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HISTORICAL ACCOUNT

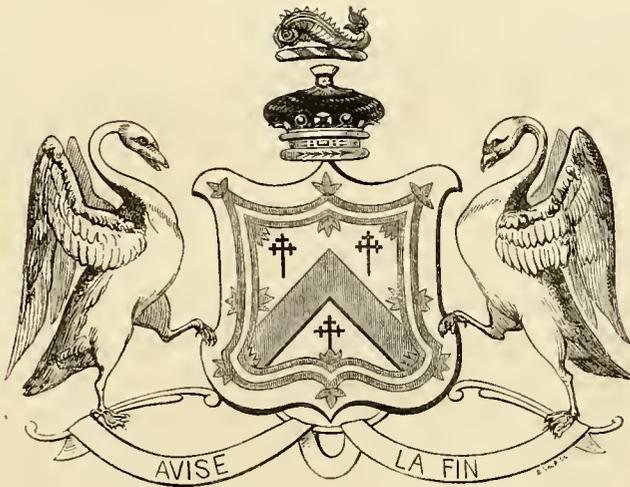
OF

THE NOBLE FAMILY OF KENNEDY,

MARQUESS OF AILSA AND EARL OF CASSILLIS,

WITH

NOTICES OF SOME OF THE PRINCIPAL CADETS
THEREOF.



PRINTED AT EDINBURGH,

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Adv. Bil.

HISTORICAL ACCOUNT, &c.

THE FAMILY OF KENNEDY are paternally of very high antiquity in Scotland, and are maternally descended from the Royal House of Stuart by two intermarriages. They are understood to be descended from the first Earls of Carrick, although the connection has not been precisely ascertained. After the extinction of that title on the marriage of the only daughter of Neil, second Earl of Carrick, to Robert Bruce, father of Robert I., they obtained the grant of the Chieftainship and leading of the men of Carrick, which had been held previously by the Family of Carrick.

The surname of Kennedy is of great antiquity in Scotland, and those of this name were probably part of the original inhabitants of Carrick. Chalmers, in his *Caledonia*, says that they are of Irish origin, but that it is quite uncertain when they emigrated to this country. He says, the Kennedys and Mackennedy acted as judges of Carrick under the Earls thereof in the time of Alexander II., who reigned from 1214 to 1249.* Vol. iii., p. 392. Vol. iii., p. 459. 1214.

The earliest notice of the name that has been met with is in a charter by Duncan, who was created Earl of Carrick between 1225 and 1230, of an annual rent of three merks out of the lands of Barreboth, in Carrick, and which is printed among the charters of the nunnery of North Berwick. The witnesses to this

* Marcow Mackennedy was judge under the Earl of Carrick in the reign of Alexander II.—*Chartulary of Melrose*, 181; *Hay's Vindication*, 103; *Chalmers' Caledonia*, iii., p. 452.

In Robertson's *Index*, p. 57, No. 29, a charter is mentioned by David II. who reigned from 1329 to 1371, anent the clan Muntercasduff, and John Mackennedy, captain thereof.

charter are, “domino Johanne milite filio comitis. Magistro
 1225. Hugone. Alano Decano. *Murthaco senescallo et multis aliis.*”
 In another charter, in the same collection, which is supposed
 to be dated in 1250, granted by Nicholas, son of Duncan de
 Carrick, to the church of St Cuthbert of Maybole, one of the
 witnesses is *Murthau macKenede*.

In the Cumbernauld charter-chest there is an exemplifica-
 tion of a confirmation in favour of “Joannes Cumyn filius quon-
 dam Joannis Cumyn,” of a grant made by the deceased William
 Cumyn, Earl of Buchan, to Cambuskenneth, of a bovate of
 1244. land in Kirkintulloch—two of the witnesses to which are “*Fer-*
gusio de Kennydy senescallo nostro, Joanne fratre ejus,” &c.
 It is in a handwriting of the 16th century, and is stated to be
 taken “de libro registri de Cambuskynneth.” The “curia de
 Lenzie” is also mentioned in it.* This Earl of Buchan died
 before 1244; and John Cumyn of Badenoch, the son of John
 Cumyn who grants this confirmation, was one of the competi-
 tors for the Crown of Scotland in 1292.

The Cumyns were of Royal descent, and of the highest
 nobility in the kingdom; and it was not unusual for barons and
 chieftains to discharge the duties of stewards or judges to such
 personages or public functionaries, and ultimately come to pos-
 sess the estates which they originally only managed; and thus
 the Kennedys may have acquired the barony of Lenzie. Chal-
 i., p. 707. mers says in his Caledonia,—“the overpowering influence of the
 Cumyns during the factious reign of Alexander III., (from 1249
 to 1285,) created the new office of *Justiciary* in *Galloway* for
 John Cumyn.” He may at this time have brought Fergus
 Kennedy and his brother to act judicially under him in his
 court at Lenzie.

The next of the name who appears in history, though the

* It will afterwards be seen that the Kennedys of Dunure possessed the
 lands of Kirkintulloch and the barony of Lenzie.

connection cannot be ascertained, is *Sir Hugh Kennedy*, whose name figures among the barons who swore fealty to Edward I. in 1296. His name occurs among the barons of Lanarkshire, in connection with Sir William le Fleming, who had an interest in Kirkintilloch, a part of the barony of Lenzie, which lies on the very confines of Lanarkshire. There also occurs in this list the name of *Alexander de Kennedy*, canon of Glasgow. In 1296 Edward I. directed a mandate to the Sheriff of Lanarkshire for restoring his lands to "*Hugh Kennedy*," in consequence of certain negotiations and conventions between him and James, High Steward of Scotland. And, at the same time, he issued another order to restore his land to "*Alexander de Kyrkintulloch*," who is expressly said to be "in comitiva Hugonis Kenedy," and which had also been negotiated by the High Steward. The expression "comitiva" seems to imply that he was a vassal or retainer of Kennedy. In 1338 a *Hugh de Kenedi* de Scotia is mentioned, who sided with Thomas Ughtred, an English leader, at Perth.

Ragman
Roll, p. 143.

1296.

Ibid., p. 89.

Rotuli
Scotie,
vol. i., p. 246.

Ibid., p. 320.

Ibid., p. 539,
a.

Fordun* and Winton† both relate, that in 1346 *John Kennedy*, with Allan Stewart, "sturdily fought" in Carrick against the Gallovidians, though Edward Balliol was there.

In 1358 the lands of Muchlyne, in Perthshire, were in the hands of *Robert Kennedy*.

In the reign of David II., which was from 1329 to 1371, a charter‡ is granted to Malcolme Fleming of Biggar of the lands of Leigne, "whilk were *John Kennedie's*, whilk the said John Kennedy forisfecit." It was not unusual at that time for

Cham. Rolls,
vol. iii.,
p. 305.

* Fordun, edit. Goodall, vol. ii., p. 347.

† Winton, edit. Macpherson, vol. ii., p. 265.

‡ Robertson's Index, p. 30, No. 6. There is in the Cumbernauld charter-
chest a confirmation by David II., in the 28th year of his reign, to Malcolme
Fleming of Biggar, in the terms here stated. And in a charter in 1371 on record,
there is contemplated the event of the "heredes antiqui de Leigne" recovering
that possession. These could be no others than the Family of John Kennedy.

the leaders to change their sides, and it was natural that the Kennedys should have at first joined with the Cumyns and their kinsmen the Baliols.

Having traced these early notices of the name of Kennedy to the time of John Kennedy, who is the first who is known to have possessed the barony of Dunure, the intimate connection will now be shewn between him and the Family of Carrick or de Carrick.

Fergus, Lord of Galloway, died in 1161, leaving two sons, Uchtred and Gilbert. In 1174 Gilbert slew his brother Uchtred, who left a son, Roland. Gilbert died in 1185, and was succeeded by his son Duncan. In the next year William I. interfered between the two cousins, and arranged their feuds, by giving to Duncan that portion of Galloway now called Carrick, while Roland retained the lordship of Galloway. Roland left a son, Alan, who succeeded to the lordship of Galloway, and left three daughters, Elena, Devorgilla, and Christian, among whom his estates were divided.

Duncan, who was created Earl of Carrick by Alexander II. between 1225 and 1230, granted the church of Kirkbride, with its pertinents, to the Cistercian nunnery at North Berwick. The church of Kirkbride stood upon the sea-coast, on the lands of Dunduff, about half a mile north of the castle of Dunure. The parish of Kirkbride was annexed to that of Maybole before 1597, and now forms the northern part of the united parish of Maybole. It also appears that, in 1193, Earl Duncan granted the lands of Maybottle to the Monks of Melros. Soon after 1216 he granted the church of St Cuthbert at Maybole, with its lands and tithes, to the Cistercian nunnery of North Berwick, and died about 1240.

Chalmers' Caledonia, iii., p. 531.

Ditto, p. 530.

