

Transcription

Source: Scotland's People
Assisted by: Claude AI
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John Fleming in the Mains of Cumbernauld

Testament Testamentar and Inventar, 1614 – partial transcription and summary

Glasgow Commissary Court, CC9/7/10, images 208–212

Please read this first. The hand is a rapid, abbreviated secretary hand and the inventory on 209–210 is very dense. I could read the heading, the structure, the will, the witness clause and the confirmation reasonably well, but only parts of the inventory, and the figures only patchily. Uncertain readings are in [square brackets]; [illegible] marks what I could not read; abbreviations are not expanded and nothing is filled in from formulas. Line breaks are approximate. Values are not given where I could not read them with confidence. Treat this as a working draft to check against the images, which are included in full.

Item	Detail
Deceased	Johne Flemyng in the Maynes of Cumbernauld, within the parish of [Lenze? / Fenze?]; died in [the month of …] 1614 (month not securely read).
Record	CC9/7/10, Glasgow Commissary Court, ScotlandsPeople images 208–212. Confirmed in October 1614 (the clause is dated "[..]th day of October 1614").
Type	Testament testamentar: he left a will, made when "sick in body but hale in memorie".
Commissary	Mr Williame Hay of Barro, Commissar of Glasgow.
Other material	The top third of image 208 is the end of a different testament and its confirmation (not transcribed). The foot of 212 begins another testament (not transcribed).

1. Clues to who he was

The testament does not state his parentage, and I found no relationship term such as "brother" or "son" linking him to the Lord Fleming. What the pages do show:

- **Place and status.** He is "in the Maynes of Cumbernauld". The Mains was the home farm of Cumbernauld House, so he is most likely the tenant or farmer of the Mains, which belonged to the Earl. That would fit a kinsman of modest rank (a younger-branch Fleming) as much as a close relative, and the surname alone does not make him one.

- **The Earl is named.** The will includes a passage naming “my Lord Flemyng Erle of Wigtoun”. The words in front of it, and what follows, are only partly legible. I read it as asking the Earl, in “amitie” or friendship, to act as a protector or judge (“to be … judge”) for his heirs, and a bequest to or through him is possible; please check against 211. This is the clearest link in the document to the family.
- **Counsel and advisers.** He made the will with the counsel of Johne Stirling [in Sevenhill? / Seweny?] and a [Flemyng in Dunsatys? / Dunsatis?], whose place name I could not read. The second man is another Fleming and may be a kinsman.
- **Executor.** The executor named is read as Johne Sym [Syme], son to Williame Sym in Cumbernauld, and not a Fleming. Several lines of the clause appoint him to take the goods and to “be” his “intromettar”; this is tentative.
- **Another Fleming at the Mains.** On 212, a Thomas Flemyng “in Maynes of Cumbernauld” appears in the surety (“cautionar”) clause immediately after the confirmation, for the executor. He is the likeliest candidate for a brother or son living at the same farm, but the text does not say so.
- **Witnesses (212).** Williame [Dauid?] Bernie in Ballesshy [?], Thomas Sym in Cumbernauld, and the executor Johne Sym; the will was subscribed by a notary, Sir Jacobus [?] Thomson (in the Latin formula “propria … manu”), “at command of” the testator, which suggests he could not write, and Robert Flemyng [?] is also mentioned. These names are worth checking against Cumbernauld rentals and the kirk and estate records.
- **Dating clues.** He made the will in [April?] 1614 (the date reads “[..] day of [Aprile?] 1614”) and died later that year; confirmation followed in October 1614.

Suggested checks: the Mains of Cumbernauld rental of the 1610s; the Fleming family papers (the Wigtown Papers) for a “Johne Flemyng” in the Mains; the Cumbernauld parish and Kirkintilloch/Cadder records; and the Register of Deeds for the will, which may identify the notary and the “counsel”.

2. Summary of the testament

- **Estate.** The inventory (208 foot to 210) is a farm inventory: oxen, horses, cows and young cattle, sheep, corn (oats, bear and meal) in the barn and yard, with a price for each item; also household goods such as a brass pot, an iron pot, a pan, beds, a chest, a pair of linen sheets and wool plaids. Each item is priced in pounds Scots, but I could not read the amounts reliably.
- **Debts owing to him.** A list on 210 headed “Debtis awand to the deid” (a different hand style) names several debtors, each for a sum with a crop year, including a Johne Grahame in M[?]wood, a Barbara Scott, and a Johne Stirling; amounts could not be read with confidence.
- **Debts owed by him.** None are clearly listed; the page headed “Debtis awand out” is read as “To be debtit in …”, with a figure I could not read.
- **Totals and composition.** The page 211 top has a Summa of the debts, “Rest of free geir” and “To be debtit”, followed by a note “Nota be composition in …” (the amount is not readable), then the will.
- **Will.** In the Mains of Cumbernauld, in 1614, he names the executor, leaves legacies and instructions regarding the Earl, as described in section 1, and subscribes through a notary.
- **Confirmation.** On 212 Mr Williame Hay of Barro, Commissar of Glasgow, “ratifies, approves and confirms” the testament and the inventory, giving the executor power to intromit, and the executor’s surety is recorded on the same day, October 1614.

