

Protocol Book of Mr. James Colvill

1545-1578

Introduction SIR JAMES FERGUSSON, Bart.

The Protocol Book: Its Fabric and State

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**PROTOCOL BOOK OF MR JAMES COLVILL,
1545-1578**

INTRODUCTION

Sir James Fergusson of Kilkerran, Bart.

The protocol book so clearly and skilfully summarised in the following pages is a document of the greatest value for the social history of Carrick during the regency of Mary of Guise, the active reign of Mary, and the early years of James VI. It is not unknown, having been cited in print; it was carefully studied a few years ago by Mr William Dillon, who made some useful notes on it; but its exact coverage has hitherto been difficult to assess since it is not complete and moreover many instruments in it appear in two forms, sometimes not quite tallying, in different parts of it. Now Dr Annie Dunlop has edited it, in association with Mr John Imrie. The arrangement of the whole in a form both chronological and succinct is most welcome.

I have given an account of the multifarious business of 16th century notaries, to which readers may refer, in a prefatory note to my similar abstract of Henry Prestoun's protocol book¹. The extant fragment of Prestoun's covers only 11 months of 1547-8, partly filling a gap in Colvill's; but Colvill's ranges from the beginning of 1545 almost to the end of 1578, nearly 34 years in all. The gaps in it are much to be regretted: three (Nos. 139-40, 145-6, 149-50) are of over two years, and two others (Nos. 147-8, 160-1) of over three.

While most of Colvill's transactions are the bread-and-butter of a notary's business — instruments of sasine, resignation, or protest — and are, with about a dozen exceptions, confined to Carrick,² some of them raise wider echoes. Nos. 3 and 9, recording the providing of lairds' sons with minor ecclesiastical offices and their emoluments, as profitable sinecures, illustrate what was too common a practice, the exploitation and neglect of parish churches which was one of the causes of the Reformation. By contrast we have in No. 160 the record of the translation and induction of a parish minister in 1572. A different kind of alienation of church revenues is exemplified in Nos. 151-2 where Allan Stewart, a careerist who had secured Crossraguel Abbey in commendam in

¹ Ayrshire Collections, 2nd series, iii. pp. 46-8.

² There is an inexplicable dating of No. 33 at Stirling and No. 34 at Maybole on the same day.

1565, is seen in 1569 feuing out the abbey lands in his own interest — as in many other instances in this same year recorded in **Crossraguel Charters**. This policy brought him into conflict with the 4th Earl of Cassillis and resulted in his seizure, confinement and torture in Dunure.

Building history is illuminated in the dating of No 16 on 5th November, 1545 "in the new house of Maybole" and in the presence of Abbot William of Crossraguel and three prominent local lairds who had been holding a court there. Clearly it was no ordinary house but **the** house, the Earl of Cassillis's tall, turreted dwelling, which still stands. The epithet "new" in 1545 marks it as a rare example of important building during what has been called "the long pause" in the development of Scottish architecture³.

Fifteen instruments, and perhaps more, have reference to the national disaster of Pinkie Cleuch and are concerned, directly or indirectly, with the settlement of estates whose owners had perished in that terrible slaughter⁴. Only once (No. 92) is the battle actually named, in connection with the death of the youthful laird of Knockdolian, Andrew Grahame, "who died at Pynkeclewcht," but its shadow hangs over much of Colvill's business as it did over his own life.

Taken one by one the instruments seem, all but a few, to be of little interest. But read successively they must project to the least imaginative reader a picture, here and there quite vivid, of 16th century Carrick society. The Pinkie widows are mostly remarried, with worries over their children's heritages or their own portions. Farms change hands, farm stock is sold, money is borrowed or repaid. Marriages are arranged, and once (No. 83) a divorce. There are disputes between families and within them. One instrument (No. 113) just suggests what must have been an appalling "scene" one afternoon in the hall of Killochan when the elderly Marion Cathcart, then in the middle of a quarrel that was to break up her second marriage, called her cousins to witness that she would take her wrongs before the Privy Council. And meanwhile in the background begins the great Cassillis-Bargany rivalry for the domination of Carrick and the laird of Bargany trades military support to the Earl of Cassillis for the superiority of his castle of Ardstinchar (No. 139).

As Colvill moves about Carrick on his professional journeys, little spotlights pick out bits of landscape of which much has disappeared after 400 years, but not all. He witnesses events in public

³ Stewart Cruden : **The Scottish Castle**, pp. 114-45.

⁴ I have given a list of 45 Ayrshire casualties in my book **The White Hind**, pp. 37-40, and have found two more since its publication in 1963. Carrick suffered particularly heavily.

places, in the face of courts, in parish churches or their graveyards, at the vanished "cross of Innertig"; in the halls of Blairquhan, Kilkerran, Trochraig or Knockdaw; in quiet places like the green of Blairquhan, the garden of Ardmillan, or the wood of Bargany; or in homely, even cosy ones — the smithy in Colmonell, the laird of Blairquhan's bedchamber, or at the kitchen door of Little Smithston.

Again, among the many people mentioned, especially witnesses, there are many humble folk — not lairds and their kin, not churchmen or notaries — whose names offer a fascinating study. Robert Kennedy "alias Reid Robene", James Kennedy "alias Black James", John McCrynnill (which is McCrindle) "alias Reyd Couper" and "Red John Mure" cannot have been the only men to need a distinguishing nickname where their family names were so common. About 50 names begin with "Mac", reminding us that Gaelic had not altogether died out in Carrick at this time⁵. The "Mac" names are native to Galloway, of which Carrick had been a part till the 13th century and where Gaelic lingered in places even till the 19th; or else to Ireland. Most here recorded can be identified through some are at first sight hard to recognise — McChruter or McChrutour, for example, is McWhirter, and McCaik probably McCaig, a name "confined to Ayrshire and Galloway." McIlwryk is a form of McIlwraith, and McConquhe of Macconachie. But some names written down here — McCleg, McCollo, McQuyn and the peculiar McAngelus, seem to be recorded nowhere else⁶.

The Notary

I have not discovered the parentage of Mr James Colvill. He was probably a kinsman and may have been the brother of Thomas Colvill or Colvile of Pemont who fell at Pinkie. All the other Colvills of that time seem to have been females — an Elizabeth, a Marion, a Janet — and as a landed family they died out. Pemont, its name later romanticised into Piedmont, was just south of Girvan.

Mr James, from his prefix, must have been a university graduate, almost certainly of Glasgow. He is found in practice as a notary on 9th July, 1544, six months before the earliest surviving instrument in the protocol book⁷, and was perhaps born in about 1520 or earlier. One gap in the book of nearly 14 months (Nos. 56-7) begins on 2nd July, 1547, and we may wonder if Mr James marched with his neighbours to Musselburgh to join the Governor's

⁵ See Collections, 1st series, iv. p. 17.

⁶ See George F. Black: *The Surnames of Scotland*.

⁷ Bannan MSS, 8.

army and was one of the hundreds of Scottish prisoners taken at Pinkie two months later, and afterwards ransomed.

From September 1548, he was acting for the family of Kennedy of Bannan, whose troubles were typical of the innumerable domestic tragedies caused by the carnage of Pinkie. The laird, John Kennedy, and his elder son and heir, another John, had both been killed, and the mourning family consisted of Jonet Wallace and Marion Kennedy their widows, David, the old laird's younger son, and the heiress, Marion's daughter Katherine, a girl of five.

Bannan was a modest manor-house tucked away behind Bannan Head, with a small estate of some value including several farms and a cave below the Head opening to the sea. The cave was important. It was specifically included in conveyances of the estate, and in 1614 an instrument of sasine was dated 'prope speluncam'.⁸ With the estate its laird held the hereditary office of "serjeant and mair of fee" to the Bailie of Carrick.

Mr James was evidently the family's legal adviser, and he took sasine of the estate as little Katherine's attorney on 27th September, 1548, she being reckoned as of lawful age by virtue of the act of dispensation passed just before the battle of Pinkie⁹. She needed a protector, for various predatory claimants to her heritage appeared, with pretensions that her grandfather had not been properly infested, that vital title-deeds could not be produced, that her mother should not be her tutrix, and so on. Mr James fought them all off at great cost and trouble to himself, as was later recorded¹⁰. His interest at an early stage became more than professional, for in about 1549 he married Katherine's widowed mother, Marion¹. In 1560 he was able to arrange a good marriage for Katherine, by then 18 or 19, with Hew Kennedy, third son of Thomas Kennedy of Bargany². It lasted only till 1574 when Katherine died,³ her husband following her a few months later. They left two sons, Hew, who succeeded to Bannan, and Hector, in Craig⁴.

Mr James acquired, about 1560, a property on the Water of Muck, near Pinwherry. It appears on Pont's map of southern Carrick as Dallchorneil, apparently a substantial manor-house surrounded by woods, and on the Ordnance Survey's as the farm of Docherneil. A cairn stood near it (No. 116). In Mr James's later years he is generally styled as "of Dalquhornele." He was still alive

⁸ Bannan MSS, 40.

⁹ Protocol Book of Henry Prestoun, 45.

¹⁰ Bannan MSS, 20. Glimpses of the long legal battles appear in A.D.C. xxv. ff. 113-4, 170; Acts and Decrets, iii. ff. 33, 50, 122, x. f. 28, xxxvi. f. 276; Bannan MSS, 9, 10, 20.

¹ Acts and Decrets, iii. f. 50.

² Bannan MSS, 19, 20.

³ Ibid, 24-5.

⁴ Boyd of Penkill MSS, 20.

and functioning as a notary on 6th January, 1581/82, but his handwriting, never good, was by then very shaky⁵ and he probably died not long afterwards.

The Names

A notary acted for anyone of any class who required his services, but naturally those who required them oftenest were people of property. Hence we find that the names which occur and recur in the protocol book are chiefly those of the landed families of Carrick, with Kennedys predominating. Omitting a few which appear once or twice only, I give below some outlines of their family history covering the period of the book with slight extensions before and after it. Reference to these may be an acceptable substitute for repetitive footnotes to the text.

These outlines are drawn from notes made over a period of some 40 years from printed sources, from the public records, or from the archives of various Carrick families. The latter are listed below and except for those marked with an asterisk are now all deposited with the public records in H.M. General Register House.

Marquis of Ailsa MSS.

Boyd of Penkill MSS.

Cathcart of Carleton and Killochan MSS.

*Fergusson of Kilkerran MSS.

Kennedy of Bargany MSS.

Kennedy of Bennan and Finnarts MSS.

*Kennedy of Drummellan MSS.

Boyd of Penkill

Adam Boyd, first of the line of Boyds of Penkill, was a grandson of the 1st Lord Boyd. He is sometimes styled "of" but generally "in" Penkill. Though he acquired various lands between Girvan and Dailly, beginning with Loveston, near Bargany, in 1543 (Bargany MSS, 8), he does not seem to have had a charter of Penkill itself till 28th March 1569, from Allan Stewart, commendator of Crossraguel (Boyd of Penkill MSS). He died in 1572, soon after 29th August (Edinburgh Testaments).

He married, first, Helen Kennedy, youngest daughter of the 2nd Lord Kennedy, and widow of Robert Grahame of Knockdolian who died in 1528 (*Scots Peerage*, ii. p. 460); secondly, Janet Kennedy, third daughter of Thomas Kennedy of Bargany, who survived him and later married Thomas Hay, younger of Park

⁵ Bargany MSS, 473.

(Bargany MSS, 476). By his first wife he had five sons and three daughters, including Robert, to whom he disposed Pemont in 1554 (R.M.S. iv. 942) but who predeceased him, and Mr James Boyd, of Trochrig (Nos. 3, 92), who became Archbishop of Glasgow. By his second wife he had a daughter, Jonet. He was succeeded by his grandson, Adam, to whom as his "oy and apperand air" he left "all the plenesing of my hous of Pinkell."

The house probably built by him was romantically altered in and after 1857 by his descendant Spencer Boyd, but seen from the back preserves much of its original appearance.

Cassillis, Earls of

Gilbert, 3rd Earl of Cassillis, described in the **Historie of the Kennedyis** as a "very wyse man and weil beluiffit of all," succeeded his father in 1538 and died in 1558, it was thought by poison while on a mission to France.

Gilbert, 4th Earl of Cassillis, "ane particular (i.e. odd) man and ane verry greidy man," a supporter of Queen Mary at and after Langside, remembered for his drastic treatment of the commendator of Crossraguel, died in 1576.

John, 5th Earl of Cassillis, succeeded as a child of two, and was till his majority under the charge of Sir Thomas Kennedy of Culzean, Tutor of Cassillis.

On their careers and marriages, see **Scots Peerage**, ii. pp. 468-77. Their residence was at Cassillis, on the Doon, or at their "new house" in Maybole (No. 16), both still standing.

Cathcart of Carleton

Robert Cathcart of Killochan succeeded his father Robert Cathcart in 1524 and acquired Carleton in 1538. He was alive on 9th September, 1559 (Ayr Burgh Court Book) but died soon after. He married Elizabeth Corrie, probably a daughter of Thomas Corrie of Kelwood, and had issue: John, his heir; Thomas; Gilbert; Alan, of Clauchfin; James; David; Margaret, who married Thomas McAlexander of Corsclayes; another Margaret, who married John Kennedy of Baltersan.

John Cathcart of Carleton, who finished re-building or enlarging Killochan in 1586, had had sasine of it and of Carleton as his father's heir on 6th November, 1560 (Carleton MSS, 55-6). He died on 9th October, 1612 (Glasgow Testaments). He married, about 1563, Helen Wallace, with issue: John, his heir; Mr Robert, of Nether Pinmore; Mr Hew; James, of Barneill, later of Genoch; Alan, of Brounhill; William; Margaret, married John Wallace of

Dundonald; Jonet, married William Wallace, commendator of Failford.

Killochan is the best preserved tower house in Carrick. The old tower of Carleton, close to Lendalfoot, is a ruin, appearing to date from the 15th century.

Colvill of Pemont

Thomas Colvill of Pemont near Girvan was killed at Pinkie. His executor dative was his kinsman Robert Colvill (Glasgow Testaments). His heir was his daughter Marion who in 1552 sold his 9 merkland of Shallochwrack, south of Ballantrae (Register House Charters, 1556), but who was dead by 10th February, 1555-6 (Acts and Decrets, xii. f. 530) when her heir was her aunt Jonet Colvile (*ibid.*, xix. ff. 41-2). Pemont was acquired by Adam Boyd of Penkill.

Corrie of Kelwood

Thomas Corrie of Kelwood, of a Dumfriesshire family settled in Ayrshire near Culzean at Thomastoun, the ruin of which survives, succeeded his father John Corrie of Kelwood in 1495 (Acts and Decrets, xl. f. 384). He must have been nearly 70 when he was killed at Pinkie. He married Margaret Naper, a widow. They had four sons: Thomas, who died c. 1527; George, who succeeded; James; and another Thomas, who had an illegitimate son John (see below). They also had several daughters, of whom the eldest, Jonet, married John Kennedy of Kirkmichael (*ibid.*, clxxx. f. 234).

George Corrie of Kelwood was attacked in his house of Thomastoun by the 4th Earl of Cassillis and imprisoned in Craigneil in 1575 (**Historie of the Kennedyis**, p. 12); but in December 1579 he obtained an award of 3,500 merks in compensation (Register of Deeds, xix. ff. 243-5). He died after 13th February 1582-3 (*ibid.*, xxii. f. 7), and was succeeded by his nephew John Corrie. He married, probably in 1546, Margaret Blair (**R.M.S.** iii. 3240), and in 1558 was married to Elizabeth Lawmond, widow of Mungo Maxwell of Newwerk (Acts and Decrets, xvii. f. 238), but evidently left no surviving issue.

Craufurd of Camlarg

Duncan Craufurd of Camlarg, near Dalmellington, which was demolished during the present century, was a son of David Craufurd of Kerse. He died 19th October, 1562 (Acts and Decrets, xl. ff. 23-6). He married some time before 1540 Isobel Fergusson, who was still living in July, 1565 (*ibid.* xxxiii. f. 432). She was the natural daughter of a son of Duncan Fergusson of Kilkerran

(A.D.C. xvii. f. 154) ; on her claim to be Duncan's "nevoy and aire" (Ailsa MSS, III. 62) she and her husband based claims to Kilkerran lands which caused litigation, lasting some 30 years, of which glimpses appear in Nos. 46-9, 54, 114. They had two sons: John, who succeeded ; and James (**Historie of the Kennedyis**, p. 12).

John Craufurd of Camlarg, who carried on the feud with Kilkerran which in 1564 came to blows in the Sheriff Court of Ayr, was still alive in 1578 (Ayr Retours, 718) but dead by 1585, leaving a son and heir Duncan (Paterson, **Ayr and Wigton**, i. p. 380).

Crossraguel, Abbots of

William Kennedy, second son of David, 1st Earl of Cassillis, abbot since 1520, attended Parliament on 1st May, 1547, and died soon afterwards.

Quintin Kennedy, his nephew, fourth son of the 2nd Earl, was installed as abbot on 1st February, 1547/8 (**Protocol Book of Henry Prestoun**, 8-9) and after the Reformation remained in his abbey where he died on 22nd August, 1564.

Allan Stewart, probably an illegitimate son of James Stewart of Cardonald, was appointed abbot in commendam or commendator in 1565, feued or sold much of the abbey lands (e.g. Nos. 150-1), and had to part with the rest to the 4th Earl of Cassillis. He married in 1560 Lady Jean Montgomerie, youngest daughter of the 2nd Earl of Eglinton (Fergusson, **The White Hind**, p. 64), and died at Glendrishaig near Girvan in 1587, leaving three "lauchful dochteris" (Edinburgh Testaments).

Eklis of that ilk

James Eklis or Eccles of that ilk succeeded his father Mungo Eklis of that ilk after February, 1531/2 (**Protocol Book of Gavin Ros**, 1261), and married in 1545 or earlier, Jonet Grahame (No. 7) sister of Andrew and Robert Grahame of Knockdolian (No. 70). He was still living in 1566 (Register of Deeds, viii. f. 414).

Fergusson of Auchinsoull

This family was closely akin, in what degree is uncertain, to the Fergussons of Kilkerran who owned Auchinsoull, on the Stinchar near Barr, in and probably before the 15th century. The house was burnt during the Cassillis-Bargany feud on 18th May, 1603 (**Historie of the Kennedyis**, p. 61).

Thomas Fergusson in Auchinsoull, who was alive in April, 1547 (No. 46) but died soon afterwards, perhaps at Pinkie, had three

sons: William, his heir; Duncan, in Glenawlay (Glenalla, near Straiton); and Thomas (No. 135).

William Fergusson in or of Auchinsoull appeared frequently as a procurator in the Bailie Court of Carrick (MS Court Book in Register House). He was still alive on 9th November, 1576 (**Protocol Book of John Masoun**, 13). Hector Fergusson in Auchinsoull who appears in 1590 (Kilkerran MSS) was perhaps his son.

Fergusson of Kilkerran

Duncan Fergusson of Kilkerran, who had succeeded his father Fergus Fergusson of Kilkerran in 1512, was still alive but must have been nearly 90 in 1553 (Acts and Decrees, viii. ff. 117-8). By a first wife he had a son who predeceased him, leaving an illegitimate daughter Isobel who married Duncan Craufurd of Camlarg (see above). By his second, Jonet Campbell, he had further issue: William, who was killed at Pinkie, may have been the husband of Marion Prestoun, and left six sons and a daughter; Gilbert, in Balcarnie (Nos. 99, 100); Thomas, in Balquharn (Nos. 100, 114); and Marion.

Bernard Fergusson of Kilkerran, the eldest of William's six sons, was a minor at his grandfather's death. Born about 1538 or earlier, he was still alive in February 1600 (**R.P.C.**, vi. pp. 843-5) but probably dead by 31st May, 1602. He married, first, Isobel Adair, who died in January, 1568-9, and secondly Agnes Schaw, who died in December, 1576 (Edinburgh Testaments). By his first wife he had a son Simon who died *vita patris* in August 1591 (*ibid.*), leaving a son who later succeeded to Kilkerran; by his second he had William and James. He had also a natural son Hucheson (Reg. of Deeds, xlii. ff. 28-9), born before 1578, ancestor of the Fergussons of Letterpin.

The tower house of Kilkerran was abandoned long before 1700 but stood almost complete till 1870 when most of it fell.

Hector Fergusson, son of Thomas in Balquharn (No. 100), is the same as Hector Fergusson in Garpene (Nos. 34, 95). At various times he was designated "in Kilkerran" and "in Crossraguel," but most often "in Dalduff" (e.g. No. 85). Dalduff and Garpin are both near Crosshill. Hector was twice married and had a large family. He lived till at least 20th September, 1585 (**R.M.S.** v. 887).