This grant was repeated and confirmed by Neil, the second Earl of Carrick. He also granted a charter to SIR ROLAND DE CARRICK, previous to 1256, the year of his death, constituting him and his heirs Head of the whole Clan, "as well *in cal-*

umpniis as in other articles and things pertaining to the *Kenky-nol*,* with the office of baliary of the said county, and the leading of the men thereof." This charter was confirmed by Alexander II., by a charter dated at Stirling, 20th January, in the 27th year of his reign, 1275-6.† It also appears that Earl Duncan had other sons besides Neil, his eldest son and heir. He had a son, John de Carrick, who had the lands of Straiton, and granted the patronage of the church of Straiton to the Monks of Paisley. This grant was confirmed by a charter of Alexander II. in 1244.‡ He is a witness to the charter by Earl Duncan of an annual rent out of the lands of Berbeth already quoted. And in other charters, printed in the same collection, granted by Earl Duncan, there are mentioned as witnesses, "Alano Alexandro et Alano filiis comitis." In 1266 there is an entry in the Chamberlain Rolls, in the comptum of Ayrshire, of so much owing "per relevium *Rollandi de Carrick*," shewing that he had succeeded to some property, and possibly as the heir of John de Carrick, son of Earl Duncan.

Chart. Paisley, p. 175.
Chart. Glasgow, p. 225.

Vol. I., p. 46.

The first who swore fealty to Edward I. in 1296 of the Ayrshire barons, was *Gilbert fix Roland*, who appears to have

Ragman Roll, p. 148.

* In Gaelic, "Kean" denotes the head, and "Keancl," a tribe or family. It denoted, in Galloway, the right of exacting, under the name of "*Caupes*," a substantial contribution from the members of the Clan, such as a horse, cow, or heifer. In a note to the Sutherland Peerage case, Lord Hailes states, that the right of Chieftainship "was a valuable right, even independent of the power and influence which attended the Chief. The estates of the Family of Cassillis lay in Galloway and Carrick. Perhaps some modern lawyers may know little of the *caupes* of Galloway and Carrick. They are described by Skene *de verborum significatione*, in the following words:—"Caupes. 'Calpes in Galloway and Carrick sygnifies ane gift, sic as hors or uther thing quhilk ane man in his awin lifetime and *liege poustie* gives to his maister, or to onie uther man that is greatest in power and authoritie, and *speciallic to the Head and Chief of the Clann*, for his maintenance and protection.'" These *caupes* were not suppressed till the act of the 22d James VI., cap. 21, 1617.

† The year then commenced on 25th March, and so continued until 1600.

‡ There is also a Nicholas de Carrick mentioned in the public charters at this time.

been the same as Gilbertus filius Rolandi de Carrick, in the North Berwick Chartulary. In 1342 Gilbert de Carrick received a payment from the Crown; and in 1313 Nigel de Carrick also received a payment.

Cham. Rolls,
vol. iii.,
p. 281.
Ditto, p. 208.

Nisbet's
Heraldry,
App. ii., p. 37.

SIR GILBERT DE CARRICK, son of Sir Roland de Carrick, submitted, in 1285, a difference between him and the nuns of North Berwick to Robert Bruce, Earl of Carrick, (who married the daughter of Neil, second Earl, and was father of Robert I.,) and to Robert, Bishop of Galloway, to which Sir Gilbert de Carrick's seal is appended, having the same coat of arms which the Cassillis Family now carries.* If, as is generally supposed, this Sir Gilbert de Carrick is the ancestor of the Family of Kennedy of Dunure, and was possessed of that estate, which is situated in the parish of Maybole, and close to the church and lands of Kirkbride, it is very possible that he might have conflicting interests with the Cistercian nunnery at North Berwick, to whom the church of St Cuthbert at Maybole, with its lands and tithes, and the church of Kirkbride, had been granted by Earl Duncan. There is not, in the charter-chest of the Marquess of Ailsa, any original grant of the barony of Dunure,† whereby it might be seen how that estate came into the Family. But that this Sir Gilbert de Carrick was connected, through his father, Sir Roland de Carrick, with the old Earls of Carrick, farther appears from the circumstance, that when Robert Bruce, Earl of Carrick, who married Marjory, heiress of Neil, second Earl, appeared before King John Balliol in 1292, to resign the earldom to his son, afterwards Robert I., Sir Gilbert de Carrick is one of the sureties to the King for obtaining the resignation of the earldom.

Act Parl.,
vol. i., p. 93.

A letter of remission was granted by Robert I. to Sir Gilbert de Carrick, which is without date, but must have been granted prior to 16th July 1309, for surrendering the castle of

* This charter is in the possession of Lord Panmure, and is printed in the Chartulary of the Nunnery of North Berwick.

† This name signifies in Gaelic, "The Hill or Fort of the Yew Tree."

Lochdoon to the English, and restoring him, *in integrum*, to all his lands, tenements, and possessions, and to the office of keeper of the castle of Lochdoon. These lands and castle still belong to the Family.

About the year 1290 a charter was granted by Malcolm, Earl of Lennox, in favour of Gilbert de Carrick, son and heir of the deceased Sir Gilbert de Carrick, of the lands of Buckmonyn-Kennedy, Cromicaine, and Blairfode, in the earldom of Lennox.* This Gilbert de Carrick was one of the prisoners taken at the battle of Durham in 1346.

Feod., i., 3.
Chart^r. Len-
nox, 70, D.

The earliest charter in Lord Ailsa's charter-chest is dated 18th January 1357-8, by David II., confirming, in favour of *John de Kennedy*, all the lands, tenements, and possessions belonging to or acquired by him. This is the first time the name of Kennedy appears in the title-deeds. It has been supposed that this John de Kennedy, who, in another charter, about the same period, is called "of Dunure," changed the name from Carrick to Kennedy.† It appears by a letter of dotation, dated

Robertson's
Index, 39-40-
41-46-68.
1357.

* On 28th October 1393 Duncan, Earl of Lennox, confirms a grant by Sir Gilbert Kennedy of Dunure in favour of John Kennedy, son of Fergus Kennedy, of the lands of Buckmonyn, in the earldom of Lennox. The presumption here is undoubtedly that Sir Gilbert Kennedy of Dunure had succeeded Sir Gilbert de Carrick as heir in these lands when he granted them to John Kennedy, son of Fergus Kennedy.

† Archibald, second Marquess of Ailsa, is the sixteenth in direct lineal male descent from this John Kennedy. The connection of the Kennedys of Dunure with the Carrick and Galloway lords appears, 1st, from the early notices given of that connection, such as with the *Cumyns*, justiciaries of Galloway, in which district Carrick lay, and who first possessed the barony of Lenzie, afterwards held by the Kennedys,—as also from the similarity of their Christian names. 2. John Kennedy of Dunure is styled "consanguineus regis" when Earl of Carrick, which may have arisen through some intermarriage with the Family of the old Earls of Carrick. 3. The great privileges of the old Family of Carrick, of the keeping of the castle of Lochdoon, and the leading of the men of Carrick, are *confirmed* in 1372 to John Kennedy of Dunure, evidently as representing the line. 4. The lands of Buckmonyn, in the earldom of Lennox, belonged before 1300 to Sir Gilbert

29th November 1371, that he founded a chapel, near to the parish church of Maybole, for a priest and three chaplains to celebrate divine service at the said chapel, for the happy state of himself, Mary, his wife, and their children, and for his ancestors and successors, and mortifies thereto his eighteen merk land lying contiguous to the chapel, an annual rent of ten merks sterling, payable from the lands of Balmaclunican, an annual rent of five merks out of the lands of Barricloich, an annual rent of six merks out of the lands of Treuchane, and an annual rent of five merks out of the lands of Barriloch. This grant is confirmed by a charter of King Robert the Second,

de Carrick, and in 1393 Sir Gilbert Kennedy of Dunure granted them to his cousin, John Kennedy, son of Fergus Kennedy.* 5. The complete identity of the arms of Carrick and Kennedy. The arms of the old Earls of Carrick were argent a chevron gules simply. They are so represented in Sir David Lindsay, the Lord Lyon's matriculation of arms. The seal of Gilbertus de Carrick in 1285, appended to a deed in Lord Panmure's charter-chest, about the patronage of Maybole, exhibits a chevron between three cross crosslets fichè; and the Kennedy arms are described in an authentic copy of an original confirmation by Robert II. in 1371 to John Kennedy of Dunure, including a description in Latin of the seal of the latter, sent to the University of Glasgow by the Principal of the Scotch College at Paris. John Kennedy's seal is stated to exhibit "super cera viridi integram—super sento erecto cantherinum medium inter 3 cruces duplices hujusmodi †† Sento assident utrinque duo Leones, in crista stat leo erectus;" with the legend, "Sigillum Joannis Kennedy." That is, a shield erect exhibiting a chevron between three cross crosslets, with two lions sitting on each side as supporters, and a lion erect as the crest. Subsequently, the Kennedys added to their arms the royal double tressurè, in consequence of the marriage of James Kennedy of Dunure with a daughter of Robert III. In the seal to the charter of foundation of St Salvador's College by Bishop Kennedy, his coat of arms is shewn on the one side with the double tressure, and on the other without it. The Family subsequently adopted two swans as supporters and a dolphin as crest, and the first time it has been observed is about 1516, soon after being created Earls of Cassillis. David, sixth son of Sir Gilbert Kennedy, was one of the retinue, along with John Maxwell of Calderwood, who attended the Princess Margaret of Scotland on her marriage to the Dauphin in 1436, in honour of which event the alteration may have been made on the supporters and crest.

* Sir John Maxwell of Pollok is a witness to this charter.

Nisbet's
Heraldry, I.,
p. 236, p. 151.