3. Contents and values

The figures could not be read reliably, so no totals are given and nothing is guessed. The categories are those I could identify.

Section	Items identified	Value
Inventory (208–210)	Oxen, horses, cows, young cattle, sheep; corn and meal; household goods (pots, pan, beds, chest, plaids)	[illegible]
Summa of the Inventar (210)	—	[illegible]
Debts owing to the deceased (210)	Several named debtors; crop years	[illegible]
Summa of the debts (210–211)	—	[illegible]
Rest of free geir (211)	—	[illegible]
Debts owed by the deceased	None clearly listed	[illegible]
Composition (211)	“Nota be composition in …”	[illegible]

4. Images and partial transcription

Image 208 – Heading and start of the inventory

1614 Flemyng, Johnne (Wills and testaments Reference CC9/7/10, Glasgow Commissary Court) Image 208 Last image 212
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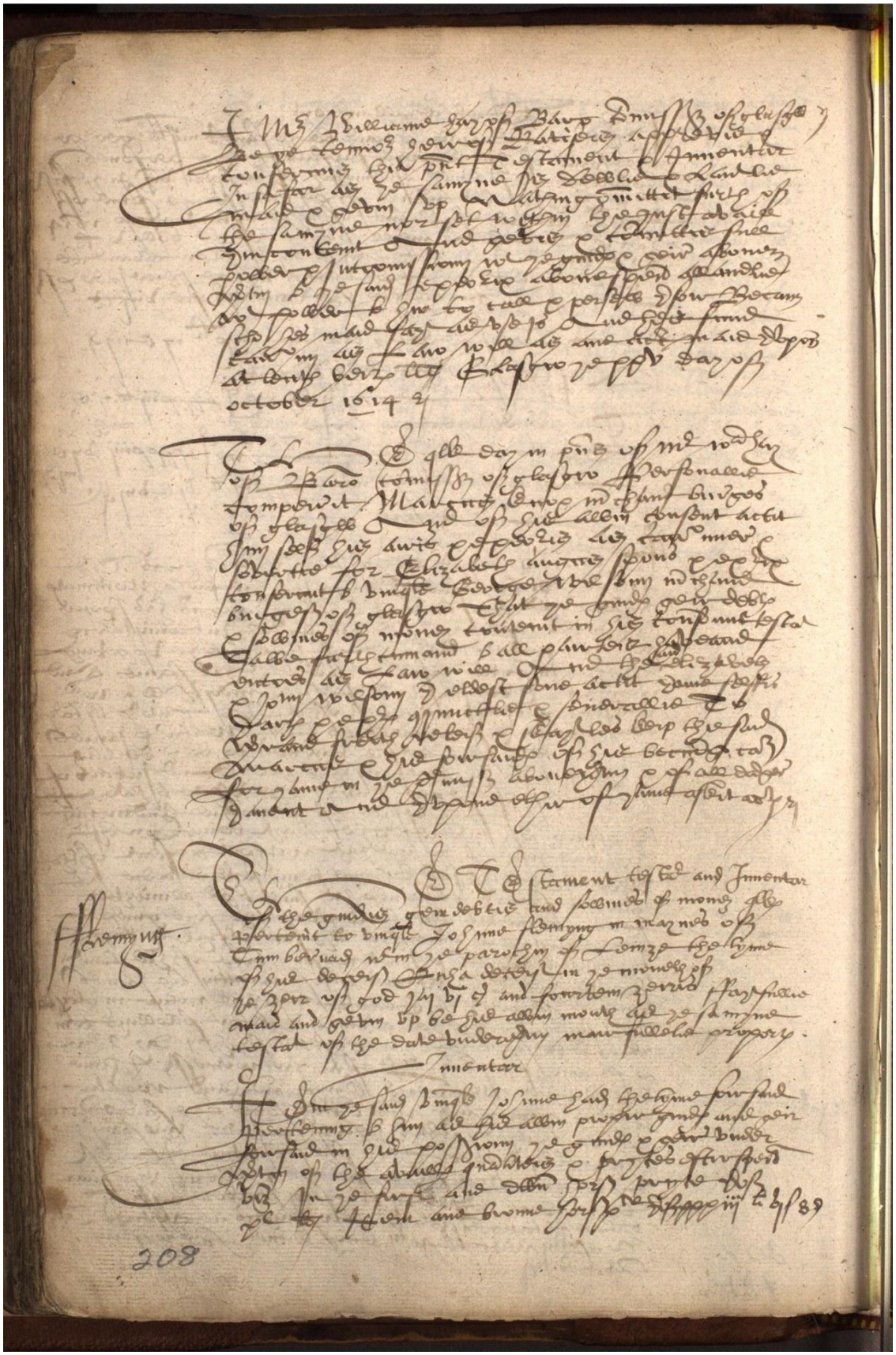


