JAMES MICHAEL FLEMING WRITER

Scotland's People

Transcription

Source: Scotland's People
Assisted by: Claude AI
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Claude

Dame Jean Fleming, Countess of Cassilis

Testament Datiue and Inventar, confirmed 1610 – transcription and summary

Edinburgh Commissary Court, CC8/8/46, images 208–209

Reliability. This is a clearer, more regular hand than the 1569 testaments, so most of the heading, the inventory and the sums can be read with fair confidence. The long, rapid lines are still hard, and some words, especially names, are doubtful. Uncertain readings are in [square brackets]; [illegible] marks what I could not read; abbreviations are not expanded; spelling is as written. The sums (written as "iij^m" for 3000, "ij^c" for 200 and so on) were checked arithmetically and agree.

Item	Detail
Deceased	Dame Jeane Flemyng, Lady Thirlstane, relict of Johnne Lord Thirlstane, Chancellor of Scotland, and last spouse of Johnne Earl of Cassillis; "Countes of Cassillis".
Death	Died in [Edinburgh] on a [day of Junij?] in the year "Im vic nyne zeris" (1609). Day and month not securely read.
Record	CC8/8/46, Edinburgh Commissary Court, ScotlandsPeople images 208–209. Margin date: "nono [?] Marcij 1610" (9 March 1610).
On image 209	The top and middle of 209 are a separate testament, that of Lady Anna Maitland, daughter of the same Lord Thirlstane (transcribed in section 4, because it falls within this ScotlandsPeople record). The foot of 209 begins a third testament, of Andro Scott, which is not transcribed.

1. Summary

- **Form.** A testament datiue: no will, an executor appointed by the Commissaries of Edinburgh. The executor datiue is read as Williame Maitland, described as [illegible] to my Lord Thirlstane. He gave up the inventory “faithfullie maid and gevin vp”.
- **Estate.** The inventory is a single item: her “abulzementis” (habiliments, i.e. personal apparel and ornaments) and “conuenientis” [?] of her body, held with her husband at her death in Edinburgh, estimated at £3,000 (iij^m li).
- **Debts owing to her.** One item: arrears for the farms of two [pennylands?] of land in “Bonytoun” [?], with a quantity of meal and bear (barley) and their price, owed by a Johne [Dobbad?] Smythe, totalling £287 (ij^c lxxxvij li).
- **Totals.** Inventory £3,000; debts owing to her £287; “Summa of the Inventar with the dettis” £3,287. This is “devydit in tua pairtis”, and the dead’s part is £1,643 10s (j^m vj^c xliij li x s), exactly half.
- **Debts owed by her.** None are entered.
- **Legatees.** None; the testament is datiue.
- **Composition and confirmation.** A “Nota” in the margin and a short composition clause appear near the foot of 208; the closing lines (the Commissaries’ decreet, a composition, and a reference to a [Flemyng of Clydisdale?]) are too faint and rapid to read.

2. Contents and values

Item	Detail	Value (Scots money)
Abulzementis [and conuenientis] of her body	Apparel and ornaments; estimated value	£3,000 (iij^m li)
Summa of the Inventar		£3,000
Debts owing to her: Johne [Dobbad?] Smythe, Bonytoun [?]	Farms of two [pennylands?], crop and year(s) [Im vic …], meal and bear at stated prices	£287 (ij^c lxxxvij li)
Summa of the debts owing to the deceased		£287
Summa of the Inventar with the debts		£3,287 (iij^m ij^c lxxxvij li)
Dead’s part (half, “tua pairtis”)		£1,643 10s (j^m vj^c xliij li x s)
Debts owed by the deceased	None entered	

Check: 3,000 + 287 = 3,287; half of 3,287 = 1,643 10s. The household furniture of her house is not listed.