Grahame of Knockdolian

Andrew Grahame of Knockdolian on the Stinchar, of which a fragmentary ruin survives, was the son and heir of Gilbert Grahame of Knockdolian by his wife Marion Cathcart, younger

daughter of John Cathcart of Glendowis. He succeeded as a child in 1539 and was still "pupill sone and air" in 1541 (A.D.C. xiv. ff. 181-2). He was thus very young when killed at Pinkie (No. 92), unmarried, and succeeded by his brother Robert. He had another brother, David (Nos. 127-8).

Robert Grahame of Knockdolian was alive in 1583 (**Laing Charters**, 1067) but dead by 30th April, 1585 (Bargany MSS, 323). He had two sons, Sir John, his heir, and Robert, of Grougar (Ayr Retours, 84-5).

In 1541 the widows of three successive lairds of Knockdolian were all living, distinguished as the "auld lady of Knockdoleane," "secund lady of Knockdoleane" and "thrid lady of Knockdoleane" (Retours, 84-5).

Kennedy of Balmaclanachan

Balmaclanachan or Barclanachan, rebuilt about 1700 with later additions, is the present house of Kilkerran, acquired by the Fergussons in 1686.

Gilbert Kennedy of Balmaclanachan was killed at Pinkie, at an advanced age. He had married Elizabeth Blair, widow of Andrew Grahame of Knockdolian and grandmother of young Andrew Grahame who fell in the same battle. She was the "auld lady of Knokdoleane" mentioned above.

George Kennedy of Balmaclanachan, who succeeded, was in France at his father's death, and in 1550 complained that before his return valuable "evidentis" were stolen from the house by sir Duncan Kennedy, a prebendary of Maybole (Acts and Decrees, iv. ff. 359-60). This quarrel was patched up (No. 72). He went abroad in December, 1571, but was in Scotland and still living in 1573 (*ibid.*, i. ff. 33-4). He married Jonet Kennedy, daughter of Sir John Kennedy of Culzean (*ibid.*, xxv. f. 64) and had three sons: Gilbert, his heir; George, of Glenmuck; and Oliver (Paterson, **Ayr and Wigton**, ii. p. 179).

Gilbert Kennedy of Balmaclanachan had a disposition from his father of his heritable estate on 10th May, 1556 (*ibid.*). The result was a long and bitter family quarrel, Gilbert claiming that his father failed to infeft him and also robbed him of goods, money and papers locked in "the eist chalmer" of Balmaclanachan (Acts and Decrees, xlvii. ff. 74-5, 320-1, 382-6). Gilbert married Margaret, daughter of Gilbert Kennedy of Girvanmains (Paterson, **loc. cit.**) and had two sons, Alexander and David, of whom the latter succeeded, Alexander having resigned his "brother rycht" to him on 3rd September, 1600, when their parents were still alive (Reg. of Deeds, lxxvi. ff. 207-8).

Kennedy of Bargany

Thomas Kennedy of Bargany, near Dailly, succeeded his father, Alexander Kennedy of Bargany, between 13th February, 1543/4 and 27th September, 1546 (Bargany MSS, 312, 411). He died shortly before 10th October, 1564 (*ibid.*, 10). Though contracted in 1527 to marry a daughter of the Earl of Cassillis, he certainly married, 2nd March, 1528/29, Margaret, fourth daughter of Sir Hew Campbell of Loudoun (**Protocol Book of Gavin Ros**, 931), and by her had four sons: Thomas, who succeeded; John; Hew, who in 1560 married Katherine Kennedy the heiress of Bennan; and William (Reg. of Deeds, xxvii. f. 17).

Thomas Kennedy of Bargany, the most eminent of his line, who played a leading part in public affairs, died 7th November, 1597 (**Historie of the Kennedyis**, p. 25). He married in 1556 Agnes, eldest daughter of the 2nd Earl of Eglinton (**Memorials of the Montgomeries**, ii. p. 153), and had at least five sons, of whom the fourth, Gilbert, succeeded, and four daughters: Helen, who married three times (**Scots Peerage**, iii. p. 443); Margaret, married John Mure of Auchendrane; Jonet, married (1) Adam Boyd of Penkill, (2) Thomas Hay, younger of Park (Bargany MSS, 476); and Isobel, married Alan, Master of Cathcart.

The castle of Bargany stood nearer to the Water of Girvan than the present house built in 1686.

Kennedy of Blairquhan

James Kennedy of Blairquhan was the son of John Kennedy of Blairquhan and succeeded his elder brother Sir Gavin Kennedy in 1522 (**Laing Charters**, 340). He was alive in 1553 but dead by 11th May, 1560 (Nos. 107, 140). He married Agnes Murray, who was still alive in 1567 (Acts and Decrets, xl. ff. 73-4), and had a son, Gilbert, who predeceased him. Gilbert had married Margaret Cunningham (**R.M.S.** iii. 2576) and had two sons, John and Alexander (**R.P.C.** v. p. 577), and a daughter Margaret (**R.M.S.** iv. 2403).

John Kennedy of Blairquhan, who succeeded his grandfather, was prominent in King James VI's Privy Council and had his lands erected into the barony of Blairquhan (*ibid.*). "He buildit the hous of Blairquhan" (**Historie of the Kennedyis**, p. 66), rebuilt by Sir David Hunter Blair in 1824. He died in May, 1605 (Edinburgh Testaments), having married Margaret Keith and had issue: John, his successor; James, of Cruggleton; and three daughters.

Kennedy of Bogend

The site of Bogend is now occupied by St John's, near Maybole. Alexander Kennedy of Bogend, on record in 1546 (A.D.C. xxi. f. 2), had two sons, John and Hucheon or Hew (Drummellan MSS), and a daughter who married Hew Kennedy of Craigneil (Reg. of Deeds, cxci. ff. 162-4). He died after 1558.

John Kennedy of Bogend, who died early in 1604, married Margaret Kennedy, who died 20th April, 1565, daughter of a David Kennedy, and had three daughters, Jonet, Helen and Marion (Edinburgh Testaments).

Kennedy of Carlock

This small property south of Ballantrae was held of Bargany. Isobel Kennedy, sister and heiress of John Kennedy of Carlock, resigned it in 1539 in favour of Mr Patrick Richardson, a priest, who in March, 1545, conveyed it to Duncan Kennedy, son of Thomas Kennedy of Auchencrosh (Bargany MSS, 802, 810-1).

Duncan Kennedy, whose father was shortly afterwards killed at Pinkie, apparently died in 1557 and his son and heir John seems not to have come of age till 1572 (*ibid.*, 820, 826-7).

John Kennedy of Carlock is said to have been living in 1613 (Paterson, *Ayr and Wigton*, ii. p. 102).

Kennedy of Coif

Thomas Kennedy of Coif is on record in 1527 when he was holding and refusing to deliver up the castle of Dunure (**Protocol Book of Gavin Ros**, 773, 811). He is said to have been killed at Pinkie (**Scots Peerage**, ii. p. 465).

He married Katherine, daughter of Thomas Corrie of Kelwood. John Kennedy of Coif, cited as a witness in 1550 (Acts and Decrees, iv. p. 280), was presumably their eldest son; Thomas, infeft in the lands of Coif as heir to his father 1st April, 1555, appears in 1569 (No. 153); but David had been infeft in Coif on 7th April 1567 as heir to his brother Thomas (**Historical Account of the Noble Family of Kennedy**, p. 31).

Kennedy of Crochbae

Crochbae, earlier Corrachbey (**Exchequer Rolls**, vii. p. 388), was a small estate south of Maybole to which David Kennedy succeeded in 1528 (*ibid.*, xv. p. 665). He died about 1550 (*ibid.*, xviii. p. 528), having had a son James.

James Kennedy of Crochbae died 18th November, 1586 (Edinburgh Testaments). He married Isabella Cathcart (No 68) and had a son Henry (Secretary's Reg., Ayr, i. ff. 180-1) who predeceased him. His granddaughter, Isobel, succeeded him; his testament mentions also a nephew, John.

Kennedy of Culzean

Early in the century there were a Sir John Kennedy and his son John, both of Culzean, who are unnoticed in the **Scots Peerage**. The former died after 1522, the latter was living in 1529. (**Protocol Book of Gavin Ros**, 608, 994).

In 1542 David Kennedy had a charter of Culzean from his brother the 3rd Earl of Cassillis; he was still living in 1562 (**Scots Peerage**, ii. p. 465). He married Jonet, daughter of Duncan Kennedy of Daljedburgh (*ibid.*), and had three daughters, of whom the eldest, Margaret, married in 1553 Gilbert Kennedy younger of Girvanmains (Reg. of Deeds, xvii. f. 383).

The next owner of Culzean was Sir Thomas Kennedy, afterwards the Tutor of Cassillis, who, on a charter from his brother the 4th Earl of Cassillis, had sasine of Culzean on 14th September, 1569 (**Scots Peerage**, ii. p. 486). He was assassinated on 11th May, 1602.

Part of the structure of Culzean was incorporated by Robert Adam in the present house now owned by the National Trust for Scotland.

Kennedy of Dalquharran

The massive ruin of Dalquharran is on the Water of Girvan near Dailly. Duncan Kennedy of Dalquharran was presumably the son of the John Kennedy who had sasine of that estate in 1495 (**Exchequer Rolls**, x. p. 771) and whom he succeeded after 1537 (Paterson, **Ayr and Wigton**, ii. p. 207). He was a brother of Sir John Kennedy of Culzean (Acts and Decrees, xii. ff. 421-2). He was still alive on 30th March, 1565 (*ibid.*, xxxiv. f. 48) but must have died before 16th February, 1566/7, when Gilbert Kennedy younger of Girvanmains had a charter of Dalquharran, where his descendants made their home (Paterson, ii. p. 208). Duncan Kennedy married, first, Marion Grahame, widow of Alexander McAlexander of Dalreoch (Acts and Decrees, xxi. ff. 325-6); secondly, Marion Cathcart, "thrid lady of Knokdoleane." He was her third husband, whom she survived, being still alive on 10th February, 1569/70 (*ibid.*, xlvi. f. 35). He apparently had no issue.

Kennedy of Girvanmains

Sir Hew Kennedy of Girvanmains, son of Alexander Kennedy of Girvanmains, lived till 1576, but was dead before 1580 (Reg. of Deeds, xvii. f. 383). He married, before 1532, Jean (or Janet) Stewart, eldest daughter of the 2nd Earl of Atholl. A son, John, called eldest son and heir apparent in 1542 (Acts and Decrees, i. ff. 27-8), must have predeceased Sir Hew. He was succeeded by his son Gilbert, who in 1553 had married Margaret, eldest daughter of David Kennedy of Culzean (Reg. of Deeds, *loc. cit.*), and who acquired Dalquharran (see above).

Kennedy of Kirkmichael

John Kennedy of Kirkmichael succeeded his father Gilbert Kennedy of Kirkmichael between 1532 (**Protocol Book of Gavin Ros**, 1358) and 1538 and was killed at Pinkie.

John Kennedy of Kirkmichael his son succeeded as a minor in 1548 (**Protocol Book of Henry Prestoun**, 36). It was complained of him in 1560 that he "causes masse daylie to be said" (**Crossraguel Charters**, i. p. 125). He was still alive in 1585. He married Jonet Corrie, eldest daughter of Thomas Corrie of Kelwood who also fell at Pinkie (Acts and Decrees, clxxx. f. 234). They had issue: Mr Lambert, who succeeded; Gilbert, of Auchinflour (Ayr Sasines, ii. f. 353).

Kirkmichael was much altered and enlarged in the 19th century.

Kennedy of Knockdaw

Of the old tower of Knockdaw, near Lendalfoot, only a few stones remain in the stead of the 18th century farm occupying its site. Thomas Kennedy of Knockdaw is on record from 1518 (Ailsa MSS, I. 243) and died early in April 1549 (Glasgow Testaments). By his wife Jonet Kennedy he left two sons: David, who succeeded, and John; and two daughters, Isobel and Christian. His natural son Thomas was legitimated in 1559 (**R.M.S.** iv. 1330).

David Kennedy of Knockdaw died on 25 October, 1594 (Edinburgh Testaments). He married, first, Christian Schaw, who died in September, 1568 (*ibid.*); secondly, Katherine Kennedy, sister of Thomas Kennedy of Bargany (Bargany MSS, 2676). By his first wife he had issue: Alexander (Acts and Decrees, xxvi. ff. 336-8), who died *vita patris*; John, who succeeded; Fergus, died *v.p.* (Edinburgh Testaments); David; Gilbert (Drummellan MSS); and Jean (Edinburgh Testaments).

Kennedy of Knockreoch or Ardmillan

The house of Ardmillan still stands though considerably altered, a little south of Girvan.

Three generations of this family appear in the protocol book. Thomas Kennedy of Knockreoch lived from about 1480 to about 1561. He married his second wife Jonet Corrie, widow of Alexander Kennedy of Girvanmains (**Protocol Book of Gavin Ros**, 1138), before 1529 and she died in April, 1565 (Acts and Decrees, xxxviii. ff. 201-3). By his first wife Annabella Blair (Bennan MSS, 2) his children were: John, who succeeded; Thomas, killed at Pinkie; Alexander, of Smithstoun (Nos. 155-7); Isabella, who married, first, in 1532 (**R.M.S.** iii. 1210) Patrick Mure of Cloncaird, who also fell at Pinkie, and secondly in 1554 Ninian Blair (**R.M.S.** iv. 929); and Jonet, who in 1527 married William Cairns younger of Orchartoun (**Protocol Book of Gavin Ros**, 769).

John Kennedy of Knockreoch, who in August, 1563, entertained Queen Mary at Ardmillan (**S.H.R.** xviii. pp. 6-7), died in April, 1577 (Edinburgh Testaments). He married, first, about 1544, Christian Kennedy (Bargany MSS, 312), and secondly, about 1561, Marion Campbell, Lady Garthland (Reg. House Charters, 1857). He had two sons, Thomas, who succeeded, and Alexander (**R.M.S.** iv. 929); and a daughter, Jonet, who was twice married. Thomas Kennedy of Ardmillan, who succeeded in 1577, died on 27 November, 1586 (Edinburgh Testaments). He married, first, Margaret Kennedy (**R.M.S.** v. 154), and secondly, in July, 1582, Margaret, daughter of James Chalmer of Gadgirth and widow of Mr James Boyd of Trochrig (Reg. of Deeds, xxxii. ff. 325-6).

Kennedy of Pennyglen

David Kennedy of Pennyglen is on record from 1528 (**Crossraguel Charters**, i. p. 82). He occupied the 20s land of Dunure and had a house thereon (**Protocol Book of Henry Prestoun**, 47), but later acquired Baltersan, near Crossraguel Abbey, where he died in October, 1571 (Edinburgh Testaments). He probably built the tower house whose ruin is still conspicuous. He married, before 1541 (A.D.C. xiv. ff. 181-2), Marion Cathcart, "thrid lady of Knockdoleane," and was still married to her in November, 1553 (No. 111). But this marriage must have ended in divorce or annulment, perhaps connected with some violent dispute between the spouses which is suggested on 3 December of that year (No. 113). They both married again. Marion was described in 1570 as "relict of umquhile Duncane Kennedy of Dalquharrane" who was still married to his first wife in 1554 (see above); and David was by 1565 married to Katherine Kennedy, widow of John Kennedy of Craigneil (Acts and Decrees, xxxiv. f. 149).

John Kennedy, natural son of David, who left no legitimate issue, succeeded him, and was styled "of Baltersan." He married, before 1574, Margaret Cathcart, youngest daughter of Robert Cathcart of Carleton (**R.M.S.** v. 1551 ; Edinburgh Testaments). He died in February 1609 (Glasgow Testaments).

Mure of Cloncaird

Patrick Mure of Cloncaird fell at Pinkie. He may have been the Patrick Mure who in 1519 had a dispensation for his marriage to Jonet Schaw (**Protocol Book of Gavin Ros**, 299), but he was later married to Isabella Kennedy, who survived him (No. 63), daughter of Thomas Kennedy of Knockreoch (**R.M.S.** iii. 1210).

Patrick Mure of Cloncaird, his son and heir, suffered considerable loss in 1573 from John Kennedy of Blairquhan who completely destroyed the house of Cloncaird and in 1574 was ordered to compensate its owner (Acts and Decrees, lvi. ff. 96-7). Part of the house that replaced it can be seen at the back of the Victorian rebuilding now occupying the site. He was still alive on 23 May, 1591 (**Laing Charters**, 1216) but dead by 16 March following (Ayr Retours, 763). He married Marion McDowall, who after his death married John Kennedy of Knockdaw (Edinburgh Testaments), and had two sons: Thomas, who succeeded him in 1592 but died less than a year later, and Walter, who succeeded his brother (Ayr Retours, 763, 764).

THE PROTOCOL BOOK : ITS FABRIC AND STATE

Miss D. M. Hunter, M.A.

The book now consists of 114 folios, made up of at least four sections and a number of leaves whose relationship cannot be determined without removing the modern binding, but which probably did not make up a unit. The pages were signed by Robert Scot (younger of Knightspottie, Director of Chancery and Vice-Register) after the book had been made up and handed in. This is evident not only from the terms of the Act of 1555, but from the position of his signature on each page, which clearly follows the end of the last entry. In several cases it distinctly overlies the notary's signature-flourish (eg. fo.51). Both Scott's signature and the original pagination followed the binding of the sections in their present sequence, both preceded the loss of fo. 12, and both followed the loss of a probably written folio between 81 and 82. The Act of 1555, indeed, makes it clear that numbering, not inspection, was the purpose of the submission of these books.

The first section consists of 25 folios, approximately 5 ins. x 7 ins., with a smaller unwritten 'cover' page. The paper is thick, and the watermarks very indistinct, and partly obscured by binding. Three are beyond guessing; one may be part of a glove-and-flower; one bears some resemblance to a 'cardinal's hat', but that is an Italian mark, and unlikely to be found in this context. This section is probably a unit. Not only is the handwriting similar throughout and the variations of the notary's signature few (it has the spelling Colvill in each case) but the section is distinguished by the liberality of its signature-flourishes and the constant similarity of its space-fitting pothooks.

The second section, if properly so called, begins with a unit of nine folios (24-34) approximately 6 ins. x 8 ins. It differs from the first section in layout and manner of writing (which is careless); the notary's signature is shortened, the flourishes gone, and the pothook-filling replaced by large crossing-out.

There follow a number of pages varying in size, layout, handwriting and wear — all dirtier than those of other sections. Of these, folios 35 and 36, 37 and 38, and 39-46 appear to belong together. This grouping appears to be reflected in that of the entry-dates.

The watermarks, glove and crowned cup, are vertical and in the centre of the page. They cannot in any instance be exactly dated, but two of them closely resemble Briquet 11359, a Dutch mark of 1554, but might also have parallels in one of the glove-marks from North France of the 1550's. One, unfortunately not at all clear, might be from Neubourg, 1535. The watermark on 44 is clear but incomprehensible, and not in Briquet in that form. If the paper was indeed made in the 1550's, the entries have been made up from very much older notes.

In section three, folios 47-53 (11½ ins. x 8 ins.) resemble 54-82 in general appearance; but to judge by so much of the construction as can be seen they are not part of the same notebook. In both the watermarks, all vertical and nearly half inverted, are with one exception of the glove-and-flower type, with R.N. on the wrist; there are minor variants among them. The exception has HH and fleur-de-lys on the wrist. These are closest to Briquet 11359, 11356, and others with a date range in the 1550's and a probable origin in North France or Holland.

The fourth section, 83-96, is smaller (8½ ins. x 6 ins.). These sheets may form one notebook, as far as the visible binding and layout are concerned, but the watermarks (though again difficult to identify, being close to the stitching) are very varied. There are several varieties of glove and flower not found in other sections

(one close to Briquet 11386 — Neubourg 1542) and two variants of the crowned cup, as well as others difficult to identify. In no case, however, do the watermarks seem to require a date later than 1560.

There remains section 5, pages 304-316, on the final page of which Scott signs for 316 pages. The missing pages, therefore, have gone since the book was submitted to him.

Since the book is compounded of odd sections, it seems strange that blank sections were included, even though 304-16 are blank, and the construction therefore suggests that the missing sections were at least partly written before loss. The watermarks on these (full size) sheets are vertical, all of glove and flower, and include two variants, not necessarily outside the date-range of those in section 3.

ABSTRACTS

John D. Imrie

Keeper of the Records of Scotland

and

Annie I. Dunlop, O.B.E., LL.D.

"Libro prothalogorum Magister Jacobi Colvill notarii publici" 1r.

1. 2 Jan., 1544/45.¹ Instrument narrating resignation by Thomas Kennede of (Knok)reoch of the 40s lands of Ailyr-kenacht in the parish of (blank), earldom of Carrick, sheriffdom of Air, in the hands of Gilbert, Earl of Cassillis, as superior, for new infetment to the said Thomas and Janet Corre, his spouse, and their heirs. Done in the lodging ("hospitio") of Patrick Broun, burgess of Air, at about 10 a.m. Witnesses: Patrick Mur of Cloncard, John Fergusson, Sir Thomas Wrycht, chaplain. 1r.