Image: ScotlandsPeople / National Records of Scotland (CC8/8/1) – reproduced for private research.

Partial transcription

[Upper third: the confirmation of another testament and the surety of Margaret [?] – not transcribed]

[Margin:] Flemyng

The Testament testamentar and Inventar
of the gudes geir dettis and sowmes of money quhilk
pertenit to vmquhile Johne Flemyng in Maynes of
Cumbernauld within the parochin of [Lenze?] the tyme
of his deceis quha deceist in the moneth of
[illegible] ye zeir of God Im vjc and fourtene zeiris faythfullie
maid and gevin vp be [the aller?] [illegible] the samyne
testat of the date vnderwrittin maid and [illegible]

Inventar
In the first the said vmquhile Johne had the tyme foirsaid
[ye?] [illegible] and awin proper gudes and geir
[illegible] in the [ ] of the [illegible] [and] [pertenit?] after specifeit
viz In the [place?] and [illegible] [four?] oxen [?] price of the [pece?]
[illegible] [the?] […] [illegible] [illegible] [ij^c?] [..] li]

Image 209 – Inventory of stock, corn and household goods

1614 Flemyng, Johnne (Wills and testaments Reference CC9/7/10, Glasgow Commissary Court) Image 209 Last image 212
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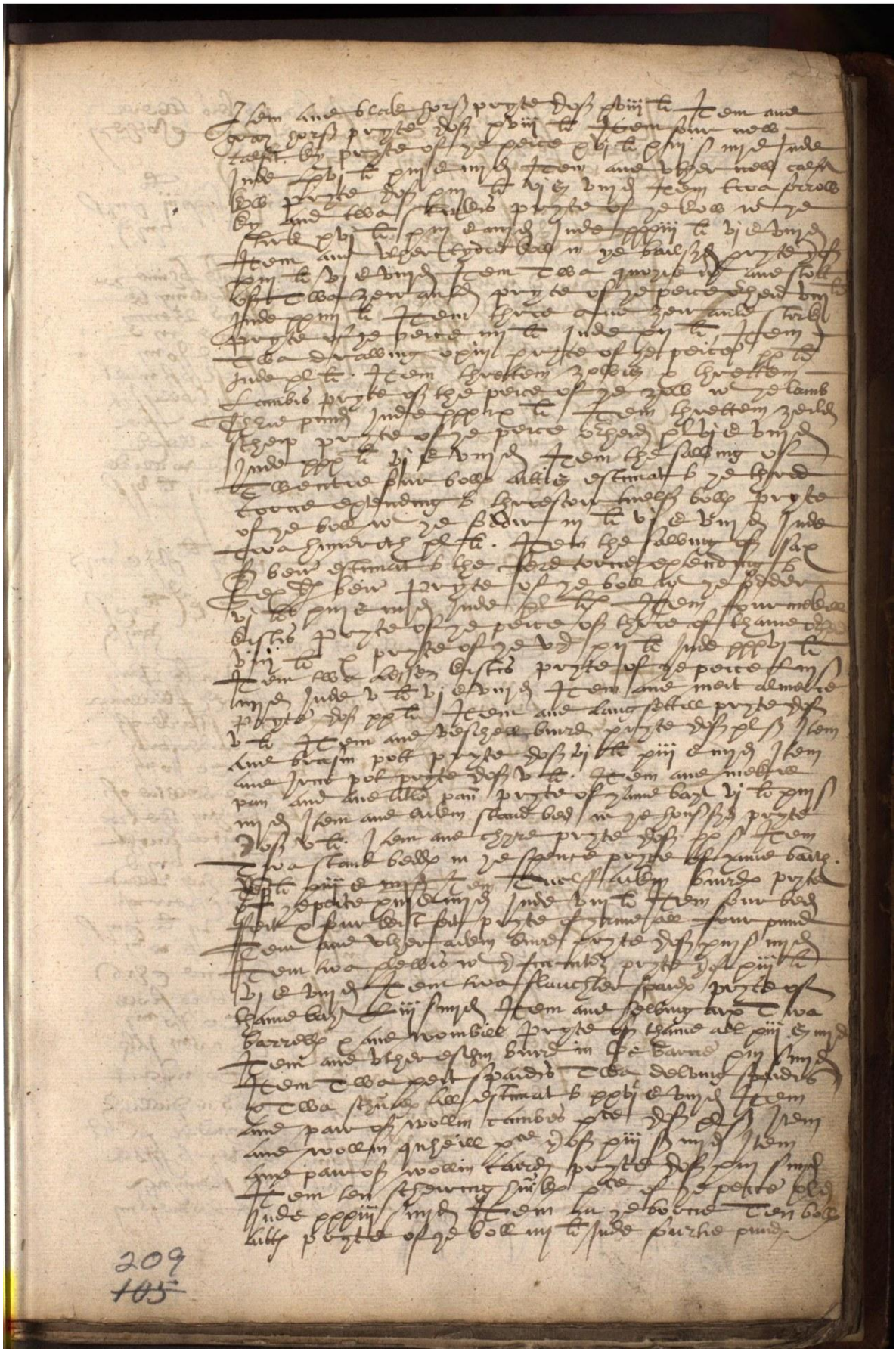


