JAMES MICHAEL FLEMING WRITER

Scotland's People

Transcription

Source: Scotland's People

Assisted by: Claude AI

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Claude

Testament of John Fleming, Earl of Wigtoun (d. 1744)

Diplomatic transcription and summary

Source: Glasgow Commissary Court, Wills and testaments, CC9/7/58, images 502 to 507 (catalogued under 1745 Fleming, John). © Crown copyright, National Records of Scotland.

Conventions: Original spelling is kept and abbreviations are not expanded. Superscript letters are written inline (for example Exors, Wm, Esqr). "Jajvij C" is the scribe's notation for one thousand seven hundred, so "Jajvij C and fourty four years" is 1744. Square brackets mark uncertain readings, and [?] marks letters or words I could not read. Line numbers are mine and restart on each page. An image of each manuscript page precedes its transcription.

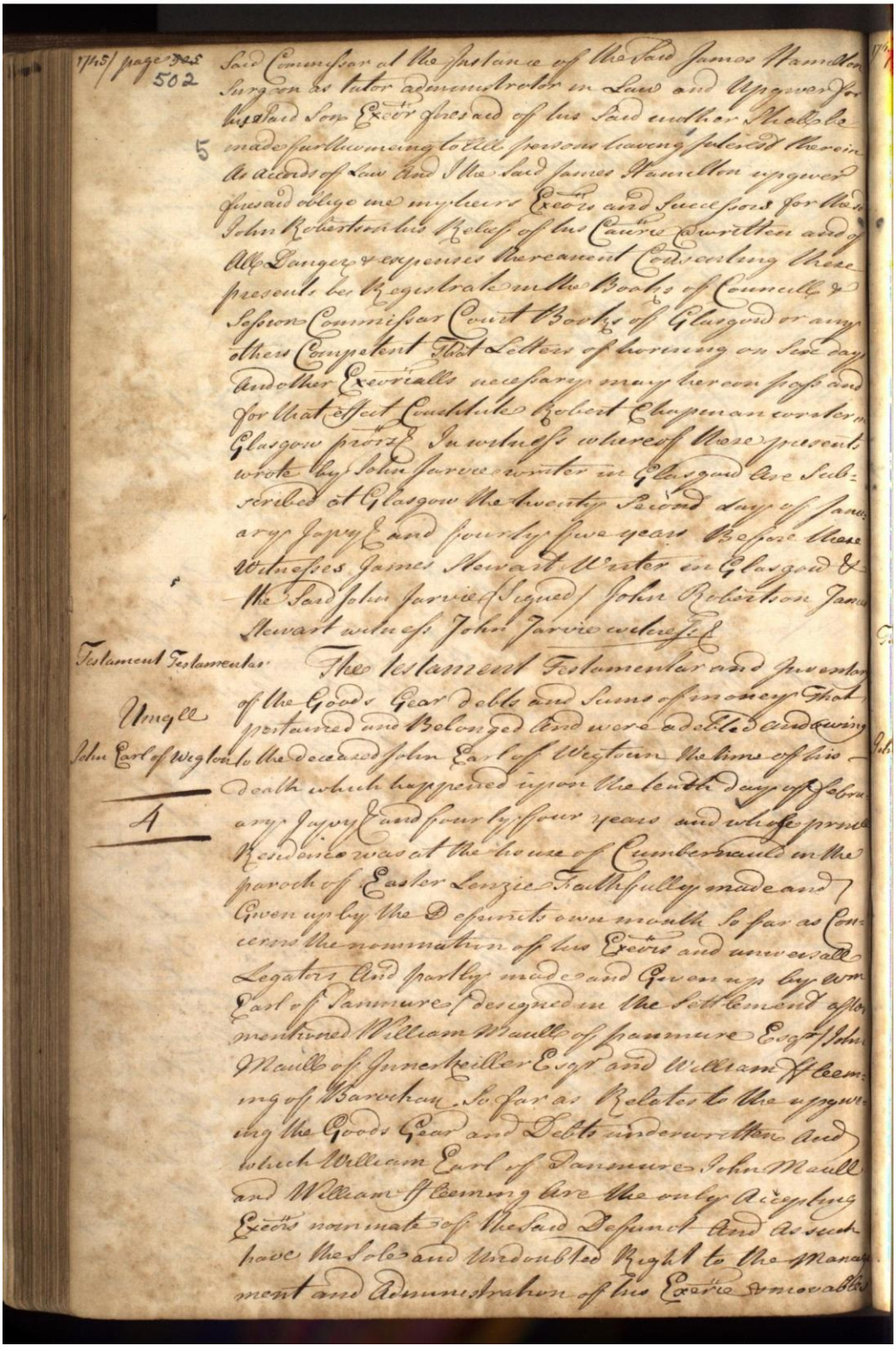
What belongs to the Earl's testament: his testament begins part-way down image 502 (line 21), after the end of an unrelated bond of caution, and runs to line 8 of image 507. The remainder of image 507 is an eik (an addition to a confirmed testament) for a different person, John McFarlane. Both unrelated passages are transcribed here because they appear on the pages.

Part A: Transcription

Image 502

End of an unrelated bond of caution, then the opening of the Earl's testament.

1745 Fleming, John (Wills and testaments Reference CC9/7/58, Glasgow Commissary Court) Image 502 Last image 507
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Said Commissar at the instance of the said James Hamilton Surgeon as tutor administrator in Law and Appriser for his said Son Exec^r decest of his said mother Shall be made furthcoming to all persons having interest therein as accords of Law And the said James Hamilton appriser Grants said oblige me myheirs Execrs and Successors for them John Robertson his Relief of his Cautry Written and of All Danger & expenses thereanent Consenting these presents be Registrate in the Books of Councill & Session Commissar Court Books of Glasgow or any others Competent That Letters of horning on Sixe day and other Execriells necessary may hereon pass and for that effect Constitute Robert Chapman writer in Glasgow prors In witness whereof these presents wrote by John Jarvie writer in Glasgow are Subscribed at Glasgow the twenty Second day of January Jajvc and fourty five years Before these Witnesses James Stewart Writer in Glasgow & the said John Jarvie Signed/ John Robertson James Stewart witness John Jarvie witness