2. Date wanting². Fragment of an instrument, taken by Arthur (blank) at the place of Woltreis³ at about 2 p.m. Witnesses: John Kennede, elder, chaplain, Patrick Kennede⁴, son of Sir Duncan Kennede. 3r.

¹ "Quinto" has been later amended to "quarto".

² One or more pages of the manuscript are wanting at this point although there is no break in the contemporary pagination.

³ Welltrees, just outside Maybole.

⁴ Sir Duncan Kennedy was a prebendary of the collegiate church of Maybole. His son, James, was degitimated on 12 Mar., 1548/49 (R.M.S. 1546-80, No. 161). A later protocol (No. 72 infra) shows that sir Duncan had a lease of Bardastannoch from George Kennedy of Balmaclanachan in 1551.

3. 23 Apr., 1545. Instrument narrating that sir Rychard Allason, curate of the parish church of Daly, instituted James Boyd, son of Adam B. in Pynkill, in the office of perpetual clerkship of said church, by gift of stoup of holy water and bell, by virtue of a presentation by the abbot of Corsraguell and confirmation by the archbishop of Glasgow. He also intimated to the parishioners that they should pay the emoluments of the office only to James. Done in said church in time of high mass at 11 a.m. Witnesses: Duncan Kennede of Dalchorane, Gilbert Fergusson, Duncan McKanrik, and sir Patrick McQuhe, fellow notary of James Colvill 'in hac parte'. 14r.

4. 22 Sept., 1545. Instrument narrating that William McMurre became surety to Thomas Kennede of Knockreoch and Janet Corry, his spouse, on behalf of James Gretryg, farmer of the half-lands of the mains of Brockloch, for rents, oxen, oats, straw and sundry other goods received by said James with the lands, or for otherwise fulfilling his obligations for seven years as from the entry of said James to the lands at Whitsunday next. Done at Brokloch at about 10 a.m. Witnesses: Patrick Kennedy, Donald McCarmik, John McCarmyk, William Greyr and Thomas McIlmun. 47v.

5. Same date. The said James Gretryg bound himself to relieve his cautioner, William McMurre, at the hands of Thomas and Janet. 47v.

6. 8 Oct., 1545. Instrument of sasine following on a precept by John Kennede of Cragnele to Patrick Kennede, son of Thomas K. of Ardmillane, as bailie in that part, narrating that he had alienated to his brother-german, William Kennede, the one merk land of Caslo with manor place, mill and other pertinents, in property; the two merk lands of Cragfyn in property and tenandry; the 40s. lands of Drumfad: in tenandry with services of free tenants; and two merks of annual rent from the said lands of Drumfad: all lying in the earldom of Carrick and sheriffdom of Air, to be held of the Queen as Prince of Scotland and Countess of Carrick, and her heirs, in fee and heritage, reserving the life rent to the granter and to Catherine Kennede, his spouse, and to the survivor. Precept dated at Ayr, 12 May, 1545. Witnesses: Alexander Prestoun, Thomas McCuyn, and Henry Prestoun, notary public. Signed "I Johnne Kennede of Cragnele with my hand." Sasine done on the lands of Drumfad at about 4 p.m. Witnesses (? John) Montgomery of Brygend, John McCornak, and David McCleg. 1r.

7. 10 Oct., 1545. Instrument at the instance of Thomas Boyd narrating that James Eklis of that Ilk and Janet Grahame presented a dispensation (dated at Lynlythgow 30 Sept., 1545) by

David, archbishop of St. Andrews, primate and legate of all Scotland, directed to William, abbot of Crosraguell, as his commissary "in hac parte"⁵, upon which the abbot dispensed James and Janet to complete matrimony notwithstanding an impediment of the third and single degrees of consanguinity. Done in the chamber ("camera") of the abbot in the monastery of Crosraguell at about 2 p.m. Witnesses: Thomas Kennede of Coyf, Gilbert Bard, younger of Kylchinve John Dun, Mr George Kennede⁶ . . . ⁶ of Holywood, fellow notary of James Colville. 7v.

8. 13 Oct., 1545. Instrument at the instance of Sir John Kennede, elder prebendary of the collegiate church of Maybole, narrating that the lords of inquest ("domini inquisitionis") upon the brieve of Duncan McCrynni, son and heir of the late Malcolm McC., served Duncan as heir to the 40s lands of Enocht to be held of the laird of Eklis in heritage, and that they did not see any impediment of evidents or any other hindrance. Done in the face of a court held at Knokoshesne⁷ at about 4 p.m. Witnesses: Thomas Corry of Kelwod, William Fullarton, younger of Dreghorne, Arthur McClurg, David Kennede bailie, Thomas Kennede of Bargany, and Adam Boyd in Pynkill. 8v.

9. 26 Oct., 1545. Instrument narrating that sir Hugh Crawe, vicar of Kyrkmychaell, instituted John Kennede, son of Hugh K. of Girvanmanes, to the office of clerkship of the parish church of Kyrkmychaell, by virtue of a gift confirmed by the archbishop of Glasgow, to confirm which the vicar delivered to him a bell and stoup of holy water. Done in the cemetery of said church, time of high mass at about 11 a.m. Witnesses: Patrick Mur of Cloncard, Alexander Kennede of Bogend, Mr Quentin Kennede, vicar of Girvan⁸, James Rankyn, and Alexander Mur, notary. 8r.

10. 27 Oct., 1545. Instrument narrating that Adam Boyd in Pynkill acknowledged that he was fully paid by the hands of Stephen McTeyr of all rents and profits of the lands of Drum-moyr, in the barony of Knokdoleane, up to this date. Done at Dowarne, at about 3 p.m. Witnesses: Duncan McCanrick, Arthur McClurg, Dougal McCrynnill. 48r.

11. Same date. Dougal McCrynnill requested Janet McClurg, relict of Malcolm McCrynnill, for the natural portion of his goods,

5 Cf. *Protocol Book of Gavin Ros.* (Scottish Record Society) nos. 778, 966, 980.

6-6 MS. defective. George Kennedy, vicar of Holywood, and cousin of the abbot of Crosraguell, died about 1550 (*Crossraguell Chrs.* p. 100; *Ayrshire Coll.*, 3, p. 51).

7 A low hill at Girvan on which the Bailie Court of Carrick was often held. Instances are on record from the early 16th to the middle of the 18th century. Abercrombie spells it "Knockoshin."

8 Became abbot of Crossraguell in 1548.

which, if she refused, he protested that in future he should be able to uplift the same "cum etate" and all profits thereof. Done at Pynnant at about 6 p.m. Witnesses: Arthur McClurg and John Fergusson. 48r.

12. 31 Oct., 1545. Instrument at the instance of Duncan McCrynnill, narrating that James Eklis of that ilk passed to the 40s. lands of Enocht in the parish of Kirkoswald, and there gave sasine of the said lands to the said Duncan McCrynnill and his heirs in terms of a charter to be made to him. Done on the said lands at about 3 p.m. Witnesses: John Kennede elder, Adam Boyd in Pynkill, Thomas Boyd, and Arthur McClurg. 9r.

13. Same date. At the same time Adam Boyd protested that the above sasine should not injure Janet Grahame, spouse of the said James Eklis. 9r.

14. 2 Nov., 1545. Instrument narrating that Janet McClurg, executrix and intromitter with the goods of the late Malcolm McCrynnill, on the one part, and Duncan McKanrik of Crechtdow on the other part, after accounting quitclaimed and discharged each other of the goods and gear held by them to the date of the presents, except for £5 Scots which Duncan obliged himself to pay to Janet at the feast of St. John the Baptist next to come, for which (Thomas) McCayk in Ballochtowle became cautioner. Done at Ballochtowle at about 1 p.m. Witnesses: John Kennede in Dunnemuk, Robert Campbell, David Colvill, and Thomas McCaig. 10r.

15. 2 Nov., 1545. Instrument narrating that Janet Colvill, lady of Crechtdow, acknowledged payment by the hands of Duncan McKanrik, her son, of all debts etc. which she could claim from him to date, especially of the rents of the 20s. lands of Crechtdow and the 20s lands of Tayng up to Martinmas, 1547. And from that date the said Janet has set and leased the said lands of Crechtdow and Tayng to Duncan, whence he shall pay yearly to her 10 bolls of meal and one stone of wool at the usual terms. Provided that the said Janet shall allow and discharge the said Duncan, her son, of the said meal and wool yearly for all the years in which he maintains his mother in meat, drink and clothing without hindrance during said time. Done at Duncan's dwelling place of Crechtdow, at about 2 p.m. Witnesses: John Kennede in Dunnemuk, Thomas McCayk⁹, David Colvill. 10v, 48v.

9 "McCaig" at fo. 48v.

16. 5 Nov., 1545. Instrument, at the instance of Gilbert Bordland, narrating that he protested that a brieve of inquest produced by Mr John Scot and sir John Kennede, prebendary of Maybole, attornies of Mr James Scott, son and heir of the late Janet Adamson, his mother, should not injure the heritage of Adam Boyd in Pynkill of the lands contained in the brieve produced. Done in the new house of Maybole at the time of the court held there at about 1 p.m. Witnesses: the abbot of Crosraguell, Thomas Kennede of Coyf, John Kennede of Kyrkmychaell, Thomas Corry of Kelwod, Alexander Mur, notary. 9v.

17. 14 Nov., 1545. Instrument at the instance of John Kirkpatrick narrating that William, commendator of the monastery of Holywood¹⁰, ordered John Walche and John Thomson, tenants of the 4 merk lands of Bracho, held in tack of the commendator, to pay their yearly tack duties to John Kirkpatrick of Freyars, namely 50 bolls of oats and 40s. Scots, and to accept the acquittance of John Kirkpatrick for same. Done in the church of Holywood, at about 11 a.m. Witnesses: Thomas Kennede of Coyf, John Douglas, brother of the laird of Drumlanryg, John Maxvald in Kilbane, and John Jardane. 11v.

18. 3 Feb., 1545/46. Instrument of resignation and sasine whereby William McNedar, skinner in Maybole, resigned the following annualrents into the hands of sir James Rais¹, prebendary of the collegiate church of Maybole, as superior, in favour of Alexander Kennede, son of Thomas K. of Knockreoch: (1) 6s 8d Scots to be uplifed yearly at Whitsunday and Martinmas in equal parts, from the yard, tenement and lands of Allan Campbell extending to a rood of land in the burgh of Maybole between the tenement and lands of James Rychert on the east and Bessie Strathill on the west; (2) 18d Scots from the yard etc. of Bessie Strathill, extending to a rood of land between the tenement etc. of Allan Campbell on the east and of James Rychert on the west; (3) 30d. from the yard etc., of James Tennand extending to a rood of land between the tenement of David Lennox on the west end and of James Rychert on the east; (4) 30d. from the tenement of David Lennox extending to a rood of land lying between the tenement etc. of James Tennand on the east and of Robert Kennede on the west; (5) 5s. 4d. from the tenement, etc., of Robert Kennede extending to half a (rood?)² of land between the tenement of David Lennox

10 William Kennedy, abbot of Crossraguell, was made commendator of Holywood Abbey on 27 April, 1524 (W. M. Brady, *The Episcopal Succession in England, Scotland and Ireland, 1400-1875* (1876-7), i, 184).

1 Sir John Rais was prebendary of Stall III of the collegiate church of Maybole until at least 1555. (*Proc. Soc. Ant. Scot.*, 1912-13, p. 198). He appears frequently in these protocols as chaplain and prebendary. He was probably of the family of Rais in Drumgrange in the parish of Maybole.

2 MS, defective.

on the east and of Allan Campbell on the west; (6) 3s. from the tenement etc. of Allan Campbell extending to a rood of land between the tenement of Robert Kennede on the east and of Thomas McIlmun on the west; (7) 30d. from the tenement and lands of James Rychert extending to a rood of land between the lands of Bessie Strathill on the east and of James Tennand on the west: after which resignation the said prebendary gave sasine to Alexander Kennede heritably by delivery of a penny, the said Alexander and his heirs rendering to the superior and his successors, prebendaries of the said church, an annualrent of 7s. 6d. yearly, with power, in case of failure to pay in whole or part, to the prebendaries to distrain the inhabitants of the said tenements and to uplift the annualrent, which is also to be duplicated at the first entry of heirs. Done on the said roods at about 7 a.m. Witnesses: John Fergusson, John Lamme, Alexander Gretrig and sir John McClalane, chaplain. 3r.

19. 3 Feb., 1545/46. Instrument of resignation and sasine narrating that James Rychert in Machramore resigned in the hands of sir John Rais, prebendary of Maybole, as superior, three roods and six ells of land in length, four ells in width, with house built thereon, in the burgh of Maybole, having the public road to Corsuile³ on the north, the public road to Woltreis⁴ on the south, the rood of Allan Campbell on the west and the acre of William McNedar on the east, whereupon the above superior gave new sasine to the said James. Done on the ground of the said roods at about 9 a.m. Witnesses: Alexander Gretryg, Robert Kennede, sir John McClalane, chaplain. 6r.

20. ⁵ . . . ⁵ Feb., 1545/46. Instrument narrating that David Kennedy of Crochtba set and leased to James K., his elder son and heir apparent, 20s. of lands of Drumba in the parish of Maybole for the lifetime of said David, with entry at Whitsunday next, he paying yearly to his father £5 Scots and 40s for his entry at Whitsunday, 1547. Moreover James shall build a sufficient house of two "kippill"⁶ on the lands of Achingerne between now and Whitsunday, 1547. Done at the gate ("Janua") of the lady Auchindrane at about 10 a.m. Witnesses: James Kennede of Drummillane, Alexander Bard, John Kennede, and Thomas McCarne.

7r.

3 Perhaps Crosshill

4 See note on No. 2.

5-5 MS. defective.

6 i.e. "couples" — a pair of sloping rafters. For this style of building, see *Proc. Soc. Ant. Scot.*, 1956-57, p. 91.

21. Date wanting (Mar., 1545/46)⁷. Instrument in vernacular narrating that "in the menetye of the fynding the saids persones salbe guid and thankfull servandis to the said Arthour (McClurg) in all maner of service during the tyme of thare said fynding, as uncouth and fremyt wald be, and for the said service the saidis persones puttis thaim in the said Arthouris will of thare feis during the said tyme of fynding and the said Arthour sall gif to the said Bess Mur at the ische of hyr fynding and the said William (McClurg) ane payr of blankatis, ane payr of schetis sufficient, ane sufficient fyre weschell, ane honest kirtill and ane cloyk, except hyr daylie clothing for the tyme, and the half of all offeringis the dayis of the marriage to be free to the saidis William and Besse, but ony allowing of ony payment of the premissis, and tother half allowit to thame in part of payment of the premissis." Bessie shall resign to Arthur all right and title which she has to any goods or gear in the hands of her brother, John Mur in the Largis, or in any other person's hand, by the decease of her mother, sister and father or otherwise. James Colvill, the notary, subscribed for the above persons because Arthur and William could not write. Witnesses: Andrew McChrutour in Culdoycht, Jok McClurg in Kilmoyr, John McCowle. 12r.

22. ⁸ . . . ⁸ Mar., 1545/46. Instrument at the instance of Arthur McClurg narrating that Bessie Mur, daughter of deceased red John Mur ("rubei Johannis Mur"), appointed Arthur McClurg her assignee in and to her portion from her deceased father and mother and (blank) Mur, her sister, and now in the hands of her brother, John Mur in the Largis, as executor. And this she did because Arthur obliged himself to her and to William McClurg, her future spouse, for the sum of £20 Scots as in the contract betwixt them, and for her maintenance from infancy till now in meat, drink, clothing and all other necessities. Done at the cemetery of Stratoun, about 6 p.m. Witnesses: Alexander Lokart, burgess of Ayr, Allan McQuyn, and Niven Spreull. 13r.

23. Same date. Bessie Mur made acknowledgment as above for the goods of (blank) Mur, her late sister. 14r.

24. 4 Apr., 1546. Instrument narrating that Patrick McIlwrayth acknowledged to have bought from Thomas Kennade of Knokreocht three bolls of barley for £6 Scots, which three bolls Patrick received from the hands of William McTagert, and he bound himself to pay the £6 to Thomas Kennede at Martinmas next and gave a groat (?) ("quaternionem") as earnest. Done in the

⁷ A folio containing the date and beginning of this instrument is missing. Some information has been supplied from no. 22 *infra*.

⁸⁻⁸ MS. defective.

garden of Ardmillane at about 5 p.m. Witnesses: John Fergusson, Finlay McCollo, James Myllar, and Fergus McAlexander. 14v.

25. 28 Apr., 1546. Instrument at the instance of James Kennede younger narrating that James Kennede in Culnane resigned in favour of the said James Kennede, his elder son, all right etc. to the 5½ merk lands of Culnane which he had in rental from the abbot and convent of Melros, in the lordship of Monkland and parish of Maybole, reserving the granter's liferent with full power to lease to any husbandman ("agricole") for three successive years only; and he obliged himself not to intromit etc. with peats and turfs except for the needs of himself and the tenants and inhabitants of the lands. Failing the elder James, his son shall support Elizabeth Kennede, his mother, in food and clothing for life. Done in the cemetery of the parish church of Maybole at about 4 p.m. Witnesses: John Kennede in Lithill Smethstoun, James Kennede, brother of Hugh K. in Dunnene, John Kennede, son of the above James K. elder. 15r.

26. 1 May, 1546. Instrument narrating that Robert Cathcart of Carloun warned Thomas Kennede of Knockdaw personally at his dwelling place of Knockdaw to receive from him the sum of 40 merks Scots on the eve of Whitsunday next upon the altar of the church of Calmonell, for redemption of the half merk lands of Ferdonedrongane in the parish of Calmonell. Done in the hall ("aula") of Knockday at about 3 p.m. Witnesses: Hugh Cathcart and sir Robert Kennede, chaplain. 15v.

27. 10 May, 1546. Instrument at the instance of Arthur McClurg narrating that Dougall McCrynnill acknowledged to have received from Janet McClurg £5 Scots in complete payment of £39 in part payment of a larger sum promised to him as dowry by a marriage contract between him and Janet Colvill, daughter of said Janet McClurg. Done at the houses of Ballachtowle at about 1 p.m. Witnesses: John Lyill elder, John Lyill younger, and John Fergusson. 16r.

28. 10 May, 1546. Instrument at the instance of Dougall McCrynnill narrating that Janet McClurg, relict and executrix of Malcolm McCrynnill, acknowledged to have delivered to him the sum of £5 Scots by Duncan McKanrik, for which sum Thomas McCaik was cautioner, and she ordained the notary to subscribe an acquittance to Duncan. Place and witness as in no. 27 supra. 16v.

29. 14 May, 1546. Instrument at the instance of Thomas Kennede of Knockreoch narrating that Thomas McGe in Cragin-

gare became cautioner for John McGe in Dyrre to the above Thomas Kennede and Janet Corre, his spouse, to deliver to them at the feast of Philip and James called Beltane, 80 sheep, namely, 52 healthy milk sheep with their lambs and wool, and 28 barren sheep, also 28 cows, namely 18 milk cows and 10 sterile, and to pay them £21 Scots yearly for the said goods and lands of Dyrre, and Thomas McGe to remain cautioner until complete payment be made to the said Thomas and Janet. Done in the close ("clauastro") of Ardmillane at about 4 p.m. Witnesses: Alexander Kennede, John McCrynnill alias "Reyd Couper," sir Thomas Wrycht, chaplain. 17r.

30. 17 May, 1546. Instrument of resignation and sasine narrating that Robert Kennede, alias "Reid Robene," in Maybole, resigned by staff and baton his rood of land in Maybole, lying between other lands of his on the east and the lands of Thomas McIlum on the west, the road leading to Corseuile on the north and the public road leading to Weltreis on the south, in the hands of sir John Rais, prebendary of Maybole, as superior, for new sasine in favour of John Davidson and Christine Campbell, his spouse, of the above rood, to be held by them and their heirs of the said prebendary and his successors for payment of 4d. Scots yearly in augmentation of rental in name of feu-farm only, paying also to Alexander Kennede, his heirs and assignees 32d. Scots yearly, with one year's rent on the first entry of heirs. Done on the said rood at about 10 a.m. Witnesses: David Kennede, William McNedar, John Fergusson, sir John McClalane, chaplain. (cf. no. 55 *infra*). 19r.

31. 22 May, 1546. Instrument narrating that David Durie, procurator of Lord James (Stewart), commendator of Kelso and Melros, compeared before Thomas Kennede of Knokreocht, bailie of the said commendator, sitting in judgment in a court of the said lordship, and required all and sundry the tenants and indwellers of his lands in his lordship of Monkland, present for the most part, to produce in a court held the same day on the lands — as in a head and peremptory court ("curia capitali et peremptoria")—their evidents, letters of tack, rental entries and other evidents, with intimation that if they did not produce their rights it should then be lawful for the lord commendator to intromit and dispone upon the lands at his pleasure.

