

National Records of Scotland

Summary

Source: NRS Catalogue
Assisted by: Claude AI
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Claude

James Fleming of Hesslhebank, parish of Avondale

Testament Dative, April 1592 – partial transcription and summary

Edinburgh Commissary Court, CC8/8/24, images 59–60. ©Crown copyright, National Records of Scotland.

Item	Detail
Deceased	James Flemyng, in [Hesilhank? / Hesslhebank] [first part of the place-name doubtful], "within the [parochin?] of [Avendaill?]" [reading doubtful]. The place and parish are as you gave them.
Type of record	"The testament datiue and inventar of the guidis geir sowmes of money and debtis pertening to vmqle James Flemyng …" (testament dative; no will). Margin: "James Flemyng / [?] / Aprilis / 1592".
Date	Death "in the moneth of [Aprile?]" of a year that I read as [Jm vc …] [numerals not legible]; margin date "Aprilis 1592" (you give 22 April 1592). The decreet naming the executors is dated "the [?] day of Aprile" [?].
Executors	Andro, Wm, Thomas, [Cuthbert?] and Jonet Flemyng, "lawfull bairnes" of the deceased [reading doubtful for the fourth name], decerned executors dative by decreet of the Commissaries of Edinburgh. The inventory is "gevin vp" on their behalf by a [Jonet?] [?] [relict?] [reading very doubtful].
Commissaries	"Mr [Johne?] Prestoun [?] and Mr [?] … Commissaris of Edinburgh specialie constitut" (image 60) [names doubtful].
Confirmation and caution	Ratification clause at the top of image 60, then "the intromissioun" committed to the executors, who "hes maid faith and fundin cautioun" [reading doubtful]. Marginal note: "Quotta [compositionis?] / [?]" with a figure I could not read.
Other estates on these pages	The top lines of image 59 are the end of a preceding estate's confirmation. The lower part of image 60 begins a different testament (margin "Eduard [?] / [?] / Aprilis 1592") of an Eduard [?] in [?], not part of this record and not transcribed.
Conventions	Original spelling kept; abbreviations not expanded; [square brackets] = doubtful reading; [?] = word or figure I could not read; [illegible]. Very rapid, heavily abbreviated secretary hand with many strokes through the lines: partial and tentative transcription, and no sum could be read with confidence.

1. Summary (from the document only)

What this is. A testament dative and inventory of the goods, money and debts of James Flemyng in [Hesilhank?], who died in [April?] [1592]. The inventory is given up on behalf of his lawful children, who have been decerned executors dative by the Edinburgh Commissaries, and the testament is confirmed by them.

Executors, legatees, debts

- **Executors:** Andro, Wm, Thomas, [Cuthbert?] and Jonet Flemyng, his lawful children, with a [Jonet?] [?] giving up the inventory "in name and behalf" of them [reading doubtful].
- **Legatees:** none; a testament dative has no will.
- **Debts owing to the deceased:** as I read it, "Na debtis awin to the deid" (none), at the foot of image 59.
- **Debts owing by the deceased:** "Followis the debtis awin be the deid". The first item is a sum owed to "the [Laird?] of [Kirkland? Kirkbride?]" [reading doubtful] for [?], continuing on image 60 with sums for [terms? / mailis?] of lands "for the termes of [?]", and a further item for "profeitis" [?] for a year. I could not read the amounts.
- **Division:** after the summa: "Restis of frie geir the debtis deducit" [figure], "To be dividit in thre pairtis" [figure], and "the deid's part" [figure]. The figures are not legible to me.

Points that may help identify the deceased

- James Flemyng "in [Hesilhank?]", parish [Avendaill?] (your identification; my readings are doubtful).
- The household: sons Andro, Wm, Thomas and perhaps Cuthbert, and a daughter or other child Jonet. The relationship of the person giving up the inventory is not clearly read.
- The goods are farming goods: grain by the boll (bear, with prices "the boll"), crop apparently "sawin on the ground" and/or in the barn, and shares ("pairt") of something I read as "the [pleuch?]", with debts for rent of lands.
- Death in April, the same month as the marginal date, suggesting a quick confirmation in 1592.

2. Contents and values

Scots money (£). The figures are in a very cursive Roman numeral hand and I could not read any reliably, so no values are given.

