

The Records of the Parliaments of Scotland to 1707, K.M. Brown et al eds (St Andrews, 2007-2020), date accessed: 7 July 2020

James VI: Translation > 1617, 27 May, Edinburgh, Parliament > Parliamentary Register > 28 June 1617 > Legislation: private acts

[1617/5/70]1

Ratification to John Murray of Lochmaben and [Sir Robert Gordon], laird of Lochinvar

Our sovereign lord and estates of this present parliament, understanding that his majesty, after his highness's lawful and perfect age and general revocation declared in parliament, and after the annexation of the kirklands within this realm of Scotland to his highness's crown, with consent of his highness's officers of state for the time, by his majesty's infeftment under his highness's great seal, gave, granted and conveyed to **James Douglas of Pinwherrie**, his heirs and assignees whatsoever all and sundry the lands, fishings and others particularly underwritten, namely: the two merk and half merk land of Suffok, the five merk land of Ernambrie, the five merk land of Auchendolly, the five merk land of Largneane, and the two merk land with the half merk land of Erntillan, the five merk land of Culgruff, the five merk land of Crodell, the five merk land of Airds, the five merk land of Mollance, the five merk land of Hillintoun, the five merk land of Clarebrand, the ten merk land of Crofts, the five merk land of Glengopoke, all lying within the stewartry of Kirkcudbright; all and whole the salmon fishing in the water of Nith belonging to the provostry of Lincluden lying within the barony of Drumsleet and stewartry foresaid; all and whole the mains of Greenlaw, with the kane peat and bondage works of the barony of Crossmichael, with due services of the same barony and with all their pertinents lying in the same barony and stewartry foresaid; the six merk land of the mains of Lincluden, with the manor place, woods, yards, meadow of the same and all their pertinents; the six merk land of Crochan; the mill of Staikfurde with the mill lands and their pertinents; the mill of Terraughtie with the mill lands and pertinents of the same; the meadow of Clunie lying within the said barony of Drumsleet and stewartry of Kirkcudbright foresaid; all and whole the five merk land of Drinsbie; the ten merk land of Chapelerne lying within the barony of Crossmichael and stewartry foresaid, together with all and sundry towers, fortalices, manor places, mills, woods, fishings, yards, orchards, parts, pendicles, annexes, connexes, tenants, tenancies, services of free tenants, of all and sundry the foresaid lands, mills and meadows, with their pertinents, together with the advocacion, donation and right of patronage of the kirk of Glencarne, parsonage and vicarage thereof, which all and sundry the lands and others above-specified are by virtue of the said infeftment united, created and incorporated in a whole and free barony called the barony of Crossmichael to be held of our said sovereign lord and his successors in feu ferm, heritage and free barony for ever, for payment yearly to his highness and his successors of the feu mails and other duties contained in the said infeftment granted to the said **James Douglas** and his foresaids thereupon. By the which infeftment, the feu mails and duties of the lands and others foresaid were reserved to the late **Master Robert Douglas**, then provost of Lincluden, during all the days of his lifetime, and after his death to **William Douglas**, now of Drumlanrig, as successor to the said late **Master Robert Douglas** in the said provostry of Lincluden, so that the first term's payment of the said feu mails and duties of the lands and others foresaid to his majesty and his successors was appointed to begin at the term of Whitsunday [May/June] or Martinmas [11 November] next, and immediately following the day of the death of the said late **Master Robert Douglas** and of the said **William Douglas of Drumlanrig**, and of the longest liver of the two, when it should happen only, as the said

