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Henry Douglas
19 July 1703

[marginal note:]

Ed[inburg]h the 29th August 1707 years First Eik Made heire to As Followes To Witt[?] the s[ai]d Umq[ui]ll Henry Douglas Haveing Sub[criptions] one the books of the Company of Scotland Trading to to affrica & the Indies For the Summ of ij [?] Sterling to the Joynt Stock & Capitall fund of [th]e s[ai]d company [the]r was payed in [the]r of [?] Se[ver]al tymes to the s[ai]d Companys Casheir The Summ of Lxxxv [?] Sterl[ing] mo[?] [?] Summ of Lxxxv [?] money for s[ai]d [?] a[n]nual]rent there of at five

[marginal note continues on next page]

[main text]

The Testa[men]t Testamentar and Inventor of the debts pertaining to umq[ui]ll Henry Douglas wryter in Ed[inburg]h the tyme of his deceise who deceist in the moneth of march 170i Faithfullie maid and given up be himself upon the 19 day of febr[uar]y 1697 In swa far as concernes the nominatione[?] of his exe[cuto]re Tutors to his Children and Legacies And given up be George Douglas of Friershaw advocate eldest Law[ful]l Son to the S[ai]d defunct In swa far as concernes the Inve[n]tor of the Debts awine to him In hom he nominat his only exe[cuto]re universall Legator and Sole Intrometter with his goods geir and debts In his L[ett]rewill and Te[stamen]t Under wri[tt]e[n] A[?] the sam[eth] of the dait and Codiceills a[n]nexed [the]rto all sub[scribed] with his hand In p[rese]nts of the witness[es] after Sp[ecif]ied[?] in it self more fullie purports In The First ther wes Restand awine to the S[ai]d Umq[ui]ll Henry Douglas the tyme of his deceise fors[ai]d Be the

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per Cento from the tymes the Samen was Advanced untill the first day of May 1707 years Extends to [?] Sterling money and in Scots money to the Summ of jajj jiiij [?] Which is due a[n]d adebted to the s[ai]d defunct a[n]d is Now payable in its propper Class by the Commissioners Named by her Ma[je]stie for Manageing a[n]d Disposeing of the equivalent And Wee Give a[n]d Comitt Where upon & S[i]r Patrick Scot of Ancrum Becam Cau[tioner]e As ane act Made there anent Bears Edinburgh the 3d Feb[ruary] 1708 / 2d / Eik Made heire to As Followes To Witt By George Agnew Some tyme Ensign in Collo[ne]ll Douglas Regiment, here after one of the over seers Assistant to the affrican Companys Collony in the Indies the Summ of [?] viij Scots only rest and [?] Ster[lin]g A[?]turned in a ticket granted to him be the defunct dated the 26 Apryll 1695 years Extending to xlvij [?] Sub[cription]s And Wee give a[n]d Comm[?]tt Mr John Murray Advocat Becam caut[ione]r As ane Act made [the]re anent Bears

[end of marginal note]

[main text]

deceist Sir Archbald Murray of Blackbarnony Sir Patrick Murray of Pitdinner and the deceist Sir Alex[ande]r Swintoun of mersingtoun on of the Senators of the Colledge of Justice the Somme of [?] j c& xxxvj [?] xvj ß[olidum] viij d[enari] Scotts for the by gaine a[n]nual]rents of the princ[ipa]ll soume of jaj [?] merks conform to ther bond daitit the 25 day of may 1687 and that from whytsonday 1697 To Candlemes i70i yeirs

Suma of the debts awine to the dead jc& xxxvj L[ibre] xvj ß[olidum]

Followes the deads Legacie and L[ett]rewill

I Henry Douglas wryter in Ed[inburg]h Considereing my frailtie That it is fitt while the Lord allowes me helth and judgment to setle my worldlie afairs So that without disturbance therfor I may the moir frielie and composedlie wait the good pleasure of the Lord when in his wise providence he Shall visit me with services[?] or death doe mak my Testa[men]t and L[ett]rewill as Followes In the First I commit my Soull to God hopeing In his free grace and mercie to be saved by faith in the Lrod[sic] Jesus Christ the only mediator and Saviour and Redemer of gods elect who gives himself a ransom for all that Sincerlie believes in him and Layes hold on his Righteousnes and merits for Salvatione and my bodie to the earth ther to Rest in hop of a blessed Resurrectione and in the nixt[?] place I by thes presents nominat George Douglas my eldest Sone my only exe[cuto]rs universall Legator and Sole Intromettor with my whole goods geir debts soumes of money gold bonds awyn[?] my tickits decreits Insight moveables household pleninsheing abinlyements[?] and vy[?] q[ua]tsumever perteaning and belonging or that shall happen to pertean and belong to me the tyme of my deceise (when ever the sam[eth] at the pleasour of god shall happen.) To whom I leive and bequeath the sam[eth] secludeing [the]rby all u[the]rs q[ua]tsumever from any Right or Interest [the]rin with full pouer to the s[ai]d George Douglas to Intromet [the]rwith uplift and Receave the sam[eth] and to dispose [the]rupon at his pleasour Item I ordean my S[ai]d exe[cuto]re to content and pay to my Childrem the Repive[?Respective] Soumes of money conteaned in the bonds of provisione either granted by me of the dait heirof or in any u[the]r bonds or additionall provisiones that I shall happen to mak and grant to them or ather of them at any tyme herefter And that in full and contentatione and Satisfactione to them of all bairnes pairt of geir portione