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dated 4th December 1371, in which John Kennedy is called "dilectus consanguineus noster Joannes Kennedy de Dunnoure," and was farther confirmed by Pope Clement the Seventh, by a letter addressed to Walter, Bishop of Glasgow, approving of the foundation, erection, and dotation of the chapel of St Mary of Maybole. Whereupon, by letter, dated 1st March 1383-4, the said John Kennedy appropriates the lands of Barlach, Barclay, and Upper Ballimacluchan to the senior priest, who shall be provost and govern the same,—to the second priest, the three merk land of Maybole, and mill thereof, the one merk land of Knockoneckie, and six merk land of Treuchan,—and to the third priest, the four merk land of Pennyglen, and an annual rent of twenty shillings, to be paid by the provost; and farther, gives the one merk land of Kennachie as a provision for a clerk.

JOHN KENNEDY of Dunure obtained grants of many different estates, which are still in the Family. In particular, he got from Robert the Second two charters, dated at Ayr, 1st October 1372, the one confirming the original grant by Neil, Earl of Carrick, to Sir Roland de Carrick, of the Chieftainship of the Family and bailiary of Carrick, with the leading of the men thereof; and the other again confirming the original grant, and also the charter of confirmation thereof, by Alexander II. He also obtained a charter from Robert II., of the same date, confirming the letter of remission by Robert I. to Sir Gilbert de Carrick, for delivering up Lochdoon Castle, and the regrant thereof.

About 1362 he acquired from Marjory de Montgomery, senior, in her pure widowity, and Marjory, daughter of John de Montgomery, her cousin, the lands of Castlys; from John of Turnberry, the penny halfpenny land of Dalmorton; and from Murdoch, son of Somerled, the penny land of Schauben. In 1370 he acquired from Malcolm, the son of Christynus, the son of Adam de Dalrymple, the half of the barony of Dalrymple; and in 1376 he acquired the other half thereof from Hugh, the

son of Roland de Dalrymple. In or soon after 1370 he acquired from Malcolm, son of Roland de Carriek, the two penny land called Treuchan and Kennochen, lying in the parish of Kirkmichael-Munterduffy. In 1374-5 he acquired, by wadset, the barony of Cumbernauld from Thomas Fleming, grandson and heir of Malcolm, Earl of Wigtown. He was one of the commissioners, mentioned in Rymer's Foedera, upon the Treaty of Newcastle in 1354 for the redemption of David II;* and in 1358 his son, Gilbert Kennedy, was one of the hostages for the King; and in 1363 John de Kennedy de Scotie had a safe conduct from Edward III., to make a pilgrimage to the shrine of St Thomas at Canterbury. He married Mary and left issue,—

Rot. Scotiæ,
vol. II., p. 831,
b.

Ibid., p. 874.

SIR GILBERT, his eldest son and heir.†

John Kennedy died about 1385, and was succeeded by

SIR GILBERT KENNEDY of Dunure, his eldest son and heir. He was one of the hostages for David II. in 1358. In 1364-5 he acquired from his father the lands of Strogilton of Poulton and two Broughtons of Lethydale; and in 1370, during his

* There is extant, in the Errol charter-chest, a compact bond and obligation, dated at Edinburgh, the penult of November 136-, (the full date of the year is worn away,) by John Kennedy of Dunure to "my Most Excellent Lady, the Lady Margaret, by the grace of God, Queen of Scotland, (the second wife of David II.,) and to her son, a noble and potent person, John de Logy of Logy;" whereby, for onerous causes, he binds himself to labour with them, and to warn them of all snares, "with all the power of his followers, without any deceit whatever, within the kingdom of Scotland, and chiefly within the lordship of Annandale," under the usual reservation of the King's authority. The obligation concludes thus, in case he shall do in the contrary,—"*obligo me ex tunc, et ipso facto, esse reprobatum, et defactum, necnon falsum, perjurum, fide mentitum, et omni honore armorum, carentem ab omnibus reputare.*"

† He is called "*filius primogenitus*" in a charter, dated 27th January 1384-5, by Malcolm Fleming of Biggar, confirming a grant by John Kennedy to Sir Gilbert Kennedy of the barony of Kirkintilloch. It appears, however, from the letter of dotation above mentioned, that John Kennedy had several children.

father's life, he acquired from Thomas Fleming, grandson of Malcolm, Earl of Wigtown, the town of Kirkintilloch. In 1384 he got a charter from Malcolm Fleming of Biggar, confirming a charter by his father, John Kennedy, of the forty shilling land of Kirkintilloch in favour of Sir Gilbert Kennedy, his eldest son, and of Agnes Maxwell, wife of the said Sir Gilbert, and the longest liver of them, and the heirs-male of his (Sir Gilbert's) body to be lawfully procreated; whom failing, to Gilbert Kennedy, eldest son of the said Sir Gilbert Kennedy, and the heirs-male of his body to be lawfully procreated; whom failing, to John Kennedy, brother-german of the said Gilbert, and the heirs-male of his body to be lawfully procreated; whom failing, Roland Kennedy, brother-german of the said Gilbert and John, and the heirs-male of his body to be lawfully procreated; whom all failing, the heirs whomsoever of the said John Kennedy of Dunure. In 1386 Sir Gilbert Kennedy granted a bond or obligation to the nunnery of North Berwick as to the church of Maybole, and gave as his pledge James Douglas, lord of Dalkeith. It has the remains of his seal attached to it, displaying a chevron between three cross crosslets, with a label of three points on the shield, and a lion for supporter on the left—the rest away.* In 1392 Sir Gilbert Kennedy grants an obligation, dated 16th September 1392, to James Kennedy, his son, by which he obliges himself not to revoke the grant made by him to the said James Kennedy, and the heirs-male of his body; whom failing, the heirs whatsoever procreate between the said Sir Gilbert Kennedy and Agnes Maxwell, his wife, (mother of the said James Kennedy,) of the Dominical lands of Kirkintilloch, and lands of Sherreve, Bar, Gartchewar, and Badcoll, lying in the barony of Lenzie and county of Dumbarton. On 2d November 1400 he got a charter from David, Earl of Carrick, eldest son of Robert III., of the lands of Dunure, Girvan, and Glenap, in

* The original is in Lord Panmure's charter-chest.—Chartulary of North Berwick, p. 33.

favour of himself and Agnes Maxwell, his wife, in liferent, and after their decease, of James Kennedy, their son, and the heirs-male of his body; whom failing, Alexander Kennedy, his brother, and the heirs-male of his body; whom failing, Hugh Kennedy, his brother, and the heirs-male of his body; whom failing, John Kennedy, son of the said Gilbert and Agnes, and brother of the said James, and the heirs-male of his body; whom failing, Thomas Kennedy, their brother, and the heirs-male of his body; whom failing, David Kennedy, their brother, and the heirs-male of his body; whom failing, the nearest heirs whatsoever of the said Sir Gilbert Kennedy, their father. He took a charter, in the same terms, in 1404, of the lands of Cassillis and Guiletry and two Kilmores, but in this charter each of the younger sons are called brothers of James. In 1405 his son James married the Princess Mary, daughter of Robert III., and relict of George, first Earl of Angus,* and by her left issue,—

1. Sir John, died about 1434. Among the hostages for the redemption of James I. was “Joannes Kennedy de Carryk,” who is said to be possessed of land to the amount of v^c marcas—a large sum at that time; and he had a safe conduct to méet the King at Durham with horses and retainers. In 1431 the following notice of him occurs in Fordun:—“For certain causes the King caused Archibald, third of that name, Earl of Douglas, and Sir John Kennedy, his nephews,† to be arrested,—the Earl he sent in custody to the castle of Lochleven, and his nephew he kept in the castle of Stirling, where he was kept

Rot. Scot.,
vol. ii., p. 242.

Edit. Good-
all, vol. ii., p.
490.

* The Princess Mary, or Marion, as she is called in some deeds, was contracted in marriage to the Earl of Angus, 24th May 1397, but the alliance was short, the Earl having died prematurely of the plague in 1402; she afterwards married, successively, Sir William Graham of Kincardine, afterwards Lord Graham, and Sir William Edmonstone of Duntreith, and had issue by all her marriages.

† There is added in a note, “ex parte sororum suarum,” from the old book of Couper, or other version of Fordun.

in prison till the following feast of St Michael: which King then, in a Parliament held at Perth, at the request of the Queen, bishops and prelates, earls and barons, remitted every offence of the Earls of Douglas and Ross, but *Kennedy was kept in close custody.*" A great mystery hangs over this event. Nothing more transpires in history. But there appears, from the Chamberlain Rolls, under the "Expense" for the year 1434, a payment for the expenses of Sir John Kennedy in the castle of Stirling under the King's Privy Seal, of £14, 13s. 4d., which is the last notice that has been found of him.