Immediately there compeared Thomas Kennede of Knokreocht, bailie aforesaid, protesting for Gilbert, Earl of Cassillis, one of the tenants of the said lordship, that notwithstanding the non-production of his evidents it should not turn to his loss or prejudice because the Earl is now occupied on his various necessary affairs and likewise in the service of the Queen.

David Durie acknowledged at the instance of the above Thomas that he had seen and read at length the evidents by which the said Thomas holds 22½ merk lands of the lordship of Monkland and belonging to Thomas and his heirs in fee and heritage.

Immediately compeared Alexander Kennede in Bogend, one of the tenants of Monkland, for the interest of Margaret Kennede, now his spouse, asserting that she was for several years bypast possessor of the 40s. land of Mekill⁹ Smethstoun and that she is in rental and possession of the lands, which is sufficient title by which she holds the lands of the commendator.

Then compeared Thomas Kennede of Knokreocht denying that the spouse of Alexander Kennede is in rental of the lands of Litill Smethstoun and asserting in the name of John Kennede that Gilbert Kennede, father of John, was in rental of the same as John now is.

Then lastly, because the said Thomas Kennede acknowledged that Gilbert formerly was in rental of the said lands, Alexander Kennede asked instruments.

Done at the hill ("montem") of Grange called the "Moyt" at about 1 p.m. Witnesses: James Kennede in Culnane, James Kennede in Knockdone, Robert Rychert, David Mur and sir Thomas Wrycht, chaplain. 17v.

32. 24 June, 1546. Instrument narrating that Thomas Kennede of Bargany acknowledged he was well content that Duncan McCrynnill, son and heir of deceased Malcolm McCrynnill, should sell and alienate the 20s. lands of Troweys¹⁰ (which Duncan has from him in pledge of a sum of money as contained in his reversion) to whomsoever may better please Duncan anent the sum, and the laird ("dominus") of Bargany obliged himself to receive Duncan's resignation of the lands in favour of any person or persons pleasing to Duncan and to give sasine. Done upon the green ("veriderio") of Bargany, at about 3 p.m. Witnesses: James Kennede of Crochtba, Arthur McClurg, Gilbert Mathe and John Fergusson. 20r.

33. 26 June, 1546. Instrument at the instance of Fergus McDowell of Frewcht narrating that John McDowell of Grosland resigned the 4 merk lands of Mekill Portaspetill, the one merk land of Achork, the 3 merk lands of Mydtoun of Lochens, the one merk land of Dowchraye and the one merk land of Dunba in the sheriffdom of Wygtoun, into the hands of James, earl of Arran, governor of Scotland, for new sasine to John himself and Janet¹ Campbell, his spouse, and their heirs. Done in the cemetery

⁹ Written over "Litill".

¹⁰ Perhaps an error for "Troweyr".

¹ RMS, 1513-46, No. 3128 gives "Marion".

of the Friars Minor of Striveling at about 8 p.m. Witnesses: William Kennede, brother-german of ². . . ³, James Hamiltoun of Prestoun, Alexander Ad(ayr) of Kynhilt, David Kennede of Penneglen, sir ². . . ³Adayr, chaplain, and Gilbert McDowell. 5v.

34. Same date. Instrument at the instance of James Kennede, brother-german of Hugh Kennede in Dunnene, narrating that Hector Fergusson in Garpene acknowledged he owed the said James two bolls of bear ("ordei") and £3 5s. Scots and that he was cautioner to him for James Barde of Drummulene for one boll of bear. Done at the lodging of Hugh Kennede in Maybole at about 5 p.m. Witnesses: Adam Borthuik, Patrick Fergusson and John Lok. 20v.

35. 29 June, 1546. Instrument at the instance of James Kennede of Blairquhan narrating that Janet Kennede, spouse of John McQuyn in Carlingwerk, had received from him the sum of £5 Scots for their rents of the lands of Dalchouane, conjunct fee of Janet, which she obliged herself to make James Kennede in Culnane, her father, allow to the said James Kennede of Blairquhan at their second account, because he has the lands in tack of her said father. Done at the gate of Cumstoun at about 3 p.m. Witnesses: James Kennede of Largis, James Inglis, Adam Murraye.

20v., 35r., 49r.

36. 16 July, 1546. Instrument narrating that James Kennede in Culnane acknowledged payment by James Kennede of Blairquhan of all fermes and profits of money and grain for the 20s. lands of Dalchouane belonging to Janet Kennede, his daughter, in conjunct fee and leased to the said laird of Blairquhan. Done in the hall of Blairquhan at about 4 p.m. Witnesses: James Kennede in (sic) Largis, John Kennede of Giltre, James McGe. 21r., 35r., 49r.

37. Same date. Instrument at the instance of James Kennede, alias Black James, narrating that Marion McQuyn obliged herself to abide under the advice and protection of himself and of John Schaw concerning damages sought ("impetrata") by William Stele against her, and that she took solemn oath that she had not received any satisfaction from William nor from any other in his name and that she would not receive satisfaction without the counsel and advice of James and John. Done on the green of Blairquhan at about 8 a.m. Witnesses: John Maxvald and Patrick McGe. 21v.

38. 3 Sept., 1546. Instrument at the instance of Marion Kennede, spouse of Gilbert Lennox, narrating that John Kennede, laird of Giltre, acknowledged he owed Gilbert Lennox the sum of £20 Scots for certain dues and accounts. Done in the hall of Blairquhan, at about 10 a.m. Witnesses: James Kennede of Blairquhan, William Murraye, Duncan McCallane and ³G . . . the³. 21v.

39. 28 Sept., 1546. Instrument narrating that James Steinsoun, "factor" of the parish church of Kyrkmychaell, acknowledged that he had received from the hands of James Kennede of Blairquhan the sum of £66 Scots in name of Sir Neil Montgomery of Langschaw knight in terms of a document ("cedule") signed by Sir Neil and sent to the said James; for which money Cuthbert Dik in Gyltrehill became cautioner. Done in the bedchamber ("cubiculo") of the laird of Blairquhan, at about 5 p.m. Witnesses: Gilbert Kennede, younger of Blairquhan, and Thomas McCluys⁴. 22r., 35r., 49r.

40. 5 Dec., 1546. Instrument at the instance of Marion Prestoun narrating that William Fergusson, son and apparent heir of Duncan F. of Kilkarane, obliged himself that as soon as he was infeft by charter and sasine by his father in the 20s. lands of Clonreocht and Machringill with the chapel lands he would infeft her in the lands in liferent, reserving the freetenement to Duncan Fergusson for his life; giving to Marion full power of tack and lease of the lands during the said time. Done at the "Golkthorne"⁵ at about 9 a.m. Witnesses: Gilbert Fergusson, James Kennede of Blairquhan, Gilbert Kennede, his son, James Kennede of Largis. 22v.

41. 6 Dec., 1546. Instrument at the instance of William Fergusson narrating that Duncan Fergusson of Kilkarane gave sasine 'propriis manibus' of the half merk land of Knokrochir and of the half mery land of Ferdene, the half merk land of Clonreocht and the 40d. land of Machringill with the chapel lands adjacent, with tower, fortalice, manor place, gardens and orchards, situated on the said lands, to William Fergusson, his son and heir apparent and his heirs, in terms of a charter. Duncan also gave sasine to his son of the half merk land of Daltangane and Miltoun with the mill, and of the merk land of McWatestoun now occupied by David Mur, and the half merk land of Park, and the half merk

3-3 MS. defective.

⁴ Designated "miller" at fos. 35r. and 49r.

⁵ The Gowkthorne was a small farm at the head of the Knockingilloch burn (marked on Pont's map) in the parish of Dailly. west of the road to Newton Stewart. The name is marked on an estate map of 1813.

lands called Duncane Lowbestoun and Clandocht now occupied by John Ros.⁶ Done as to the first sasine in the hall of Kilkarane and as to the second sasine on the ground of Daltangane at about 10 a.m. Witnesses: Gilbert Fergusson, Duncan Fergusson in Drumchirne, James McGurne and Gilbert McCallane. 23r., 35v., 49v.

42. Same date. Instrument at the instance of Marion Prestoun narrating that William Fergusson of Kilkarane obliged himself and his heirs to give sasine in liferent to Marion of the half merk land of Ferdene and the half merk land of Clonreoch and the 40d. land of Machringill with the chapel,⁷ and that at the mandate of Duncan Fergusson of Kilkarane who was formerly bound thereto. Done at Kilkarane at about noon. Witnesses: Gilbert Fergusson and Duncan Fergusson. 50r.

43. Same date. Instrument narrating that William Fergusson, lord of the fee of the 20s. and 40d. lands of Clonreoch and Machringill with the chapel lands, gave sasine 'propriis manibus' to Marion Prestoun in liferent; reserving the freetenement to Duncan Fergusson (cf. no. 40 supra). Done on the lands at about noon. Witnesses as in no. 41 supra. 23v.

44. 30 Dec., 1546. Instrument narrating that Andrew Graham of Knokdolean passed to his £5 lands of Crayg and there gave sasine to William Kennede of Carnagannacht, attorney of James Kennede of Blairquhan, and of the heirs of the said James in terms of a charter. And the foresaid William showed his letters of attorney to the notary to be read by him. Andrew Graham also passed to the £5 lands of Manes of Knokdolean and also gave sasine to the said attorney. Done on the lands at about 2 p.m. Witnesses: Andrew Kennede, brother of the said William, David Mur, Andrew Jonsoun and William McAngelus. 24r., 36r., 50r.

45. 21 Jan., 1546/47. Instrument narrating that Thomas McClelane in Auohlene, cautioner for Alexander McCullocht of Cardines and Bessie McClalane, his spouse, acknowledged that the said Alexander was owing to James Kennede of Blairquhan and Agnes Murray, his spouse, the sum of £50 Scots for certain bypast terms of the lands of Cardines belonging to Agnes in conjunct-fee and for the third of the said lands likewise belonging to Agnes and James Kennede for his interest, and held in tack from them by said laird of Cardines; which sum of £50 James and Agnes were ready to receive to account but Thomas and Bessie were not able to pay. Providing that it should be lawful for James Kennede and Agnes to

6 The copies at fos. 35v. and 49v. reserve Duncan's freetenement in the lands.

7 On the chapel see Collections, 1st series, iii. pp. 99-104.

claim from the said laird of Cardines and his cautioner another £50 Scots still outstanding. Moreover the said Thomas McClelane as cautioner bound himself to pay to James and Agnes the aforesaid £50 at Easter with all other sums owing. Done in the hall of Cumstoun at about 2 p.m. Witnesses: Adam Murray, James Stewart, younger of Argowane, John McClelane in Castlecruyk and Gilbert Kennede, younger of Blarquhan. 36v., 50v.

46. 8 Apr., 1574. Instrument narrating that Duncan Fergusson of Kilkarane appointed James Kennedy of Blarquhan his assignee for redemption of the 10 merk lands of Librak, in the sherifffdom of Wigtoun, from Duncan Craufurd of Camlarg, which lands were apprised to the said Duncan for certain sums of money. And after the redemption James Kennedy bound himself to grant, sign and seal a letter of reversion for redemption of the lands from him on payment of the said sums and this at the sight and counsel of the Governor, the Earl of Argyll, Sir John Campbell of Lundy knight and other friends of Duncan, before whom he bound himself to present the said Duncan at his own (Kennedy's) cost. Done upon the green of Blairquhan at about 3 p.m. Witnesses: Thomas Fergusson in Auchensoule, William Fergusson, his son, Adam Murray, and Gilbert Kennedy, younger of Blarquhan. 51r.

47. Same date. Instrument narrating that James Kennedy of Blarquhan obliged himself to William Fergusson, son of Duncan Fergusson of Kilkarane, because Duncan Fergusson made James Kennedy his assignee for redeeming the lands of Librak from Duncan Craufurd of Camlarg for £553. 12s. 6d. Scots, for which reason said James obliged himself to grant to William a sufficient letter of reversion for redemption of the lands, containing the said sum only with the expenses of evidents and apprising. And that, when required on 40 days' warning, the said James shall compear in the parish church of Daly to receive the said sum on the high altar, and if he be absent William or his heirs, etc. shall count out the money on the high altar and leave it in sure keeping, and James Kennedie shall resign the lands in favour of William Fergusson, his heirs, etc. Place, time and witnesses as in no. 46 supra. 51v.

48. 13 May, 1547. Instrument narrating that the said James Kennedy, as assignee above-named to redeem the 10 merk lands of Librak, counted the sums of £533 12. 6d. and £10 expenses and offered the same to Duncan Craufurd of Camlairg according to the process of apprising. Done in the church of St. Giles, Edinburgh, at about 11 a.m. Witnesses: John Wallace, tutor of Cragy, Thomas Colville of Pemont, Adam Murray, Alexander Glasfurd, and John Mur of Auchindrane. 52r.

49. 14 May, 1547. Instrument narrating that the above James Kennedy acknowledged that he had redeemed the 10 merk lands of Librak from Duncan Craufurd and bound himself to grant a reversion (as in no. 47 supra). Done at St. Giles' at about 6 p.m. Witnesses : Andrew Murray, James Kennedie alias 'Black James', Alexander Glasfurd, William Fergusson, Gilbert Kennedy, younger of Blarquhan. 52v.

50. 26 May, 1547. Instrument at the instance of Duncan Kennedy and Constantine Campble for Janet Campble narrating that Duncan Kennedy, alias McHenrik, of Creochtdow, resigned the 20s. lands of Creochtdow, adjacent to the lands of Balloch-towle, in the hands of Thomas Kennedy of Bargany as superior for new infeftment to himself and Janet Campble, his spouse, which resignation being made and received, the said Thomas gave sasine of said lands to Duncan and Janet in conjunct fee, according to a charter to be made, by ward and relief and marriage. Done on said lands at about 5 p.m. Witnesses: John McDowell of Mundouk, John Dunbar of Knokschynnok, Constantine Campble of Cragdow, Thomas Colville of Pemont, Gilbert Mathe, William Burnett, John Blayr of Myddilauchindrane. 53v.

51. Same date. Instrument narrating that Thomas Kennedy of Bargany acknowledged that Duncan Kennedy, alias McHenrik, of Crechtdow, assignee of deceased Hugh Kennedy, alias McHenrik, of Crechtdow, his father, had redeemed the 20s. lands of Taynge in the earldom of Carrik in terms of a letter of reversion by deceased Alexander Kennedy of Bargany to the said Hugh Kennedy. And therefore the said Thomas had resigned to Duncan all right and claim to the said lands, except the superiority of the same and letters of tack after the redemption for three years. After which resignation the said Thomas gave sasine of the lands to Duncan, in terms of his old infeftment, whereupon Duncan resigned the same into the hands of the said laird of Bargany as superior for new infeftment in favour of himself and Janet Campble, his spouse, and received sasine as in no. 50 supra. Done on said lands at about 6 p.m. Witnesses as in no. 50 supra. 53v.

52. Same date. Duncan Kennedy obliged himself to Constantine Campble that if Thomas Kennedy of Bargany should acquire ("invenire") letters of quitclaim of the reversion of the lands of Tayng, by virtue of which Duncan was obliged to resign the said lands to Thomas for the sum of £60 Scots, in that case he should place that sum on lands and infeft Janet Campble in the same in liferent. Place and hour as in no. 51 supra. Witnesses as in no. 50 supra. 54r.

53. 28 May, 1547. Instrument at the instance of Thomas Colville narrating that Janet McClurg, relict of Malcolm McCrynnill in Pynnanacht, acknowledged that the 20s. lands of Ravinscraige and Clondrischraige were lawfully redeemed by Thomas Colville of Pemont by payment to her of 50 merks Scots, upon which she resigned the lands in his hands as superior. Done in the wood of Bargany at about 3 p.m. Witnesses: James McHenrik, Andrew Adrynan, Arthur McClurg, and John Blayr of Middil-auchindrane, notary public. 54v.

54. 2 June, 1547. Instrument narrating that James Kennedy of Largis in name of James Kennedy of Blarquhan and Duncan Fergusson of Kilkarane, compeared in the court of Brochloch, in the bailiary of Carrik, held by Duncan Craufurd of Camlarg, and there protested that whatever had been done in that court should not injure the said James Kennedy and Duncan Fergusson and that Duncan Craufurd had been in no way hindered in holding the said court and that the tenants who were present answered with proper obedience and respect and he fined the absent. Likewise James, by virtue of letters from the Queen, required the said Duncan Craufurd, personally apprehended in court, to pay to Duncan Fergusson of Kilkarane the rents of the lands named in said letters, and to cease from intromission with the lands of Brochloch, Cunra and the mill thereof, or to compear before the Lords of Council on 25 June instant to allege reasonable cause why he ought not to do so. Done at the dwelling house of Brochloch at about noon. Witnesses: Gilbert Fergusson, William Fergusson, Walter McCarne, and John Fergusson. 54v.

55. 30 June, 1547. Instrument at the instance of James Kennedy narrating that John Daveson and Cristine Campble, spouses, resigned a rood of land in Maybole⁸ in the hands of sir John Rais, chaplain and prebendary of Maybole, as superior for heritable sasine to be given to James Kennedy, brother german of Hugh Kennedy of Dunneyne. Done at Maybole in the cemetery of the parish church there at about 3 p.m. 55r.

56. 2 July, 1547. Instrument narrating that Hugh Kennedy of Gervanemanes, as procurator for dame Margaret Mur of Skeldoun, relict of Neil Montgomery of Langschaw, knight, passed to the personal presence of Malcolm Flemyng, prior of Quhitherne, and offered to deliver the sum of £51.6s.8d. for the rents of the church of St. Michael called Kyrkmychaell for the term of the Nativity of St. John Baptist (Midsummer) last, which sum the prior refused to receive, protesting however that this refusal should not

8 The boundaries have been left blank, cf. no. 30 supra.

prejudice him in future if a suit now pending before the Lords of Council anent the right and title of the church, which dame Margaret claimed, should show that the sum legally belonged to him. Done in the chamber of said prior, at about 4 p.m. Witnesses: William Kennedy, Andrew Gray, William Flemyng and John Campble. 55v.

57. 23 Aug., 1548. Instrument narrating that Thomas Kennedy of Bargany passed to the 4 merk lands of Corrierie in the barony of Arstinchar and there gave sasine of the lands to John McNele, son and heir of deceased Gilbert McNele in Barnevennak, in terms of a blench charter. Done on the lands at about 4 p.m. Witnesses: Archibald Tod, John Alexander in Furdhous, William McAlexander, younger of Dalreocht, Duncan Kennedy of Carlok,⁹ and Sir Roland McNele, chaplain and notary public. 55v.

58. Same date. Thomas Kennedy of Bargany granted the merk land of Barnavennak, now occupied by John McNele, to the said John in free excambion for said 4 merk lands of Corriere alienated to John McNele by Thomas Kennedy under letters of reversion by giving to said John, his heirs, etc., free power of occupying, setting in tack or cultivating the said merk land of Barnvennak without hindrance until the lands of Corriere were redeemed by Thomas, in terms of the letters of reversion. And if John or his heirs should be disturbed in their possession of Barnavennak then he or they should have regress to the 4 merk lands of Corriere without impediment till they be lawfully redeemed. Same place, hour and witnesses as in no. 57 supra. 56r.

59. Same date. Instrument narrating that Thomas Kennedy of Bargany passed to the 15s. lands of Kilquhonell in the barony of Arstinchar, and gave sasine of the same to John McNele, son and heir of deceased Gilbert McNele in Barnavennak, in terms of a blench charter. Done on the lands at about 4 p.m. Witnesses as in no. 57 supra¹⁰ 56v.

60. Same date. Instrument narrating that the same Thomas Kennedy passed to the £3 lands of Auchincrosche, alias Balmuntyr-Cassindow, in the barony of Arstinchar and there as superior of the lands gave sasine to Duncan Kennedy of Carnelok, son and heir of deceased Thomas K. of Carnelok, in terms of his father's infeftment. Done on the lands at about 5 p.m. Witnesses: John McNele in Barnavennak, John McAlexander in Fuirdhous, William McAlexander, younger of Dalreocht, and sir Roland McNele, chaplain and notary public. 56v.

⁹ "Carnelok" in No. 59 infra.

¹⁰ But Duncan Kennedy is designed "of Carnelok".

61. 8 Sept., 1548. Instrument narrating that Thomas Kennedy of Bargany passed to the 2 merk lands of Balluge in the barony of Arstinchar and there gave sasine to John Kennedy, son and heir of deceased John Kennedy of Kyrkmychaell, in terms of a charter of blench-farm made to deceased John Kennedy and of a like charter to be made to John. Done on the lands at about 9 a.m. Witnesses: Alexander Kennedy, burgess of Ayr, David Kennedy of Auchin-flour, and Patrick Dunbar of Knockshynnoch. 59r.

