis sigillum meum est appensum apud Glasgw die vigesimo septimo mensis Augusti anno Domini millesimo quingentesimo septuagesimo septimo coram his testibus Georgio Elphinstone ballivo Glasguensi Joanne Craufurd in Volstone Jacobo Flemyng cive Glasguense et Magistro Henrico Gibsone notario cum diversis aliis, etc.

JOHN CRAUFURD of Craufurdland.

Dorso.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum Quod anno Incarnationis Dominice millesimo quingentesimo septuagesimo septimo mensis vero Septembris die decimo quarto in mei notarii publici et testium subscriptorum presentia personaliter constitutus nobilis et potens dominus Alanus dominus de Cathcart procurator et eo nomine Joannis Crawfurd de Crawfurdland per literas patentes sub sigillo et subscriptione dicti constituentis legitime constitutus de cuius procuratoris mandato mihi notario publico subscripto lucide constabat accessit ad personalem presentiam magnifici et prepotentis domini Jacobi Comitis de Morton domini de Dalkeith, etc. Supremi domini nostri Regis suorum legiorum et regni regentis Et ibidem genibus flexis ea qua decuit reverentia Totam et integram superioritatem totarum et integrarum trium librarum terrarum de Manys de Giffertland alias vocatarum Nethirtoun cum manerie domibus pomariis hortis et molendinis earundem cum astrictis et aliis multuris eidem spectantibus necnon superioritatem totarum et integrarum duarum mercatarum cum dimidia mercate terrarum de Birkatt antiqui extentus jacentium in dominio de Giffertland balliatu de Cuninghame et vicecomitatum de Air dicto Joanni hereditarie pertinentem in manibus dicti domini regentis tanquam in manibus dicti supremi nostri regis Jacobi Dei gratia Scotorum illius nominis sexti principis et Senescalli Scotie et eo nomine superioris earundem per fustis et baculi resignationem sursum reddidit pureque et simpliciter resignavit et totum jus et clameum proprietatem et possessionem que et quas dictus Joannes habuit habet aut quovismodo ad predictas superioritates habere potuit in favorem nobilis et potentis domini Roberti domini de Boyd pro carta et infeodatione per dictum Supremum Dominum nostrum regem tanquam principem et senescallum Scotie cum consensu dicti Domini regentis sibi et suis heredibus in forma cancellarie debite conficiendis Qua resignatione sic facta et per prefatum Dominum Regentem accepta idem

dominus Regens nomine et ex parte dicti supremi domini nostri Regis tanquam principis et Senescalli Scotie omnes et singulas prenominatas superioritates cum omnibus suis pertinentiis dicto Roberto Domino de Boyd ibidem presenti et acceptanti per eiusdem fustis et baculi deliberationem hereditarie dedit contulit et deliberavit secundum tenorem carte sub suo magno sigillo desuper conficiende salvo iure cuiuslibet Super quibus omnibus et singulis premissis dictus Robertus dominus Boyd a notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum Acta erant hec in castro de Striveling horam circiter octavam ante meridiem sub anno die et mense prescriptis Presentibus ibidem Francisco domino Halis commendatario de Kelso Davide Colles Alexandro Jardain et Jacobo Innes servitoribus dicti Regentis cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

Ita esse ac fuisse affirmo ego Jacobus Nicolson notarius in premissis requisitus.

J. N.

ABSTRACT.

Procuratory of Resignation by John Craufurd of Craufurdland, whereby, in implement of contract between him on the one part, Robert Lord Boyd on the other, and Isabella and Margaret Craufurd, daughters of the late John Craufurd of Giffertland, and John and Thomas Craufurd their husbands, respectively, on the third part, he appoints Allan Lord Cathcart his procurator, to resign the superiority of the Mains of Giffartland called Nethertoun, and of the lands of Bircat, in the hands of James Earl of Morton, regent, as in the hands of the king, as prince and Steward of Scotland, for new infeftment thereof to be given to the said Robert Lord Boyd, his heirs-male and successors. Dated at Glasgow, 27th August 1577.