Testament Testamentar

Unqll

John Earl of Wigtoun

The Testament Testamentar and Inventar of the Goods Gear debts and Sums of money That pertained and Belonged and were addebted and awing to the deceased John Earl of Wigtoun the time of his death which happened upon the tenth day of Febry Jajvc and four by fifteen years and whose ordr Residence was at the house of Cumbernauld in the parish of Easter Lenzie Faithfully made and Given up by the Defuncts own mouth So far as Concerns the nomination of his Execrs and universall Legators And partly made and Given up by Wm Earl of Dunmure designed in the Settlement after mentioned William Maull of Dunmure Esqr John Maull of Innerkeiller Esqr and William Fleeming of Barochan So far as Relates to the uptaking the Goods Gear and Debts underwritten And which William Earl of Dunmure John Maull and William Fleeming are the only Accepting Execrs nominate of the said Defunct And as such have the Sole and Undoubted Right to the Management and Administration of his Execrie & moveables

Image 502 – transcription

[top left] 1745/ page [struck-through number] / 502 [the "502" in a different hand]
[left margin] 5 [blue pencil, beside line 4]

Said Commissar at the Instance of the said James Hamilton
Surgeon as tutor administrator in Law and Upgiver for
his Said Son Exor foresaid of his Said mother Shall be
made furthcoming to all persons having Interest therein
As accords of Law And I the Said James Hamilton upgiver
foresaid oblige me my heirs Exors and Successors for the Said
John Robertson of his Relief of his Caution [A]forewritten and of
All Danger & expenses thereanent Consenting these
presents be Registrate in the Books of Councill &
Session Commissar Court Books of Glasgow or any
others Competent That Letters of horning on Six days
And other Executorialls necessary may be [?]ed[?] and
for that effect Constitute Robert Chapman writer in
Glasgow procr[s?] In witness whereof these presents
wrote by John Jarvie writer in Glasgow are Sub-
scribed at Glasgow the twenty Second day of Janu-
ary Jajvij C and fourty five years Before these
Witnesses James Stewart Writer in Glasgow &
the Said John Jarvie (Signed) John Robertson James
Stewart witness John Jarvie witness [&c?]

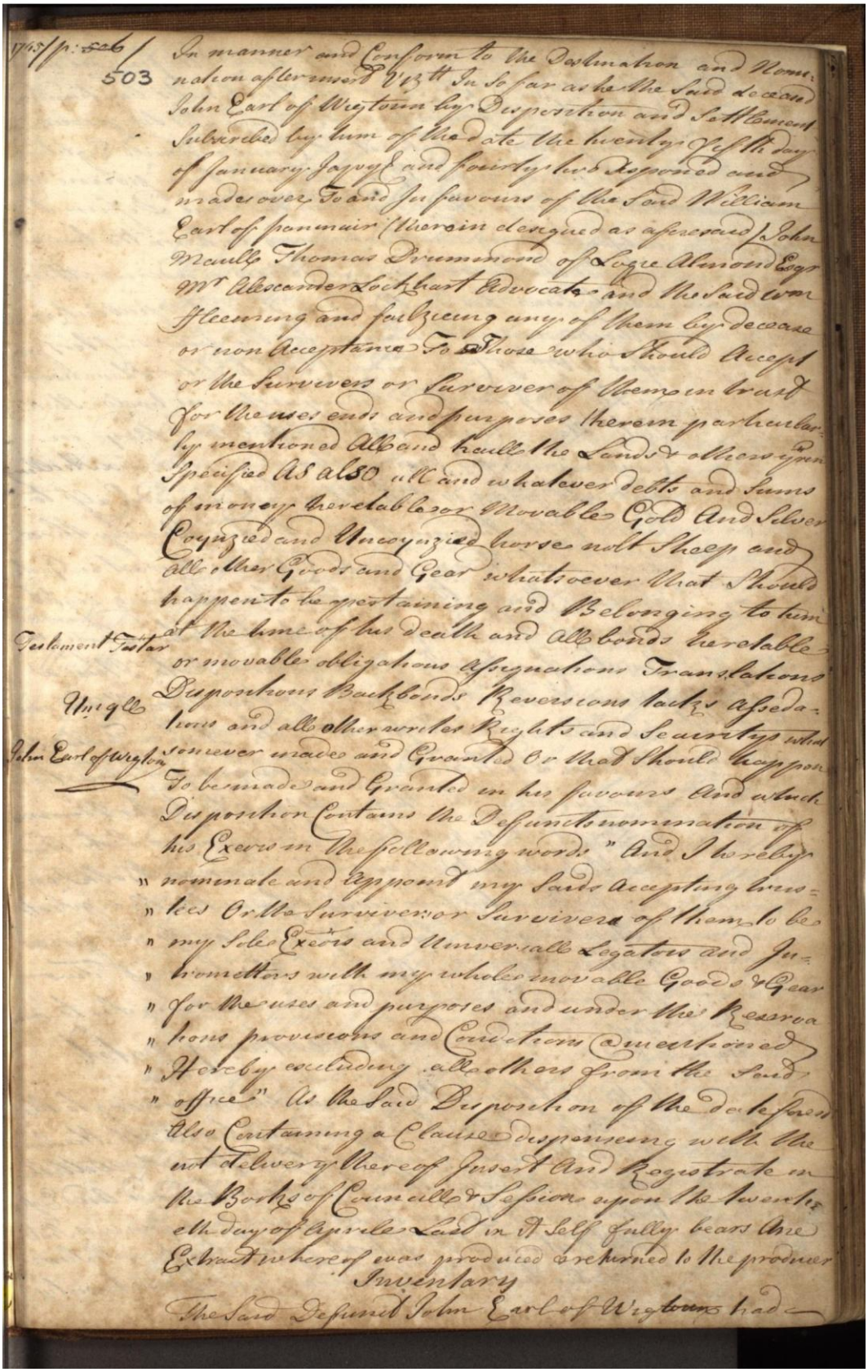
[left margin] Testament Testamentar
Umqle
John Earl of W[i?]gtoun
4

The testament Testamentar and Inventory
of the Goods Gear debts and Sums of money That
pertained and Belonged And were adebted and awing
to the deceased John Earl of W[i?]gtoun the time of his
death which happened upon the tenth day of Febru-
ary Jajvij C and fourty four years and whose prin[cipal?]
Residence was at the house of Cumbernauld in the
parish of Easter Lenzie Faithfully made and
Given up by the Defunct's own mouth So far as Con-
cerns the nomination of his Exors and universall
Legators And partly made and Given up by Wm
Earl of Panmure (designed in the Settlement after
mentioned William Maule of Panmure Esqr) John
Maule of Inverkeilor Esqr and William Ffleeming
of Barochan So far as Relates to the upgiv-
ing the Goods Gear and Debts underwritten And
which William Earl of Panmure John Maule
and William Ffleeming are the only Accepting
Exors nominate of the said Defunct And as such
have the Sole and Undoubted Right to the Manage-
ment and Administration of his Exo[rs?] moveables

Image 503

The Disposition and Settlement of 1742, the nomination of executors, and the start of the Inventory.