2. Gilbert, succeeded to his grandfather.
3. James, bishop of Dunkeld in 1438, bishop of St Andrews in 1440, and chancellor of Scotland same year. He was one of the regents in the minority of James III., and died 10th May 1466.*

* It was this bishop who founded the college of St Salvator, or the "Auld College" of St Andrews, in the year 1450. He reserved to the House of Cassillis the right of presentation to ten prebendaries, or bursaries, provided for students in that college. One of the Earls of Cassillis subsequently acquired other four prebendaries from the college. By an act of the Parliament of Scotland, dated 22d July 1644, it was enacted, that a professorship of Humanity should be instituted in St Salvator's College, and that these fourteen prebendaries should be assigned as part of his maintenance. It was also thereby declared that the Earl of Cassillis, his heirs and successors, of the name and arms of Kennedy, should, in all time thereafter, have the right of presentation of the said professor, and of his successors in the said profession, together with the hails rents, profits, and duties of the said fourteen prebendaries. On the 14th and 18th February 1645, a contract was entered into between the Earl and the provost, professors, regents, and remanent members of the college, by which it is provided that the college shall be bound to receive and admit any party presented by the Earl, such party being first tried and found qualified, according to the order of the visitation of the said college. The Earl is bound to present within six months after intimation of a vacancy is made to him by the said college; and failing his doing so, the right may be exercised *pro ista vice* by the college *jure devoluto*. By an act passed in the year 1747 the two colleges of St Salvator and St Leonard were

Sir Gilbert Kennedy, on his son James' marriage, resigned in favour of him, and the heirs-male of his body ; whom failing, his other younger children, in the order above mentioned, the barony of Dalrymple,* and at the same time he resigned, in favour of his son James, under the reservation of his own life-rent, the Chieftainship and office of bailie of Carrick.† James was killed in a quarrel with his brother Gilbert. After the death of James, Sir Gilbert entered into an indenture with the Duke of Albany, governor of the kingdom, dated 8th November 1408, by which he obliged himself to make a tailie of his estates in favour of himself and Agnes Maxwell, his wife, in liferent, and the heirs-male of his son James *nominatim* ; whom failing, to his other sons *nominatim*, and their heirs-male, in the order above mentioned. These sons are in this deed all called brothers of Alexander, who is called son of Agnes Maxwell. Sir Gilbert was married‡ to Agnes, daughter of Sir John Maxwell of Pol-

united. There being a professorship of Humanity in each college, it was resolved to suppress the one of which the Family of Cassillis had the right of presentation, and in its place the patronage of the chair of Civil History was given to the Earl of Cassillis. This right of patronage is still held by the Family.

* In the charter of Dalrymple by the King, which is dated 22d January 1405-6, all the sons, *except John*, are called brothers of James. Having two sons, each named *John*, the younger one is always distinguished as "son of the said Gilbert and Agnes Maxwell." John Kennedy de Lenzie, and Fergus Kennedy, his son, are witnesses to this charter. Other Kennedys are found witnesses to deeds about this time,—such as Fergus Kennedy of Bomonyn vel Bonynine, John Kennedy of Dalfash, and, a little later, John Kennedy of Balmaclanachan.

† The charter of the Chieftainship and office of bailiary is granted by the King as tutor of his son, the Earl of Carrick.

‡ It is stated in Nisbet's Heraldry and in the Peerages, that Sir Gilbert Kennedy was first married to Marion, daughter of Sir James Sandilands of Calder, by whom he is said, in Nisbet, to have had two sons, Gilbert and Thomas, and second, to Agnes Maxwell ; and it is added, that James, who carried on the line of the Family, was the eldest son of the second marriage. Thomas is also said to have been the ancestor of the Bargany Family. In Wood's Peerage, again, both marriages are stated, but the children, all of whom are mentioned, are arranged in a different order. There is, however, no evidence in Lord Ailsa's charter-chest of the first marriage ; the only wife of Sir Gilbert Kennedy who is

lok by his wife, Isabel Lindsay, daughter of Sir James Lindsay of Crawford by the Princess Egidia,* sister of Robert II., by whom he had issue,—

mentioned in any of the titles, is Agnes Maxwell, and she is called in various charters, particularly those in 1400 and 1404, the mother of all his children, except Gilbert, John, and Roland; and in the charter of 1384 of Kirkintilloch, in which Gilbert is called the eldest son, (*primogenitus*), and John and Roland, brothers-german of Gilbert, they are only called failing heirs-male of Sir Gilbert's body to be lawfully procreated. It would, therefore, appear that they were not legitimate. By our old practice, the word "german" does not necessarily infer legitimacy, but only that the children were born of the same mother. This charter was granted long before James' marriage to the Princess, which is assigned in the Peerage as the reason for passing over the eldest son.

It has been hitherto thought that Agnes Maxwell was a daughter of Sir Robert Maxwell of Calderwood, who was second son of Sir John Maxwell of Pollock, who was alive in 1401. But, 1st, Agnes Maxwell was married to Sir Gilbert Kennedy before 1384, (see charter of Kirkintilloch,) and in 1392 her eldest son, James Kennedy, had got a grant from his father of part of these lands. 2d, Sir Robert Maxwell only got Calderwood from his father in 1401, so he is not likely to have had a daughter married twenty years before. The first time his name is mentioned in the titles in the Pollock charter-chest is in 1390. 3d, By the confirmed testament of Sir Robert Maxwell of Calderwood in 1421 in that charter-chest, which is marked on the back, "Syr Robert Maxwell testament yat deid yn France at battall off Vernell, ye first lord of Calderwold," Sir Robert orders his body to be buried in the church of the Minor Friars in the county of Anjou, and mentions his wife, his eldest son, "*sorori mee d~ne de d~ur* Alano de Hamilton," with a bequest of Carlein, his page, to his eldest son. The deed is very much contracted, but the words "*sorori mee d~ne de d~ur*" may be interpreted *domine de dunur* or *dunure*,—the dashes clearly shewing the omission of some letters. 4th, To the grant by Sir John Maxwell to his son, Robert Maxwell, in 1401, of the lands of Calderwood, the witnesses are, "*Dominis Gilberto Kenydi*, Alano de Kethkert militibus, Humphredo de Culquhon, et Alano de Hamilton;" and to the grant in 1393 by Sir Gilbert Kennedy, the husband of Agnes Maxwell, to John Kennedy, son of Fergus Kennedy, of the lands of Buckmonyn, in the earldom of Lennox, Sir John Maxwell of Pollok is a witness. In like manner, Sir Hugh Eglinton, another connection, is a witness to a grant by Robert II. to Sir John Maxwell of Pollok of the lands of Badnolle.

Pollok charter-chest.

Do.

* The Princess Egidia subsequently married Sir Hugh Eglinton de Eglinton, from which marriage the Earl of Eglinton and Winton is descended.

1. Sir James Kennedy of Dunyre, who married the Princess Mary Stuart, and had issue as above.
2. Alexander Kennedy of Ardstyncher.*
3. Hugh Kennedy, who accompanied the Scottish troops to France under the Earl of Buchan, and distinguished himself at the battle of Bauge, in Anjou, 22d March 1421.†
4. John Kennedy, afterwards of Blairquhan. On 2d July 1444 Sir John Kennedy of Blairquhan, and John Kennedy, his son, grant a bond of manrent to Sir Gilbert Kennedy, his nephew. In 1500‡ Sir John Kennedy, son and apparent heir of John Kennedy of Blairquhan, infefts Margaret Campbell, his second wife, in lands in Galloway.§ In 1505 Gavin Kennedy of Blairquhan infefts John, his brother consanguinian in the lands of Skeith, &c.|| In 1528 James Kennedy of Blairquhan enters into a contract with the Earl of Cassillis relative to

* He is so called as witness to a charter, dated 18th March 1415, by John M'Gillilan to Fergus Kennedy of Bomonyn. He had a son, Gilbert Kennedy, who obtained a charter, dated 31st December 1456, from John M'Dowall of Quarterland, of the twenty-five shilling land of Beoch. In the History of the Kennedys he is said to have been a natural son; and none of his family are called in any of the future entails, although they are frequent witnesses to deeds. In 1464 Gilbert Kennedy acquired the barony of Craigneil, which estate remained with his descendants till the middle of the sixteenth century, when it was sold to Kennedy of Knockdolian, and by him to Kennedy of Carslo, from whom it was acquired by the Earl of Cassillis.

† Hugh Kennedy may have accompanied his uncle, Sir Robert Maxwell of Calderwood, to France, and fought in his train.

‡ Sasine dated 27th June 1500.

§ From a charter in 1508 it appears that Thomas Kennedy of Carslo was a younger brother of Sir John Kennedy of Blairquhan. He was heritable coroner of Carrick, and disposed it to his son, Thomas Kennedy of Craigfyn, in 1513.

|| Charter dated 26th September 1505.

Handwritten notes in the left margin: "on 14th p 328" and "Fordun, ii., 461."

some lands.* This is the James Kennedy of Blairquhan called in the entail of 1540. He was succeeded by a son, John Kennedy of Blairquhan. On 3d May 1608 John Kennedy of Blairquhan is served heir to his father, John Kennedy; and on 7th September 1620 John Kennedy is served heir to his father and grandfather of the same name. He sold the estate of Blairquhan about 1622 to James Kennedy of Culzean, eldest son of Sir Thomas Kennedy of Culzean. P. 48.