62. 12 Oct., 1548. Instrument narrating that George Kennedy of Balmoclanoguhan appeared holding in his hand a contract, in the books of the Official of Glasgow, between deceased Gilbert Kennedy of Balmoclanoguhan, his father, on the one part, and Thomas Kennedy of Knokreocht and Janet Corre, his spouse, on the other part, containing an obligation by Thomas and Janet for the sum of 400 merks Scots for the dowry of Katherine Kennedy, daughter of Janet Corre, for which the said George Kennedy, seeing by inspection of his father's discharge that his father had received the said sum from Thomas Kennedy, discharged the said Thomas and Janet and took the letters of quitclaim with him. Done at Glasgow before the door ("coram hostio") of the writers of the consistory of Glasgow at about 2 p.m. Witnesses: Duncan Kennedy of Dalchorrane, John Kennedy in Dunnemuk, John Kennedy in Skeldoun and sir Thomas Wrycht, chaplain. 57r.

63. 23 Oct., 1548. Instrument narrating that Gilbert Agnew of Croycht obliged himself and his heirs to Isabella Kennedy, relict of Patrick Mur of Cloncard, and to Patrick Mur now of Cloncard, that, notwithstanding that the said Isabella as tutrix to Patrick, her son, had set and leased to Gilbert, his heirs, executors, assignees, subtenants, servants and "cottrallis",¹ of no higher degree than himself, the 2½ merk lands of Galdanach and Byrgcerg with a fourth part of the mill thereof for the space of 5 years for payment of 20 merks yearly, he would demit the lands and mill to Isabella and Patrick at the end of the 5 years with all goodwill. Done in the house of Ninian Boyd at Leswalt at about 10 a.m. Witnesses: William Boyd, James Mur and Alexander Kennedy. 58v.

64. 10 Jan., 1548/49. Instrument of sasine following on a precept by Thomas Kennedy of Bargany directed to George Murdocht and Finlay Maxvald as bailies, narrating that he had sold to Alexander Maxvald, son and heir apparent of Fynlay Maxvald, the 20s. lands of Craige occupied by John McCraycht, in the barony of Bargany, to be held in blench-farm. Precept dated at Ayr 29 Dec., 1548. Witnesses: Mr James Colville, William Burnett, and George

1 Cottars.

Murdocht. Signed "Thomas Kennedy of Bargany with my hand." In terms of which precept the said George Murdocht gave sasine on the lands at about 10 a.m. Witnesses to the sasine: Finlay Maxvald, John McCraycht and Fergus Kennedy. 57v.

65. 2 Feb., 1548/49. Instrument narrating that Thomas Kennedy of Bargany passed to the 2 merk lands of Litill Bennen occupied by the deceased Gilbert McCalman, in the barony of Arstinchar, and there gave sasine to James McCalman, son and heir of Gilbert McC., in terms of a charter of blench-farm made to his late father, and of a like charter to be made to James, reserving to the granter the great meadow ("magno prato") of the said lands, adjacent to the lands of Balcrewquhan, which meadow James and his heirs shall deliver yearly in hay to the said Thomas at their own costs. Done on the lands at about noon. Witnesses: John Blayr, and sir Lambert Blayr, chaplain and notary public. 58v.

66. 20 Nov., 1549. Instrument narrating that Lady Helen Sempill, relict of Allan, Lord Cathcart, submitted to the sentence of certain arbiters contained in a submission (dated at Paslay 11 Oct., 1549) between Lady Helen on one part and Allan Cathcart of Clavennis on the other, viz. William Sempill of Thridpart, William Fleming of Barrowquhan, John Craufurd of Craufurdland and John Ernock of Robertoun on behalf of Lady Helen, and John Schaw of Haly, James Chalmer of Gathgirth, Mr John Fullartoun of Dreghorne and Charles Campble of Skeldoun on behalf of Allan Cathcart. But the said Allan had protested that the submission should not prejudice a sum of 400 merks which he craved against the present Lord Cathcart. Allan likewise required the arbiters to pronounce sentence and offered to fulfil it in all points, and Charles Campble of Skeldoun and Mr John Fullartoun of Dreghorne, arbiters on Allan's part, declared that they were unable to give sentence at that time owing to the absence of the testament of the deceased Lord Cathcart which it behoved Lady Helen to produce. Then Allan showed the said arbiters an instrument under the sign and subscription of Sir Rankin Daveson, chaplain and notary,² dated at Sundrum, 11 Nov., 1547, narrating that Lady Helen was content that the goods of Sundrum and Achincrw be appraised by honourable men named in the instrument. Done in the church of the abbey of Paslay at about 11 a.m. Witnesses: Hugh Lakprewik, Robert Cathcart of Carlton and Allan Cathcart, his brother. 59v.

2 Wigtown Charters, p. 236. In 1560 the General Assembly accepted him as a qualified minister (*Book of the Universall Kirk*, i, p. 4) He was exhorter at Loudoun Kirk before becoming vicar of Dalmellington in 1569. (*Fasti*, iii, p. 31).

67. 12 July, 1550. Instrument at the instance of Alexander Schaw and Katherine Kennedy narrating that in the presence of the notary and witnesses the moveable goods of deceased John Kennedy of Cragnele and of Katherine Kennedy, his relict, viz. oxen, cows and sheep, were appraised by William McCornock, William McClymont, Robert Fallasdale and John McClymont to the sum of £54.13s.4s. by command of the earl of Cassillis and were immediately delivered by Alexander Schaw of Auchingerne in name of the said earl to the said Katherine and to William Rychert in keeping. Done at the tower of Cragnele at about 1 p.m. Witnesses: John Kennedy of Kyrkmychaell, David Kennedy of Knokdaw, William Stewart, younger of Dunduff and James McKee in Balholme. 62r.

68. 30 July, 1550. Instrument narrating that Isabella Cathcart in Glendowisk with consent of James Kennedy of Crochtba, her spouse, leased to Thomas Fergusson in Carnelay, his heirs, etc. the 10s. lands of Glenchois in the lordship of Glendowisk and bailiary of Carrik for the space of 10 years from Whitsunday, 1550, and Isabella and James acknowledged to have received from Thomas Fergusson £40 Scots of the said rent, of which they discharged him. They also acknowledged receipt from him of £20 Scots in loan which they bound themselves, their heirs, etc. to pay back within 2 years, failing which they shall lease to Thomas the 10s. land of Kildonane until the £20 be wholly paid. If Isabella should die within the 10 years James Kennedy of Crochtba obliged himself to place Thomas Fergusson in possession of land to the same annual value for the years to run after the death of Isabella, which land shall be from his heritage of Crochtba. Done at Gervane at about 10 a.m. Witnesses: Robert McKaske, Alexander McCaig and Robert Cathcart of Carloun. 62v.

69. 27 Aug., 1550. Instrument at the instance of William Rycher narrating that in the presence of the notary and witnesses Archibald Kennedy of Bardrochatt, William McCornak in Craige, William McClymont and Robert Fallasdale, appraisers valuers of oats and bear growing within the lands of the Mains of Cragnele, declared on oath the oats and bear to be to the quantity of 100 bolls of oats and 10 bolls of bear. Done in the cemetery of the church of St Colmonell at about noon. Witnesses: James McKee in Balholme, Duncan McIlwryk, Alexander Mason and James Wychtman. 62v.

70. (Blank) 1550. Instrument at the instance of Robert Grahame of Knokdoleane narrating that David Kennedy of Culyane, bailie of Carrik, appeared having letters of procuratory of Janet Grahame and Margaret Grahame, daughters and heirs of

line of deceased Robert Grahame of Knokdoleane, and portioners apparent of the undernoted lands, the letters being sealed by them and signed by Henry Prestoun, notary public, and James Eklis, spouse of Janet, at Maybole 25 Oct., 1550. By virtue of which letters the said David passed to the presence of James, Duke of Chattellarault, Earl of Arran, etc., Governor of Scotland, and resigned the 3 merk lands of Hilend, the 2 merk lands of Drummour and the 3 merk lands of Dovarne in the barony of Knokdoleane, in the hands of the Governor as in the hands of the Queen, as Prince of Scotland and Countess of Carrick, in favour of Robert Grahame of Knokdoleane, who had bought the same from Janet Grahame and her spouse and from Margaret Grahame. Done at Arran in the place of the Governor called (blank) at about 4 p.m. Witnesses: Thomas Kennedy of Bargany, (blank) Campbell, Earl of Argyll, James McCrinnill of (blank), Quentin, abbot of Crossraguel, and Hugh Kennedy of Dunneyne. 60v.

71. 8 Dec., 1550. Instrument of sasine on a precept by Robert Grahame of Knokdoleane directed to William McIlmorow as his bailie narrating that he had sold to Robert Cathcart of Carloun an annualrent of 44 merks Scots from the lands of Knokdoleane and Ctorie, extending to 16½ merks of land, commonly called the Manes of Knokdoleane, Bowgang, McClorkanstoun, Isones, Schakschavis and Kennedyis lands, also from the £5 lands of Craigie, to be held of the granter and his heirs in fee and heritage for one penny of blench ferm payable yearly if asked. Precept dated at Maybole 27 Nov., 1550. Witnesses: David Kennedy of Pennyglen, David Mur, James Ros and Henry Prestoun, notary public. Signed "Robert Grahame of Knokdoleane." In terms of which precept the bailie gave sasine at the tower of Knokdoleane at about 1 p.m. Witnesses to sasine: David Purviance, Allan Cathcart and George Campble. 60r.

72. 23 Jan., 1550/51. Instrument narrating that sir Duncan Kennedy, chaplain and prebendary of Maybole, obliged himself to George Kennedy of Balmacclanoquhan to pay to George, his heirs, etc., the sum of £74 Scots at Beltane (May 1st), and he remitted to George all goods, gear, debts and claims he could have against him especially by reason of an assignation made by the late sir John Kennedy, prebendary of the said church, to Duncan. And George Kennedy leased to sir Duncan the merk land of Bardastannocht with entry at Whitsunday next, from which date he shall occupy the same by himself, his servants or "cotrallis"³ for payment yearly of six bolls of meal. George promised to give to

³ See note on No. 63.

Duncan at his entry a proper letter of tack and renounced a process against Duncan before the Lords of Council. Done in the tolbooth of Edinburgh at about 10 a.m. Witnesses: Andrew, Lord Uchiltre, Thomas Kennedy of Bargany, James Kennedy of Blarquhan, sir William Lakprevik, James Kennedy of Crochtba, John McConquhe and Robert Schaw. 61r.

73. 30 Jan., 1550/51. Instrument narrating that William Turnour in the Ros of Dundrynan owed to Fergus Kennedy and James Davesoun, merchants, the sum of £11 10s. Scots, the remainder of a larger sum paid to them for the price of herring bought by him from them. Which sum William obliged himself to pay in the toun ("villa") of Ballantray to Fergus and James or to Robert Kennedy or Isabel Colville, in their name, upon St. Patrick's day next; and Fergus and James acknowledged that they had received the price of the herring, the said sum only excepted. Done at Ballantray at about 1 p.m. Witnesses: Andrew McAlexander of Dalreocht, Alexander Kennedy of Auchinflour, Gilbert Kennedy, Gilbert Rychert and sir Roland McNele, chaplain. 61v.

74. 22 May, 1551. Instrument narrating that Thomas Montgomery, son of the late Neil Montgomery of Langschaw knight, and James Walker, occupier of the 40s. lands of Hallowchapel in the barony of Carltoun, acknowledged an order of premonition of said lands made by Robert Cathcart of Carltoun in his own name through his sergeant. Likewise Robert Cathcart of Carltoun quit-claimed and remitted to James Walker all processes of courts against him as violent occupier of the lands for divers years past with the sums contained in the processes, and this by desire and command of Thomas Montgomery as setter of the said lands to James for certain years and terms bygone. Moreover Robert Cathcart made Thomas Montgomery his assignee to the sums obtained against James Walker, for which the said Thomas and James of their own free will renounced all right, title, goodwill, property and possession of the lands to the said Robert, his heirs, etc., and they shall flit and remove themselves, their goods and their servants with all goodwill. Done in the dwelling-house of Hallowchapel at about 4 p.m. Witnesses: James Kennedy of Crochtba, Hugh Campble, David Purwes and Bernard Stewart. 68v.

75. 23 May, 1551. Instrument narrating that James Kennedy of Crochtba in name of John Eklis of Kildonane, of Isabella Cathcart, his mother and tutrix testamentar, and for his own interest, passed to the lands called Lanelane, occupied by Alexander Eklis, to the lands called Laganfee, occupied by Morice McQuilyane, and to the lands called Blayr, occupied by Gilbert Eklis, extending

in all to a 50s. land (10s. occupied by Alexander, and 20s. each by Gilbert and Morice), and there caused the sergeant and officer to execute an order of ejection and removal of the goods of the said men from the lands and to possess ("possidere") the goods of said John and Isabella and James. And Alexander and Morice denied that they occupied the lands and promised to flit and remove themselves, their servants and goods at Whitsunday next, and Gilbert denied the right of James and declared that he was not willing to remove and flit from the lands he occupied. Done on the lands separately at about 10 and 11 a.m. Witnesses: Robert Cathcart of Carloun, John Cathcart his son and heir apparent, Hugh Campble and Duncan McCrynnill. 69r.

76. Same date. James Kennedy of Crochtba caused apprise 5 fruitful and milk-giving cows ("vaccas fertiles et mulgibiles") belonging to Morice McQuilyane in Laganfee for part of the rents and profits of the lands of Laganfee occupied by the said Morice since the decease of the late earl of Eglintoun to the present date, viz., for the years 1546, 1547 and 1548. These goods valued at £18 belonged to the said John Eklis, Isabella, his mother and tutrix, and the said James Kennedy for his interest, by reason of non-entry of the heirs of the said earl. Gilbert Eklis in Blayr desired the same cows from James Kennedy, obliging himself to pay the £18 within 15 days at the command of Morice, the latter promising faithfully to keep Gilbert skaithless for the said sum, and if Morice failed to pay at the time prescribed he gave Gilbert full power to apprise the said cows or any other of his goods at will to pay the sum and satisfy the said John, Isabella and James Kennedy. Done on the lands of Laganfee at about 11 a.m. Witnesses as in no. 75 supra. 69v.

77. Same date. Katherine McDowell, relict of William Kennedy of Pynquhirre, and Andrew McAlexander of Dalreocht, obliged themselves, their heirs, etc., to warrant and keep Robert Cathcart of Carloun, his heirs, etc., 'skaithless' at the hands of Mr Walter Kennedy, rector of Douglas, and David Kennedy, brother of the deceased William K., and this because Robert at the command of Katherine and Andrew retained the 2 merk land of Pynquhirre from the said Mr Walter and David. Done on the lands of Pynquhirre at about 2 p.m. Witnesses as in no. 75 supra. 69v.

78. 25 May, 1551. Instrument at the instance of James Kennedy of Kirkdomine and Margaret Naper narrating that Andrew Bannachtyne, depute of the bailie of Carrik, in virtue of a precept by the bailie, seen by the notary, passed to the 20s. lands

of Laganscherat and kened and cognosced the third part of the same to Margaret Naper, relict of George McAlexander of Corsclayis. Done on the land at about 4 p.m. Witnesses: Robert Cathcart of Carloun, John Cathcart, his son and heir apparent, James Kennedy of Crochtba and Alexander Mur, notary public. 70r.

79. Same date⁴. Instrument at the instance of above James Kennedy narrating that Robert Cathcart of Carloun, superior of the lands, passed to the 40s. lands of Pynmoyr and Laganscheraut, in the lordship of Carloun, and there gave sasine and possession of the same to Thomas McAlexander, son and heir of deceased George McAlexander of Corsclayis. Done on the lands at about 4 p.m. Witnesses: John Cathcart, son and heir apparent of Robert Cathcart of Carloun, James Kennedy of Crochtba and Alexander Mur, notary public. 70v.

80. 26 May, 1551. Instrument at the instance of the above James Kennedy narrating that Andrew Bannochttynne, bailie depute of Carrik, in terms of a royal precept from chancery⁵ passed to the lands of Corsclayis and Drummour and gave possession of the same to Thomas McAlexander, son and heir of the late George. Done on the lands of Drummour at about 7 p.m. Witnesses: James Craufurd, Stephen McTeyr and Alexander Mur, notary public. 70v.

81. Same date. The said Andrew as bailie in terms of a precept kened and cognosced in third part of the lands to Margaret Naper for her terce of the same and invested her in the terce of the houses thereof. 71v.

82. 27 May, 1551. Instrument narrating that Robert Grahame of Knokdoleane passed to Carnagaunacht one of the dwelling places of William Kennedy and there, although he could not have the personal presence of the said William for his interest (as tutor) of the children ("puerorum") of deceased Andrew Kennedy, his brother, James Kennedy, one of the said children, being personally present along with William's wife, Robert offered his mains land of Knokdoleane extending to £5 of lands or thereabouts to be occupied, laboured and disposed of by them during the time of their right of the same, if they had any. And likewise he passed to Balholme and there offered to Katherine McCullocht, relict of Andrew, and to John Kennedy, their son, the same lands in similar terms. The said Katherine for her own part and on behalf of her children did not wish to accept nor yet to refuse the lands, because of the absence of James McKee, her spouse, and of William

4 Month and day blank in MS.

5 Not engrossed in MS. although blank space left for it.

Kennedy of Carnagawnacht, tutor and governor of her children. She and Robert Grahame craved instruments. Done on the lands of Carnagawnacht and Balholme at about 10 and 11 a.m. Witnesses: James McCalman, Thomas McCalman, Robert McKee and David Kennedy. 74r.

83. 12 June, 1551. Instrument narrating that Fergus McCalloun of Glayk sold and disposed to Finlay McQuille in Dornewall the goods underwritten: 2 milch cows, the one black the other red colour, with one bull calf, 2 oxen of five years, 2 oxen of three years, 10 sheep with 5 lambs and 5 "dunmontis"⁶ for which goods he held himself well paid in money and quitclaimed Finlay. Moreover Finlay immediately with consent of Fergus shall take Margaret McQuille, spouse of Fergus, and support her in raiment, meat and drink, honourably as becomes the said Margaret, with a young child called Cristina McCalloun, until the feast of St Peter ad Vincula (Lammas) next to come. Fergus shall at once make diligent labour for a divorce between him and his said spouse; he shall do what can be done in law to the said Finlay, nor shall any other in name of said Margaret make impediment. Fergus and Finlay craved instruments. Done at the cross of Invervik at about 4 p.m. Witnesses: Thomas McMurtre, younger and elder, Adam McQuille, Thomas Amurquhe, and James Kennedy of Crochtba. 73r.

84. 13 June, 1551. Instrument narrating that Gilbert McCargocht, smith in Colmonell, acknowledged that he had and has the tack or possession of the 20s. lands of Strabrakane or any part of them from Robert Grahame of Knokdoleane, which tack etc. Gilbert transferred to Robert to be used as the latter saw fitting; nevertheless Gilbert shall be able to have so much of the lands yearly as he can labour with his own and make thankful payment for the same as he was wont to pay. Done at Colmonell at about 2 p.m. Witnesses: James McCalman, Thomas McCalman, Robert McKee and David Kennedy. 73v.

85. 19 June, 1551. Instrument narrating that Duncan Fergusson in Glennauly quitclaimed, discharged and renounced a decret obtained by him in the sheriff court of Air against William Fergusson, his brother-german, and the sum contained therein, with all the goods appraised for the said sum. Done at Kirkdomine⁷ at about 3 p.m. Witnesses: Hector Fergusson in Dalduff and Thomas Fergusson. 74v.

⁶ i.e. dinmonts or sheep between their first and second shearings.

⁷ Marked on Pont's map as "Kirkdomy." An ancient chapel on the right bank of the Water of Stinchar, not far from Auchinsoull where William Fergusson lived. There was "a small farmhouse" near it (*Stat. Acct. Scot.* xii. p. 82).

86. 30 July, 1551. Instrument of sasine following on precept from chancery (dated at Edinburgh, 30 June, 1551⁸) directed to David Kennedy as bailie for infefting Robert Grahame of Knokdoleane in the 3 merk lands of Hilend, the 2 merk lands of Drummour and the 2 merk lands of Dovarne, resigned by Janet and Margaret Grahame, daughters of deceased Robert Grahame of Knokdoleane, with consent of James Eklis, spouse of the said Janet⁹. In terms of which precept Nicholas Scherar, sheriff-depute of Air¹⁰, gave sasine. Done on the various lands at about 3 p.m. Witnesses: Robert McGee¹, Patrick McIlvane, John Campble, George Campble, Gilbert McCalman and Alexander Davesoun.² (cf. no. 70 supra.) 63r., 74v.