1745 Fleming, John (Wills and testaments Reference CC9/7/58, Glasgow Commissary Court) Image 503 Last image 507
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In manner and Conform to the Dalmahon and Nomi-
503 nation after mentd Viz.tt In so far as he the Said deceast
John Earl of Wigtoun by Disposition and Settlement
Subscribed by him of the date the twenty fifth day
of January Jajvc[illegible] and fourty two Disponed and
made over To and In favours of the Said William
Earl of Panmuir Therein designed as aforesaid John
Manlly Thomas Drummond of Logie Almond Esqr
Mr Alexander Lockhart Advocate and the Said Com-
missioners and failzieing any of them by decease
or non Acceptance To those who Should Accept
or the Survivers or Survivor of them in trust
for the uses ends and purposes therein particular-
ly mentioned All and haill the Lands & others therein
Specified As also all and whatever debts and Sums
of money thereby Resting Movable Gold And Silver
Coyned and Uncoyned horse nolt Sheep and
all other Goods and Gear whatsoever that Should
happen to be pertaining and Belonging to him
Testament Testar at the time of his death and all bonds heretable
or movable obligations Assignations Translations
Dispositions Backbonds Reversions Tacks Assedi-
Unq.e tions and all other writes Rights and Securitys what
John Earl of Wigtn soever made and Granted or that Should happen
To be made and Granted in his favours And which
Disposition Contains the Defuncts nomination of
his Execrs in the following words " And I hereby
" nominate and appoint my Said Accepting Trus-
" tees Or the Survivers or Survivers of them to be
" my Sole Execrs and Universall Legatars and Ju-
" stomeffars with my whole movable Goods & Gear
" for the uses and purposes and under the Reserva-
" tions provisions and Conditions above mentioned
" Hereby excluding all others from the Said
" office" As the Said Disposition of the dat aforesd
Also Containing a Clause dispensing with the
not delivery thereof Insert And Registrate in
the Books of Councill & Session upon the twenty
eth day of Aprile Last in it Self fully bears As
Extract whereof was produced & returned to the prodnr

Inventary

The Said Defund John Earl of Wigtoun had

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Image 503 – transcription

[top left] 1745/ p: [struck-through number] / 503
[left margin] Testament Testar / Umqle / John Earl of Wigtoun

In manner and Conform to the Destination and Nomi-
nation aftermentioned Vizt In So far as he the Said deceased
John Earl of Wigtoun by Disposition and Settlement
Subscribed by him of the date the twenty fifth day
of January Jajvij C and fourty two disponed and
made over To and In favours of the Said William
Earl of Panmuir (therein designed as aforesaid) John
Maull Thomas Drummond of Logie Almond Esqr
Mr Alexander Lockhart Advocate and the Said Wm
Fleeming and failzieing any of them by decease
or non Acceptance To Those who Should Accept
or the Survivers or Surviver of them in trust
for the uses ends and purposes therein particular-
ly mentioned All and haill the Lands & others yrin
Specified As also all and whatever debts and Sums
of money heretable or Movable Gold And Silver
Coynzied and Uncoynzied horse nolt Sheep and
all other Goods and Gear whatsoever That Should
happen to be pertaining and Belonging to him
at the time of his death and All bonds heretable
or movable obligations Assignations Translations
Dispositions Backbonds Reversions tacks Asseda-
tions and all other writes Rights and Securitys what-
soever made and Granted Or that Should happen
To be made and Granted in his favours And which
Disposition Contains the Defuncts nomination of
his Exors in the following words " And I hereby
" nominate and Appoint my Said Accepting Trus-
" tees Or the Surviver or Survivers of them to be
" my Sole Exors and Universall Legators and In-
" tromitters with my whole movable Goods & Gear
" for the uses and purposes and under the Reserva-
" tions provisions and Conditions aftermentioned
" Hereby excluding all others from the Said
" office" As the Said Disposition of the date foresd
Also Containing a Clause dispensing with the
not delivery thereof Insert And Registrate in
the Books of Councill & Session upon the twen[t]-
[?]th day of Aprile Last in it Self fully bears Ane
Extract whereof was produced & returned to the producer