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Partial transcription

Item ane [bla]ck [horse?] price of ye [..] [..]li
Item ane [grey?] horse price of ye [..] [..] li
Item [sax?] [..] [..] price of [ye] [peice?] [..] li [..] [..] [..]
Item [ane?] [..] cow price [..] li [..] [..] [..] Item tua [..] [..]
[illegible] [..] [..] price of ye [..] [..] [..]
Item [ane] [..] [..] ye [..] in ye [..] [..]
Item [..] [..] [..] [..] price of ye peice [..]
Item thretteen zoung ewis and thretteen lambis price of ye peice [..]
Item thretteen [zeild?] [..] price of ye peice [..] [..] [..]
Item ye saweing of [..] [..] [..] boll aittis [estimat?] to ye [..]
[..] [..] [..] [..] [bolls?] price of ye boll w ye [fodder?] [..]
Item ye saweing of [..] bear estimat to ye [..] [..] [..] [..]
[..] [..] bolls price of ye boll [..] [..] [..]
Item four [..] [..] price of ye peice of [..] [..]
Item [..] [..] [..] price of [..] [..] [..] [..]
Item ane brass pot price [..] [..] [..]
Item ane iron pot price [..] [..]
Item ane [maister?] pan and ane [litill?] pan price of [baith?] [..]
Item ane [aiken?] standbed in ye [hous?] price [..] li
Item ane [..] price [..] li. Item tua standbeddis in ye [spence?] price of [baith?]
[..] [..] Item ane [..] [chist?] price [..]
Item ane [..] [..] [..] price [..] Item tua [..] w [..] [..] price [..]
Item tua [flanchen?] [..] price of [..] [..] Item ane [..] [..]
Item ane [..] [barrellis?] and ane [..] price of [baith?] [..]
Item ane [..] [..] [..] in ye barne [..] Item tua [..] [..]
Item tua [..] [..] [..] estimat to [..] li Item ane pair of woll[in?] [..] price [..] li
Item ane woll[in] [..] price [..] li Item ane pair of woll[in?] [..] price [..]
Item [..] [..] [..] [..] of ye [peice?] [..] Item ane [..] [..] [..] bolls
[..] [..] price of ye boll in [..] [..] [..] [..] [..]