87. 10 November, 1551. Instrument of sasine proceeding on a precept from chancery (dated at Edinburgh, 3 November, 1551) directed to the bailie of Carrik, narrating that it was found by an inquest that deceased David Kennedy of Crochtba, father of James Kennedy, died last vested as of fee in the 5 merk lands of Drumba and Crochtba, the 50s. lands of Laterpyn and the 40d. lands of Carfyn, that James was the lawful and nearest heir of his father, of lawful age, and that the lands were held in chief of the Queen as Princess of Scotland and Countess of Carrick. In terms of which precept Andrew Bannochtyne, bailie depute of Carrik, gave sasine to the said James. Done on the various lands at about 10 and 11 a.m. Witnesses: Edward Kennedy and John Pudyeane. (See *Exchequer Rolls*, xviii, p. 528). 71v.

88. Same date. Another instrument, similar to the above, narrating the same precept in terms of which Duncan Kennedy of Dalchorran, bailie depute of Carrik, gave sasine to the said James of the 50s. lands of Letterpyn. Done on the said lands at about 2 p.m. Witnesses: Duncan Fergusson in Glennawlay and Gilbert Fergusson in Balcamy. 72v.

89. 1 Dec., 1551. Instrument narrating that Robert Grahame of Knokdoleane gave sasine of the 40s lands of Bowgang, occupied by Robert McGee, lying in the lordship of Knokdoleane adjacent to the tower and gardens of Knokdoleane, to William McCornak, his heirs, etc., in terms of a charter of blench-farm to be made to him. Done on the lands at the back of the upper orchard of Knokdoleane at about noon. Witnesses: Robert McGee, Roger Schakschaw and David Kennedy. 63v.

⁸ See *RMS*, 1546-80. No. 626.

⁹ At fol. 63r, the resignation is stated to have been made at Arran; at fol. 74v, the resignation was made at Edinburgh.

¹⁰ David Kennedy at fo. 74v.

¹ "McKe" at fo. 64v.

² Does not appear at fo. 74v.

90. Same date. Instrument narrating that the said Robert Grahame obliged himself to William McCornak in Craige to infest by a charter of blench-farm and sasine the said William, his heirs, etc., in the 20s. lands of Craige, next adjoining the lands of Glashald and occupied by William McClymont and in the 20s. lands of Mentoun adjacent to those lands occupied by the said William McClymont, in the lordship of Knokdoleane, and this to do as soon as the said lands were redeemed from James Kennedy of Blarquhan. For which sasine the said William McCornak bound himself to renounce sasine of the 40s. lands of Bowgang formerly granted to him by the said Robert, and he also bound himself to give a sufficient letter of reversion upon redemption of the lands for 100 merks Scots to be delivered upon the high altar of St. Colmonel. Same place, hour and witnesses as in no. 89 supra.

64r.

91. Same date. Instrument narrating that Robert McGee in Bowgang became cautioner to the above William McCornak in Craige for paying on behalf of Robert Grahame of Knokdoleane, his heirs, etc., the sum of 10 merks Scots yearly for the rents of the 40s. lands of Bowgang and that until the said lands were redeemed or until Robert Grahame infest William McCornak in the 40s. (sic) lands of Craige and 20s. lands of Meynentoun. And if James Kennedy of Blarquhan die before the infestment William McCornak shall quitclaim Robert Grahame for the said 10 merks. Robert Grahame also bound himself to warrant Robert McGee at the hands of said William. Same place, hour and witnesses as in no. 89 supra.

64v.

92. 5 Dec., 1551. Instrument narrating that Mr James Boyde, son of Adam Boyd of Pynkill, attorney for Robert Grahame of Knokdoleane, presented a precept from chancery (dated at Edinburgh, 1st December, 1551) stating that it was found by inquest that deceased Gilbert Grahame of Knokdoleane, father of Robert Grahame, died at the peace and faith of the late King [James V.], vest as of fee of the lands of Girvane, Corwar and Glentig and the lands of Knokdoleane, called otherwise the 2 merk lands of Machirquhat, the 40s. lands of Fynnartis and one merk land of Drummour, the 3 merk lands of Craige called Polgernok, McCalmanistoun and Blakferdene, that Robert was the lawful and nearest heir of Gilbert, his father, that he was of lawful age and that the lands were held of the Queen and Princess of Scotland and Countess of Carrik, directing the bailie of Carrick to take security of £825 of rents of the lands of Gervane and Corwar which had been in the hands of the Queen and her late father for 12 years since the death of Gilbert Grahame by reason of ward, and for 3 years since the death of Andrew Grahame, elder brother

of Robert, who died at Pynkeclewcht (etc. as in **Exchequer Roll**, xviii, 530). In terms of which precept Adam Boyd of Pynkill as bailie depute of Carrik passed to the lands of Glentig and gave sasine in due form. Done on the lands of Glentig, Bardrochat and Dangeris separately and successively at about 2 p.m. and 3 p.m. Witnesses: Archibald Kennedy of Bardochat, Robert Grahame, Robert Adrynane in Craige, John Neilson elder and Gilbert McCalmont. 37r., 65r.

93. 12 Feb., 1551/52. Instrument narrating that James Kennedy of Crochtba, acting for John Eklis and Isabella Cathcart, his spouse and mother of John, acknowledged to have received from Gilbert and Alexander Eklis, tenants of the lands of Kildonane, the sum of £15 Scots, and they promised to deliver to him the same amount at Whitsunday next. For which sums the said James Kennedy held himself satisfied as to the violent occupation of the said lands of Kildonane by Gilbert and Alexander and all processes of court obtained against them, and quitclaimed them and their heirs. Further, Alexander Eklis shall pay other small claims and debts to James Kennedy at the sight and advice of Mr Gilbert Bard, and the said Gilbert Eklis quitclaimed and renounced to John Eklis and Isabella Cathcart, his mother, and to said James Kennedy of Crochtba the sum of 40 merks pertaining to Gilbert as assignee of deceased Fergus Eklis, his brother. Done in the church St. Colmonel at about noon. Witnesses: John Lok and Mr Gilbert Bard.³ 66r.

94. 2 Apr., 1552. Instrument narrating that Hugh Kennedy, elder son of deceased John Kennedy in Bar, by the advice of David Kennedy of Culzeane and Duncan Kennedy of Dalquhorrane, personally present, discharged Thomas Kennedy of Bargany, his heirs, etc., of intromission and spoliation of certain goods from the said deceased John Kennedy. The said Hugh for himself and his brothers and sisters held himself well content and fully paid by Thomas Kennedy, his servants and accomplices and discharged them. For which discharge the said Thomas Kennedy of Bargany promised to deliver to the said Hugh at the feast of Philip and James, called Beltane, next, 5 oxen never yoked, of 4 years old at least, from the lands of Schenwas or Arnemule, for which oxen Finlay Maxvald became cautioner. Duncan Kennedy of Dalquhorrane also renounced his right in the foresaid goods spoiled, as Hugh Kennedy was satisfied. Done at Ayr in the lodging of Thomas Kennedy of Bargany at about 6 p.m. Witnesses: David Kennedy of Culzeane, Duncan Kennedy of Dalchorrane, John Craufurd of Drongane, Henry Dun and William Burnet. 66v.

³ Mr Gilbert Baird became vicar of Girvan 2 Jan. 1547/48. (RSS. iii, No. 2580).

95. 5 May, 1552. Instrument narrating that Duncan Fergusson in Glennauley sold to Thomas Loggy in Ballebeg⁴ the following goods: 4 fertile cows, one "forrow" cow⁵, 2 stirks, 4 ploughing oxen ("boves arabiles") and one ox of three years, one ox of two years, 2 bovine beasts ("bestias bovinas") of two years, being in the lands of Knokbrekis; and also 15 fertile cows, 12 "forrow ky", 5 barren cows, 11 beasts of one year old, 14 beasts of three years, 5 of two years, 80 sheep, 54 lambs, 4 young horses, one "foyll" and one "staig",⁶ the crop of two acres of oats and the crop of one acre of bear of the land, and 2 bulls being in the lands of Glennawlay; with all right and claim he had to the said lands of Knokbrekis and Glennawlay, to remain with the said Thomas Loggy. Done at Glennauley at about 1 p.m. Witnesses: William Fergusson in Auchinsoule and Hector Fergusson in Garpene. 67r.

96. Same date. Thomas Loggy in Ballebeg quitclaimed the sale of the goods, goodwill and possession of the lands made to him by Duncan Fergusson and renounced the same to Duncan for a sum of money paid by Duncan to Thomas. Same place, hour and witnesses as no. 95 supra. 67v.

97. Same date. Duncan Fergusson, brother of William Fergusson in Auchinsoule, for the sum of £100 Scots delivered to him by David Mur in Kilkarane sold and delivered to David Mur 4 fertile cows and one "forrow" cow, 7 young barren cows, one ox of three years, 12 beasts of two years, 44 sheep, 3 heifers one horse of "Keyr" colour, a crop of 4 acres of land sown with oats, one heifer of a gray colour in Auchinsoule. Likewise David gave and rented to Duncan 5 cows and 30 sheep of said goods yearly for a boll of meal. Done at Kilkarane at about 6 p.m. Witnesses: Gilbert Fergusson, Hector Fergusson and Thomas Fergusson. 67v.

98. Immediately in presence of above witnesses the said David freely renounced to Duncan the things foresaid and acknowledged that he had received the said sum of £100. 67v.

99. 5 June, 1552. Instrument narrating that Gilbert Fergusson in Balcamy gave to his daughter, Marion Fergusson, for the favour he bore to her and in supplement of her dowry, 8 ploughing and yoked oxen with plough, yokes and other things necessary to a plough, 4 horses, the whole crop growing upon the

4 On the left bank of the Water of Girvan, a little below Aird Bridge, marked on Pont's map; demolished about 1925.

5 A cow not in calf and (in Carrick) having had one calf. The term has slightly different meanings elsewhere.

6 A young horse not yet broken.

7 Black (Gaelic, *ciar*).

lands of Balcamy, with the servants and shepherds in the same. And this also with the advice of Duncan Kennedy of Dalchorrane, whom Gilbert appointed as tutor and governor to his daughter, and specially with Gilbert's own advice to Marion as to the goods to be used. Likewise Gilbert for his love to Margaret Fergusson and as supplement of her dowry granted to her 8 yoked oxen with plough, yokes and other necessities for a plough, 8 cows, 2 horses, with all crops within the 4 merk lands of Brounestoun and Ferdenechrathir, with the servants and shepherds of the goods and lands. Marion and Margaret craved instruments. Done at Balcamy at about 4 p.m. Witnesses: Duncan Fergusson, Hector Fergusson and Thomas Fergusson. 68r.

100. Same date. Instrument narrating that Thomas Fergusson in Balquhirne gave to his son, Hector Fergusson, all the rents, profits and emoluments belonging to himself from the 20s. lands of Balquhirn, occupied by John Wycht, during the lifetime of said Thomas, with power to Hector to dispose of them by advice of Gilbert Fergusson in Balcamy, his uncle. Same place, hour and witnesses as in no. 99 supra. 68r.

101. 10 Apr., 1553. Instrument of sasine following on a precept from chancery (dated at Edinburgh, 30 July, 1552), produced by Duncan Kennedy of Dalchorrane, bailie depute of Carrick, narrating that William, bishop of Dunblane, and other Lords of Council had given decree on letters obtained at the instance of Robert Grahame of Knockdoleane, brother and heir of deceased Andrew Grahame of Knockdoleane, son and heir of deceased Gilbert Grahame of Knockdoleane, against all persons having interest in the 40s. lands underwritten. Making mention that John Mur of Auchindrane and Alexander Kennedy of Glentig, having by gift of the Queen's late father the non-entry of the 40s. lands of Schallacht-Glenmuk belonging to Robert's late father heritably in property by the decease of Gilbert Grahame of Knockdoleane, grandfather ("avi") of Robert, or of any other last lawful possessor of the lands, immediate tenant to the Queen's late father or his predecessors, made and constituted Gilbert, father of Robert, and his heirs their cessioners and assignees to them. The latter in virtue thereof obtained decrees that the lands in non-entry in the hands of the Queen's late father from the decease of the late Gilbert, for 40 years, and the rents and profits for the same space extending yearly to £8, pertained to the father of Robert as assignee. Conform to which the bailie of Carrick and his deposes examined distrainable moveable goods on the ground of the lands to be distrained to Robert's father for the past rents and profits, and in default be distrainable moveables they declared that the soil should

be apprised and fixed a court to that effect and caused cite certain persons to pass upon the said apprising. They being sworn apprised the said lands for the bygone rents and profits during the said space and ordained Robert's father to be infeft in the same, as the process of apprising thereon more fully sets forth. Conform to which his late father obtained precepts through the seals ("per sigilla") for infesting him and his heirs heritably in the same at the great seal. And before his late father obtained the lands he died, on which account Robert, his heir and successor, could not be served as heir to him nor obtain sasine. The said Robert Grahame, being personally present, and all the other parties having interest in the lands being lawfully summoned to the said action by public proclamation at the market cross of Ayr, often called and not compearing, the Lords of Council decerned and ordained the clerks of chancery to grant and deliver precepts of sasine to Robert Grahame as heir and successor above specified. In terms of which decree the Queen directed sasine to be given, which accordingly was done by Duncan Kennedy of Dalchorrane. Done on the lands, in the principal house of the same, at about 1 p.m. Witnesses: James McCaill, James McMura, dwelling in Little Schallacht, and shepherd there. 76v.

102. Same date. The said Robert Grahame of Knokdoleane gave sasine of the 40s. lands of Schallacht-Glenmuk to George Kennedy of Balmaclanoquhane in terms of a charter of blench-farm to be made to him thereupon. Done in the principal house of the said lands, namely the house of James McMura, at about 2 p.m. Witness: George Kennedy and said James McMura. 77v.

103. Same date. George Kennedy of Balmaclanoquhane set and leased to Robert Grahame of Knokdoleane the 40s. lands of Schallacht-Glenmuk, in the parish of Girvane, during George's lifetime for yearly payment of £20 Scots. Done on the lands at about 2 p.m. Witnesses as in no. 102 supra. 78r.

104. Same date. George Kennedy of Balmaclanoquhane obliged himself and his heirs, etc., to Robert Grahame of Knokdoleane to seal and subscribe letters of reversion for redeeming the 40s. lands of Schallacht-Glenmuk from the heirs of George after his decease, by the delivery to them of £100 Scots on the high altar of St. Michael of Daly after 40 days' warning. Done on the lands at about 2 p.m. Witnesses as in no. 102 supra. 78v.

105. 12 May, 1553. Instrument (in vernacular) narrating a lease by which George Kennedy of Balmoclanquhan "settis for male and in furthcumand bow" to George Blak and Margaret Kennedy, his spouse, and the longest liver of them the 4 merk lands

of Blayr and Pellage, excepting the half merk land now occupied by McBarnes and pertaining to Donald Campble in heritage, in the earldom of Carrik: that is to say, one-quarter of the $3\frac{1}{2}$ merk lands set to George Blak and Margaret Kennedy, they paying yearly 20 merks for "male and teynd of cornes allanerlie", and the remainder of the lands set to them "in furtht cumand bow" as they have the same at present and for all the years that they make good payment to George Kennedy, his heirs, etc., "at termes of steilbow payment usit and vount", their entry to be at Whitsunday next. Further, George Kennedy shall cause the inhabitants of the said half merk land belonging to Donald Campble "to clois the samyn within itself and dyk the samyn sufficientlie". Done at the place of Balmoclanquhan at about 11 a.m. Witnesses: Uchtred Adunnill, John Kennedy and Robert Grahame of Knockdoleane. 75v.

106. 20 May, 1553. Instrument narrating that James Kennedie of Blarquhan acknowledged that the £10 lands of the Mains of Knockdoleane and Craige were lawfully redeemed by Robert Grahame, brother german and heir of deceased Andrew Grahame of Knockdoleane, by payment to James Kennedie of various sums of money specified in a reversion made by the said James to deceased Andrew Grahame. The said James (gave up) all evidents delivered to him by said Andrew, but he protested that the redemption of the foresaid lands should not prejudice the action and claim of spuilzie ("spoilie") allegedly committed by the said Robert, and for the pursuit of the same he acknowledged that he had retained only an instrument of sasine of the Mains of Knockdoleane. Done at the place of Blairquhan. Witnesses: William Kennedie of Cornygawnacht, William Fergusson in Auchinsowle, Mr David Forman and Ninian Murhead, notaries public. 38r.

107. 20 May, 1553. Instrument narrating that James Kennedy of Blarquhan resigned the £10 lands of the Mains of Knockdoleane and Craige in the hands of Robert Grahame of Knockdoleane, superior, "ad imperpetuam remanendum", and acknowledged the same redeemed by the said Robert (as in no. 106 supra). Done in the hall of Blarquhan at about 3 p.m. Witnesses as in no. 106 supra, with John Blayr of Myddilachindrane. 75v.

108. 11 Nov., 1553. Instrument narrating that Robert Grahame of Knockdoleane resigned all right, title, etc., "verbo aut scriptis", made in times past by James Eklis of that Ilk to said Robert Grahame anent the lands of McComstoun in the lordship of Knockdoleane. And it pleased Robert Grahame also that the said James Eklis of that Ilk should receive from Hugh Wallace of Strabrakane, his heirs, etc., the sums of money contained in reversions granted by deceased Mungo Eklis of that Ilk for the redemp-

tion of the said lands by the said Hugh. And after receipt of the money he shall make a sufficient resignation of the lands in the hands of Hugh or his foresaids. Provided however that James and his foresaids shall faithfully observe a tack for 3 years of the said lands to Robert for a yearly rent as contained in a reversion of the said lands granted by the late Mungo Eklis to the said Hugh Wallace of Strabrakane. For which things granted and to be done James Eklis obliged himself to pay to the said Robert the sum of 40 merks immediately after the redemption of the said lands of McComstoun by Hugh Wallace. Done in the hall of Trochreg at about noon. Witnesses: Duncan McCrinnill in Pynnanacht, John Eklis, brother of said James, and John Lyill in Ballachcoyle. 79r.

109. 14 Nov., 1553. Instrument narrating that Robert Grahame of Knokdoleane passed to the 16s. 8d. lands of McComstoun, and there gave sasine and possession to John Kennedy, attorney of James Eklis of that ilk. Done on the lands at about 3 p.m. Witnesses: David Kennedy of Bardrochat and Gilbert Cochran. 79v.

110. 19 Nov., 1553. Instrument narrating that Gilbert McTeyr appointed Neil Davesoun his assignee in and to all goods and gear pertaining to Gilbert by reason of executry through the decease of Thomas McTeyr, his brother, or in any other way, the said Neil after recovery of the goods or composition for them paying one-half to Gilbert. Done in the cemetery of the church of Colmonell at about noon. Witnesses: Gilbert Craufurd, younger, John Davesoun, John McNele in Barnavennak, and Andrew Gray. 80r.

111. 19 Nov., 1553. Instrument narrating that Robert Grahame of Knokdoleane appointed David Grahame, his brother, assignee in and to all the goods "mobilia et immobilia" belonging to them as natural portion by reason of decease of Gilbert Grahame of Knokdoleane, their father, being in the hands of Marion Cathcart, their mother, and David Kennedy of Penneglen, her spouse, intromitters with the goods, with power to David Grahame to pursue Marion and David Kennedy before any judge, spiritual or temporal. Moreover Robert Grahame made David Grahame his assignee in and to the rents and profits of the lands of Clolynane from the decease of (blank) Lord Cathcart⁸, belonging to Robert Grahame as brother and heir of deceased Andrew Grahame of Knokdoleane, to whom the lands pertained heritably, for all the years and terms in which David Kennedy of Penneglen had uplifted the same and intromitted therewith, provided that David Grahame should in no way agree thereanent with David Kennedy without

⁸ Alan, third Lord Cathcart, was slain at the battle of Pinkie.

the advice of Robert. And if David Grahame recovered from David Kennedy 200 merks Scots he bound himself to deliver 100 merks immediately to Robert or to redeem the lands of Bowgang wadset ("impignoratus") to him for 100 merks, and if David recovered £100 Scots or less he should in no wise claim aught from Robert or his heirs. Done in the cemetery of Colmonell at about noon. Witnesses: Hugh Wallace of Strabrakane younger, John Inglis and Gilbert Patersoun. 80r.

112. 1 Dec., 1553. Instrument narrating that Katherine McCullocht, relict of Andrew Kennedy, and James McKe, now her spouse, had exonerated and quitclaimed Robert Grahame of Knokdoleane, his heirs, etc., for all intromissions and ejection of Katherine and her husband from the Mains of Knokdoleane at Whitsunday last, also of all profits and duties of the lands. Robert McGe in Bougang became cautioner to Katherine and James for payment to them by said Robert Grahame of the sum of £10 Scots and of an ox value £6 Scots between this and Easter next. Done in the hall of Knokdoleane at about 1 p.m. Witnesses: Duncan McCrynnill and Robert McKe in Bougang. 80v.