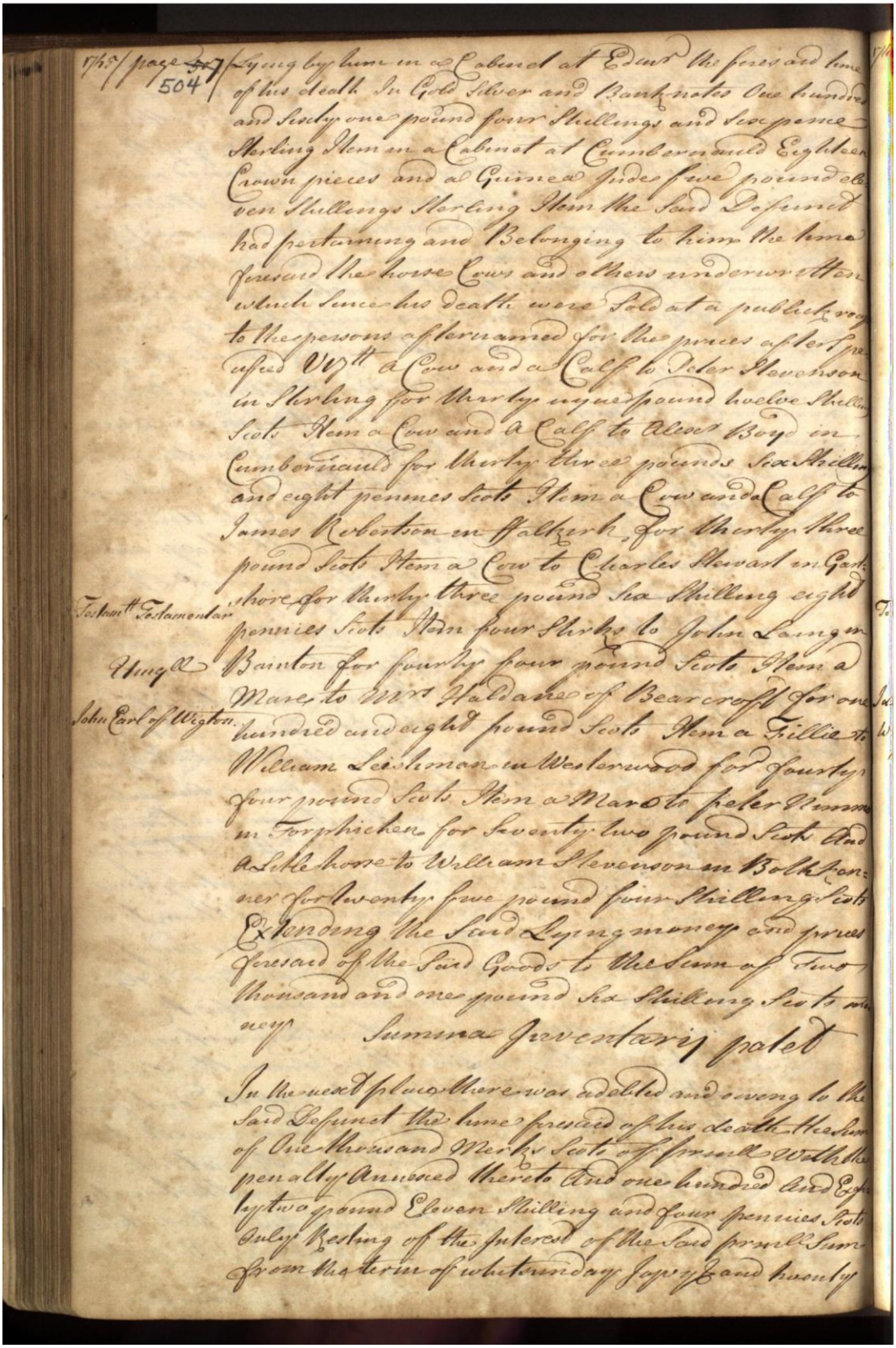
Inventary

The Said Defunct John Earl of Wigtoun had

Image 504

The inventory: cash, livestock sold by roup, and debts due to the Earl.

1745 Fleming, John (Wills and testaments Reference CC9/7/58, Glasgow Commissary Court) Image 504 Last image 507
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Image 504 – transcription

[top left] 1745/ page [struck-through number] / 504
[left margin] Testam't Testamentar / Umqle / John Earl of Wigton

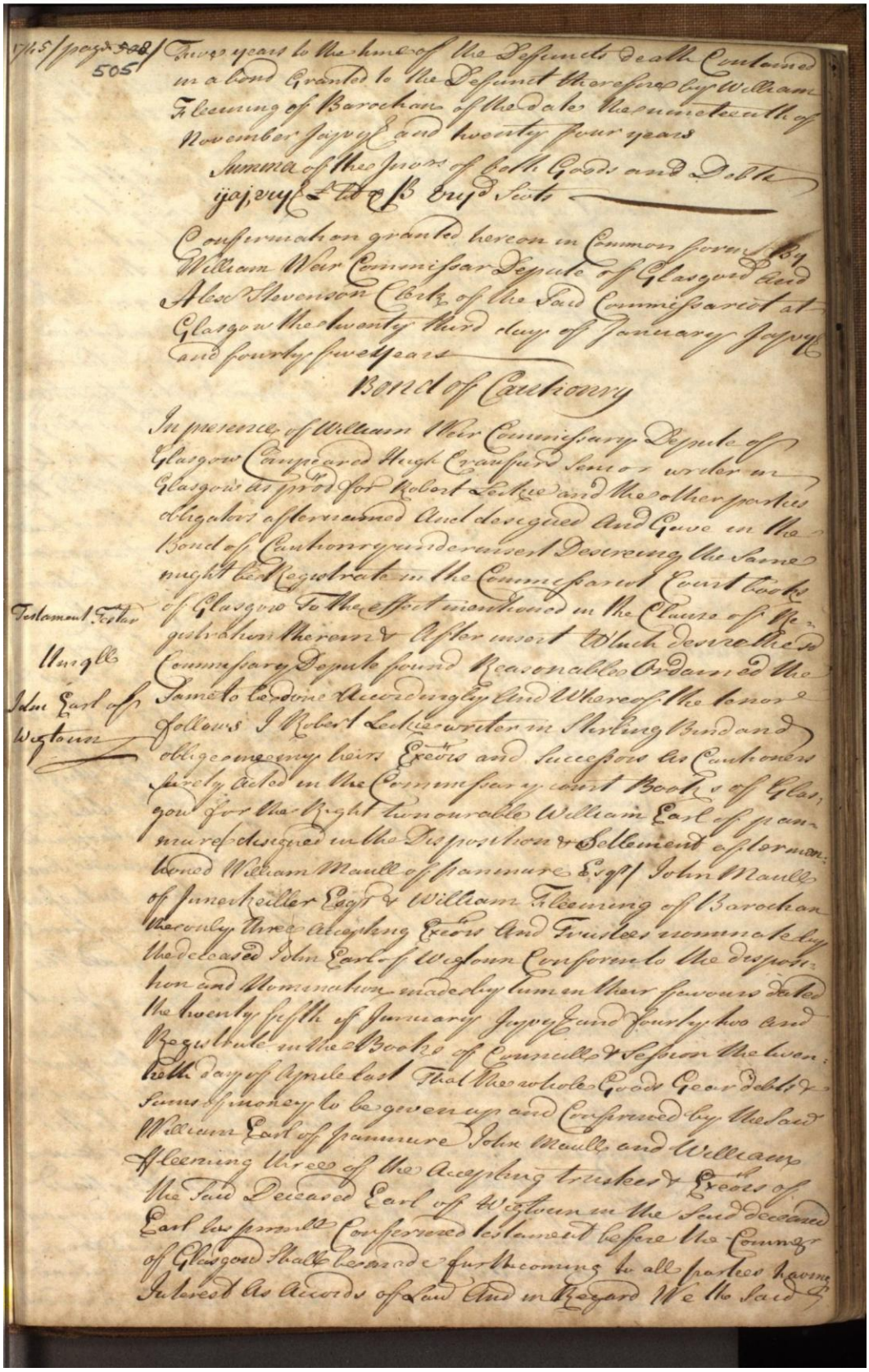
Lying by him in a Cabinet at Edinr the [period?]fires and time
of his death In Gold Silver and Bank-notes One hundred
and Sixty one pound four Shillings and Sixpence
Sterling Item in a Cabinet at Cumbernauld Eighteen
Crown pieces and a Guinea [?]udes five pound ele-
ven Shillings Sterling Item the Said Defunct
had pertaining and Belonging to him the time
foresaid the horse Cows and others underwritten
which Since his death were Sold at a publick roup
to the persons afternamed for the prices after spe-
cified Vizt a Cow and a Calf to Peter Stevenson
in Stirling for Thirty nyne pound twelve Shilling
Scots Item a Cow and a Calf to Alexr Boyd in
Cumbernauld for Thirty three pounds Six Shilling
and eight pennies Scots Item a Cow and Calf to
James Robertson in [H]alkirk for Thirty three
pound Scots Item a Cow to Charles Stewart in Gart-
shore for Thirty three pound Six Shilling eight
pennies Scots Item four Stirks to John Laing in
Bainton for fourty four pound Scots Item a
Mare to Mrs Haldane of Bearcroft for one
hundred and eight pound Scots Item a Fillie to
William Leishman in Westerwood for fourty
four pound Scots Item a Mare to Peter Nimmo
in [T]orphichen for Seventy two pound Scots And
a Litle horse to William Stevenson in Balk[?]-
ner for twenty five pound four Shilling Scots
Extending the Said Lying money and prices
foresaid of the Said Goods to the Sum of Two
thousand and one pound Six Shilling Scots mo-
ney Summa Inventarij patet