The Resignation is endorsed of date, at Stirling Castle, 14th September 1577.

67. *Procuratory of Resignation by the Daughters of the late John Craufurd of Giffertland, of the Lordship of Giffertland and others, in favour of Robert, Lord Boyd.*¹
[30th August 1577.]

Excellentissimo et Serenissimo principi et domino, domino Jacobo sexto Dei gratia Scotorum regi illustrissimo, vestre humiles legie et servitrices Isabella Craufurde et Margareta Craufurde, filie ac legitime et propinquiores heredes quondam Johannis Craufurde de Giffertland, cum omni subiectione et famulatu, ad sursum reddendum, pureque et simpliciter resignandum, in manibus vestre celsitudinis, tanquam principis et senescalli Scotie, seu vestre maiestatis charissimi Regentis ad hoc potestatem habentis, tanquam in manibus domini nostri superioris, totas et integras tres libratas terrarum de Manys de Giffertland, alias vocatarum Nethirtoun, antiqui extentus, cum manerie, domibus, pomariis, hortis et molendino earundem, cum astrictis et aliis multuris ejdem spectantibus: Necnon totas et integras duas marcatas et dimediam marcate terrarum de Birkatt, sex marcatas terrarum de Braidschaw, et

¹ *Kilmarnock Writs.*

duas marcatas terrarum de Knokindone, per omnia antiqui extentus, cum singulis suis pertinentiis, tenentibus, tenandriis ac libere tenentium servitiis, jacentes in dominio de Giffertland, ballivatu de Conynghame, et infra vicecomitatum de Aire, nobis hereditarie spectantes quas de serenitate vestra, tanquam principe et senescallo Scotie, tenemus in capite, honorabiles viros Allanum dominum Cathcart et eorum quemlibet coniunctim et divisim, nostros veros, legitimos, indubitatos et irrevocabiles procuratores, actores et factores, cum expressis consensibus et assensibus Johannis Craufurd et Thome Craufurde, nostrorum coniugum respective, pro eorum interesse, pro perimptione unius partis cuiusdam contractus initi ac confecti inter nos et dictos nostros coniuges ab una, et nobilem et potentem dominum Robertum dominum Boyde ex altera, et Johannem Craufurde de Craufurdland ex tertia partibus, ex date apud Glasgw et Craufurdlande diebus ultimo mensis Julii et secundo mensis Augusti, respective proxime elapsorum, facimus, constituimus et irrevocabiliter ordinamus, sic quod ad huiusmodi perficiendum nostram plenariam et irrevocabilem potestatem ac mandatum speciale habeant per presentes : Quas etiam totas et integras predictas tres libratas terrarum de Manis de Giffertland, alias vocatarum Nethirtoun, cum manerie, domibus, pomariis, hortis, molendino, astrictis et aliis multuris earundem, necnon predictas totas et integras duas marcatas et dimediam mercate terrarum de Birkat, sex marcatas terrarum de Braidschaw, et duas marcatas terrarum de Knokindone, per omnia antiqui extentus, cum suis pertinentiis, tenentibus, tenandriis, ac libere tenentium serviciis, jacentes ut supra, nos non vi aut metu ducte, nec errore lapse, compulse aut coacte, sed nostris meris et spontaneis voluntatibus, utilitateque nostra previsa, cum consensibus et assensibus dictorum nostrorum coniugum, in manibus vestre regie maiestatis, tanquam principis et senescalli Scotie, et domini nostri superioris earundem, per nostras has procuratorii literas et resignationis sursum reddimus, et per fustem et baculum pure et simpliciter resignamus, ac totum jus et titulum, clameum, proprietatem et possessionem, que in eisdem habemus, seu quovismodo habere vel clamare possimus, pro nobis, heredibus et successoribus nostris, renunciamus et quietos clamamus, in favorem prefati nobilis et potentis domini, Roberti domini Boyde, heredum suorum masculorum et successorum, pro vestris carta, precepto et instrumento Saisine, ac infeodatione sub vestro magno sigillo, sibi, heredibus suis prescriptis et successoribus desuper dandis et conficiendis : Et generaliter omnia alia et singula faciendum dicendum gerendum et exercendum, que ad officium procuratorum, in consimilibus casibus, de jure aut consuetudine dinoscuntur pertinere, et que nosmet faceremus seu facere possemus si presentes personaliter interessemus : Ratum et gratum firmum atque stabile habendum et habiturum, totum id et quicquid dicti nostri procuratores aut eorum aliquis nostro nomine duxerint seu duxerit faciendum, sub ipotheca et obligatione omnium bonorum nostrorum mobilium et immobilium, presentium et futurorum : In cuius rei testimonium presentibus, manu notarii publici subscripti pro nobis Isabella et Margareta, et Joanne Craufurde sponso mee Isabelle, nescientibus scribere, et manu propria dicti Thome Craufurde subscriptis,