3. Images and transcription of Jean Fleming's testament

Image 208 – Dame Jeane Flemyng

1610 Flemyng, Jeane (Wills and testaments Reference CC8/8/46, Edinburgh Commissary Court) Image 208 Last image 209
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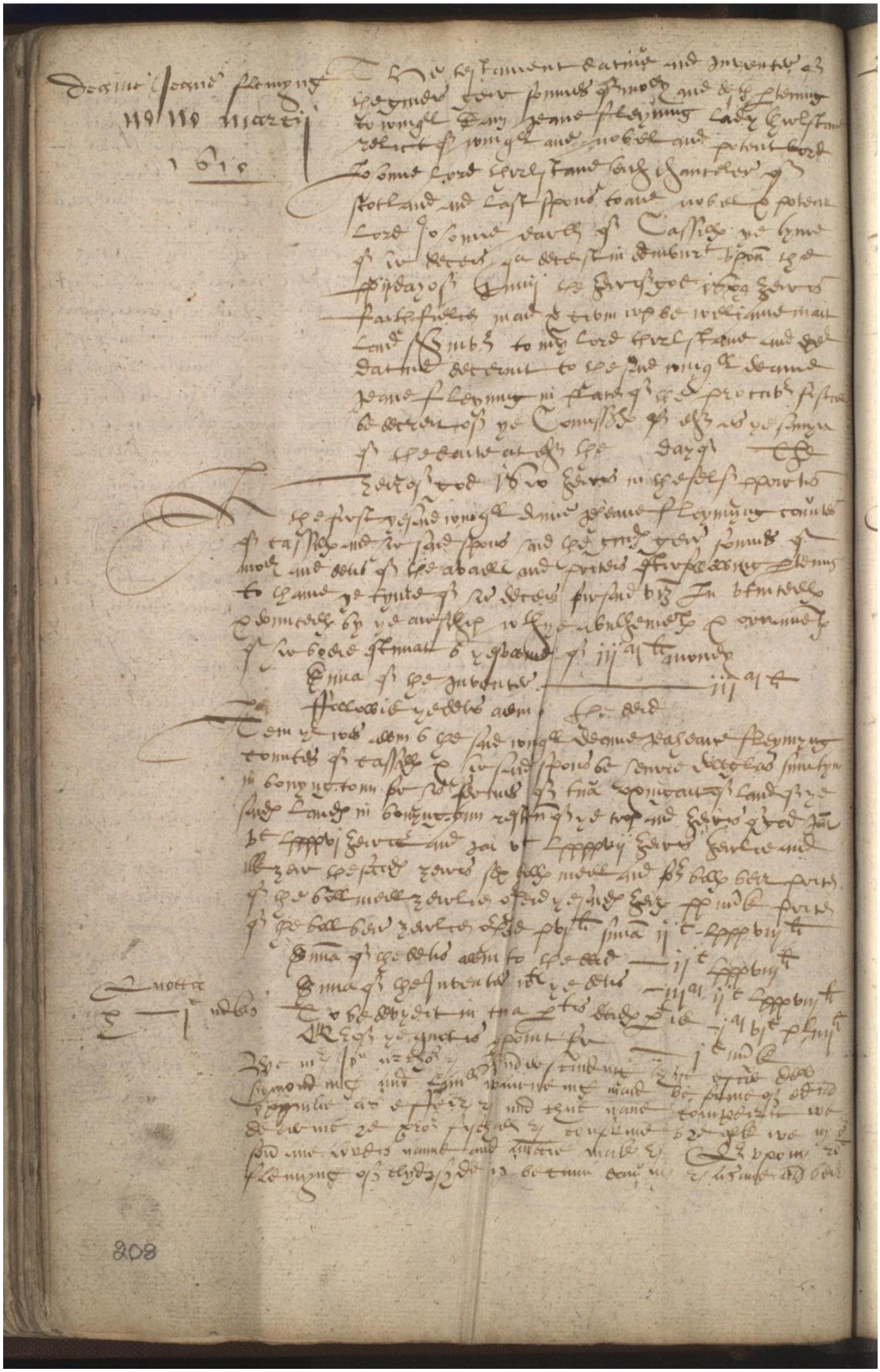


Image: ScotlandsPeople / National Records of Scotland (CC8/8/1) – reproduced for private research.

Transcription (image 208)

[Margin:] Dame Jeane Flemyng / [nono?] Marcij / 1610

The testament datiue and Inventar of the
gudes geir sowmes of money and dettis Flemyng
to vmquhile Dame Jeane Flemyng Lady Thirlstane
relict of vmquhile ane nobill and potent Lord
Johnne Lord Thirlstane Chancellar of
Scotland and last spous to ane nobill & potent
Lord Johnne Erle of Cassilis ye tyme
of hir deceis ye dyit in Edinburt vpon ye
[illegible]day of [Junij?] ye zeir of God Im vic nyne zeris
faithfullie maid & gevin vp be Williame Maitland
[illegible] to my Lord Thirlstane and Ex[ecutour]
Datiue decernit to ye said vmquhile Dame
Jeane Flemyng in [pe]rt[ ] [illegible] [?] ye Comissar of Edin[burgh]
of testament at ye [?] day of [illegible]

Item [?] zeiris in ye [first] [?] ye [illegible]
In ye first ye said vmquhile Dame Jeane Flemyng Countes
of Cassillis and hir said spous had ye tyme of hir deceis ye sowmes of
money and [gudes?] of ye abuue and [wrytin?] [illegible] [?] Flemyng
to haue ye tyme of hir deceis foirsaid viz In Edinburgh
[illegible] by ye awsship wt ye abulzementis [& conuenientis?]
of hir bodie estimat to ye soume of [iij^m] li money
Summa of ye Inventar ———————— iij^m li