Image 210 – End of inventory; debts owing to and by the deceased

1614 Flemyng, Johnne (Wills and testaments Reference CC9/7/10, Glasgow Commissary Court) Image 210 Last image 212
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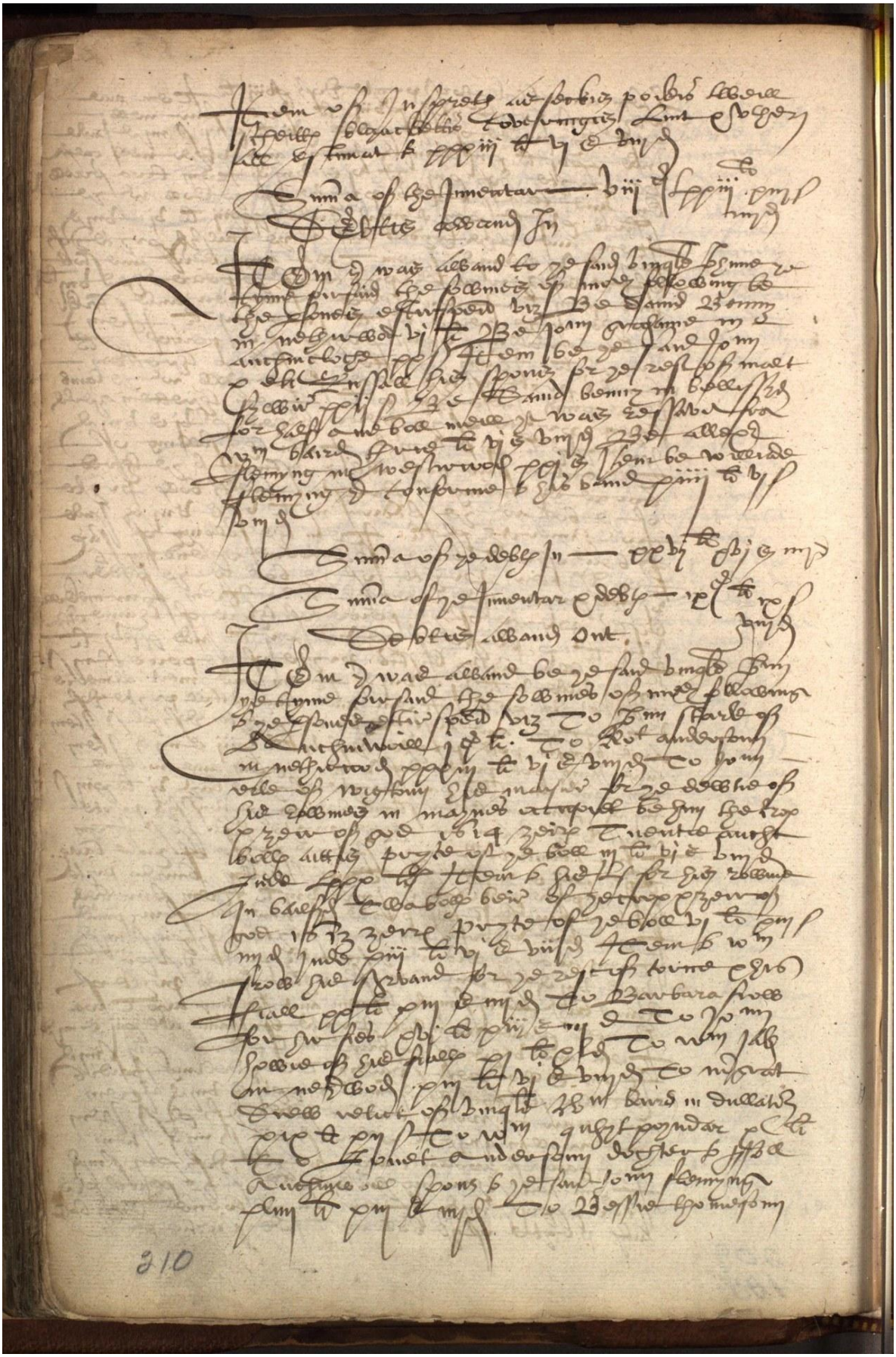


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Partial transcription

Item of [..] [..] [..] [..] [..] [..] [..] [..]
[..] [..] estimat to [..] [..] [..] [..]

Summa of ye Inventar ——— [..] [..] li [..] [..]

Debtis awand to ye [deid]
Item ye [..] was awand to ye said vmquhile Johne the tyme foirsaid the sowmes of money following be
the [persones?] efterspeceit viz [be] ye said [Johne?] [Grahame?] in M[..]wood [..] [..]
[illegible] [..] Item be ye said Johne [..] [..]
[..] [..] [..] [..] [..] [..] [..] [..] [..]
Summa of ye dettis ——— [..] [..] [..] [..]
Summa of ye Inventar [wt] dettis ——— [..] [..]
Debtis awand out
Item ye was awand be ye said vmquhile Johne the tyme foirsaid the sowmes of money following be ye [persones?] efterspeceit viz to Johne Stark of [Dunsatis?] [..] [..]
[..] to Robert Andersoun in [..] [..] [..] to Johne [..]
[..] of Wigtoun [..] [..] [..] [..] [..] [Barbara Scott?] [..] [..] [..]
[illegible – c. 8 further lines of debts, names and sums not readable]