5. Thomas Kennedy. He is called, in a charter by James II., dated 13th February 1450-1, of the lands of Cassillis, &c., Thomas Kennedy of Kirkoswald;† and in another charter by James II., dated 23d October 1455, Thomas Kennedy of Bargany.‡ In 1465 Gilbert Kennedy of Bargany enters into an indenture with the first Lord Kennedy, and John Kennedy, Lord Kennedy's eldest son, that David Kennedy, son and apparent heir of John Kennedy, shall marry Marion, daughter of the said Gilbert Kennedy; and that Thomas Kennedy, son and apparent heir of Gilbert Kennedy, shall marry Catharine, daughter of John Kennedy, and sister of David Kennedy.§ In 1481 Thomas Kennedy

* Contract dated 28th May 1528.

† The lands of Kirkoswald were for a long time part of the Bargany estate. In 1597 they were the jointure lands of Lady Agnes Kennedy, widow of Sir Thomas Kennedy of Bargany.

‡ The Bargany Family quartered the three fleur de lis, or arms of France, with their paternal coat, seemingly on account of feats of arms performed there, in like manner as the Stuarts of Darnley. The Montgomeries of Eagleshame, afterwards of Eglinton, bore the three fleur de lis as their arms; and as the Bargany Family frequently intermarried with the Montgomeries, their quartering these arms may have arisen from that connection.

§ This contract is dated 15th September 1465. The marriage of David, afterwards first Earl of Cassillis, with Marion Kennedy, does not seem to have

of Bargany is witness to a charter by John, Lord Kennedy, to Alexander Kennedy of Girvan Mains, the eldest son of his second marriage.* In 1509 there is a letter of reversion by Thomas Kennedy of Bargany, afterwards Sir Thomas Kennedy, and Catharine Kennedy, his wife, in favour of Walter Kennedy of Glentig, of the lands of Arneil and others.† In 1527 Alexander Kennedy of Bargany grants a discharge‡ to Gilbert, Earl of Cassillis, of £100 Scots, which sum Dame Catharine Kennedy, his mother, by her will, ordered to be paid to the Earl, in part of a greater sum due by the contract of marriage between the said Alexander Kennedy, as taking burden for Kennedy, his son and heir, and by the Earl, as taking burden on him for his daughter. In 1538 the Earl of Cassillis infeft Elizabeth Kennedy, daughter of Alexander Kennedy of Bargany, in the £20 land of Culzean.§ This is the Alexander Kennedy called in the entail of 1540.|| In 1558

taken place ; but Thomas Kennedy, Bargany's eldest son, afterwards married Catharine, daughter of John, Lord Kennedy.

* Charter of the lands of Girvan Mains, dated 30th July 1481. There is a curious entry in the Acts and Decrees of the Supreme Civil Court in 1502, in which Alexander Kennedy, son and apparent heir of Thomas Kennedy of Bargany, "allegit that his father was heir to umq^{ll}. Alexander Kennedy by reason of the *legitimation*."

† This letter of reversion is dated 2d April 1509.

‡ Discharge dated 17th July 1527.

§ Sasine dated 5th December 1538. This lady is the "Black Bessy" of the History of the Kennedys. She was married, first, to the Gudeman of Dineham, second, to Hugh Kennedy, laird of Culzean, and third, to William Kennedy of Brunston. On 1st February 1541 she, with consent of Hugh Kennedy, her husband, reconveyed the lands of Culzean to the Earl of Cassillis.

|| This Alexander Kennedy is said to have had a third son, Gilbert, who purchased the lands of Kirkhill, and was the ancestor of the Kennedys of Kirk-

Thomas Kennedy of Bargany is mentioned. He married Agnes, daughter of Hugh, second Earl of Eglinton, and had issue two sons; Gilbert, his eldest son, who married Janet, daughter of Andrew, Lord Ochiltree. He was killed at the skirmish of Brockloch, near Lady Corse, at Maybole, by Lord Cassillis' friends, on 11th December 1601.* He was succeeded by his son Thomas. Sir Thomas Kennedy's second son was Thomas Kennedy of Drummurchie, who slew Sir Thomas Kennedy of Culzean near Ayr on the 12th May 1602, in revenge for the death of his brother Gilbert. He fled to Ireland, where he lived with the Viscount of Ardes. In 1620 the estate of Bargany was sold by Thomas Kennedy, son of Gilbert Kennedy of Bargany, to Sir Thomas Hamilton of Lesterwick, with whose descendants in the female line it still remains.

6. David Kennedy. He was one of the retinue who attended Margaret of Scotland on her marriage to the Dauphin Louis in 1436. He had issue a son, Gilbert, who is called in the charter of 1450,† above

hill, now represented by Thomas Francis Kennedy, Esq. of Dunure, who sold Kirkhill in 1843 to Colonel Barton. Alexander Kennedy's second son appears to have been John Kennedy of Bardrochat. Thomas Kennedy of Kirkhill died about 1616, and was succeeded by David Kennedy, eldest son of David Kennedy of Carss, his brother, who got a charter of Polgarnock in 1606. David Kennedy of Kirkhill was succeeded by Sir Thomas Kennedy in 1634.—See Bargany Inventory Book.

* It is said, in the Account of the Family of Kennedy of Bennane, that Hew Keunedy, second son of this Sir Thomas Kennedy, and brother of Alexander Kennedy of Bargany, married, on 8th June 1560, Catharine, daughter and heiress of David Kennedy of Bennane, now represented by Hew Fergusson Kennedy of Bennane.

† Charter dated 13th February 1450-1.

referred to, under the name of Gilbert Kennedy, David's son, and in the charters of 1453* and 1455† he is called Gilbert Kennedy of Kirkmichael.‡ In 1503 Thomas Kennedy of Kirkmichael, and Gilbert Kennedy, his son and heir, are witnesses to a charter by Gilbert Kennedy of Corauchbay to Gilbert Kennedy, provost of the collegiate church of Maybole.§ In 1529 Gilbert Kennedy of Kirkmichael is witness to a charter by Adam Reid of Starwhite to John Kennedy of Craigneil of the lands of Craighfyn and Carslo.|| In 1538 John Kennedy of Kirkmichael is one of the jury upon the service of Gilbert, third Earl of Cassillis, as heir of his father.¶ In 1562 John Kennedy of Kirkmichael is one of the jury on the service of Gilbert, fourth Earl of Cassillis, as heir to his father.** On 19th December 1594 Janet and Susanna Kennedys are served heirs-portioners of John Kennedy of Kirkmichael, their grandfather.††

Sir Gilbert Kennedy died about 1440,‡‡ and was succeeded by

* Dated 6th August 1453.

† Dated 23d October 1455.

‡ There is a charter of the lands of Kirkmichael on record in his favour, dated 20th August 1429, by James I.—B. 3 ; N. 40.

§ Charter dated 30th October 1503.

|| Charter dated 30th February 1529.

¶ Retour dated 14th October 1538.

** Retour dated 16th October 1562.

†† The Families of Kennedy were at this time very numerous. It is impossible to trace the various branches. On the above inquest in 1538 there were—Alexander Kennedy of Bargany, John Kennedy of Culzean, John Kennedy of Kirkmichael, Thomas Kennedy of Coiff, Thomas Kennedy of Dunein, Thomas Kennedy of Drumuck, Thomas Kennedy of Knockreoch, Thomas Kennedy of Knockdaw, John Kennedy of Bennane, Patrick Kennedy of Drummellan, and Gilbert Kennedy of Balmacluncheon.

‡‡ With regard to the order of seniority of Sir Gilbert Kennedy's children, the

1455 h
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GILBERT, FIRST LORD KENNEDY, eldest surviving son of James Kennedy and the Princess Mary, and grandson of Sir Gilbert Kennedy. He was created Lord Kennedy between 3d August 1456 and 20th March 1457, as he is styled Lord Kennedy, for the first time, in an instrument of resignation of the lands of Glenginnet of the latter date.* In 1466 he was appointed one of the six regents of the kingdom on the death of James II. He married Katherine, daughter of Herbert, first Lord Maxwell, of Caerlaverock, by whom he had several children. In the year 1450 he got several charters from the Crown of the Family estates and Chieftainship, in which his wife's name is mentioned. He seems to have had the following family:—

1. John, afterwards second Lord Kennedy.
2. James Kennedy, afterwards designed of Row.†

above arrangement is taken from the charters of 1384, 1400, and 1404. Nisbet is clearly erroneous in the order of birth, and his statement, in other respects, of the Blairquhan branch, is quite incorrect. It is clear, from Lord Ailsa's titles, that Thomas was the ancestor of the Bargany branch; and that he was a younger son than James who carried on the main line of the Family, is evident from the charter of 1405, in which the sons are all called brothers of James, and from the indenture with the Duke of Albany, dated 8th November 1408, in which, failing James' children, the other sons are all called, in the same order, as brothers of Alexander, the then eldest surviving son.

* There is among the titles a curious obligation, dated 28th October 1454, by Gilbert Kennedy, son and heir of Roland Kennedy of Leffnol, not to disturb Gilbert Kennedy of Dunure, his master, in his lands and offices specified, under the penalty of £6000 Scots. Was this Roland Kennedy the younger brother of Gilbert and John before mentioned? Gilbert, the eldest brother, died without issue, as is proved by an infertment, dated 17th April 1466, in favour of Gilbert, Lord Kennedy, in the forty merk land of Kirkintilloch, on a decree and brieve of recognition, 15th April 1466, against Robert, Lord Fleming. John, the second son, is supposed to be the ancestor of the first Family of Kennedy of Coif, who soon became extinct.