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naturall Legitime nerest of kin or any u[the]r thing q[ua]tsumever they can ask or crave any maner of way or that may fall and accres to them or either of them by my deceis or thow[?] the deceise of my deceist wyfe Martha Lockhart ther mother And alsoe I ordeane my s[ai]d exe[cuto]re to pay any debts that shall happen to be awan by me the tyme of my deceise and of any Legacies I shall happen to Leave To the pay[men]t of S[u]ch[?] debts and provisiones to my Childerin the s[ai]d George Douglas will be other wayes Lyable either as air to me or by the qualitie of the generall dispositione maid by me in his favors of the dait the 12 day of Junij 1694 Item I apoynt and nominat Sir Gilbert Elliott of Headshaw advocate Mr Archbald Douglas of Garvald Wm Montgomrie of mcbiehill Ro[ber]t Watsone wryter to the Signet the s[ai]d George Douglas my eldest son and James Douglas my second son or any of them who shall be pleased to accept to be tutors to Henry Androw Jean Richard and W[illia]m Douglass[es] my fyve younger Childeren the Major pairt of thes who shall accept being a quorum and for ther incoragment I heirby declair they shall only be Lyable for ther Intromissiones and not for omissiones It being expected they will act as provident men does in ther owin effairs Ans I alsoe nominat the fors[ai]d persones in the Einrs[?] above wri[tt]e[n] to be Curators to my S[ai]d Childeren efter the expyreing of ther pupillaritie except [the]r be weightie causs[es] to the contrair And I ordeane my Childeren to be educat and brought up at Schooles Colledges or verteu till they be Capable of such Employments Callings and Stationes As god shall Incline them and freinds shall adwyse and cheifly I Recomend to and Request all my Childerin That they be dilligent and cairfull to Serve god Read the Scriptures attend Publick ordinance and Lead Sober and godlie Lives a[nd] to [?] amitie and concord amongst themselves as at ther Last they would desyre to be approven of god And this I declair to be my Letter will and Testa[men]t and hereby Revocks all former In witnes [qua]rof I have wr[itte]n and Sub[crib]t thes p[rese]nts with my hand at Ed[inburg]h the 19 day of feb[ruar]y 1697 & before thes witness[es] James Galbreath of Balgair wryter in Ed[inburg]h and W[illia]m Craufurd wryter [the]r Subs[crip]tion] HDouglas Ju: Galbraith witnes W Craufurd witnes I the s[ai]d Henry Douglas doe herby [ink blot] [insertion

below line: add nominat] and appoint mr John [insertion above line: Jo:]

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Murray advocat my sone of Law to be a Tuttur with the persones abovenamed To my S[ai]ds fyve yo[unge]r Childeren in the Eines[?] abovespe[cif]it[?] as witnes these presents wri[tte]n and sub[scrib]t by me at Ed[inburg]h the 30th of September 1698 Subs[criptio]n [?] HDouglas I the s[ai]d Henry Douglas doe herby Leive in Legacie to the poor of the town of Ed[inburg]h iij c& merks Sc[?]h I [interlineal insertion: or]doean my f[or]s[ai]d[?] exe[cuto]re to pay to the Kirk The [?] for the use of the poor And witnes my hand [crossed out] wr[itte]ns by me at Ed[inburg]h the 3 of May 1700 heirs[?] Subs[criptio]n [?] HDouglas

Sir James Elphingstoun &c Under[?] Stand[?] &c We decerned &c q[ua]rupon Sir Patrick Scott of Ancrum Becam cau[tione]r as ane act maid [the]r anent beirs

(1703, Edinburgh Commissary Court CC8/8/81, transcr by Jacky)