In the next place There was adebted and owing to the
Said Defunct the time foresaid of his death The Sum
of One thousand Merks Scots of principall With the
penalty Annexed thereto And one hundred and Eigh-
ty two pound Eleven Shilling and four pennies Scots
Only Resting of the Interest of the Said principall Sum
from the term of Whitsunday Jajvij C and twenty

Image 505

Total, confirmation, and the opening of the bond of cautionry.

1745 Fleming, John (Wills and testaments Reference CC9/7/58, Glasgow Commissary Court) Image 505 Last image 507
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Image 505 – transcription

[top left] 1745/ page [struck-through number] / 505
[left margin] Testament Testar / Umqle / John Earl of / Wigtoun

Three years to the time of the Defuncts death Contained
in a bond Granted to the Defunct therefore by William
Fleeming of Barochan of the date the nineteenth of
November Jajvij C and twenty four years
Summa of the Inv[?]rs of both Goods and Debts
[figure: ij^m [?]^c [?] ... viij d] Scots [followed by a long ruled flourish]

Confirmation granted hereon in Common form [?] by
William Weir Commissar Depute of Glasgow And
Alexr Stevenson Clerk of the Said Commissariot at
Glasgow the twenty third day of January Jajvij C
and fourty five years

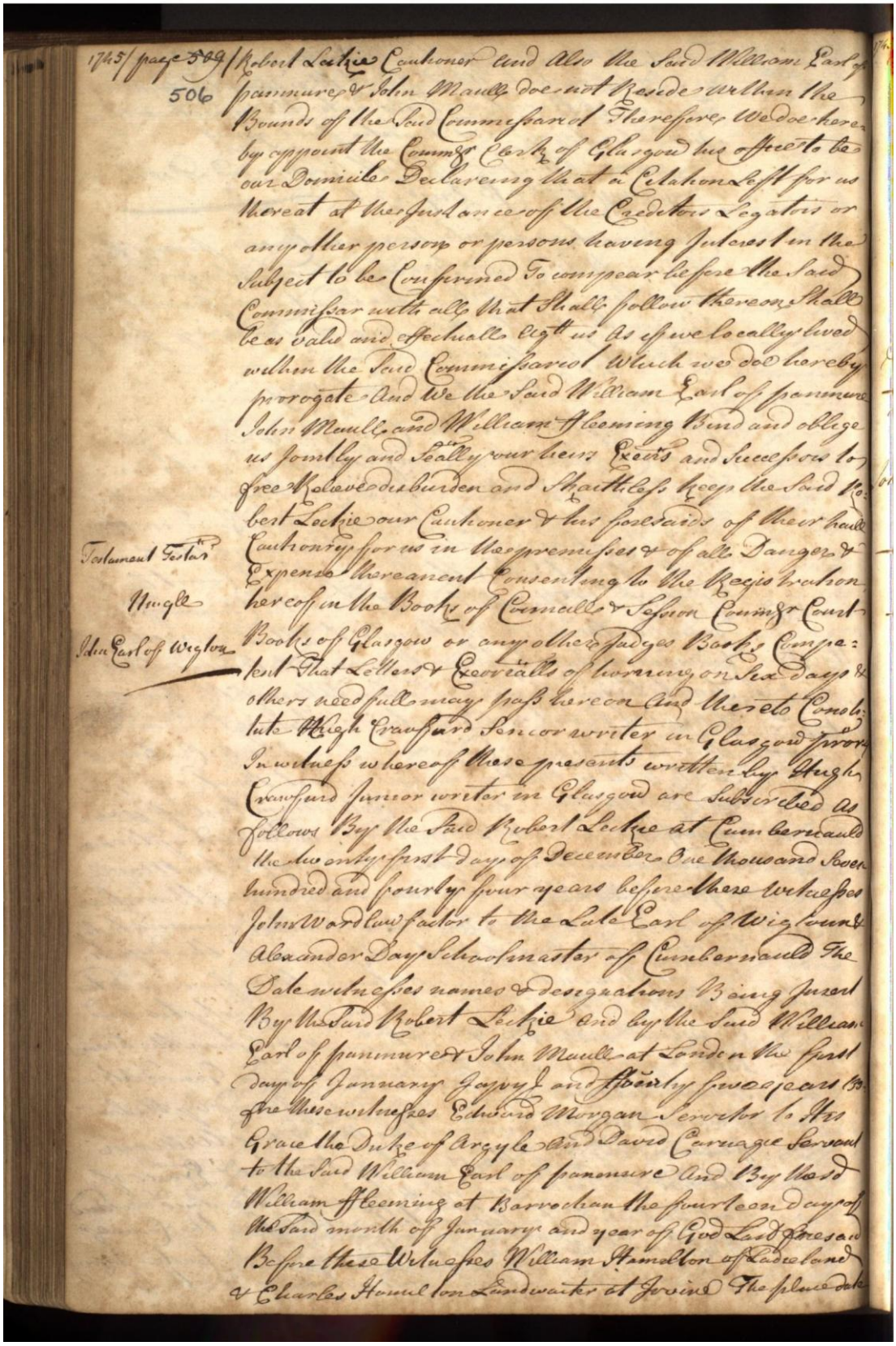
Bond of Cautionry

In presence of William Weir Commissary Depute of
Glasgow Compeared Hugh Crawfurd Senior writer in
Glasgow as procr for Robert Leckie and the other parties
obligators aftermentioned And designed And Gave in the
Bond of Cautionry underwritten Desireing the Same
might be Registrate in the Commissariot Court books
of Glasgow To the effect mentioned in the Clause of Re-
gistration therein & After insert Which desire the Said
Commissary Depute found Reasonable Ordained the
Same to be done Accordingly And Whereof the tenor
follows I Robert Leckie writer in Stirling Bind and
oblige me my heirs Exors and Successors as Cautioners
surety acted in the Commissary court Books of Glas-
gow for the Right honourable William Earl of Pan-
mure (designed in the Disposition & Settlement aftermen-
tioned William Maull of Panmure Esqr) John Maull
of Inverkeiller Esqr & William Fleeming of Barochan
the only Three Accepting Exors And Trustees nominate[d] by
the deceased John Earl of Wigtoun Conform to the dispositi-
on and Nomination made by him in their favours dated
the twenty fifth of January Jajvij C and fourty two and
Registrate in the Books of Councill & Session the twen-
tieth day of Aprile last That the whole Goods Gear debts &
Sums of money to be given up and Confirmed by the Said
William Earl of Panmure John Maull and William
Fleeming three of the Accepting trustees & Exors of
the Said Deceased Earl of Wigtoun in the Said deceased