Item	Particulars	Value (Scots)
Inventory: "Inprimis the said vmqle James Flemyng … had the tyme of his deceis …"	Image 59: items of fractions ("thre pairt", "four pairt" [?]) of the [pleuch?], each "estimat to …"	[illegible]
Grain: bear and other corn	Bolls "sawin on the ground" and in the barn [?], each priced "the boll"	[illegible]
Summa of the Inventar	Image 59, foot	[illegible]
Debts owing to the deceased	"Na debtis awin to the deid"	none (as read)
Debts owing by the deceased	Images 59 (foot) and 60	[illegible]
Summa of the debts awand be the deid	Image 60	[illegible]
Rest of free gear; to be divided in three; deid's part	Image 60	[illegible]

Please check all figures on images 59 and 60.

3. Images and transcription

Reading order: 59, 60. Line breaks are approximate; other estates on the pages are summarised in square brackets.

Image 59 – Image 59: heading, inventory and start of the debts

1592 Flemyng, James (Wills and testaments Reference CC8/8/24, Edinburgh Commissary Court) Image 59 Last image 60
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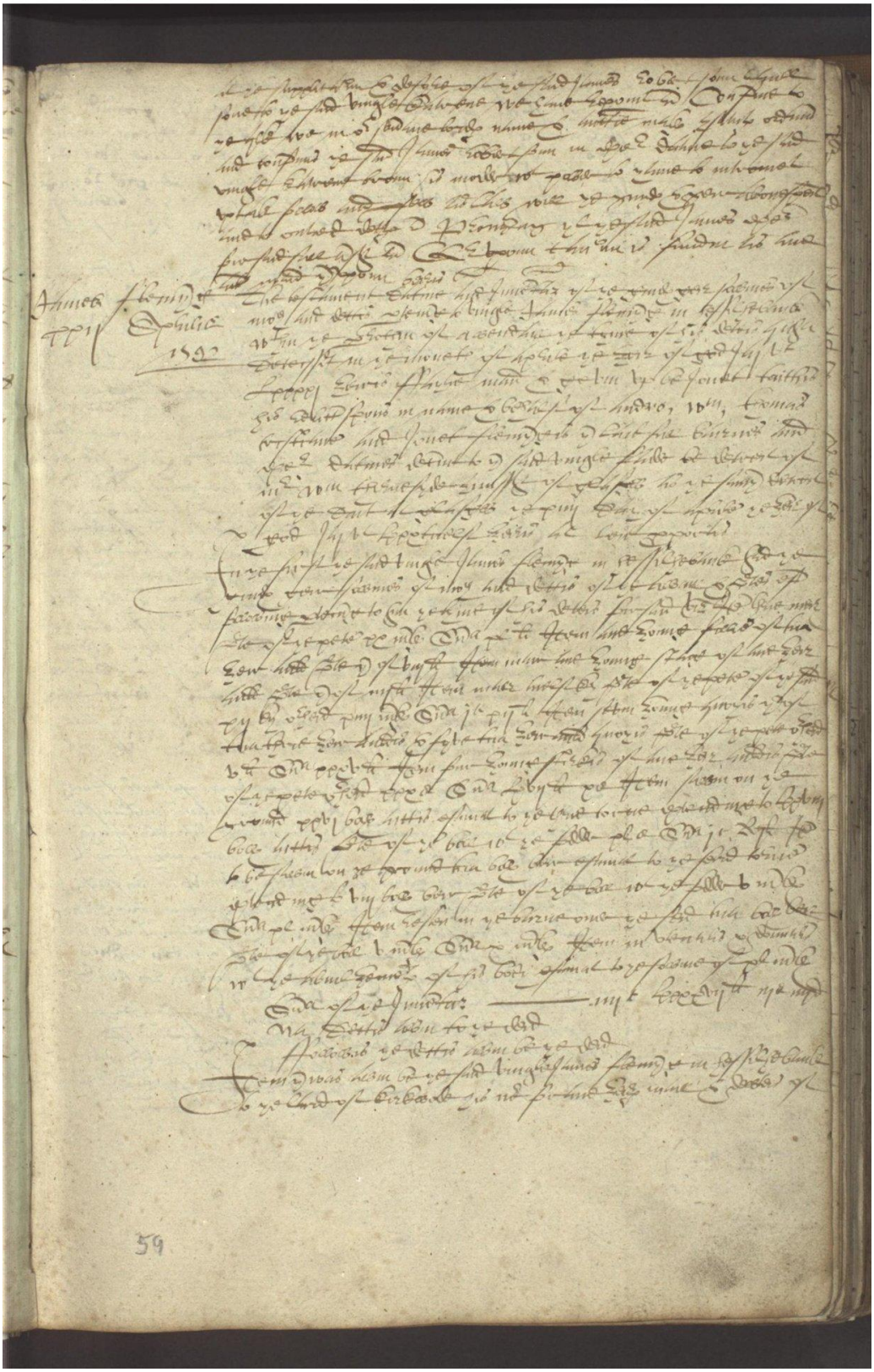


Image: ScotlandsPeople / National Records of Scotland (CC8/8/24) – reproduced for private research.