† In a charter, dated 14th May 1473, of the half of the barony of Glenstinchier, James Kennedy is called *Filio Carnali* of Gilbert, Lord Kennedy. His wife's name was Egidia Blair. They had no issue.

*wrote this does not
prove that Gilbert
eldest brother
issue. 2nd son
Glenstinchier
to be eldest son
5th May 1473
John Kennedy
1666
Jun 29th 1386*

3. Alexander Kennedy.
4. Gilbert Kennedy of Crothba, provost of the collegiate church of Maybole,—had no issue.*
5. Robert Kennedy.
6. Walter Kennedy of Glentig, and parson of Douglas, acquired Glentig from John Wallace of Glentig by charter dated 8th December 1504,† married Christian Hynd, and had issue,—

* See the retour of the service of Gilbert, second Earl of Cassillis, as heir to this Gilbert, 9th November 1532.

† This was the poet of whom Gawin Douglas, in his "Palice of Honour," written in the year 1501, says,—

Of this nation I knew also anone,
Greit Kennedie and Dunbar yet undeid,
And Quintine with anc huttok on his heid.

And Lyndsay, in a poem written in 1530, exclaims,—

Or *quha can now* the warkis countrefait,
Off Kennedie with termes aureait ?
Or of Dunbar quha language had at large,
As may be seen intill his Goldin Targe.

He was educated at the college of Glasgow, and appears to have been originally intended for the Church. In the poem called the "Flyting of Dunbar and Kennedy," he says,—

I am the kingis blude, his treu speciall clerk,
That never yit imaginitt his offence ;
Constand in mynd, in thocht, word, and werk,
Only dependand upoun his excellence,
Trestand to haif of his magnificence,
Guerdin reward and benefyce bedene,
Quhen that the revynnis sal syfe out baith thy ene,
And on the rattis salbe thy residence.

He was incorporated with the college in 1475, took his degree as Bachelor of Arts in 1476, and as a licentiate and Master of Arts in 1478. In November 1481 he was elected one of the four masters to act as examiner. Of his subsequent history, little is known. From the "Flyting," it appears that he resided for some time on the Continent, but at that time was living in Ayrshire. He acted for some time as bailie-depute of Carrick. Dunbar, in his Lament for the Makars, written between 1505 and 1508, speaks of him as lying at the point of death. He says,—

1. Walter Kennedy, rector of Douglas. He was incorporated as a member of the college of Glasgow in October 1511. He was chosen rector of the university in 1525, at which time he was provost of the collegiate church of Maybole and canon of Glasgow.

2. Alexander Kennedy of Glentig, married Janet Wallace, and had issue,—

William Kennedy of Glentig, called in the entail of 1540. He had a daughter, Janet Kennedy, who is stated in a contract, dated 3d April 1562, between Gilbert, fourth Earl of Cassilis, and her, to be the heir of Alexander Kennedy of Glentig, Walter Kennedy, parson of Douglas, her granduncle, and James Kennedy in Kirkdomini. She married William Kennedy of Gilespie.

7. Marion,* who was contracted to marry John, son and heir of William Wallace of Craigie, by indenture dated 12th April 1459; and was also contracted to marry James, eldest son of Robert, Lord Boyd, in 1465.

The above sons are all called in succession in a charter by

Gud Maister Walter Kennedy
 In poynt of dede lvis veraly
 Gret reuth it were that so suld be!

In 1510 he is mentioned in a deed as parson of Douglas; and in 1517 his son, Walter Kennedy, rector of Douglas, is infeft, as heir of his father, in the lands of Glentig. His poems, which are now scarce, were reprinted, along with those of Dunbar, by David Laing, in 1834.

* He is also said, in the History of the Kennedys and in the Account of the Eglinton Family, to have had an elder daughter, Katherine, married to Alexander, second Lord Montgomerie.

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James II., dated 23d October 1455 ; and failing them and the heirs-male of their bodies, there are called next the said Gilbert Kennedy of Dunure, their father, and the heirs-male of his body ; whom failing, Thomas Kennedy of Bargany, and the heirs-male of his body ; whom failing, Gilbert Kennedy of Kirkmichael, and the heirs-male of his body ; whom failing, the nearest heirs-male of the said Gilbert Kennedy of Dunure.* Lord Kennedy acquired the lands of Balgray, Auchintibbert, &c., from William, Earl of Douglas, by charter dated at Stirling, 20th April 1444.† In 1450 he acquired the half of the barony of Glenstincher called Dalquharin. In 1457 he acquired the barony of Traboyack or Glenginnet. In 1465 he acquired the barony of Thankerton in Lanarkshire. In 1473 he acquired Pinvalley from Kennedy of Bargany. He married, secondly, Isabel, daughter of Sir Alexander Ogilvy of Auchterlonie, and widow of Patrick, first Lord Glamis, and was alive 13th October 1478.‡ He was succeeded by

* The elder brothers, Alexander, Hugh, and John, are omitted in this charter, and Gilbert Kennedy of Kirkmichael is called in place of his father David.

† This disproves the story, in the History of the Kennedys, as to the acquisition of these lands by Alexander Kennedy.

‡ Act. Dom. Con. 12.—Lord Kennedy had bonds of manrent, or letters of retinue, from the following parties :—

Sir John Kennedy of Blairquhan, and John Kennedy, his son and apparent heir, 2d July 1444.

Gilbert Kennedy, son of Alexander Kennedy of Ardstincher, 23d April 1447.

Gilbert Kennedy, son and heir of Roland Kennedy of Leffinoll, 28th October 1454.

There is also an obligation, dated 20th January 1465, by Robert, Lord Boyd, to aid, assist, and defend Lord Kennedy all the days of his life, except his allegiance to the King, and bonds granted to Lord Darnley, Lord Hamilton, Lord Lyle, Lord Montgomery, &c., and to be true and faithful to Lord Kennedy so long as he shall have the keeping of the King's person, and cause solemnize a marriage between James Boyd, his eldest son, and Marion, daughter of Lord Kennedy.

JOHN, SECOND LORD KENNEDY. He was called Lord Kennedy in his father's lifetime in an instrument of sasine in the barony of Dalrymple, dated 12th April 1475. In 1482 he acquired the barony of Turnberry, Traboyack, and Girvanhead. In 1505 he acquired the lands of Coiff, now called Culzean, and other lands, from Gilbert Kennedy of Coiff. He married, first, Elizabeth, second daughter of Alexander, first Lord Montgomerie, by whom he had issue,—

1. Sir David Kennedy of Leswalt, Knight,* afterwards Earl of Cassillis.
2. Katherine, mentioned in an indenture, dated 15th September 1465, as contracted to marry Thomas, eldest son of Gilbert Kennedy of Bargany, by whom she had issue.†

Before 1471 Lord Kennedy married, secondly, Elizabeth, daughter of George, first Earl of Huntly, and relict of Nicol, second Earl of Erroll, and by her had issue,—

1. Alexander, who got a charter of the lands of Girvan Mains from his father, dated 30th July 1481. Hugh Kennedy of Girvan Mains is witness to a precept by the Earl of Cassillis to James Scott of the lands of Ranko, dated 20th May 1536. He married Janet Stewart, Countess of Sutherland, who afterwards married Henry Stewart, Lord Methven. This is the Hugh Kennedy called in the entail of 1540. Gilbert, son of Sir Hugh Kennedy of Girvan Mains, married Margaret, eldest daughter of David Ken-

* He was knighted by James III. on the creation of his second son, Alexander, Duke of Ross, 29th January 1487.—

† In the History of the Kennedys, another daughter, Margaret, is mentioned, who is said to have married Andrew, Lord Avondale, but this nobleman's wife is said in the Peerages to have been a daughter of Kennedy of Blairquhan.

There is on record a charter, dated 24th February 1472-3, by James III., in favour of John Wallace and Katharine Kennedy, his spouse, of the lands of Thornlie and others.

James?

nedy, Esq. of Culzean, and is infest in the lands of Culzean 10th March 1563. They had a son, Hugh Kennedy,* afterwards Sir Hugh Kennedy of Girvan Mains. His creditors sold the estate in 1694 to Sir Thomas Kennedy of Kirkhill.† Sir Hugh had a son, Sir Gilbert Kennedy, Bart., who, in 1694, married Jean, daughter of Sir Archibald Kennedy of Culzean, Baronet.‡

2. John.

3. William.

4. Janet, mistress of James IV., and usually called Lady Bothwell. The King settled upon her the splendid domain of Tarnaway Castle, the principal residence of the Earls of Moray previous to their forfeiture, by a grant in 1501, wherein she is called Jane Kennedy, Lady Bothwell, “als lang as she remаны but husband or uther man, ande dwellande in ye castle of Dernway with ye King’s son and hurris, James Stewart.” This celebrated beauty, to whom the King was so much attached, and whose jealousy is so forcibly disclosed in the above excerpt, had been contracted to marry Archibald Douglas, Earl of Angus, who was actually imprisoned for attempting to prefer his claims to her hand.§ On

Privy Seal
Reg., vol. ii.,
p. 73.

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* Mentioned in a summons of declarator and recognition, dated 2d February 1590, at the instance of David M’Gill against the Earl of Cassillis and others.

† Sir Thomas was provost of Edinburgh, and a descendant of Gilbert, third son of Alexander Kennedy of Bargany. The estate still belongs to his descendant, Thomas F. Kennedy of Dunure.