Image 211 – Totals; composition; the will

1614 Flemyng, Johnne (Wills and testaments Reference CC9/7/10, Glasgow Commissary Court) Image 211 Last image 212
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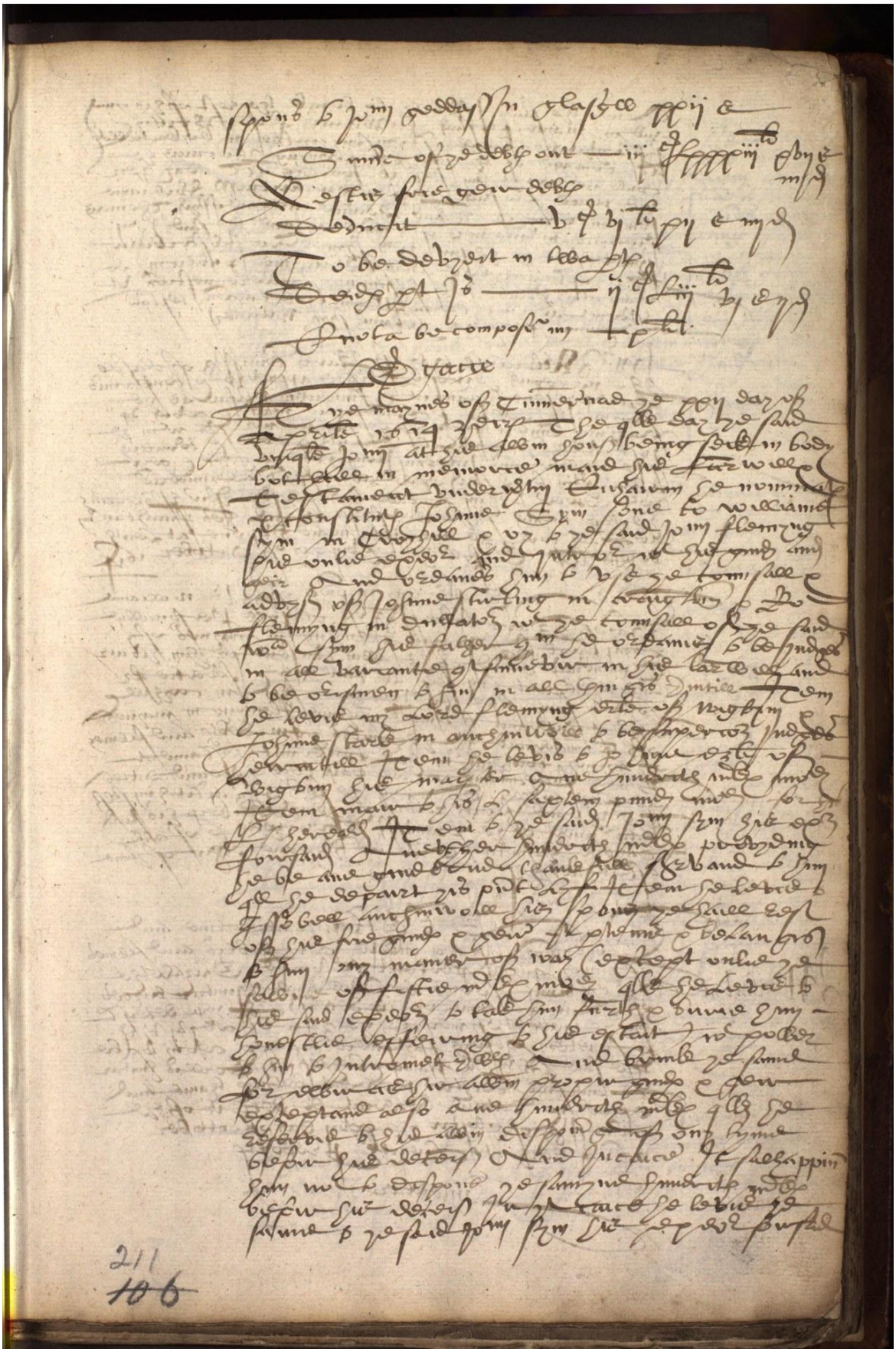


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Partial transcription

[illegible – a line of sums]
Summa of ye dettis out ——— [..] [..] [..] [..]
Rest of fre geir ye dettis [deducit] ——— [..] [..] [..] [..] [..]
To be debtit in [..] [..]
[..] [..] [..] ——— [..] [..] [..] [..]
Nota be composition in [..] [..]