113. 3 Dec., 1553. Instrument narrating that in presence of the notary and witnesses there appeared Marion Cathcart, lady of Knokdoleane, because it had come to her ears that Gilbert, Earl of Cassillis, and certain other judges, arbiters in certain causes and actions between her and David (Kennedy) of Penneglen, had decreed her to pay to David divers sums of money contained in their decret, by which Marion declared herself to be much injured. wherefore she appealed and reclaimed from these judges to the judgement of the Lords of Council, submitting herself and all her goods to the care, protection and defence of the law, for the cause foresaid and for other reasons to be alleged in their time and place by her or in her name, done at Killunquhane at about 3 p.m. Witnesses: Robert Cathcart of Carltoun, James Kennedy of Crochtba, and Alan Cathcart, brother of said Robert Cathcart. 78v.

114. 15 Apr., 1554. Instrument narrating that Gilbert Fergusson of Balcamy intimated to Duncan Craufurd of Camlarg that long ago he was made by his father, Duncan Fergusson of Kilkarane, assignee for life in and to all rents and profits of the lands of Auchinscule, Cunray, Brokloch and Machirmore and other lands as far as the property belonged to Duncan Fergusson, according to a decret of the Lords of Council pronounced on the non-entry of the said lands. Protesting meanwhile that whatever Duncan Craufurd of Camlarg did in the premises with any other alleged assignee should not injure Gilbert's right or title by reason of the above decret. Done in the church of St Giles, Edinburgh, at

about 4 p.m. Witnesses: Thomas Fergusson, brother of above Gilbert, (blank) Campble, servant of Duncan Craufurd, Duncan Kennedy of Dalchorane, David Kennedy of Culzeane and Gilbert, Earl of Cassillis. 81v.

115. 1 May, 1554. Instrument narrating that Gilbert McTeyr, brother and one of the executors of deceased Thomas McTeyr, exonerated and quitclaimed Marion McTeyr, his sister, and Alexander Eklis, her spouse, of all actions, claims, and debts pertaining to him by reason of executry and decease of his said brother. For which cause Gilbert Eklis in Blayr at command of Marion and her spouse became cautioner to Gilbert McTeyr for delivery to him before the feast of John the Baptist next of half of the goods pertaining to the said Thomas at the time of his decease, his debts being paid, and one sheep with a lamb in addition. Likewise Gilbert appointed James Kennedy of Crochtba his assignee to half of all the goods which Neil Davesoun might recover from Alexander Eklis or any other having goods of the late Thomas McTeyr. Done at Blayr in Kildonane at about 6 p.m. Witnesses: Thomas Eklis and James Kennedy of Crochtba. 81r.

116. 2(?) May⁹, 1554. Instrument narrating that Giles Carswald, relict of Andrew McChruter in Pynmore, appointed her son, John McChruter, her assignee in and to all the goods, "mobilia et immobilia", belonging to her by the death of her spouse, or by her office of executor dative in or to any goods omitted belonging to the said Andrew at the time of his decease but not contained in his legal testament, giving John full power of intromitting with the goods and transferring to him all her rights and those of her other children. And in testimony of the foregoing she invested him with sundry of the said goods, in special "cum uno le yallow bove, cum una crinata le haret kow et cum una le broun kow". The said John in return obliged himself to maintain his mother, as it appeared to him she stood in need. Done at "le carne in Dalchornele" at about 10 a.m. Witnesses: Fergus McDowell and Andrew Amurquhe. 25r.

117. 6 May, 1554. Instrument narrating that Marion McTeyr, sister and one of the executors of deceased Thomas McTeyr, intimated to Neil Davesoun that Gilbert McTeyr, her brother and the other executor, quitclaimed and discharged Marion of all goods and gear belonging to him by reason of half the said executry and that he had received payment of the same. At the same place and date and before the same witnesses James Kennedy of Crochtba intimated to Neil Davesoun that Gilbert had appointed him

assignee to that half of the above goods which Neil had bound himself to recover from the hands of Marion McTeyr and Alexander Eklis and to deliver to Gilbert. Done at the smithy ("fabrile") of St Colmonell at about noon. Witnesses: James Walker and Gilbert Bordland. 81v.

118. 12 May, 1554. Instrument narrating that James Eklis of that ilk acknowledged that he was warned upon a 40 days warning by Hugh Wallace, younger of Strabranken, to compear in the parish church of St Colmonel to receive from Hugh Wallace of Strabranken the sum of 45 merks Scots with a letter of tack for three years for the redemption of the lands of McCommistoun from the said James in terms of a reversion made by him to Hugh Wallace. At the same time and before the same witnesses, David Graham, brother of Robert Graham of Knokdolean, compeared and alleged that his said brother, Robert, was seised in the said lands of McCommistoun and therefore James Eklis could not receive the said sum or resign the lands, and he protested that the receipt of the sum should not prejudice the right of his brother. Likewise, James Eklis of that ilk alleged that he could well receive the money notwithstanding the allegations of the said David, and he showed that there was no sasine or any other interest by which Robert Graham had any interest in the lands. David Kennedy of Pynquhirre sought instruments in name of said Hugh and James. Done at the church of Colmonell at about 4 p.m. Witnesses: John McNele in Barnawennak, James McKe in Balholme, William Kennedy, tutor of Blaquhan, John Lyill in Ballachtoyll and sir Roland McNele, chaplain and notary public¹⁰. 26r.

119. Same date. Hugh Wallace of Strabranken acknowledged that deceased Mungo Eklis of that ilk had paid him the sum for which the lands of McCommistoun were alienated to the said Mungo by a charter dated at Ferdynreocht, 7 Apr., 1531. Likewise the said Hugh obliged himself, his heirs, etc., to James Eklis that, in case the tack of said lands made to him for three years from Whitsunday next be not sufficient, he shall deliver another tack in terms of the reversion. On which James Eklis sought instruments. Same place, hour and witnesses as in no. 118 supra. 26v.

120. Same date. James Eklis of that ilk acknowledged that the said reversion was fulfilled by Hugh Wallace in all points. On which the said Hugh sought instruments. Likewise the said James resigned the said lands of McCommistoun to Hugh Wallace of Strabranken as superior, acknowledged the lands to be redeemed from him and renounced the letters and evidents of the same.

James Eklis also bound himself to warrant the said resignation to the said Hugh Wallace and, if it seemed fitting, to resign the lands into the hands of the laird of Knokdoleane in favour of Hugh. On which David Kennedy of Pynquhirre sought instruments in name of said Hugh. Same place, hour and witnesses as in no. 118 supra. 27r.

121. 13 May, 1554. Instrument at the instance of all parties narrating that Neil Daveson on the one part and Marion McTeyr, sister of deceased Fergus and Thomas McTeyr, and Alexander Eklis, her spouse, for his interest, on the other part, agreed to submit themselves to the decret arbitral of James McKee in Balholme and sir Roland McNele, chaplain, on the part of Neil Daveson, and of Thomas Fergusson in Carnelay and James Kennedy of Crochtba on the part of Marion and her husband, and, in case of disagreement, of David Kennedy of Knockdaw, oversman ("*superiorem*") equally chosen, in all their actions and controversies to date, and especially concerning the claim to the goods of the deceased Fergus and Thomas, alleged by each party to pertain "*ex adverso*". Which judges and oversman shall meet on the Thursday after Trinity called "*Corpus Cristiis day*" at the church of Colmonell and give their sentence within a month after the said day, with power to prorogue the case for another month. Done at Colmonell at about noon. Witnesses: sir Thomas Eklis, chaplain, sir Robert Kennedy, chaplain, and Mr Gilbert Kennedy, vicar of Colmonell. 28r.

122. 19 May, 1554. Instrument at the instance of David Grahame, bother of Robert Grahame of Knokdolean, in name of said Robert narrating that John McNele in Barnawennak and Hugh Wallace, younger of Strabrakan, acknowledged that a warning and removal made by Gilbert McYlmun, sergeant ("*clientem seu seriandum*") of Robert Grahame of Knokdolean, upon the lands of Strabrakan was rightly and lawfully made. Likewise the said John McNele in Barnawennak, tenant and occupier of the lands of Strabrakan and having the goodwill to the said lands and having had the same in tack for (blank) years bypast from Robert Grahame of Knokdolean, claimed and retained the said lands, notwithstanding the warning and order following, with all peril of law; nor was he willing to remove himself from the same or separate his goods, but he obliged himself to answer for the same as he ought in law; again the said John McNele in Barnawennak denied that he had any tack of the lands of Strabrakan from Hugh Wallace, younger or elder of Strabrakan, nor did he oblige himself not to recover any tack of the said lands for the present year from them. Done at Strabrakan at about 2 p.m. Witnesses: David Kennedy of Bardrochat, Archibald Kennedy, his

brother, Robert McGe, Andrew McGe, James McKee in Balholme, Thomas Cathcart and Gilbert McIlmun. 29r.

123. Same date. John McNele in Barnawennak protested that whatever was done between the said David Grahame and Hugh Wallace, younger, as to the said lands of Strabran, it should not injure his right, possession or goodwill of the lands. Also Hugh Wallace, younger of Strabran, obliged himself to warrant and defend the said John McNele, because at his command the said John had with peril of law claimed and retained the lands of Strabran, from Robert Grahame of Knokdolean. On which John McNele sought instruments. Same place and hour as in no. 122 supra. Witnesses as in no. 122 supra and also Michael McNele and John Kennedy, brother of David Kennedy of Knokdaw. 29v.

124. 19 May, 1554. Instrument at the instance of David Kennedy of Pynquhirre and David Grahame, in name of Robert Grahame of Knokdolean, narrating that the said David Kennedy claimed with peril of law the lands of Drumwachtly or at least as much as was contained in a precept of warning by Robert Graham of Knokdolean. Done at Altykane at about 7 p.m. Witnesses: James Kennedy in Kirkdomine, David Kennedy of Bardochat, Gilbert McIlmun, John Paterson and Alexander Ramsey. 30r.

125. 19 May, 1554. Instrument narrating that Hugh Wallace, elder of Strabran, having liferent of the lands, leased the 20s lands of Strabran to Robert Grahame of Knokdolean for one year from Whitsunday for the rents of the lands of Altykan and £3 in money. Hugh Wallace, younger, acknowledged that his father had the liferent of the said lands but the profits of one half belonged to himself and the rest he referred to his evidents. And he did not consent to the said lease. On which Marion Cathcart, in name of Robert Grahame of Knokdolean, and Hugh Wallace, younger, for himself and his father, craved instruments. Done at the cross of Innertig at about 9 p.m. Witnesses: John McAngelus, John Patersoun, John Cathcart of Glendouisk and Hugh Wallace, younger of Strabran. 30r.

126. May, 1554. In presence of John Glen and John Nelson, younger. Hugh Wallace, elder of Strabran, bailie of Mr Walter Kennedy, rector of Douglas, produced a precept of sasine under his subscription manual and seal.¹ 28v.

127. 4 June, 1554. Instrument at the instance of David Grahame narrating that Marion Cathcart, lady Knokdolean, one of the heirs portioners of the barony of Carloun, passed to the 20s

1 incomplete and deleted.

lands of Laglawerte, occupied by herself and John Spensor, and to the 6s 8d lands of Auchingregane, occupied by John Cathcart of Glendowisk, lying in the barony of Carloun, and there gave sasine of the same to David Grahame, her son, blench-farm, reserving her liferent. Done in the hall of Laglawertrie at about 4 p.m. Witnesses: John McBlayne in Ballard and John Spensar in Laglawertrie. 30v., 39v.

128. Same date. David Grahame undertook notwithstanding the foregoing sasine to allow Marion Cathcart, his mother, to alienate or dispoine the said lands if it should appear necessary. On which Marion sought instruments. Same place, hour and witnesses as in no. 127 supra. 31r.

129. 29 June, 1554. Instrument at the instance of Gilbert Kennedy narrating that George Kennedy of Balmoclanoquhan gave sasine to said Gilbert, his son and heir apparent, of his £4 lands of Glenmuk, viz. the 20s. lands of Ballymore, the 20s. lands of Kilbryd and Knokmak, the 20s. lands of Cawancrowboyth and the 20s. lands of Gerlofyne, in property and tenandry, reserving his liferent in terms of a charter of confirmation to be made by the Queen thereon. Done at Ballymore at about 7 p.m. Witnesses: Henry Kennedy and sir Leonard Clerk, chaplain. 31v.

130. 2 July, 1554. Instrument narrating that George Kennedy of Balmoclanoquhan obliged himself to produce before the feast of St. Peter ad Vincula (Lammas) before Robert Grahame of Knokdolean in the house of Balliemoyr or the place of Balmoclanoquhan in presence of Mr James Colville and others an instrument under the sign and subscription of Henry Prestoun, John Blair, Mr Gavin Ros, Mr John Girvan or sir William Allasoun to the effect that Robert Grahame was bound to aid George Kennedy to obtain payment from George Watte and the other tenants of his lands of Auchincloyth and Auldmernok of certain sums owing to George and his father or to pay the said Robert the sum of 40 merks Scots if he (George) should fail to produce the instrument. If he did produce the instrument Robert obliged himself to pay the 40 merks to George. Done at Ballymore at about noon. Witnesses: George Graham and sir Leonard Clerk, chaplain. 32r.

131. 12 July, 1554. Instrument at instance of George Kennede of Balmaclanoquhan narrating that James Ros in Maybole² acknowledged that he had an instrument of sasine given by

2 Clerk of diocese of Glasgow and notary public (P.S.A.S., xlvii, 198). Father of Gilbert Ross, a well known notary who was law agent to the 5th Earl of Cassillis.

deceased William Colville of Uchiltre, knight, to deceased John Kennedie of Culzeane, knight, of the lands of Eglingtoun, Goldring and Cruyksyde after the recognition of the said lands, under the sign and subscription of the late Andrew McCormyll, chaplain and notary³, of date 27 Aug., 1507. Done at Ballymore. Witnesses: Robert Graham of Knokdoleane and Duncan McCrynnill. 38v.

132. (Blank) July, 1554. Instrument at the instance of Duncan Kennedy of Dalquhorrane in name of Janet Kennedy narrating that Gilbert Kennedy of Balmoclanuquhan gave sasine in liferent to said Janet Kennedy, his spouse, of the £4 lands of Glenmuk, viz. the 20s. lands of Ballymore (etc. as in no. 129 supra). Done at Ballymore at about 4 p.m. Witnesses: Duncan Kennedy of Dalquhorrane, Andrew Grahame, his servant, Duncan Fergusson in Glenaulay, Henry Kennedy and James Ros, notary public. 32v.

133. Same date. George Kennedy of Balmoclanuquhan gave sasine of the £4 lands of Glenmuk (etc. as in no. 129 supra) to Duncan Kennedy of Dalchorran, attorney of George (sc. Gilbert) Kennedy, his son, according to a charter of ward and relief of the lands. Place, hour and witnesses as in no. 132 supra. 33r.

134. 15 July, 1554. Instrument at the instance of John Kennedy in Dunnemuk in name of Roger Eglishame narrating that James Kennedy of Clochtba acknowledged that he had set and leased to Roger Eglishame the 20s. lands of Laganfee for this instant year, and further and longer if the lands belonged to said James, for the sum contained in Roger's tack. And also if said James Kennedy of Crochtba acknowledged that he had set and expiry of the present year he obliged himself, his heirs, etc., to pay £30 to Roger at the end of two years in terms of his obligation. Done at the Craghous of Ardmillan at about 3 p.m. Witnesses: Robert Melice, and John Kennedy in Dunnemuk. 33r.

135. 11 Aug., 1554. Instrument narrating that Duncan Fergusson in Glenawlaye quitclaimed and renounced a decret obtained by him in the court of the bailie of Carrik against William Fergusson in Auchinsoule, his brother-german, as he had been fully paid by said William. Done at Kirkdomine⁴. Witnesses: Hector Fergusson in Dalduff, and Thomas Fergusson, brother of the above William and Duncan. 38v.

3 Sir Andrew McCormyll was Vicar of Straiton. According to his obit he died on 3 Apr. 1507 (*Obit Book of Ayr*, 66).

4 See note on No. 85

136. 14 Feb., 1555/56. Instrument at the instance of Thomas Kennedy of Bargany narrating that Duncan McCrynnill, son and heir of deceased Malcolm McCrynnill in Pynnanat, acknowledged that he had received from Thomas Kennedy of Bargany the sum of 100 merks, for which sum the 2 merk lands of Menyba in the barony of Kirkoswald had been wadset to Malcolm McCrynnill, and the said Duncan had resigned the lands in the hands of said Thomas Kennedy, his superior. Done in the burgh of Air, in the lodging of Thomas Kennedy of Bargany. Witnesses: John Campble, barber burgess of Air, William Burnett, George Rychert, tailor, James McKee, servant of Thomas Kennedy of Bargany. 82r.

137. 21 Apr., 1556. Instrument narrating that Thomas Kennedy of Knokrecht obliged himself, his heirs, etc., to infest Alexander Kennedy, his son, his heirs, etc., by sufficient charter and sasine in the 20s. lands of Litill Smeythstoun occupied by James Rychert in the lordship of Monkland, to be held of Thomas and his heirs in chief by Alexander and his heirs, whom failing by the lawful and nearest heirs of Thomas, for payment of 30s. 4d. Scots yearly in name of feu-farm and annual rent, and the said four pennies in name of blench-farm and in augmentation of the rental yearly, with three suits of court yearly at the three head courts of the lordship of Monkland according to the usage of the lordship as to free tenants. Likewise Thomas Kennedy discharged and quit-claimed the said Alexander of all rents and duties of said lands, always and until he and his heirs, etc., be infest in the said lands by charter and sasine, exonerating meanwhile the said Alexander, his heirs, etc., from all action and claim against him with power to Alexander to set or lease the lands or to occupy them with his own goods and dispose of them at his will. And declared the present a sufficient tack of the lands to Alexander until the infestment because he had received the rents beforehand. The said Alexander obliged himself, his heirs, etc., to upgive and renounce in the hands of his father the rental of Beacht belonging to Alexander in the above lordship; and then before the infestment of Litill Smeythstoun Alexander quit-claimed the rents of Beacht to the said Thomas. Both parties bound themselves to complete the agreement. Done at Gervane at about 3 p.m. Witnesses: Mr John Gervane and James Ros, notaries public, John Mur of Auchindrane, David Kennedy of Penneglen. 83r.

138. 28 July, 1556. Instrument narrating that Thomas Kennedy of Knokrecht passed to the 20s. lands of Litill Smeythstoun occupied by James Rychert and there gave sasine of the lands to his son, Alexander Kennedy (etc. as in no. 137 supra). On which Alexander sought instruments. Done on the lands at about 2 p.m.

Witnesses: John Kennedy in Culnane, Alexander Kennedy of Bogend, and James Rychert, dwelling on said lands. 92r.

139. 8 Oct., 1557. Instrument at the instance of Thomas Kennedy of Bargany narrating that Gilbert, Earl of Cassillis, resigned the £10 lands of Ardstinchar, with tower, mills, multures, etc. in the hands of Thomas Kennedy of Bargany as superior, to remain with said Thomas, his heirs, etc. because of certain sums of money and other favours done to the Earl by Thomas, and especially for joining with him in his difficult and honourable affairs, both in peace and war, and for his promise to associate himself with the Earl "*more solito ad exercitum et prelia nunc proclamata adversus antiquos inimicos Anglie.*" Done at Edinburgh. Witnesses: Anthony Kennedy, James Kennedy, son of Thomas Kennedy of Bargany, John Lyndsay, servant of the said Thomas, and Hugh Campble of Loudoun, knight⁵. 39r.

140. 11 May, 1560. Instrument narrating that John Schaw of Halie resigned the whole half of the 40s. lands of Ard with the mill, lying in the barony of Ardstinchar, in the hands of Agnes Murraye, widow of James Kennedie of Blarquhan, as superior, and she immediately resigned the same in the hands of Thomas Kennedie of Bargany as superior, and acknowledged them to be lawfully redeemed by the said Thomas. And this because James McClellane of Nontoun, in name of Thomas Kennedy, had infest her and John Schaw of Halie in certain of his lands of Nontoun; also the said Agnes and John discharged Thomas of the rents of the lands in time past. Done at the place of Nontoun in Gallowaye. Witnesses: Thomas Kennedie, younger of Bargany, Thomas McClellane, tutor of Bombe, David Kennedie of Knockdaw, Andrew McAlexander of Dalreocht, John Neilson of Cragcaffie, Ninian Murheid in Borge, notary public, and William McClellane of Kyrkormak. 41v.

141. 21 June, 1560. Instrument narrating that John Kennedy, natural son of Alexander Kennedy of Drumfarne, resigned the lands of Beynd and Drumfarne, extending to 7 merk lands of old extent in the parish of Colmonell and lordship of Ardmillan, in the hands of Alexander Kennedy, his father, as superior, renouncing all right and possession, and he acknowledged that the lands were lawfully redeemed by delivery to him of a certain sum of money, of which he discharged Alexander. Done at Ardstinchar. Witnesses: George McKevin, carpenter, (blank) Hoge, servant of said Alexander, and John McDowell, servant of Thomas Kennedy of Bargany. 90v.