infetment of the date at Holyroodhouse, 2 April, the year of God 1588 at more length purports. And likewise his majesty and estates foresaid, understanding that his highness by virtue of his other infetment under the great seal after his said lawful and perfect age, general revocation and making of the said act of annexation, with advice and consent of his highness's officers of state for the time, gave, granted and conveyed to the said **James Douglas of Pinwherrie**, his heirs and assignees whatsoever, all and sundry the lands and others particularly after-specified, namely: the five merk land of Little Dryburgh, the five merk land of Drumjarg, the five merk land of Erntillan, the five merk land of Erncraig, the five merk land of Blairinnie, the five merk land of Meikle Dryburgh, the five merk land of Chapmanton, the five merk land of Blackerne, the five merk land of Ernemunye, the five merk of Culnaightrie, the corn-mill of Crossmichael, the five merk land of Garranton, the two merk with the half merk land of Blackpark, all lying within the barony of Crossmichael and stewartry of Kirkcudbright foresaid; the fifteen shilling land of Staikfurde, the forty shilling land of Newton, the merk land of Clunie and Skellingholme, the six merk land of Terraughtie, the six merk land of Drumganis, the five merk land of Troqueer, the merk land of Stotholme, the five merk land of Nunland, the five merk land of Crufestanes, the six merk land of Holme, the twenty shilling land of Maryholme, the four merk land of Nunholme, all lying within the foresaid barony of Drumsleet and stewartry above-written, together with all castles, towers, fortalices, manor places, houses, buildings, yards, orchards, mills, woods, fishings, parts, pendicles, annexes, connexes, outsets, tenants, tenancies, feu farms, kanes, customs, services, casualties and other commodities whatsoever, of all and sundry the lands and mills above-specified with their pertinents to be held of our said sovereign lord and his successors in free blench for the yearly payment of the sum of 100 merks money foresaid at two terms in the year, Whitsunday and Martinmas in winter, by equal portions in name of blench ferm only, with express reservation always of all and sundry the feu farms, mails, duties, services and other casualties of the whole foresaid lands, mills and others above-specified with their pertinents to the said late **Master Robert Douglas, provost of Lincluden** for the time, and to the said **William Douglas**, now of Drumlanrig, his successor in the said provostry of Lincluden, and of the longest liver of the two during all the days of their lifetimes, as the said infetment of the date at Holyroodhouse, 2 April, the year of God 1588 at more length bears. And likewise his majesty and estates foresaid, understanding that his majesty by his highness's infetment under the great seal, with consent of the late Sir John Arnott of Birswick, knight, general receiver for the time, depute by his majesty of his highness's rents and casualties of the kingdom of Scotland, and of the lords of his highness's secret council of the same kingdom, his highness's commissioners, gave, granted and conveyed to his highness's trusty and well-beloved Sir Robert Gordon of Lochinvar, knight, and John Murray of Lochmaben, one of the grooms of his majesty's bed chamber, equally between them, their heirs and assignees whatsoever heritably all and sundry the lands and others particularly above-specified contained in the anterior infetments respectively above-mentioned, with their castles, towers, fortalices, manor places, houses, buildings, yards, orchards, mills, woods, fishings, parts, pendicles, annexes, connexes, outsets, tenants, tenancies, service of free tenants, feu farms, mails, kanes, customs, services, casualties and other commodities whatsoever, of all and sundry the lands, mills, meadows, fishings and others particularly above-expressed pertaining to his highness through the process and doom of forfeiture orderly led and prosecuted against **William Douglas**, son and apparent heir to the said **James Douglas of Pinwherrie**, who was also designed of Beatfurd, who was provided by the said **James Douglas of Pinwherrie** to the heritable right of the lands and others foresaid; and likewise pertaining to his majesty and become in his highness's hands through the resignation made by the said **James Douglas of Pinwherrie**, alias Beatfurd, of the