Quarta [?]
At ye Maynes of Cumbernauld ye 22nd day of
[Aprile?] 1614 zeiris The quhilk day ye said vmquhile
Johne at ye tyme being seik in bodie
bot hale in memorie maid his last will
and testament vnderwrittin Ansuuerum [?] ye nominat
and constitutes Johne Sym sone to Williame
Sym in Cumbernauld [?] and of ye said Johne Flemyng
his [..] [executor?] and [intromettar?] ye ye [consent?] and
[advice?] of Johne Stirling in [Sevenhill?] and [..] [..]
Flemyng in [Dunsatis?] w ye [consent?] of ye said
[..] [..] [..] [..] in ye [..] and
to be confirmed [..] in all things until [Dmitie?] Item
the levis [my?] Lord Flemyng Erle of Wigtoun x s
in amitie [..] to be [oversear?] and [judge?] [..]
Item he levis [to] Johne Stark [..] in Cumbernauld
[..] [..] [..] [..] [..] Item he levis to [..] [..]
[..] [..] [..] [..] [..] [..] [..] [..] [..]
[..] [..] [..] [..] Item to ye said Johne Sym [..]
[illegible – c. 8 further lines of legacies and instructions, not reliably read]

Image 212 – End of the will; witnesses; confirmation

1614 Flemyng, Johnne (Wills and testaments Reference CC9/7/10, Glasgow Commissary Court) Image 212 Last image 212
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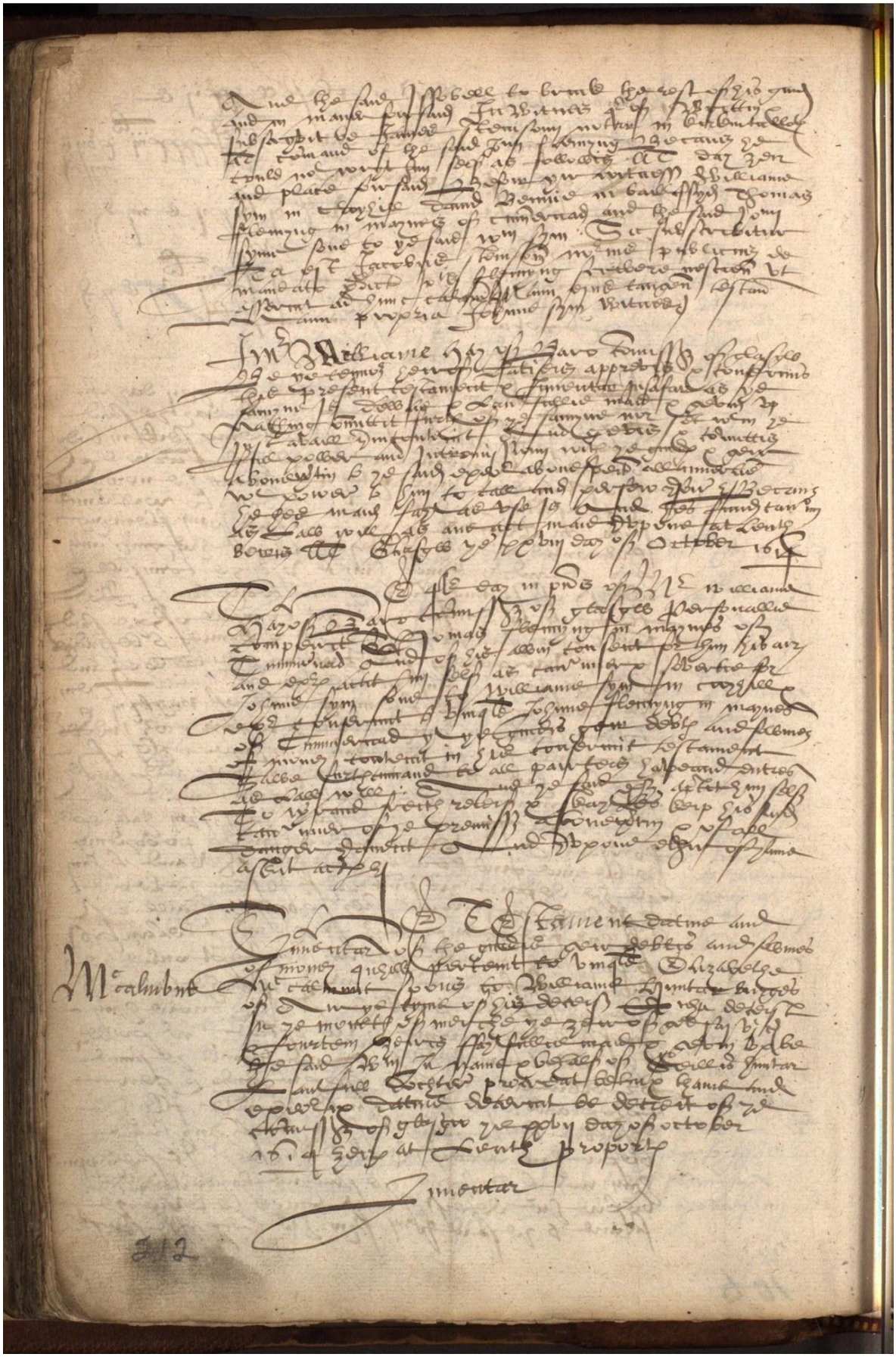