‡ The Kennedys of Pinwhirrie and Minnshon were descended from Girvan Mains.

§ The following notices have been found in the treasurer’s accounts for the period, of the Lady Jane or Lady Bothwell. Anno 1501–2. She is first styled “the Lady.”

“Item, payit for the ladyis expenses in Strivelin beginnand the xxj day of Februar and four dayis thereafter quhilk is v dayis viiith x^s v^d.”

the 7th February 1509 she received a charter from the Crown of the liferent of the barony of Bothwell. On the 21st March 1531 she granted a charter of confirmation and mortification for the sustentation of one prebend in the church of the blessed Virgin Mary in the Fields, without the walls of the city of Edinburgh, of certain annual rents and tenements within the city. This was the celebrated Kirk of Field, where the murder of Darnley afterwards took place.* She had by James IV. a son, James Steuart, created Earl of Murray 1501, who married Margaret, daughter of Colin, third Earl of Argyll, by whom he had one daughter, Mary, married to John, eldest son of John, third Earl of Buchan.

15 June
 “ Item, to hir expenses begynnand the fift day of Merch and xii dayis thereafter at twa divers tymes quhilk is xiii dayis xiii^{li}. xii^s. viii^d.

“ Item, ye viii day of April giffin to Maister Leonard Logy Stewart to ye lady xiii^{li} before yis and now xii^{li}. xxx^{li}.

“ Item, the samyn tyme payit to James Douglas for the ladyis stable fee all the gait to ye Month and in Invernes xxv^s.

“ Item, ye xx day of December for viii elne small quhit to be blancatis and wlycoccitis to ye barne† in Doun‡ ilk elne ii^s. viii^d. summa xxii^s. viii^d.

“ Item, the penult day of August payit to Andro Aytoun for ye ladyis expenses lxxv dayis, of quhilk hir expenses was yat day ye barne was baptisit viii^{li}. v^s. and ye laif of the dayis ilk day xxxvii^{li}. quhilk is in the hale i^cxxiii^{li}. viii^s. of quhilk is enterit of befor xxx^{li}. and sa rests to pay now lxxxxv^{li}. viii^s.

“ Item, ye viii day of September to ye man that gydit ye king fra the sete (of hunting) in Beynmore to Buquheder (Balwhidder) iii^s.

“ Item, ye thrid day of November in Invernes to the king to play at the cartis uith ye lady xxiii^s. iiiii^d.

“ Item, ye same day (6 January) to ane man to pass to Ternway§ to ye lady uith tithings of taking of Farquhar Makkintosch xx^s.

* In the grant by James VI. to the college of Edinburgh, 14th April 1582, of the Kirk of Field, it is called “ the Provostry beatae Mariae de campis vulgo the Kirk of Field.”

† James, afterwards Earl of Moray.

‡ Doune Castle, where “ the lady ” was confined of him.

§ Darnaway Castle.

Ac 9
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5. Helen, married to Adam Boyd of Penkill.

John, Lord Kennedy,* died about 1507,† and was succeeded by

DAVID, FIRST EARL OF CASSILLIS, his eldest son and heir.

He was created Earl of Cassillis between 25th July 1509 and 7th January 1510–11, as he is called Lord Kennedy in an assignation of the former date, and Earl of Cassillis in a precept of the latter date. He was a privy councillor of James IV., and was at the battle of Flodden Field, where he was killed.‡ He married, first, Agnes, daughter of William, Lord Borthwick, by whom he had issue,—

1. Gilbert, second Earl of Cassillis.
2. William, abbot of Crossraguel.

* Lord Kennedy is said to have married, third, Elizabeth Kennedy, who subsequently married William Power.—Riddell's Peerage and Consistorial Law, p. 557, note 2.

† Amongst the titles at this date there is a very curious notarial instrument, shewing the character of the times. The barony of Greenan was feued by John, Earl of Ross, and Lord of the Isles, to John Davidson, his native esquire, in 1475. Thomas Davidson had succeeded to these lands, and been infeft in them as heir to John, under a precept from the Crown, in consequence of the forfeiture of the Earl of Ross. The Earl of Douglas had got a gift of the escheat of the Earl of Ross, and he had infeft his son, William Douglas, in Greenan; whereupon Thomas Davidson took this instrument, dated 1st July 1510, which states that he compeared at his own mansion-house, and in presence of William Douglas, then taking infeftment of the lands of Greenan, after casting down upon the ground a certain vessel and breaking it, he asserted that such infeftment was broken and dissolved by the breaking in pieces of the said vessel, and protested that such infeftment taken by the said William Douglas should not hurt or prejudice that of the said William Davidson, or his heritage.

The original charter of these lands in 1475, by John, Lord of the Isles, to his native esquire, John Davidson, is in the charter-chest.

‡ This is proved by a precept, dated 21st May 1534, for infefting Gilbert, third Earl of Cassillis, as heir of his grandfather, Earl David, in the lands of Ballgray and others, in which the Earl, though a minor, is declared of lawful age, in virtue of the act of dispensation made by James IV. at Twizelhaugh, dated 24th August 1513, in favour of those who accompanied him to the battle.

had issue James & Robert
see Frochrig MS. 15. 17

Baird of
Carriach 1507-
see Fraser's
Montgomery
D 51, 65

3 1/2 53 where

he is described as
Samuel Bennett.

In 1497 he
was made
of
1507

3. James of Brunston.*
4. Thomas Kennedy of Coiff, married Katherine, daughter of Thomas Corry of Kelwood,† and had issue,—
1. Thomas, who was infeft in the lands of Coiff and Mackilvairdstain as heir to his father, 1st April 1555.
 2. David, who was infeft in Coiff as heir to his brother Thomas, 7th April 1567. He had issue,—
Alexander of Balvaird, who was infeft in the lands of Coiff and Mackilvairdstain as heir to his father David, 24th August 1586. He married Isabel, daughter to David Kennedy in Maxwellton.‡ He had a grandson, David, who was infeft in Mackilvairdstain or Balvaird as heir of his grandfather, 8th September 1675. He had previously sold these lands to the Earl of Cassillis, by disposition dated 18th January 1672.
5. Katherine, married Quintin Mure of Aird, and had issue.§

* He is witness to a contract, dated 29th January 1528, between Gilbert, third Earl, and William, the abbot. In 1569 there is a William Kennedy of Brunston witness to a letter of reversion by David Kennedy of Coiff to Earl Gilbert; but in a charter by the Abbot of Crossraguel to David Kennedy in Balsarroch, William Kennedy of Brunston is called brother-natural of David.

† This is the Thomas Kennedy called in the entail of 1540.

‡ Mentioned in a charter in her favour by her husband, dated 24th August 1586.

§ In the History of the Kennedys she is called Lady Skeldon, and afterwards Lady Sorn. Her first husband's name is mentioned in a precept, dated 7th January 1510, by Lord Cassillis, for infefting him and Katherine Kennedy, his wife, daughter of the Earl, in the lands of Kilmore. She appears also to have married, before 1533, William Hamilton of Sorn and Sanquhar. She had one

6. Christian, married John Kennedy of Guiltree, and had issue a son, John.*

Lord Cassillis married, secondly, Margaret, daughter of Thomas, Earl of Arran, and niece of James III., and widow of Alexander, fourth Lord Forbes, but by her had no issue.† He died 9th September 1513, and was succeeded by

GILBERT, SECOND EARL OF CASSILLIS, eldest son and heir. In 1516 he was appointed, by the Bishop of Galloway, bailie of all the lands belonging to the bishopric in Galloway, and captain and keeper of the manor-place and loch of Inch. He was ambassador to England, 1515-16. He married Isabella, second daughter of Archibald, second Earl of Argyll, and had issue,—

1. Gilbert, third Earl of Cassillis.
2. Thomas, died before 2d November 1560.
3. David of Culzean,‡ married Janet, daughter of Duncan Kennedy of Daljedburgh, and had issue,—

1. Margaret, married Gilbert, son of Sir Hugh Kennedy of Girvan Mains.
2. Egidia.

daughter by Quintin Mure, called Margaret, who was married to John Kennedy of Skeldon, and is mentioned in a precept of clare as heir to her father in these lands.

* In the History of the Kennedys another daughter is mentioned,—Helen, said to have been, first, married to Lord Eglinton, and afterwards, to Graham of Knockdolian. Christian is called Lady Altyre, which seems to be a mistake for Guiltree. She and her husband are mentioned in a discharge, dated 28th May 1526, in favour of the Earl of 200 merks, being her portion.

† In the above History and in Wood's Peerage, this lady is called Grizel Boyd. But she is called Margaret in a charter by James IV., dated 5th February 1511-12, in favour of the Earl and her, in conjunct fee and liferent, of the lands of Cassillis and others. She subsequently married William Wallace of Craigie.—Acts and Decreeets of Supreme Civil Court, 1561.

‡ He got a charter of the lands of Culzean from his brother, Earl Gilbert, dated 30th September 1542. The daughters' names and their husbands are mentioned as heirs-portioners of their father in the summons of declarator, dated 2d February 1590, at the instance of David M'Gill against the Earl of Cassillis and others.