Transcription (partial)

[Top of page: the last lines of the confirmation of a preceding estate: "… the said James [?] … [?] … of the said vmqle … [?] … commissaris … hes maid faith and fundin cautioun …" Not transcribed in full.]

[margin: James Flemyng / 22nd / Aprilis / 1592]
The testament datiue & inventar of the guidis geir sowmes of
money & debtis pertening to vmqle James flemyng in [Hessilhebank?]
within the [parochin?] of [Avendaill?] the tyme of his deceis Quha
deceist in the moneth of Aprile the yeir of God Jm vc lxxxxj (1591)
[?] yeiris faithfullie maid & gevin vp be [Jonet?] [Caithis]
his [relict?] [?] in name & behalf of Andro, Wm, Thomas, [~~Robert~~?]
[curscome] and Jonet flemyng(is)the lawfull bairnes & executoris datiue decernit
be the said vmqle James [?] be decreit of Mr Wm Chxnesyde the Commissaris of Edinburgh
in the [?] ... the [xiij] day of Aprile the yeir of God
Jm vc [?] yeiris

Inventar
Inprimis the said vmqle James flemyng in [Hesilhank?] had the tyme
of his deceis foirsaid the guidis geir sowmes of money & debtis eftirfollowing
[viz?] ... [thre?] pairt of the [pleuch?] ... estimat ... [?]
... [?] ... [?] ... [?] ... [?] ... [four?] pairt of the [pleuch?] ... [?]
... [?] ... sawin on the ground ... [?] ... bolls beir estimat to the [?]
the boll ... [?] ... [?] ... [?] ... the boll ... [?]
... [?] ... in the barne ... [?] ... bolls beir ... estimat to ... [?] ...
... [?] ... [?] ... [?] ... [?] ... [?] ...

Summa of the Inventar ——— [illegible]

Na debtis awin to the deid

Followis the debtis awin be the deid
Item awand be the said vmqle James flemyng in [Hesilhank?]
to the [lard?] of [Kirkland? Kirkbride? Kirkdale?] ... [?] ... [?] ... [?] ...

Image 60 – Image 60: debts continued, division, confirmation; start of next estate