sigilla nostra et dictorum nostrorum coniugum, in. signum eorum consensus et assensus, ad premissa sunt appensa, apud Craufurdland, die penultimo mensis Augusti, anno domini millesimo quingentesimo septuagesimo septimo, coram hiis testibus, Davide Boyde, Joanne Adame, Alexandro Smyth commorantibus in Craufurdland, Jacobo Steinsoun servitore Johannis Fergushill de eodem, et Alexandro Michell notario cum diversis aliis, etc.

THOMAS CRAWFURD of Giffertland.

Ita est Alex^r Mechell notarius publicus de premissis, mandatum prescriptorum Joannis Craufurd et Issabelle Craufurd sue sponse, scribere minime scientium, in premissis teste manu propria.

Ita est Alex^r Mechell notarius publicus in premissis per prefatam Margaretam Craufurd requisitus, manu sua ad calamum tanquam manu propria.

A. MECHELL.

Dorso.

At Striveling Castell 14 Septembris hora octava ante meridiem, presentibus Francisco domino Halis, Commendatario de Kelso, Davide Culles, Alex^{ro} Jarden Jacobo Innes.

In Dei nomine, amen: Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno Domini millesimo quingentesimo septuagesimo septimo mensis vero Septembris die decimo quarto regnique excellentissimi principis Jacobi sexti Dei gratia Scotorum regis supremi domini nostri metuendissimi anno undecimo in mei notarii publici et testium subscriptorum presentia personaliter constitutus nobilis et potens dominus Allanus dominus de Cathcart procurator et eo nomine Issobelle et Margarete Craufurdis filiarum et heredum quondam Joannis Craufurd de Giffertland ac procurator Joannis Craufurd et Thome Craufurd coniugum dictarum Issobelle et Margarete pro eorum interesse per literas patentes sub sigillo et subscriptionibus dictorum constituentium legitime constitutus de cuius procuratoris mandato mihi notario publico subscripto lucide constabat accessit ad personalem presentiam magnifici et prepotentis domini Jacobi comitis de Mortoun domini de Dalkeith, etc., supremi domini nostri regis suorum liegiorum et regni Regentis et ibidem genibus flexis ea qua decuit reverentia omnes et singulas terras subscriptas videlicet totas et integras tres libratas terrarum antiqui extentus de Manys de Giffargland alias vocatarum Nethirtoun cum manerie domibus pomariis hortis et molendinum earundem cum astrictis et aliis multuris eidem spectantibus Necnon totas et integras duas mercatas et dimidiam mercate terrarum de Birkatt antiqui extentus sex mercatas terrarum antiqui extentus de Braidschaw et duas mercatas terrarum antiqui extentus de Knokindon cum tenentibus tenandreis et libere tenentium servitiis cum singulis suis pertinentiis jacentium in dominio de Giffartland, balliatu de Coninghame et infra vicecomitatu de Air dictis Issobelle et Margarete Craufurdes hereditarie spectantium