Followis ye dettis awin to ye deid
Item ye [dett] awin be ye said vmquhile Dame Jeane Flemyng
Countes of Cassillis & hir said spous be Johne [Dobbad?] Smythe
in Bonytoun [?] for ye fermes of tua [pennylandis?] of land lyand [illegible]
in Bonytoun [?] restand of ye crop and zeiris [Im vic …] [illegible]
[illegible] and [illegible] [boll] meill and [..] bolls beir price [illegible]
[of ye] boll meill [and] [..] ye boll beir [illegible] [ye] [pairt?]
Summa [illegible] ———— [ij^c lxxxvij li]
Summa of ye dettis awin to ye deid ———— ij^c lxxxvij li
Summa of ye Inventar wt ye dettis ———— iij^m ij^c lxxxvij li
Quhilk to be devydit in tua pairtis [illegible]
[Deid's part?] ———— j^m vj^c xliij li x s
[Margin:] Nota / [illegible]
[Rest ye geir is pointit?] [for?] ———— [illegible]
[The Mr ... illegible] [and] [illegible] Commissaris [?]
[illegible] [composition?] ... [illegible] ... Flemyng of [Clydisdale?] is [be]twin [?]
[illegible – the clause continues to the foot of the page]

Image 209 – Lady Anna Maitland (and the start of a third testament)

1610 Flemyng, Jeane (Wills and testaments Reference CC8/8/46, Edinburgh Commissary Court) Image 209 Last image 209
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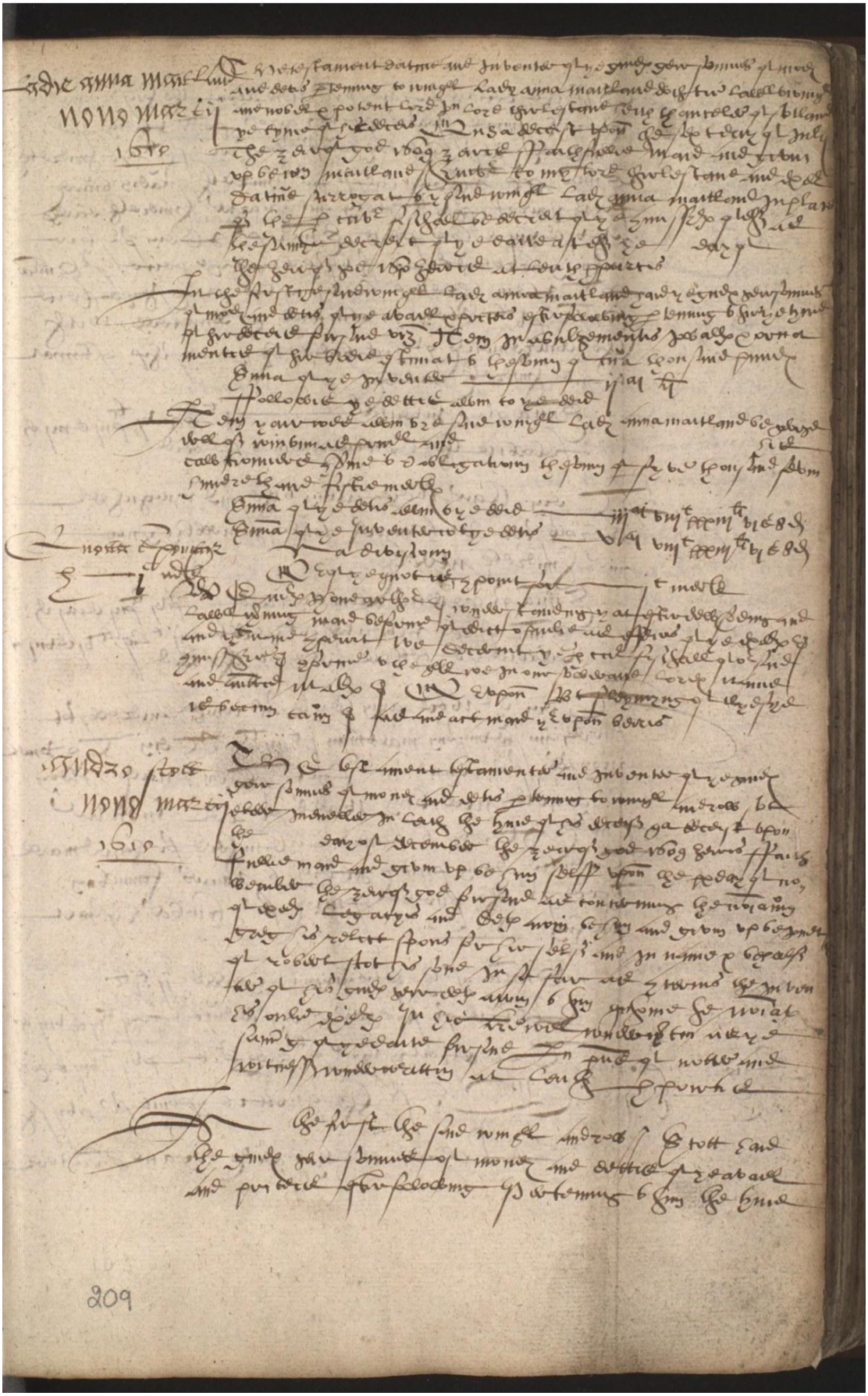