Earl his principall Confirmed testament before the Commissr
of Glasgow Shall be made furthcoming to all parties having
Interest As Accords of Law And in Regard We the Said

Image 506

The bond of cautionry continued, with its subscriptions and witnesses.

1745 Fleming, John (Wills and testaments Reference CC9/7/58, Glasgow Commissary Court) Image 506 Last image 507
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1745/ page 389/ 506

Robert Lechie Cautioner and Also the Said William Earl of Panmure & John Maule doe not Reside within the Bounds of the Said Commissariot Therefore We doe hereby appoint the Commrs Clerk of Glasgow his Office to be our Domicile Declareing that a Citation left for us thereat at the Instance of the Creditors Legatars or any other person or persons having Interest in the Subject to be Confirmed To compear before the Said Commissar with all that Shall follow thereon Shall be as Valid and effectuall Citt us as if we Locally lived within the Said Commissariot Which we doe hereby prorogate And We the Said William Earl of Panmure John Maule and William Fleeming Bind and oblige us Jointly and Severally our Heirs Exers and Successors to free & Relieve duburden and Skaithless keep the Said Robert Lechie our Cautioner & his foresaids of their haill Cautionry for us in the premisses & of all Danger & Expence thereanent Consenting to the Registration hereof in the Books of Councill & Session Commrs Court Books of Glasgow or any other Judges Books Competent That Letters & Executorialls of horning on Six days & others needfull may pass hereon And thereto Constitute Hugh Crawfurd Senior writer in Glasgow Prors In witness whereof These presents written by Hugh Crawfurd Junior writer in Glasgow are Subscribed as follows By the Said Robert Lechie at Cumbernauld the Twenty first day of December One Thousand Seven hundred and fourty four years before these Witnesses John Wardlaw Factor to the Late Earl of Wigtoun & Alexander Day Schoolmaster of Cumbernauld The Date witnesses names & designations Being Insert By the Said Robert Lechie and by the Said William Earl of Panmure & John Maule at London the first day of January Seven and fourty Seven years Before these witnesses Edward Morgan Servitor to His Grace the Duke of Argyle and David Carnegie Servand to the Said William Earl of Panmure And By Umd William Fleeming at Barrochan the fourteen day of the Said month of January and year of God Before these Witnesses William Hamilton of Ladyland & Charles Hamilton Landwaiter at Jervise The Place date

Testament Testar

Nugle

John Earl of Wigton

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Image 506 – transcription

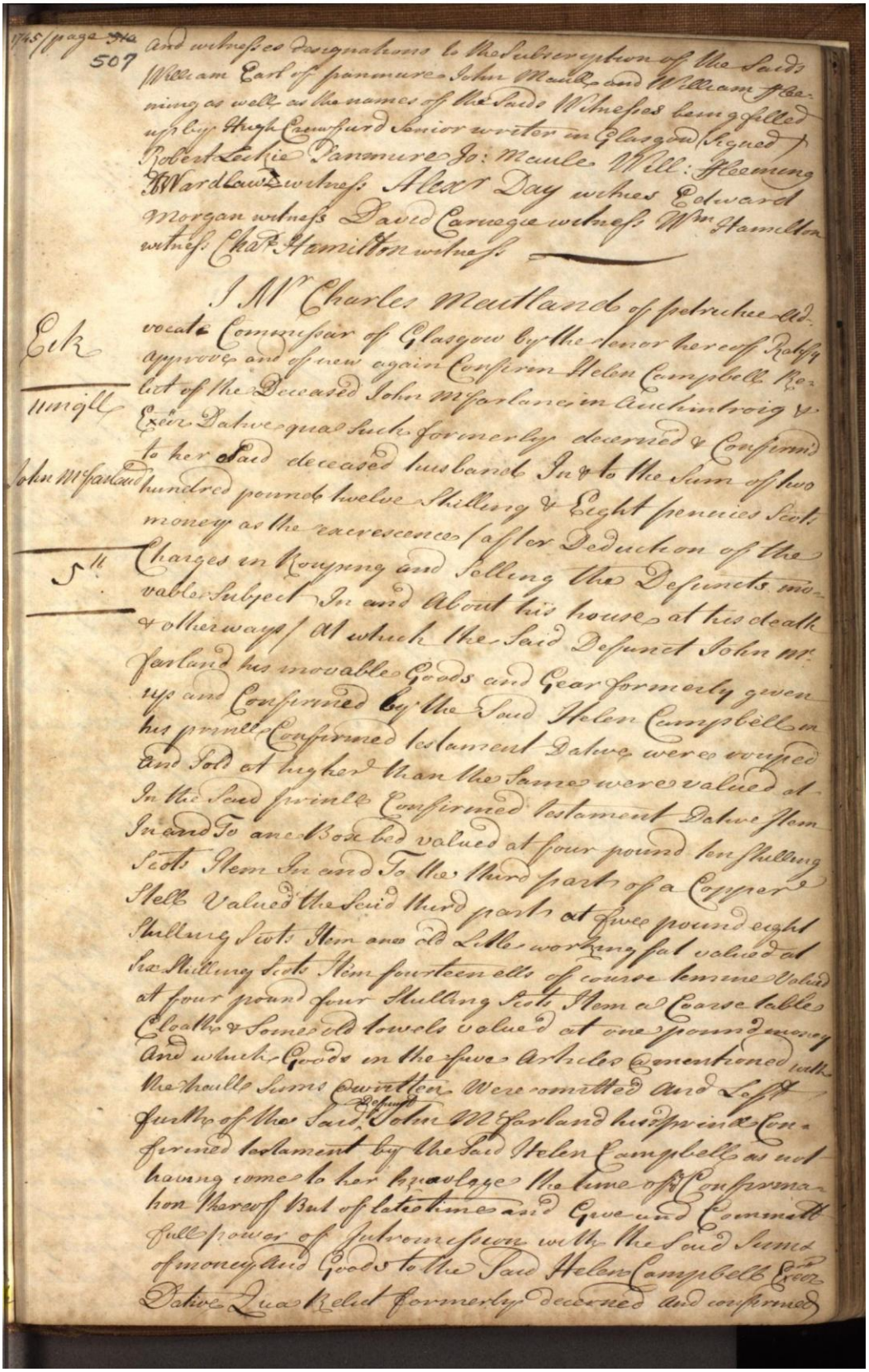
[top left] 1745/ page [struck-through number] / 506
[left margin] Testament Testar / Umqle / John Earl of Wigtoun