⁵ There is a transumpt of this instrument, dated 22 March, 1523, in the Bargany MSS, 325.

142. 20 Aug., 1560. Instrument narrating that George Grahame, bailie 'in hac parte' of Colin Campble of Ardkynglas, produced a precept sealed with said Colin's seal of arms ("sigillo armorum") and under his sign manual directed to said George Grahame to infest Robert Grahame of Knokdoleane in feu-farm in his assize of herring of the west sea from the isle of Quhitterne to the water of Done with all the profits thereof. Precept dated at Dumbartane 11 Aug., 1560. Witnesses: John Campble of Innerleivir, Robert Grahame, Robert Campbell of Craghoill, Mr John Wod of Geliston, Mr James Blayr, burgess of Glasgo, David Grahame and David Watsoun, burgesses of Dumbartane. (Sic subscriptur) "Coline Campble of Ardkynglas." George Grahame, bailie foresaid, gave sasine to Robert Grahame of Knokdoleane by delivery of earth and stone. Done within the sea marks ("limitas maris") near the chapel of St. Donan at about 11 a.m. Witnesses: David Kennedy and William Burnet, servants of Thomas Kennedy, younger of Bargany, Robert Grahame of Slipperfeild, and Thomas Kennedy, younger of Bargany. 40r.

143. Same date. Instrument narrating that Robert Grahame of Knokdoleane, lord of the assize of herring of the west sea (etc., as in no. 142 supra) passed within the sea marks near the chapel of St. Donan in the bailiary of Carrick, and there gave sasine 'propriis manibus' of the said assize of herring to Thomas Kennedy, son and heir apparent of Thomas Kennedy of Bargany, and to Agnes Montgomery, his spouse, in conjunct fee. Same place and hour as in no. 142 supra. Witnesses: David Kennedy and William Burnett, servants of the said Thomas Robert Grahame of Slipperfeild, and George Grahame, servants of Robert Grahame of Knokdoleane. 40v.

144. Same date. Instrument narrating that Robert Grahame of Knokdoleane obliged himself to Thomas Kennedy, younger of Bargany, and Agnes Montgomery, his spouse, on 20 days' warning, to obtain from Colin Campble of Ardkynglas a sufficient charter of confirmation of the said assize of herring, and to deliver the same to Thomas and Agnes, when requested. Same place, hour and witnesses as in no. 143 supra. 41r.

145. Same date. Instrument narrating that said Thomas Kennedy, with consent of Agnes Montgomery, his spouse, granted to Robert Grahame of Knokdoleane power to take the assize of herring of (blank) boats in any place he shall please for his lifetime between the water of Gervane and the water of Done yearly, and this because Robert sold to the said Thomas and Agnes the assize of herring of the west sea between the isle of Quhittern and water of Done and reserved to himself the assize of herring of said boats during his life. Same place, hour and witnesses as in no. 143 supra. 41r.

146. 3 May, 1563. Instrument narrating that Robert Grahame of Knokdoleane resigned the 30s. lands of the Mains of Ardstinchar adjacent to the lands of Balnollart, in the barony of Ardstinchar, in the hands of Thomas Kennedie of Barganye as superior, acknowledging the lands lawfully redeemed. Done in the parish church of Dalie at about 6 p.m. Witnesses: Robert Blayr and George Grahame, servants of Robert Grahame of Knokdoleane, John Eklis of Kildonane, Thomas Kennedie, son and heir apparent of the above Thomas Kennedie of Bargany, and James Greg, minister⁶. At the same time and place and before the same witnesses Thomas Cathcart, brother-german of John Cathcart of Carloun, resigned the lands of Bowgang and the Mains of Knokdoleane in the hands of Robert Grahame of Knokdoleane, as superior, acknowledging them duly redeemed. 42r.

147. 30 July, 1563. Instrument narrating that Alexander Kennedy of Smeythstoun by virtue of a marriage contract between him on the one part and Edward Wallace of Sewaltoun, and Marion Wallace, his daughter, future spouse of said Alexander Kennedy, on the other part, and for performance of his part, passed to his 7 merk lands of Beynde and Drumfarne, in the parish of Colmonell, and there gave sasine in liferent to the said Marion in terms of a charter of blench-farm to be made thereupon, the lands to be held of Alexander Kennedy and his heirs for payment during Marion's lifetime of the rents, duties and services due to the priors and convent of Quhitharne. Done on the lands of Beynde at about 3 p.m. Witnesses: John Mur of Park, Robert Wallace, son and heir apparent of Edward Wallace of Sewaltoun, John Wallace, his other son, and Edward Wallace aforesaid. 86r.

148. 13 Nov., 1566. Instrument narrating that John Kennedie of Bardrochat resigned the merk land of Bardrochat, adjacent to the castle and lands of Cragnele, occupied by John Glen and Duncan Greye, in the hands of Thomas Kennedie of Barganye, as superior, for new sasine to himself and Margaret Myrre, his spouse. Upon which resignation the said Thomas gave possession of the merkland of Bardrochat with the houses and buildings thereon to the said John and Margaret in conjunct fee and their heirs male, according to the old infeftment held by the said John and his predecessors. Done on the lands at about 5 p.m. Witnesses: Hugh Wallace of Strabakane, David Grahame of Cragne, Adam Wallace burgess in Air, and Andrew McAlexander of Dalreocht. 42v.

149. Same date. Duncan Kennedie of Danger, brother of the said John Kennedie, protested that the above resignation and sasine following should not prejudice him and his heirs and he protested

⁶ See *Fasti Ecclesiae Scoticae*, ii, 333.

⁷ Shewalton, near Irvine, now demolished.

for "remeid of law" ("pro remedio juris"). Same place, hour and witness as in no. 148 supra. 42v.

150. 16 Dec., 1568. Instrument (in vernacular) narrating that notwithstanding that David Kennedy, son of deceased John Kennedy of Bennen, intromitted immediately after his father's death with a dun horse which he now understood belonged rightly to his brother's daughter, Katherine Kennedy, now of the Bennen, as an heiress horse, and to Marion Kennedy, her mother and tutrix testamentary, and although Alexander Kennedy of Smeythstoun, son of Thomas Kennedy of Ardmillane, took the horse violently from him in name of Katherine and Marion, said David renounced and discharged Alexander of the taking of the horse from him and of all action and complaint thereanent. He admitted and allowed the taking of the horse from him and its delivery to Katherine and Marion as justly belonging to them. Written and subscribed by the notary for said David Kennedy who could not write. Done at Maybole. Witnesses: Nycoll Wylle in Galloway, James Wod in Semorwaye, Robert Adunnull, servant to the laird of Balmaclanoquhane, John McClurg and Stephen McClurg, brothers. 89v.

151. 25 Mar., 1569. Instrument narrating that Hugh Kennedie in Bennen, bailie of Alan, commendator of Crossraguell⁸, in terms of a precept in a charter of feu-farm by the commendator, gave sasine to John McIlmoraw in Tormychell, attorney of Thomas Kennedie of Bargany, of the one merk land of Drummurquhe, adjacent to those 40s lands of Drummurquhe heritably belonging to said Thomas, occupied by Richard Bannatyne. Done on the lands at about 1 p.m. Witnesses: James Kennedy, son of deceased James Kennedie in Kirkdomine, Robert Osburne in Bennen, and Richard Bannatyne in Drummurqure. 43r.

152. 26 Mar., 1569. Instrument narrating that in terms of a charter of feu-farm by the said commendator of Croceraguell the above bailie gave sasine to John Eklis of Kildonane, attorney of said Thomas Kennedie of Bargany, of the 40s lands of Auchinmaddie and Auchincrunacht, occupied by Hugh McIlwraycht, Ninian Kennedie, John McIlwraycht and Martin McGervay. Done on the said lands at about 4 pm. Witnesses: William McIlmorow, son of John McIlmorow in Tormychell, the said John Hugh McIlwraycht in Auchincrunacht and Robert Osburne in Bennen. 43v.

153. 27 May, 1569. Instrument narrating that Janet Kennedie, spouse of William Kennedie in Gillespie, daughter and heir of

8 By gift of Queen Mary, Alan Stewart became commendator of Crossraguel Abbey on 19 July, 1565 (*Crossraguel Charters*, i, p. 141).

deceased William Kennedie of Pynquhirre, with consent of her spouse, and Katherine McDowell, widow of the said William Kennedie of Pynquhirre, lady of the conjunct fee of the merkland of Fauldewrische, lying within the lands of Knokdaw, with consent of Andrew McAlexander of Dalreocht, now her spouse, resigned the said merkland in the hands of David Kennedie of Knockdaw, as superior; and this for the receipt from said David of the sum of 100 merks scots, for which sum he had wadset the lands to the deceased William Kennedie of Pynquhirre and the said Katherine McDowell, his spouse. They acknowledged the said merkland to be lawfully redeemed and released and renounced and quitclaimed the charter and other evidents made thereupon. Done at Colmonell. Witnesses: James Kennedie of Crochtba, Mr Gilbert Kennedie in vicartoun of Colmonell, and Thomas Kennedie of Coyff. 44v.

154. 29 May, 1569. Instrument narrating that John Kennedie of Kyrkmychaell gave sasine of an annual rent of £5 Scots from the Mains of Kyrkmychaell to Thomas Kennedie of Barganye in terms of a charter of blench-farm to be made thereon. Done in the hall of Kyrkmychaell. Witnesses: Patrick McIlvene of Grumett, George Corre of Kelwod, Gilbert Kennedie, fiar of Balmaclanoquhan, and Robert Craufurd, servant of said Thomas Kennedie of Bargany. 45r.

155. 30 Jan., 1569/70. Instrument narrating that Gilbert McGill in Dornale, bailie of William Craufurd of Drumsaye, gave sasine to Allan Cathcart, brother-german of John Cathcart of Carloun, of the 30s lands of McIlmorestoun, in terms of a charter by said William Craufurd under his seal. Charter given at Ayr, 18 Dec. 1569. Witnesses: Alexander Brown, and John Dunbar. Sasine given on the said lands at about 10 a.m. Witnesses: Thomas McIlwrik in Balmurrie, and John Cathcart of Glendowisk. 44r.

156. 20 Dec., 1570. Instrument narrating that Alexander Kennedy of Litill Smeythstoun resigned his 20s lands of Litill Smeythstoun occupied by himself lying in the lordship of Monkland, in the hands of his brother, John Kennedy of Ardmillane, as superior, for new sasine in favour of himself and Marion Wallace, his spouse. Which resignation received, John Kennedy gave sasine of the lands to Alexander Kennedy and Marion, his spouse, in conjunct fee and to their heirs lawfully begotten, whom failing to the nearest and lawful heirs whomsoever of Alexander Kennedy, in terms of a charter of blench-farm or feu-farm to be made to the said spouses for payment to John Kennedy and his heirs, as superiors, of 30s yearly in name of annual rent of feu-farm, also 4d at Whitsunday in name of blench-farm and in augmentation of the rental. Done at the kitchen door ("in hostio coquine") of Litill Smeythstoun at about 8 a.m. Witnesses: David

Colville in Barnele, James Colville, his son, William Gibbsoun in Kevinstoun, John Gibbsoun, his son, and Adam Maxvald, monk ("monacho"), servant of said John Kennedy of Armillan. 87r., 93r².

157. Same date. Instrument (in vernacular) narrating that John Kennedy of Ardmillane, superior of Alexander Kennedy of Smeythstoun, his brother, in the 20s lands of Litill Smeythstoun, understanding that deceased Thomas Kennedy of Ardmillane, his father, infest Alexander and his heirs in the said lands conform to an obligation between them dated at Gervane (blank)¹⁰ ratified the same and obliged himself that Alexander Kennedy, his heirs etc., should not be disturbed or molested in their possession of the lands. Same place and witnesses as in no. 156 supra. 88r.

158. Same date. Instrument (in vernacular) narrating that John Kennedy of Ardmillane bound himself, his heirs etc., to deliver to his brother, Alexander Kennedy of Smeythstoun, his heirs etc., the whole remainder of his "inspraycht and insyght guidis" within his place of Ardmillane undelivered to Alexander after the decease of Thomas Kennedy of Ardmillane, their father, by his executors, and intromitted with by John Kennedy after the death of Janet Corre, widow and executrix of Thomas, that is to say "stand beddis, comptour buirdis, geistis¹, and sparris of ayk, cuttingis and boillis of ayk and asche, lyme, woll, hogheids and divers utheris inspraycht and insyght guidis in sa far as the said Alexander can preiff or will mak faytht was in the said umquhill Thomas possessioun the tyme of his deceis and as mycht pertene to the said Alexander as portioun naturale and as yit remanis in the said Johnis place of Ardmillane withalding and detenit be him fra the said executouris and fra the said Alexander extending to the awale and price of ane hundreth merkis and better, money of this realme". And should John Kennedy refuse to deliver the goods on being required at eight days warning he bound himself to pay 100 merks, and he acknowledged that they were worth that sum and more. On which Alexander Kennedy asked instruments. Done at the kitchen door of the Smeythstoun, at 8 a.m. Witnesses as in no. 156 supra, including "dene Adam Maxvald", servant of John Kennedy of Ardmillane. 89r.

159. 4 Mar., 1570/71. Instrument narrating that David Kennedie of Penneglen gave sasine of the 2 merklands of Balterssane and the one merk land of Knokronnall, in the barony of Croceraguell, to John Kennedie his son and to Gilbert Adunnull, attorney of Margaret Kennedie, spouse of John, in conjunt fee.

9 The instrument at fo. 93r. also refers to the infettment of Alexander Kennedy in the lands by their father.

10 Probably No. 137 supra.

1 Joists.

Also the said David gave sasine of the one merk land called the Fens with mansion, etc., lying as above, to be held of the said David in blench-farm, reserving David's liferent. Done at Balterssane. Witnesses: David Kennedie of Knokdaw, John Cathcart of Carloun and John Gervane of Mochrumhill. 45v.

160. 19 Jan., 1571/72. Instrument (in vernacular) narrating that Mr James Greg, parson and minister of Colmonell, directed by Mr David Lyndsaye, minister in Leyth, superintendent of the sheriffdom of Air, directed by the "kirk principale of this realme" and commissioner in that part nominated in the undernoted letters under the privy seal, presented to the notary public his commission dated 1570 and letters of presentation under the privy seal, dated at Striveling 23 Apr., 1571², in favour of John Cunyinghame, "minister at the Daly," of the vicarage of Kyrkcudbrycht³, vacant by decease of Mr Andrew Olyphant last possessor thereof⁴ and now belonging to the King's presentation. After reading the same in presence of parishioners and examination of the said John's qualifications, "na uther persone be the saids parochionaris thairto nominat or desyrit", the said Mr James in terms of the letters admitted the said John to the vicarage and put him in possession by delivery of the "holie bybill". Done at the parish kirk of Kyrkcudbrycht. Witnesses: Patrick McGe, Gilbert Craufurd in Ballnollart, Alexander Ramsay at the Kyrkstile, John Kennedy of Kyrkmychaell, John Mur his servant, Gilbert Kennedy his brother, and John Craufurd son of Gilbert, parishioners of the said kirk. 46r.

161. 21 Apr., 1575. Instrument of sasine narrating and following upon a precept (in vernacular and subscribed by the granter), dated at the Camlarge, 20 Apr., 1575, by John Craufurd of Camlarge for infesting Alexander Kennedy of Smeythstoun and his heirs in the 20s. lands of Machirmore, occupied by Edward McTagert, in the bailiary of Carrik, in terms of an infestment to be made to him in blench farm for one penny if asked. "And gif this precept be nocht sufficient I obliss me and my aris to mak ane uther in the sickrest maner master James Colville will devis". Witnesses to precept: John Campbell in Glenmuk and Alexander Contane. In terms of which precept Patrick Moresoun as bailie gave sasine in due form. Done on the lands at about 10 a.m. Witnesses: John McCubene, dwelling there, and Gavin Kennedy, natural son of John Kennedy in Grenane. 96v.

2 RSS., vi, No. 1151.

3 i.e. Kirkcudbright-Innertig or Ballantrae.

4 Andrew Oliphant was vicar of Ballantrae from at least 1539 and was still alive in 1564 (RMS 1580-93, No. 1050; Renfrew Collections, ii, p. 74).

162. 4 Nov., 1576. Instrument narrating that Alexander Kennedy of Litill Smeythstoun resigned his 20s. lands of Litill Smeythstoun occupied by himself in the hands of John Kennedy of Ardmillane, as superior, in favour of John Kennedy, his son and heir apparent, reserving Alexander's liferent. Done at Croswald. Witnesses: Hugh Campble of Killacht younger, John Campble, George Campble and John Kennedy, servants of John Kennedy of Ardmillane. 91r.

163. 4 Nov., 1576. Precept by John Kennedy of Ardmillane to James Wode in Semorwaye as bailie narrating that his brother, Alexander Kennedy of Litill Smeythstoun, had resigned the lands of Litill Smeythstoun as in no. 162 supra, and directing sasine to be given to John Kennedy, Alexander's son. Place and witnesses as in no. 162 supra. Seal of John Kennedy of Ardmillane appended to precept with the notary's subscription because said John could not write⁵. 93r.

164. 4 Nov., 1576. Instrument (in vernacular) narrating that John Kennedie of Ardmillane granted "upon his faytht, honour and conscience" that his son and heir apparent, Thomas Kennedie, never sought nor got sasine from him of any of the lands of Monkland within Carrik and that Thomas's allegation to the contrary was "fals and fenyeit in itselff and aucht to be improvin". He also discharged all his tenants of all unlaws for any "fences breking, forcementis of his officeris ony maner of waye, bluidwitis" in his father's time or in his own. Upon which Marion Campble, his spouse, asked instruments. Place and witnesses as in no. 162 supra. 98r.

165. 3 Jan., 1576/77. Instrument of sasine following upon no. 163 supra in favour of John Kennedy. Done in the chamber of the hall of Smeythstoun at about 7 a.m. Witnesses: John McChruter, servant of Alexander Kennedy of Litill Smeythstoun, and James McChruter, son of John McChruter in Glaik. 95r.

166. 14 Oct., 1578. Instrument (in vernacular) narrating that Alexander Kennedy of Litill Smeythstoun offered the feu mail of that steading, extending to 15s. 2d. for the Whitsunday term last past to Thomas Kennedie of Ardmillane, if he had right to the same. Thomas Kennedy answered, "I will haif nane of your male that ye offer. And I require you to paye me ferme for the said steding siclik as the said land payit of befor". And because Thomas refused the feu mail, Alexander consigned it to the hands of James Young, reader at Gervane kirk⁶, to be forthcoming to Thomas, if

⁵ Probably from illness or blindness.

⁶ James Young was reader at Girvan Kirk in 1574 (*Register of Ministers*, p.40).

he had right thereto. Both parties asked instruments. Done at Gervane. Witnesses: David Kennedie in Drummuir, Gilbert McMurtre, servant of Thomas Kennedy of Ardmillane, and Andrew McCallane in Pynnanacht. 92v.

167. 18 Nov. 1578. Instrument (in vernacular) narrating that Alexander Kennedie of Smeythstoun passed to the presence of Marion Campbell, lady Corswald, widow of John Kennedie of Ardmillane, conjunct-fiar of the steading of Litill Smethstoun, and offered the sum of 30s 4d money for feu mail of the said steading for Whitsunday and Martinmas last in terms of Alexander's infetment. The lady replied that it was true that Alexander had the steading in feu and heritage for the said feu mail, held of the late John Kennedie, and was infest by him as superior in the same, which she as conjunct-fiar of her late husband ratified and approved for her lifetime. As to the feu mail offered, she had assigned it for her lifetime by contract to her "guidsone", Thomas Kennedie, now of Ardmillane, and she had no right to receive the same. She acknowledged herself and her late husband paid by Alexander for all years since the decease of Janet Corrie, Lady Ardmillane, to Whitsunday and Martinmas last, which she had assigned to Thomas, and she discharged Thomas and all others from molesting Alexander by craving any ferm or other duty in her name for the said steading, "except the said few male yerlie and myln maile, usit and wont" in her time and in her late husband's time. And because the lady refused the 30s 4d feu mail, Alexander Kennedy consigned the same in the hands of John Kennedy, his natural son, to be forthcoming to the lady or to Thomas Kennedy, her assignee; and he protested that neither the lady's refusal nor that of her assignee should prejudice him as he made offer of payment. Done at Maybole in John Bannatyne's house. Witnesses: Gilbert McNele, son of Michael McNele in Myltonysche, Patrick Kennedy in Pirrestoun and Michael McCrekan, burgess in Wygtoun, notary public. 98v.

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