1592 Flemyng, James (Wills and testaments Reference CC8/8/24, Edinburgh Commissary Court) Image 60 Last image 60
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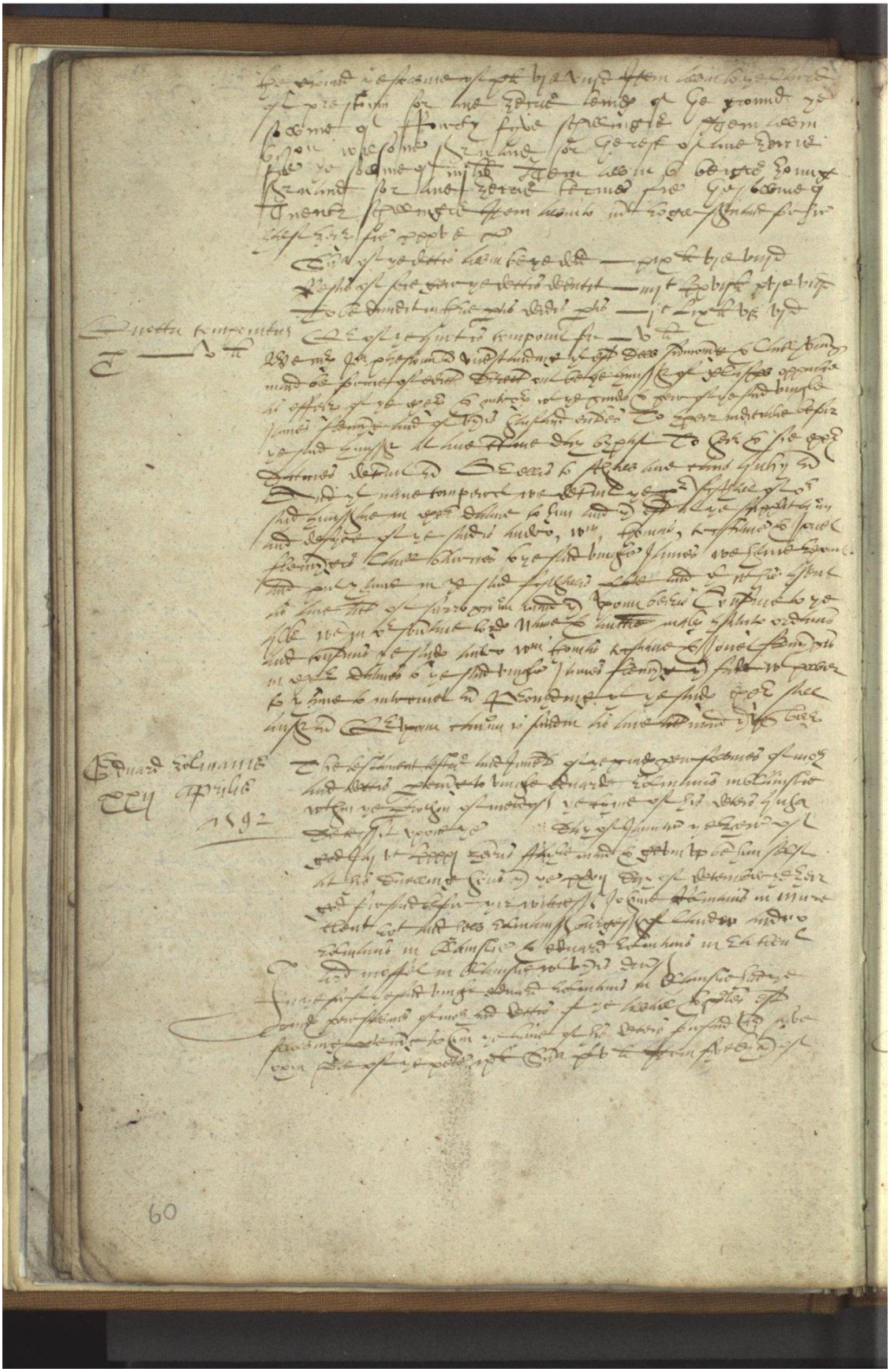


Image: ScotlandsPeople / National Records of Scotland (CC8/8/24) – reproduced for private research.

Transcription (partial)

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... [?] ... the soum of ... [?] ... [?] ... [?] ... from [?]
... [?] ... [?] ... [?] ... for ane yeir [?] ... [?]
[?] ... for the termes of ... [?] ... the soum of ... [?]
... [?] ... [?] ... for the [?] ... the soum of ... [?]

Summa of the debtis awand be the deid ——— [illegible]
Restis of frie geir the debtis deducit ——— [illegible]
To be dividit in thre pairtis quhairof ——— [illegible]

[margin: Quotta [compositionis?] / [?] ——— [?]]
Quhilk day [?] ... We Mr [Johne?] Prestoun [?] & Mr [?] ...
commissaris of Edinburgh specialie constitut ... [?] ... ratifie approve and
confirme ... the said testament ... gevin vp ... in name & behalf of
[?] ... [?] ... Andro, Wm, Thomas ... [~~Robert?~~] & Jonet flemyng(is) ... [?]
the said vmqle James ~~flemyng~~ [wehlme?] ... [Esquire?] ... [?] ... [?] ... committ
the intromissioun with the said guidis to the said [?] ... [?] ... quha
hes maid faith & fundin cautioun ... [?]

[Lower part of the page: the start of a different testament, margin "Eduard [?] / [?] /
Aprilis 1592": "The testament datiue and inventar of the guidis geir sowmes of money and
debtis pertening to vmqle Eduard [?] in [?] ... quha deceist ... the [?] day of [?] ...",
witnesses including Johne [?] in [Murthat?] and Eduard [?]. Not transcribed.]
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4. Readings to check

- The place-name and parish in the heading (image 59), and the year of death.
- The names of the executors (especially the fourth) and of the person who gives up the inventory.
- The creditor in the first debt and the amounts.
- The Commissaries' names, the "Quotta" note and all figures.
- The word I read as "pleuch" in the inventory.