in manibus dicti domini Regentis tanquam in manibus supremi domini nostri regis Jacobi Dei gratia Scotorum regis sexti principis et Senescalli Scotie ac eo nomine superioris dictarum terrarum per fustis et baculi exhibitionem sursum reddidit pureque et simpliciter resignavit ac totum ius et clameum proprietatem et possessionem que et quas dicte Issobella et Margareta aut eorum coniuges antedicti habuerunt habuit aut quovismodo ad predictas terras habere poterunt in favorem nobilis et potentis domini Roberti domini Boyd pro carta et infeodatione per supremum dominum nostrum regem tanquam principem et senescallum Scotie cum consensu dicti domini Regentis sibi et heredibus suis masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus legitimis et propinquieribus heredibus suis quibuscunque in forma cancellarie debita conficiendis Qua resignatione sic facta et per prefatum dominum Regentem accepta idem dominus Regens nomine et ex parte dicti supremi domini nostri regis tanquam principis et senescalli Scotie omnes et singulas prenominatas terras cum omnibus suis pertinentiis prescriptis dicto Roberto domino Boyd ibidem presenti et acceptanti per eiusdem fustis et baculi deliberationem hereditarie dedit contulit et deliberavit secundum tenorem carte sub suo magno sigillo desuper conficiende salvo iure cuiuslibet super quibus omnibus et singulis premissis dictus dominus Robertus Boyd a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu instrumenta Acta erant hec in castro de Striveling horam circiter octavam ante meridiem sub anno die et mense prescriptis Presentibus ibidem Francisco domino Halis commendatario de Kelso David Cullace Alexandro Jarden et Jacobo Innes servitoribus domini Regentis cum diversis aliis testibus ad premissa vocatis pariter que rogatis.

Et ego Alexander Hay Abirdonensis diocesis auctoritate regia notarius publicus,
etc. (in communi forma). A. H., N. P.

ABSTRACT.

Procuratory of Resignation by Isabella and Margaret Craufurd, daughters and heirs of the deceased John Craufurd of Giffertland, whereby, with consent of John and Thomas Craufurd, their respective husbands, and in implement of contract between the said ladies and their husbands on the one part, Robert Lord Boyd on the other, and John Craufurd of Craufurdland on the third part, of date at Glasgow and Craufurdland, 31st July and 2d August respectively, 1577, they constitute Allan Lord Cathcart their procurator, for resigning in the hands of the king, as prince and Steward of Scotland, the three pound lands of the Mains of Giffertland, otherwise called Nethertoun, with manor-place, etc.; the two and a half merk lands of Birkatt; six merk lands of Braidschaw; and two merk lands of Knokindone, in the lordship of Giffertland, bailliary of Cunyngham and shire of Ayr, in favour of Robert Lord Boyd, his heirs-male and successors. Subscribed by the notary for the said Isabella and Margaret, and for John Craufurd, husband of Isabella, because they were unable to

write, and by the said Thomas Craufurd with his own hand at Craufurdland, 30th August 1577.

Endorsed is the Instrument of Resignation executed by the said Alan Lord Cathcart, in the hand of James Earl of Morton, Regent, at Stirling Castle, on 14th September 1577.

68. *Crown Precept for infefting Robert Lord Boyd in the Mains of Giffartland, called Nethertoun, and parts of Bircat.*¹ [14th September 1577.]