Robert Leckie Cautioner And Also the Said William Earl of
Panmure & John Maull doe not Reside within the
Bounds of the Said Commissariot Therefore We doe here-
by appoint the Commissr Clerk of Glasgow his office to be
our Domicile Declareing that at a Citation Left for us
thereat at the Instance of the Creditors Legators or
any other person or persons having Interest in the
Subject to be Confirmed To compear before the Said
Commissar with all that Shall follow thereon Shall
be as valid and effectuall Agt us As if we locally lived
within the Said Commissariot Which we doe hereby
prorogate And We the Said William Earl of Panmure
John Maull and William Fleeming Bind and oblige
us Jointly and Seally our heirs Exors and Successors to
free Relieve disburden and Skaithless keep the Said Ro-
bert Leckie our Cautioner & his foresaids of their haill
Cautionrys for us in the premisses & of all Danger &
Expence thereanent Consenting to the Registration
hereof in the Books of Councill & Session Commissr Court
Books of Glasgow or any other Judges Books Compe-
tent That Letters & Executorialls of horning on Six Days &
others needfull may pass hereon And thereto Consti-
tute Hugh Crawfurd Senior writer in Glasgow procr
In witness whereof these presents written by Hugh
Crawfurd Junior writer in Glasgow are Subscribed as
follows By the Said Robert Leckie at Cumbernauld
the twenty first day of December One thousand Seven
hundred and fourty four years before these witnesses
John Wardlaw factor to the Late Earl of Wigtoun &
Alexander Day Schoolmaster of Cumbernauld The
Date witnesses names & designations Being Insert
By the Said Robert Leckie and by the Said William
Earl of Panmure & John Maull at London the first
day of January Jajvij C and fourty five years Be-
fore these witnesses Edward Morgan Servitor to His
Grace the Duke of Argyle And David Carnegie Servant
to the Said William Earl of Panmure And By the Said
William Fleeming at Barrochan the fourteenth day of
the Said month of January and year of God Last foresaid
Before these Witnesses William Hamilton of Ladyland
& Charles Hamilton Landwaiter at Irvine The place date

Image 507

Witnesses to the bond, followed by an unrelated eik for John McFarlane.

1745 Fleming, John (Wills and testaments Reference CC9/7/58, Glasgow Commissary Court) Image 507 Last image 507
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1745 page 507

and witnesses designations to the subscryption of the said Wm Earl of Panmure John Maule and William Fleeming as well as the names of the said Witnesses being filled up by Hugh Cunningham Senior writer in Glasgow Signed Robert Leslie Panmure Jo: Maule Will: Fleeming Ward Lawder witness Alexr Day witness Edward Morgan witness David Carnegie witness Wm Hamilton witness Chas Hamilton witness

Eik

Inigill

John M'farlane

5li

I Mr Charles Maitland of Pitrichie Advocate Commissar of Glasgow by the tenor hereof Ratifying approve and of new again Confirm Helen Campbell Relict of the Deceased John M'farlane in Auchintroig Executrix Dative qua such formerly decerned & Confirmed to her said deceased husband In & to the Sum of two hundred pounds twelve Shilling & Eight pennies Scots money as the racrescence / after Deduction of the Charges in Keeping and Selling the Defuncts moveable Subject In and About his house at his death & otherways / All which the said Defunct John M'farland his moveable Goods and Gear formerly given up and Confirmed by the said Helen Campbell in her prime Confirmed testament Dative were evyned and Sold at higher than the same were valued at In the said prime Confirmed testament Dative Item In and To ane Bed valued at four pound ten Shilling Scots Item In and To the third parts of a Copper Stell Valued the said third parts at five pound eight Shilling Scots Item ane old Little working Gat valued at ten Shilling Scots Item fourteen ells of course lenine Cloath valued at four pound four Shilling Scots Item a Course table Cloath & Some old towels valued at one pound money and which Goods in the five Articles Remembered with the haulle Sums Forsaid were omitted and Left Furth of the said Defunct John M'farland his prime Confirmed testament by the said Helen Campbell as not having come to her knowledge the time of Confirmation thereof But of late time and Gives and Commits full power of Intromission with the said Sums of money and Goods to the said Helen Campbell Executrix Dative Qua Relict formerly decerned and confirmed

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Image 507 – transcription

[top left] 1745/ page [struck-through number] / 507
[left margin] Eik / Umqll / John M^cfarland / 5 li

and witnesses designations to the Subscription of the Said
William Earl of Panmure John Maull and William Flee-
ming as well as the names of the Said Witnesses being filled
up by Hugh Crawfurd Senior writer in Glasgow (Signed)
Robert Leckie Panmure Jo: Maule Will: Fleeming
Jo Wardlaw witness Alexr Day witness Edward
Morgan witness David Carnegie witness Wm Hamilton
witness Chas Hamilton witness
[a ruled flourish closes the entry]

I Mr Charles Maitland of [Pe]trichee Ad-
vocate Commissar of Glasgow by the tenor hereof Ratify
approve and of new again Confirm Helen Campbell Re-
lict of the Deceased John McFarlane in Auchintroig &
Exor Dative qua such formerly decerned & Confirmed
to her Said deceased husband In & to the Sum of two
hundred pound twelve Shilling & Eight pennies Scots
money as the Excrescence (after Deduction of the
Charges in Roupeing and Selling the Defuncts mo-
vable Subject In and About his house at his death
& otherways) At which the Said Defunct John Mc-
farland his movable Goods and Gear formerly given
up and Confirmed by the Said Helen Campbell in
his primll Confirmed testament Dative were valued
and Sold at higher than the Same were valued at
In the Said primll Confirmed testament Dative Item
In and To ane Box bed valued at four pound ten Shilling
Scots Item In and To the third part of a Copper
Stell Valued the Said third part at five pound eight
Shilling Scots Item ane old Litle working fat valued at
Six Shilling Scots Item fourteen ells of course [l]inne[n?] Valued
at four pound four Shilling Scots Item a Coarse table
Cloath & Some old towels valued at one pound money
And which Goods in the five Articles aboveamentioned with
the haill Sums above written Were omitted And Left
furth of the Said Defunct John McFarland his principall Con-
firmed testament by the Said Helen Campbell as not
having come to her knowlage the time of Confirma-
tion thereof But of late time And Give and Committ
full power of Intromission with the Said Sums
of money And Goods to the Said Helen Campbell Exor
Dative Qua Relict formerly decerned and confirmed

Part B: Summary

This summary draws on the passages I could read with confidence. Where a figure or name rests on bracketed words I say so.