lands and others above-specified in the hands of the said lords of his highness's secret council of the said kingdom of Scotland, his majesty's commissioners, in favour of the said Sir Robert Gordon and John Murray; and for the said new infeftment made and granted to them of the same by his majesty under his highness's great seal foresaid to be held of his highness and his successors in fee and heritage for payment of the feu ferms, mails, duties, rights and services of the lands and others foresaid with the pertinents customary to his majesty and his predecessors before the said resignation, as the said infeftment of the date at Edinburgh, 19 December, the year of God 1611 more fully purports. And in the same manner his majesty and estates foresaid, understanding that his highness by his majesty's infeftments under his highness's great seal, with consent of his highness's trusty and well-beloved councillor Sir Gideon Murray of Elibank, knight, his highness's treasurer, comptroller, collector and treasurer of his highness's new augmentations, depute by his majesty of the said kingdom of Scotland, and of the remaining lords of his highness's secret council of the same kingdom, his majesty's commissioners, gave, granted and conveyed to the said Sir Robert Gordon of Lochinvar, knight, and John Murray of Lochmaben, equally between them, their heirs and assignees, all and whole the foresaid five merk land of Little Dryburgh, the five merk land of Drumjarg, the five merk land of Ernfillan, the foresaid five merk land of Erncraig, the foresaid five merk land of Blairinnie, the foresaid five merk land of Meikle Dryburgh, the foresaid five merk land of Chapmanton, the foresaid five merk land of Blackerne, the foresaid five merk land of Ernmingyie, the foresaid five merk land of Culnaightrie, the corn mill of Crossmichael, the foresaid five merk land of Garranton, the foresaid two merk and half merk land of Blackpark, the foresaid fifteen shilling land of Staikfurd, the foresaid forty shilling land of Newton, the foresaid merk land of Clunie and Skellingholme, the foresaid six merk land of Terraughtie, the foresaid six merk land of Drumganis, the foresaid five merk land of Troqueer, the foresaid merk land of Stotholme, the foresaid five merk land of Nunland, the foresaid five merk land of Crufestanis, the foresaid six merk land of Holme, the foresaid twenty shilling land of Maryholme, the foresaid four merk land of Nunholme, all lying as said is, together with all their castles, towers, fortalices, manor places, houses, buildings, orchards, mills, yards, woods, fishings, parts, pendicles, annexes, connexes, outsets, tenants, tenancies and feu ferms, kanes, customs, services, casualties and other commodities of the same whatsoever pertaining to his majesty and being at his highness's gift and disposition through the resignation and demission of the same made by the said **William Douglas of Drumlanrig** as provost of the said provostry of Lincluden, with consent of the prebendars of the said college kirk of Lincluden for their interest, to be held of his highness and his successors in free blench for payment yearly of the sum of 100 merks money foresaid yearly at the feast of Whitsunday in name of blench ferm only, as the said infeftment of the date at Theobalds in England, 19 September, the year of God 1616 at more length bears. And also his majesty and estates, understanding that the said Sir Robert Gordon of Lochinvar, knight, and John Murray of Lochmaben by their letters obligators containing a procuratory of resignation are bound and obliged to resign, surrender, give up and give over all and sundry the lands and others particularly above-expressed contained in the infeftments respectively above-rehearsed, with all their parts, pendicles and pertinents above-written, except the foresaid five merk land of Airds, together with the advocation, donation and right of patronage of the said parish kirk of Glencairne, parsonage and vicarage thereof, which were conveyed by them of before in favour of the said **William Douglas of Drumlanrig** and his heirs in the hands of our said sovereign lord and his successors or in the hands of the said lords of his highness's secret council of the said kingdom of Scotland, his majesty's commissioners, for new infeftment of the same to be made and granted by his majesty under his highness's great seal to the said Sir Robert

Gordon, his male heirs and assignees heritably of all and sundry the lands and others after-specified, namely: of all and whole the foresaid two merk land and a half merk land of Suffok, the foresaid five merk land of Ernambrie, the foresaid five merk land of Auchendolly, the foresaid five merk land of Largneane, the foresaid two merk land and a half merk land of Erntillan, the foresaid five merk land of Culgruff, the foresaid five merk land of Croddell, the foresaid five merk land of Mollance, the foresaid five merk land of Hillintoun, the foresaid five merk land of Clarebrand, the foresaid ten merk land of Crofts, the foresaid five merk land of Glengopok, all and whole the foresaid lands and mains of Greenlaw, with the kane peats and bondage works of the said whole barony of Crossmichael and due services of the same barony and all their pertinents, all and whole the foresaid five merk land of Ernisbie, the foresaid ten merk land of Chapelerne, the foresaid two merk and a half merk land of Clarebrand with parts, pendicles and pertinents of the same whatsoever, together with the foresaid advocation, donation and right of patronage of the parish kirk of Crossmichael, parsonage and vicarage thereof, the foresaid five merk land of Little Dryburgh, the foresaid five merk land of Drumjarg, the foresaid five merk land of Erntillan, the foresaid five merk land of Erncraig, the foresaid five merk land of Blairinnie, the foresaid five merk land of Meikle Dryburgh, the foresaid five merk land of Chapmanton, the foresaid five merk land of Blackerne, the foresaid five merk land of Erneminyie, the foresaid five merk land of Culnaightrie, the foresaid corn mill of Crossmichael, the foresaid five merk land of Garranton, the foresaid two merk land and a half merk land of Blackpark with all and sundry their castles, towers, fortalices, manor places, houses, buildings, yards, orchards, mills, woods, fishings, parts, pendicles, annexes, connexes, outsets, tenants, tenancies, service of free tenants, feu farms, kanes, customs, services, casualties and all other commodities of all and sundry the lands, mills, woods, fishings and others immediately above-rehearsed; and for new infeftment to be made and granted by his majesty under his great seal to the said John Murray of Lochmaben, his heirs and assignees whatsoever heritably of all and sundry the lands and others above and after-specified, namely: of all and whole the foresaid six merk land of the mains of Lincluden, with the manor place, woods, yards, meadow and their pertinents, the foresaid six merk land of Throchane, alias Carnihan, with the said mill of Staikfurde, mill lands and pertinents thereof, the foresaid meadow of Clunie, the foresaid fifteen shilling land of Staikfurd, the foresaid forty shilling land of Newton, the foresaid merk land of Clunie and Skellingholme, the foresaid six merk land of Terraughtie, the foresaid six merk land of Drumganis, the foresaid five merk land of Troqueer, the foresaid five merk land of Stotholme, the foresaid five merk land of Nunland, the foresaid five merk land of Crufstanes, the foresaid six merk lands of Holme, the foresaid twenty shilling land of Maryholme, the foresaid four merk land of Nunholme, and all and whole the foresaid salmon fishing upon the water of Nith pertaining to the said provostry of Lincluden, with all and sundry castles, towers, fortalices, manor places, houses, buildings, yards, orchards, mills, woods, fishings, parts, pendicles, annexes, connexes, outsets, tenants, tenancies, service of free tenants, feu farms, kanes, customs, services, casualties and all other commodities of all and sundry the lands, mills, woods, fishings and other immediately above-written, as the said letters obligators containing the said procuratory of resignation of the date at Theobalds in England, 20 December, the year of God 1616, at more length purports; according to the which letters obligators and procuratory of resignation therein contained, the said Sir Robert Gordon of Lochinvar, knight, and John Murray of Lochmaben are infeft, at the least are to be infeft and seised by his majesty's infeftments under his highness's great seal in the particular lands and others above-specified contained in the said letters obligators, and by virtue of their resignations made or to be made of the same in others favour as said is. Therefore our said sovereign lord and estates of this present parliament, for the good, true and thankful