Jacobus Die gratia Rex Scotorum vicecomiti et ballivis suis de Air necnon dilectis nostris Johanne Boyd in Gowandle et eorum cuilibet coniunctim et divisim vicecomitibus nostris de Air in hac parte Salutem Quia nos tanquam princeps et senescallus Scocie cum avisamento et consensu charissimi nostri consanguinei Jacobi comitis de Mortoun domini de Dalkeith, etc., regni nostri et liegiorum Regentis dedimus et concessimus hereditarie dilecto nostro consanguineo Roberto domino de Boyd et heredibus suis masculis Totas et integras tres libratas terrarum antiqui extentus terrarum dominicalium lie Manis de Giffartland alias vocatas Nethirtoun cum manerie domibus pomariis hortis et molendino earundem cum astrictis et aliis multuris eidem spectantibus necnon totas et integras duas marcas terrarum et dimediam marcate terrarum antiqui extentus de Bircat cum suis pertinenciis sex marcas terrarum antiqui extentus de Braidschaw duas marcas terrarum antiqui extentus de Knokindon cum omnibus et singulis suis pendiculis tenentibus tenandriis et libere tenencium serviciis cum omnibus aliis suis pertinenciis jacentes in dominio de Giffartland balliatu de Cunynghame et vicecomitatu de Air Necnon totam et integram superioritatem predictarum trium librarum terrarum de Mains de Giffartland alias vocatarum Nethirtoun cum manerie domibus pomariis hortis molendino et multuris eiusdem antedictis Ac superioritatem totarum et integrarum duarum marcatarum cum dimedia marcate terrarum de Birkat cum omnibus et singulis suis pendiculis et pertinenciis jacentium in dominio balliatu et vicecomitatu predictis. Que etiam tote et integre predictae terre de Mains de Giffartland alias vocatae Nethirtoun cum manerie domibus pomariis hortis molendino et multuris eiusdem antedictis necnon predictae due marcate et dimidia marcate terrarum de Bircat sex marcate terrarum de Braidschaw et due marcate terrarum de Knokindon cum singulis suis pendiculis tenentibus tenandriis et libere tenencium serviciis jacentes ut supra hereditarie per prius pertinebant in proprietate Issobelle Crawford et Margarete Crawford filiis ac legitimis et propinquiore heredibus quondam Joannis Crawford de Giffartland ac etiam superioritas dictarum terrarum de Mains de Giffartland alias vocatarum Nethirtoun et duarum marcatarum terrarum et dimedie marcate terrarum de Birkat per prius hereditarie pertinuit Johanni Crawford de Crawfordland Quasquidem omnes et singulas prenomatas terras tum proprietatem tum superioritatem cum omnibus suis per-

¹ *Kilmarnock Writs.*

tinenciis prescriptis dicte Issobella et Margareta Crawfordis cum expressis consensu et assensu Joannis et Thome Crawfordis suorum coniugum pro ipsorum interesse ac prefatus Joannes Crawford de Crawfordland superior antedictis per suos procuratores eorum nominibus per patentes literas legitime ad hoc constitutos in manibus nostris tanquam principis et Senescalli Scotie et nostri Regentis nostro nomine et tanquam ipsorum domini superioris earundem per fustim et baculum sursum reddiderunt pureque et simpliciter resignarunt Ac totum ius et clameum proprietatem et possessionem que et quas in eisdem habuerunt seu habere potuerunt omnino quiete clamarunt imperpetuum prout in carta nostra desuper confecta latius continetur Vobis precipimus et mandamus quatenus dicto nostro consanguineo Roberto domino Boyd vel suo certo actornato latori presentium sasinam Totarum et integrarum prenominatarum terrarum tam proprietatis quam superioritatis cum manerie domibus edificiis pomariis hortis molendinis multuris astrictis et aliis silvis nemoribus piscationibus annexis connexis partibus pendiculis advocacione donatione et iure patronatus beneficiorum et capellaniarum (si que sint) omnium et singularum prenominatarum terrarum tam superioritatis proprietatis quam tenandrie cum tenentibus tenandriis et libere tenentium servitiis et omnibus aliis suis pertinentiis secundum formam et tenorem antedicte carte nostre quam de nobis inde habet juste haberi faciatis et sine dilatione Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet coniunctim et divisim vicecomitibus nostris de Air in hac parte committimus potestatem Datum sub testimonio nostri magni sigilli Apud Striviling decimo quarto die mensis Septembris anno Domini millesimo quingentesimo septuagesimo septimo Et regni nostri undecimo.

ABSTRACT.