The document

This is the confirmed testament of **John Fleming, Earl of Wigtoun**, who died on **10 February 1744**. His principal residence was the house of **Cumbernauld**, in the parish of Easter Lenzie. The testament is a testament testamentar: the Earl's executors were nominated by him, and he gave up the nomination of them "by the Defunct's own mouth", while the goods, gear and debts were given up by three of his executors. Confirmation was granted "in common form" at Glasgow on **23 January 1745** by William Weir, Commissar Depute of Glasgow, and Alexr Stevenson, clerk of the Commissariot.

Executors and trustees

- **The settlement:** the Earl's executors derive from a **Disposition and Settlement dated 25 January 1742**, which was registered in the Books of Council and Session on the twentieth day of "Aprile last" (presumably April 1744). It conveys his lands, all his heritable and movable estate, debts, bonds, gold and silver and livestock, to named persons in trust "for the uses ends and purposes therein particularly mentioned". Those purposes are not set out on these pages.
- **The trustees named:** William, Earl of Panmure (William Maule of Panmure); John Maule of Inverkeilor; Thomas Drummond of Logie Almond; Mr Alexander Lockhart, Advocate; and William Fleeming of Barochan. Failing any of them by death or non-acceptance, the settlement passes to those who accept, or the survivors.
- **The accepting executors:** only three accepted: **William, Earl of Panmure, John Maule of Inverkeilor, and William Fleeming of Barochan**. The settlement names the accepting trustees, or the survivors, as "sole Executors and Universall Legators and Intromitters" with the whole movable goods and gear, "hereby excluding all others from the said office".
- **Caution:** Robert Leckie, writer in Stirling, stands cautioner for the three executors. They bind themselves jointly and severally to relieve him of the caution. Because the Earl of Panmure and John Maule do not live within the Commissariot, they appoint the Commissary Clerk of Glasgow's office as their domicile for any citation.

Legatees

The pages name no individual legatees. The executors are universal legators in trust, so the beneficiaries are those set out in the 1742 Disposition and Settlement, which is not reproduced in these images.

Inventory of goods

- **Cash:** gold, silver and bank notes lying in a cabinet at Edinburgh at the time of death, **£161 4s 6d sterling**; and in a cabinet at Cumbernauld eighteen crown pieces and a guinea, **£5 11s sterling**.
- **Livestock:** horses, cows and others sold by public roup after the Earl's death, to the buyers below.

Buyer	Place	Goods	Price (Scots)
Peter Stevenson	Stirling	a cow and a calf	£39 12s
Alexr Boyd	Cumbernauld	a cow and a calf	£33 6s 8d
James Robertson	[H]alkirk	a cow and a calf	£33
Charles Stewart	Gartshore	a cow	£33 6s 8d
John Laing	Bainton	four stirks	£44
Mrs Haldane	of Bearcroft	a mare	£108
William Leishman	Westerwood	a fillie	£44
Peter Nimmo	[T]orphichen	a mare	£72
William Stevenson	Balk[?]ner	a little horse	£25 4s

- **Stated total:** the cash and the prices of the goods are said to extend to **£2,001 6s Scots**. A caution on this figure: converted at twelve Scots pounds to one pound sterling, the cash alone (£166 15s 6d sterling) comes to exactly £2,001 6s Scots, and the roup prices as I read them add up to £432 9s 4d Scots. I can't tell from the text whether the stated total includes the roup prices, so this should be checked against the original.

Debts

- **Owing to the Earl:** one thousand merks Scots of principal, with the penalty annexed, together with **£182 11s 4d Scots** of unpaid interest. The text ties this to a bond granted to the Earl by **William Fleeming of Barochan**, dated 19 November 1724, which would make one of the accepting executors a debtor of the estate. The start date of the interest is unclear, because the clause runs across a page turn and I could not resolve the words.
- **Owing by the Earl:** no section of debts owing by him appears in the legible text.
- **Overall total:** the "Summa" of goods and debts on image 505 is written with a thousands prefix and I could not read it. As a check on my own arithmetic only: £2,001 6s, plus one thousand merks (a merk is 13s 4d Scots, so £666 13s 4d), plus £182 11s 4d, comes to £2,850 10s 8d Scots, which is consistent with the "viij d" ending I can see. That is not a reading of the figure. 2,800 … 8d

Confirmation, caution and witnesses

- The bond of cautionry was registered in the Commissary Court books of Glasgow on the application of Hugh Crawfurd, senior, writer in Glasgow, as procurator for Robert Leckie and the other parties.
- **Robert Leckie** signed at Cumbernauld on 21 December 1744, before John Wardlaw, factor to the late Earl of Wigtoun, and Alexander Day, schoolmaster of Cumbernauld.
- **The Earl of Panmure and John Maule** signed at London on 1 January 1745, before Edward Morgan, servitor to His Grace the Duke of Argyle, and David Carnegie, servant to the Earl of Panmure.
- **William Fleeming** signed at Barrochan on 14 January 1745, before William Hamilton of Ladyland and Charles Hamilton, landwaiter at Irvine.
- The bond was written by Hugh Crawfurd, junior, writer in Glasgow, and the witnesses' names and designations were inserted by Hugh Crawfurd, senior.

Readings to check against the original

- The first word after “in a Cabinet at Edinr the” (image 504, line 1), and the word after “a Guinea” (line 5).
- The place-names “[H]alkirk”, “[T]orphichen” and “Balk[?]ner” in the roup sales.
- The start date of the interest and the figure of the overall Summa (images 504 and 505).
- The spelling of “Wigtoun” in the left-margin headings, which I read as “Wigtoun” in places and “Wigton” in others.
- Whether the 1742 settlement is available elsewhere, since it would show the beneficiaries.