Image: ScotlandsPeople / National Records of Scotland (CC8/8/1) – reproduced for private research.

4. Lady Anna Maitland (image 209, top and middle)

This second testament is on the same page, with the same confirmation date in the margin ("nono Martij 1610"). Lady Anna is described as a daughter of Lord Thirlstane, the Chancellor, so she is presumably the daughter of Jean Fleming's first marriage; this is an inference from the names, not stated in the text I could read.

Item	Detail	Value (Scots money)
Abulzementis [and jewels?]	Estimated	£2,000 (ij^m li)
Summa of the Inventar		£2,000
Debts owing to the deceased	Obligations by [Johne?] and [Sir?] … [illegible]	£3,686 6s 8d (iij^m vj^c lxxxvj li vj s viij d)
Summa of the Inventar with the debts		£5,686 6s 8d (v^m vj^c lxxxvj li vj s viij d)
Rest of the geir is pointit for		[illegible]

Check: 2,000 + 3,686 6s 8d = 5,686 6s 8d.

Transcription (image 209, top and middle)

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[Margin:] Dame Anna Maitland / nono Martij / 1610
The testament datiue and Inventar of ye gudes geir
sowmes of money and dettis pertening to vmquhile Lady
Anna Maitland dochter to vmquhile [?] Lord Johne Lord Thirlstane
Chancellar of [Scotland?] [illegible] quha deceist vpon ye [illegible]
day of [Julij?] ye zeir of God Im vic nyne zeris faithfullie maid and gevin
vp be [Robert?] Maitland [?] [illegible] to my Lord Thirlstane and Ex[ecutour]
Datiue decernit be ye said vmquhile Lady Anna Maitland in plane
[illegible – the heading ends: decreet of the Commissaris of Edinburgh, the day of … ]

In ye first ye said vmquhile Lady Anna Maitland had ye gudes geir sowmes
of money [and] dettis ye abuue [writtin?] of ye [?] [illegible] to ye [?]
viz Item in abulzementis [& jewellis?] [illegible] [conuenient?]
estimat to ye sowme of tua [m?] li money
Summa of ye Inventar ——— ij^m li

Followis ye dettis awin to ye deid
Item be ye said vmquhile Lady Anna Maitland be [obligatioun?] [illegible]
[illegible] obligatioun [?] [illegible] be [Johne?] and [Sir?] [illegible]
Summa of ye dettis awin to ye deid ——— iij^m vj^c lxxxvj li vj s viij d
Summa of ye Inventar wt ye dettis ——— v^m vj^c lxxxvj li vj s viij d
Rest of ye geir is pointit for ——— [illegible]
[Nota?] [illegible – c. 5 lines: executors, composition and confirmation; not legible]
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The lower part of image 209 begins a third testament, "The testament testamentar and Inventar of ye gudes geir sowmes of money and dettis pertening to vmquhile Andro Scott [in Leith?] …" (margin "Andro Scott, nono Martij 1610"). It is not transcribed.

5. Why Jean's record includes this page, and readings to check

- ScotlandsPeople has indexed Jean Fleming's entry as images 208–209, but image 209 begins with Anna Maitland's testament. Jean's own testament appears to end at the foot of 208, whose last lines I could not read in full; the two were confirmed on the same day (9 March 1610), which probably explains the overlap.
- The executor's name and relationship (Williame Maitland, "[illegible] to my Lord Thirlstane"). "My Lord Thirlstane" in 1610 would be the son, John, 2nd Lord Thirlestane, but that is an inference.
- Dates of death (day and month) for both ladies.
- The debtor and place-name in Jean's inventory ("Johne [Dobbad?] Smythe in Bonytoun") and the quantities of meal and bear.
- The "Nota" in the margin of 208 and the closing clauses, which I could not read.