Crown Precept of Sasine for infefting Robert Lord Boyd in the Mains of Giffartland, lands of Birkat, Braidshaw, and Knokindon, in the lordship of Giffartland and shire of Ayr, on resignation thereof by Isabella and Margaret Craufurd, daughters and heirs of the deceased John Craufurd of Giffartland, with consent of their husbands. Dated 14th September 1577.

69. *Contract between Robert Lord Boyd, on the one part, and John Blair of that Ilk, and John Craufurd of Birkat, on the other, transferring the Lands of Nether-toun to Lord Boyd, the Superiority of Birkat to John Blair, and the Escheat of John Craufurd to himself.*¹ [15th January 1577.]

Apud Glasgw the xv. daye of Januar the yeir of God j^m v^c lxxvij yeris The quhilk daye in presens of the Commissare of Glasgw personalie comperit Johnne Craufurd of Birkcat And siclyk comperit Maister Henrie Gibsoun procuratour sufficientlie constitut for Johne Blair of that ilk and producit this contract underwritin and

¹ *Kilmarnock Writs.*

desyrit the samyn to be insert and registrat in the bulkis of the Commissariat of Glasgw to have the strentht of ane act and decreit of his court in tyme cuming his autoritie to be interponit thairto with lettres executoriales of poynding or hornying to be raisit heirupone gif neid beis The quhilk desyre the commissar thocht ressonable and decernit and ordanit the said contract to be insert and registrat in the bulkis of his said commissariat of Glasgw to have the strentht of ane act and decreit of his court in tyme cuming and hes interponit lyik as he be the tennour heirof interponis his autoritie heirto and decernit and decernis lettres executoriales of poynding or hornying to be raisit heirupon in forme as efferis Off the quhilk contract the tennour heireftir followis: At GLASGW the xiiij daye of Januar the yeir of God I^m v^c lx sevintene yeiris it is appoynttit aggreit and finalie endit betuix thir pairteis undirwrittin That is to say ane noble and potent lord Robert lord Boyd on that ane pairt and Johne Blair of that ilk and Johne Craufurd of Birkat on that uther pairt in maner forme and effect as eftir followis viz. Forsamekle as the said Johne Craufurd of Birkeat being servit as nerrest and lauchfull air to umquhill Thomas Craufurd his father in all and haill four merk land and fourtie pennyworth land auld extent of Nethirtoun with mansioun and mylne of the samyn with the pertinentis lyand within the lordschip of Giffertland baillierie of Conynghame and sherefdom of Air conforme to the auld evidentis maid thairupon And the samyn landis pertenyng to the said Johne Blair be waye of contract and dispositioun maid to him be the said Johne Craufurd The said Johne Blair and Johne Craufurd with ane consent be the tennour heirof bindis and oblissis thame ther airis and assignayes to renunce and simpliciter owrgeve as be the tennour heirof renuncis and simpliciter owrgevis the said landis callit Nethirtoun with mylne mansioun and pertinentis thair of the heritable tytle and rycht thair of with all uther rycht clame entres propirtie and possessioun that thay or ather of thame hes haid or ony wayis may have or clame thairto and that in favouris of the said lord Boyd and his airis to remane with thame as superiour thair of ad perpetuam remanentiam and sall deliver to the said lord the said service with the auld chartour maid thair of be umquhill Johne Craufurd of Giffertland to the said umquhill Thomas father to the said Johne of Birkeat with sasing past thairupon and all uther evidentis maid and gevin to thame concernyng the samyn to the effect that the samyn may be extinguisst cassit annullit and distroyit forewir sua that the samyn sall have na faith nor credeit in all times comeing: For the quhilk caws the said nobill lord haveand the superioritie of the twa mark land and ane half of Birkett perteyning to said Jhone Craufurd, oblysis him his airis and assignayis to resinge be himself or his sufficient procuratouris in his name be his procuratory under his seill and subscriptioun in dew forme the saidis land of Birkeat and superioritie thair of in the handis of our Soverane Lord as Prince and Stewart of Scotland in favouris of the said Johne Blair of that ilk and his airis for new infetment to be maid to the said John Blair and his foirsaidis of the samyng to be haldin of our said soverane lord in sic sort, viz. vard as the said lord Boyd haldis the samyng to the quhilk making of