Image: ScotlandsPeople / National Records of Scotland (CC8/8/1) – reproduced for private research.

Partial transcription

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And ye said [Isobell] to [be?] [..] ye [rest?] of [his?] [gude?] and
in manis [bishand?] [..] In witnes [of?] [ye?] [..] [..]
[illegible] [..] [..] [subscriptioun?] [..] [..] [..] [..]
… command of the said Jn Flemyng Because he
Could not wryt … as following. AC day here
And place pursuant Before these witnesses William
Sym in Croyhill Daniel Bernie in baillassyies Thomas
Fleming in Maynes of Cumernad and the said xxx
Sym sone to the same Wm Sym: Sir xxx
Xxx of Facubie … … … problems xxx
Mxmdate xxx xxx flemyng previous mestion xx
Xxx xx him … … … canon …
… … Johnne Sym Witness
[Thomas?] Thomsoun notar in Cumbernauld [?] [..] [..]
Johne Flemyng [..] at ye [..] [..] Johne Sym [..] witnes
[..] [..] [..] [..] [..] ye said Johne Flemyng [..] at
day ye [..] and place foirsaid [..] witnes Williame
Bernie in [Ballesshy?] Thomas [Sym?] in Cumbernauld [..] ye said Johne
Flemyng in Maynes of Cumbernauld [..] [..] to ye said Williame [..]
Sir [..] [Jacobus?] Thomson notar publict [..] [..] [..]
[..] [..] [Robert?] Flemyng [..] [..] [..] [..] [..] [..] [..]
[propria?] Johnne Sym witnes

Mr Williame Hay of Barro Commissar of Glasgow
[at?] ye [..] [..] [..] ratifies approves and confermis
ye present testament and Inventar [..] [..] ye
samyne [..] [..] [..] [..] [..] [..] [..]
[..] [..] [..] [..] [..] [..] [..] [..] [..]
and [..] [..] [..] [..] Johne Sym ye executor [..] [..] ye
[Intromission?] [..] [..] [..] [..] to ye [..] [..] [..]
him to tak and [..] [..] [..] [..] [..] [..] [..]
[..] [..] [..] [..] [..] Glasgow ye [..]th day of October 1614

Ye samyne day in presens of Mr Williame
Hay of Barro Commissar of Glasgow personalie
comperit Thomas Flemyng in Maynes of
Cumbernauld and of his awin consent [..] for him his air
[..] [..] [..] [..] [..] Williame [..] in Cadder [?]
Johnne Sym sone to Williame Sym in Croyhill
… Servant to umquile Johne Flemyng in Maynes of Cumbernauld [..]
[..] [..] [..] [..] [..] [..] [..] [..] [..]
of money contenit in ye confermit testament
[..] [..] [..] [..] [..] [..] [..] [..] [..]

[Lower third: the beginning of another testament, margin "Mc Alamb[?]" – not transcribed]
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5. Readings to check

- The passage naming the Earl on 211 ("my Lord Flemyng Erle of Wigtoun"): what the testator asks of or leaves to him.
- The executor's name and parentage (Johne Sym [Syme], son of Williame Sym in Cumbernauld) and the other names on 211–212 (Stirling, Stark, Anderson, Grahame, Thomas Flemyng, Bernie).
- The parish name after "within the parochin of" (read "Lenze" – possibly Lenzie, Cadder or Kirkintilloch parish, which would be a historical point worth checking, as Cumbernauld later had its own parish).
- Month of death; the day of the will; the confirmation day in October 1614.
- All figures: none read with confidence. The Summa lines on 210–211 are the first place to check against the images.