service done to his majesty and his most noble progenitors by the said Sir Robert Gordon of Lochinvar, knight, and John Murray of Lochmaben and their predecessors well known to his majesty and estates foresaid, ratify and approve the foresaid infeftments granted by his majesty to the said Sir Robert Gordon of Lochinvar, knight, and John Murray of Lochmaben, equally between them, their heirs and assignees of all and sundry the lands and others particularly above-mentioned therein contained, together with the foresaid letters obligators and procuratory of resignation mentioned in the same made by the said Sir Robert Gordon and John Murray of the lands and others respectively foresaid for new infeftments thereof to be granted to the said Sir Robert Gordon and John Murray, their heirs and assignees therein specified, proportionally for their own parts as is before divided, together with all infeftments passed, or to be passed, in favour of the said Sir Robert Gordon and John Murray or their foresaids proceeding upon the said letters obligators and procuratory of resignation therein contained, in all and sundry conditions, heads, articles and clauses mentioned in the same, after the form and tenor thereof, with all that has followed or may follow thereupon; likewise his majesty and estates foresaid declare that this present confirmation of the infeftments, other rights and securities foresaid is and shall be as valid, effectual and sufficient in all respects as if the same were at length word by word engrossed herein. And further our said sovereign lord and estates foresaid have now dissolved and dissolve all and sundry the lands and others particularly above-expressed with all their parts, pendicles and pertinents above-rehearsed from his highness's crown and patrimony thereof and from all acts and statutes of parliament made by his majesty, or any of his highness's most noble progenitors, annexing the same lands and others above-specified to his highness's crown, and that to this effect following, namely: that his majesty may of new give, grant and convey to the said Sir Robert Gordon of Lochinvar, knight, his male heirs and assignees heritably all and sundry the lands above and after-specified with their pertinents, namely: all and whole the foresaid two merk and a half merk land of Suffok, the foresaid five merk land of Ernambrie, the foresaid five merk land of Auchendolly, the foresaid five merk land of Largneane, the foresaid two merk land and a half merk land of Ernfillan, the foresaid five merk land of Culgruff, the foresaid five merk land of Crodell, the foresaid five merk land of Mollance, the foresaid five merk land of Hillingtoun, the foresaid five merk land of Clarebrand, the foresaid ten merk land of Crofts, the foresaid five merk land of Glenpook, all and whole the foresaid lands and mains of Greenlaw with the kane peats and bondage works of the said whole barony of Crossmichael and due services of the same barony and all their pertinents, all and whole the foresaid five merk land of Ernisbie, the foresaid ten merk land of Chapelerne, the foresaid two merk and a half merk land of Clarebrand with parts, pendicles and pertinents of the same whatsoever, to be held of our said sovereign lord and his successors in feu ferm for the yearly payment to his highness and his successors of the sum of £213 6s 8d usual money of this realm of Scotland at two terms in the year, Whitsunday and Martinmas in winter, by equal portions in name of feu ferm; and also the male heirs of the said Sir Robert Gordon doubling the said feu ferm the first year of their entry to the lands and others foresaid as use is of feu ferm only; and also to the effect that his majesty may give, grant and convey to the said Sir Robert Gordon, his male heirs and assignees heritably all and whole the foresaid five merk land of Little Dryburgh, the foresaid five merk land of Drumjarg, the foresaid five merk land of Ernfillan, the foresaid five merk land of Erncraig, the foresaid five merk land of Blairinnie, the foresaid five merk land of Meikle Dryburgh, the foresaid five merk land of Chapmanton, the foresaid five merk land of Blackerne, the foresaid five merk land of Ernemungyie, the foresaid five merk land of Culnaightrie, the foresaid corn mill of Crossmichael, the foresaid five merk land of Garranton, the foresaid two merk and a half merk land of Blackpark with all their parts, pendicles and pertinents above-specified,