mediat tennend the superioritie the said John Craufurd be thir presentis consentis and assentis and sall nevir cum in the contrair heirof in ony sort in tymes cuming and the said renunciatioun delyvering of evidentis and resignatioun respective to be maid and down hinc inde betuix and nixtocum and also the said John Blair of that Ilk bindis and oblessis him and his foirsaidis that quhat tyme or how sone he or thai beis requerit be the said noble lord or his foirsaidis upon sax dayes vairning to resing ovr againe the saidis twa merk land and ane half of Birkcatt and superioritie thairrof with the pertinentis in the favour of the said lord and his foirsaidis in our soverane Lordis handis for new infeftment to be maid to thame thairupon and eftir thair resignatioune and the saidis lordis new infefting thairinto incontinent thaireftir the said lord or his foirsaidis sall frely infeft the said Laird of Blair and his foirsaidis in the said tua merk land and ane half of Birkcat with the pertinentis to be haldin of the said lord in frie blanche for payment of ane penny gif it be requirit alanerly in dew and competent forme as effeiris and sall deliver sufficient evidentis thairupon: And farder the said Laird haveand the gift of escheit of the said Johne Craufurd throw his being denuncit rebell and at the horne as the said gift maid to the said lord thairupon beris Be the tennour heirof disponis transferris the rycht of the said gift of escheit baitht lyfrent and movable with all proffeit and commoditie that may succeid and cum thairthrow to the said Johne Craufurd his airis and assignayis to be usit and disponit be thame at thair plesour in tyme cuming frielie quietlie wele and in peax without lait stoip or impediment in ony tyme heireftir except sa money gudes and geir or ony uther things intromettit with and uptane at the instance of the said Lord be Archibald Loremeir messenger or ony his assistaris at his command be the lettres direct upon the said gift upon the xxij daye of Julij last bypast And the said lord be thir presentis dischargis and renunes all actiones intentit or to be intentit befor the lordis of sessioun or ony uther Jugis competent upon the said gift of escheit alsweill concernyng movablis as lyfrent aganis the said Johne Craufurd and sall deliver the said lettre of gift and oblissis him to varrand the samyn unassignit or disponit be him to ony uther persoun or persounes in all tymes bygane and to cum And siclyk the said Johne Craufurd and laird of Blair obliss thame and thair foirsaidis to warrand the said renunciatioune of the said landis of Nethirtoun with mansioun and mylne of the same with the pertinentis undisponit be thame to ony uther persoun or persounes in all tymes bygane and to cum And bayth the saidis pairteis ar content and consentis that this present be insert in the commissaris buikis of Glasgw to have the strentht of ane decreit of his court with executoriales of hornyng or poinding to pas thairupon in forme as efferis And to that effect thai have maid and constitut, etc., thair procuratouris to compeir for thame befor the said commissar and consent to the insering of thir presentis in his buikis with executoriales foirsaidis to pas in forme as efferis and promittentes de rato In witnes heirof the saidis pairteis hes subscrivit thir presentis as follovis At daye yeir and place foirsaid befor thir witnes Mr. Andro Hay persoun of Renfrew

Thomas Craufurd of Jurdanhill Adam Boyd of Penkill George Elphinstoun of Blythiswod Johne Maxvell of Potterhill William Blair brother to the said Johne Blair Mr. Henrie Gibsoun notar Follovis the subscriptiones R. Boyd Joⁿ Blair of y^t ilk Johne Craufurd of Birkeat A. Haye witness Joⁿ Maxvell notar vitnes Ro^t Blair witnes Extractum furth of the contract buikis of the Commissariat of Glasgw be me Mr. Henry Gibsoun scribe thair of witnessing my signe and subscription manuall, etc.

M. HENRY GIBSOUN.

70. ABSTRACT.¹

Mutual Bond of Friendship between Hugh third Earl of Eglintoun, William Earl of Glencarne, Robert Lord Boide, Sir Mathew Campbell of Lowdown, John Wallace of Craigie, and their eldest sons. Stirling, 13th June 1578.

71. ABSTRACT.²

Letter from King James VI. to the Earl of Eglintoun and the Lord Boyd, requesting them to use their endeavours to settle the controversy between the sons of the Lord Vchiltre and the sons and kin of the deceased Charles Mowat. Stirling Castle, 2d July 1579.

72. *Instrument on the Renunciation by the Commendator of Kilwinning of the lands of Byrehill and Quhithirst in favour of Robert Lord Boyd.*³ [26th April 1581.]

In Dei nomine amen Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis Dominice millesimo quingentesimo octuagesimo primo die vero mensis Aprilis vicesimo sexto regnique supremi domini nostri Jacobi sexti huius Regni Scotie regis illustrissimi anno decimo quarto, in mei notarii publici et testium subscriptorum presentia personaliter constitutus venerabilis vir Alexander commendatarius monasterii de Killwynninge non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera pura vera et spontanea voluntate Totas et integras terras subsequentes, videlicet, triginta solidatas terrarum antiqui extentus de Byrehill per Willelmum Fairlie occupatas necnon illas tredecim solidatas et quatuor denariatas terrarum novi extentus de nethir Quhithirst per Johannem Wat occupatas Ac etiam illas quindecim solidatas et duas denariatas terrarum eiusdem extentus de Nethir Quhithirst per Johannem Bar occupatas cum suis pertinentiis per omnia jacentes in perochia et regalitate de Killwynninge balliatu de Conygham et infra vicecomitatum de Air a se heredibus et assignatis suis in quantum in eisdem infeodatus existerat sursum reddidit pureque et simpliciter resignavit extra-

¹ *Memorials of the Montgomeries*, ii. 217.

² *Ibid.* i. 169.

³ *Kilmarnock Writs*.

donavit libere deliberavit et quieteclamavit imperpetuum ac totum jus et clameum juris titulum proprietatem et possessionem que seu quas in et ad easdem vel aliquam earundem partem unquam habuit habet seu quovismodo in futurum habere poterit omnino quieteclamavit imperpetuum In favores nobilis et potentis domini Roberti domini Boyde pro nova carta et infeodatione de eisdem terris per semetipsum commendatarium et conventus dicti monasterii dicto nobili domino heredibus et assignatis suis danda et conficienda super quibus omnibus et singulis sic premissis discretus vir Jacobus Conyghame camerarius de Killwynninge nomine et pro parte dicti nobilis domini a me notario publico subscripto sibi fieri petiit instrumentum publica unum sive plura Acta erant hec in cubiculo dicti camerarii infra locum eiusdem horam circiter undecimam ante meridiem sub anno die mense et regno quibus supra presentibus ibidem Joanne Conyghame de Cadell magistro Alexandro Kinros Thomas Eset nuntio Patricio Garven sertore et Joanne Wrycht in Allnonswall testibus ad premissa vocatis pariterque rogatis.

Et ego vero Gavinus Nasmyth clericus, etc.

ABSTRACT.

Instrument on the Renunciation by Alexander, Commendator of Kilwinning, of the thirty shilling lands of old extent of Byrehill, occupied by William Fairlie: the $13\frac{1}{4}$ lands of new extent of Nether Quhithirst occupied by John Wat: and the $15\frac{1}{2}$ lands of Quhithirst of new extent, occupied by John Bar, lying in the parish and regality of Kilwinning, bailiery of Cunningham, and shire of Ayr; surrendering and resigning the same, so far as he stood infeft therein, in favour of Robert Lord Boyd, for new charter and infeftment of the same to be made to him by the said Commendator and convent. Done in the bedchamber of James Cunningham, chamberlain of Kilwinning, at 11 o'clock forenoon of the 26th April 1581.