together with the advocacion, donation and right of patronage of the said parish kirk of Crossmichael, parsonage and vicarage thereof, to be held of our said sovereign lord and his successors in free blench for payment of the sum of £40 money foresaid yearly at the feast of Whitsunday in name of blench ferm only. And likewise to the effect that his majesty may of new give, grant and convey to the said John Murray, his heirs and assignees heritably all and sundry the lands and other above and after-specified, namely: all and whole the foresaid six merk land of the mains of Lincluden with the manor place, woods, yards, meadow and their pertinents, the foresaid six merk land of Throchan, alias Carnihane, with the said mill of Staikfurde, mill lands and pertinents thereof, the said mill of Terraughtie, with the mill lands and pertinents thereof, the said meadow of Clunie, all and whole the foresaid salmon fishing upon the water of Nith pertaining to the said provostry of Lincluden, with their parts, pendicles and pertinents, to be held of our said sovereign lord and his successors in feu ferm for the yearly payment for the lands immediately above-specified of the sum of £40 money foresaid, and for the said fishing in the water of Nith pertaining to the said provostry of Lincluden, the sum of 10 merks money above-written at two terms in the year, Whitsunday and Martinmas in winter, by equal portions in name of feu ferm; and also the heirs of the said John Murray doubling the said feu ferm the first year of their entry to the lands and others immediately above-written as use is of feu ferm only. And likewise to the effect that his majesty may give, grant and convey to the said John Murray, his heirs and assignees heritably all and whole the foresaid fifteen shilling land of Staikfurde, the foresaid forty shilling land of Newton, the foresaid merk land of Clunie and Skellingholme, the foresaid six merk land of Terraughtie, the foresaid six merk land of Drumganis, the foresaid five merk land of Troqueer, the foresaid five merk land of Stotholme, the foresaid five merk land of Nunland, the foresaid five merk land of Crufestanis, the foresaid six merk land of Holme, the foresaid twenty shilling land of Maryholme, the foresaid four merk land of Nunholme, with all their parts, pendicles and pertinents, to be held of our said sovereign lord and his successors in free blench for payment of the sum of 40 merks money above-written yearly at the feast of Whitsunday in name of blench ferm only. And because by virtue of the said act of annexation of the kirklands to the crown made in the month of July, the year of God 1587, the said **William Douglas**, now of Drumlanrig, has right reserved to him during all the days of his lifetime as being provided to the said provostry of Lincluden in and to the whole ferms, mails, kanes and other duties of all and sundry the lands and others above-expressed, which pertained of before to the said provostry of Lincluden as a part of the temporality and patrimony thereof, therefore our said sovereign lord and estates foresaid find, declare, decree and ordain that the said Sir Robert Gordon and John Murray, their heirs and successors are and shall be exonerated and discharged, likewise his majesty and estates foresaid exonerate and discharge the said Sir Robert Gordon and John Murray and their foresaids of all and sundry the feu ferms, mails and other duties above-specified contained in their infestments of the lands and others respectively above-expressed, with their pertinents, during all the days of the lifetime of the said **William Douglas of Drumlanrig** as provost of the said college kirk of Lincluden.

NAS, PA2/19, f.32v-35v.

Followed by 'crofti', which was subsequently deleted.