*Called d. Grizel
In 5th Feb 1512
1519
p 33 In 2d
p 53.*

3. Katherine, married Richard Kennedy in Largs.
4. Quintin, abbot of Crossraguel, died July 1564.*
5. Archibald.
6. Hugh of Barquhany, married Katherine Balley, and had issue,—
 1. John of Barquhany.
 2. Janet, mentioned in a contract of sale of the lands of Mochrumhill.
 John, the eldest son, married, and had two daughters, Jean and Helen, his heirs-portioners. Helen married Alexander MacDouall, son of Peter MacDouall of Machermore.†
7. James Kennedy of Uchtrelure, married Agnes Johnston, and had two daughters, his heirs-portioners.‡
8. A daughter, married to Thomas M'Clelland of Bomby.§
9. A daughter, married to Thomas, eldest son of Alexander Kennedy of Bargany.||

Lord Cassillis was assassinated at Prestwick about Whitsun-

* This was the churchman who publicly disputed with John Knox at Maybole for three days on the subject of the sacrifice of the mass, for which service he was canonized as a saint on his death.

† Precept of clare constat in their favour in the lands of Barquhany, dated 9th June 1599.

‡ This appears from a decree by Thomas, Abbot of Glenluce, as to the heritable right to the lands of Uchtrelure, dated 1560.

§ This appears from a discharge, dated 20th January 1540, by M'Clelland to the Earl of 240 merks, as his wife's portion.

|| This appears from a discharge by Bargany to the Earl, dated 17th July 1527, of £100, part of her portion.

In the History of the Kennedys, Lord Cassillis is said to have had two daughters,—Janet, Lady Freugh, and Helen, Lady Kenhilt. On 24th November 1571 William Adair of Kenhilt, and Helen Kennedy, his wife, are infeft by Lord Cassillis in the lands of Larg, Steuart, and others, in Wigtownshire; and on the 14th of May 1562 there is an instrument of requisition by Alexander Vans of Barn-

day 1527 by Hugh Campbell of Loudoun, sheriff of Ayr, and was succeeded by

GILBERT, THIRD EARL OF CASSILLIS, his eldest son and heir, born 1515, was served heir to his father 14th October 1538. He was educated at St Andrews. He was compelled to sign the sentence of death of Patrick Hamilton, abbot of Ferne, who was burned there for heresy.* On 30th October 1529 he was discharged of all points of treason from being at the battle beside Linlithgow.† He was a pupil of the celebrated George Buchanan, who had a high esteem for him, and with whom he travelled abroad for some years, and returned to Scotland in May 1537. On his return he was made one of the Lords of the Secret Council to James V., who admitted him to a very great degree of confidence and favour. He was at the rout of Solway, where he was taken prisoner in November 1542, and was placed under the charge of Archbishop Cranmer, by whom he was converted to the Protestant faith. Having procured hostages, he returned home next year, and was engaged in the English interest to promote the marriage of Queen Mary with Prince Edward, for which he got a pension of 300 merks.‡ His hostages were, his uncle, Thomas Kennedy of

barroch, and Janet Kennedy, Lady Freugh, his wife, to the tenants of certain lands in Galloway to pay their rents.

These ladies may have been previously married to Thomas M'Clelland and Thomas Kennedy.

* Knox's History, 318.

† Act Par., James V.

‡ On the 30th August 1543 a bond of manrent was granted by Hugh Campbell of Loudoun to Gilbert, Earl of Cassillis, bearing that the Earl having, at the special request of the Lord Governor and other earls, lords, and barons of the realm, remitted all rancour against the said Hugh Campbell, his servants and dependents, anent the slaughter of his Lordship's father, and had taken him into his favour and kindness, and granted to him, and the heir immediately succeeding him, his letter of maintenance; therefore, the said Hugh Campbell obliges him, and the heirs succeeding him in his lands and offices, in manrent and service to his Lordship during their respective lifetimes, &c. This bond proceeds upon offers by Hugh Campbell to the Earl for the injuries he had done, and which

Coiff, and his brothers Thomas and David. His ransom was fixed at £1000. His hostages were placed under the care of the Archbishop of York, but were shamefully neglected by the Earl.* It was not till they were threatened with immediate execution that the Earl went to London early in 1545, and delivered himself up to King Henry. His hostages were immediately released, and he himself was discharged of his ransom, and permitted to return home loaded with presents. He afterwards deserted the English party, became a lieutenant-general of horse to Queen Mary, and justiciary of Carrick. He was named an extraordinary Lord of Session 31st July 1546. He was appointed lord high treasurer in 1554, and was one of the eight members elected by Parliament to attend Queen Mary's marriage with Francis, the Dauphin of France.† The opposition of the Scottish deputies to give the crown-matrimonial to the Dauphin gave great offence, and three of them died at Dieppe in one night, 18th November 1558, among whom was the Earl of Cassillis, and not without suspicion of poison.‡ His body having been brought

he humbly beseeches the Earl to accept, in compliance with the request of the King of England and the governor and lords of Scotland, mediators between them; by which he is to give, first, his and his son's bond of manrent to the Earl during all the days of their respective lives; secondly, his son's marriage to be at the Earl's disposal; thirdly, all those engaged on the side of the said Hugh Campbell, who will not abide an assize, to be in the Earl's will; fourth, all suffrages, either public or private, to be referred to the Lords, as the Earl shall think expedient, &c.

John Kennedy of Craigneil gave a bond of manrent to the Earl on 5th March 1545.

* Lodge's Illustrations, vol. i., p. 46 and 103; Buchanan, 14, 30.

† He was appointed a gentleman of the Bedchamber to Henry II., King of France, on 28th April 1558.

‡ In an action before the Court of Session 5th May 1565, Gilbert, fourth Earl of Cassillis, produced his father's testaments, to be considered so far as regards his sister Jane, Countess of Orkney. He "producit ye saidis tua testaments, ye ane dated Edinburgh, 1557," by which he made his wife and Gilbert, his eldest son, his executors, and his brother "ye abbot." Then is this clause:—"Item, I leif to Jane, my eldast dochter, to hir merriage scho usand hir honestlie, by ye advise of my wife and my eldest sone, ane thousand pundis." The uyer tes-

*See Introduction of
State Papers
1507-1509
Vol I, p. 44, 45, 46
56.
for his correspondence
with Henry VIII.
Central of
manrent*

home, was buried in the collegiate church of Maybole. On the 6th of February 1540 he took a charter of his estates in favour of himself, and the heirs-male of his body; whom failing, to Thomas Kennedy, his brother-german, and the heirs-male of his body; whom failing, to David Kennedy, his brother-german, and the heirs-male of his body; whom failing, to Quintin Kennedy, his brother-german, and the heirs-male of his body; whom failing, to Archibald Kennedy, also his brother-german, and the heirs-male of his body; whom failing, to Hugh Kennedy, also his brother-german, and the heirs-male of his body; whom failing, to James Kennedy, also his brother-german, and the heirs-male of his body; whom failing, to James Kennedy, uncle of the Earl, and the heirs-male of his body; whom failing, to Thomas Kennedy of Coiff, also uncle of the Earl, and the heirs-male of his body; whom failing, to Hugh Kennedy of Girvan Mains, and the heirs-male of his body; whom failing, to William Kennedy of Glentig, and the heirs-male of his body; whom failing, to Alexander Kennedy of Bargany, and the heirs-male of his body; whom failing, to James Kennedy of Blairquhan, and the heirs-male of his body; whom failing, the nearest heirs-male whatsoever of the Earl, bearing the name and arms of Kennedy; whom all failing, his nearest heirs-female. This charter includes the office of bailiary of Carrick, and all fees pertaining thereto.* On 10th July 1546 the Earl, for himself, and as taking burden on him for Gilbert, Master of Cassillis, his eldest son and heir, enters into a contract with James, Earl of Arran, governor of Scotland, that the Master

tament (is stated to be) maid at Deip, the 14 day of November 1558, by which he ratifies the foresaid testament, and "levis his broder ye abbot of Corhsraguel, oversman, and failzing him, his broder ye baillie. Item, I leif ye cleyting I send hame—chenyies ringis of gold to my use, &c., and yereafter to be left to Jane, my dochter; which testament is subscribed by Mr Robert Richardson, notar."—Acts and Decrets of Court of Session, vol. xxxiii., p. 226.

* This charter shews the degree of connection of the several families, but it will be observed that the Kennedys of Kirkmichael are not called *nominatim*.

of Cassillis, and Dame Jean Hamilton, daughter of the Earl of Arran, shall solemnize marriage so soon as they are of lawful age. The Earl of Arran promised to give £2333, 6s. 8d. of tocher with his daughter.* Lord Cassillis acquired the barony of Craigneil in 1557. He married Margaret, daughter of Alexander Kennedy of Bargany, by whom he had issue,—

1. Gilbert, fourth Earl of Cassillis.
2. David, died an infant.†
3. Sir Thomas Kennedy of Culzean, afterwards tutor of Cassillis, from whom descended Thomas, ninth Earl.
4. Jean, married Robert, first Earl of Orkney.
5. Katherine, married, in 1574, to Sir Patrick Vans of Barnbarroch, and had issue.

Lord Cassillis died 18th November 1558,‡ and was succeeded by GILBERT, FOURTH EARL OF CASSILLIS, eldest son and heir, was served heir to his father 16th October 1562;§ privy coun-

* This marriage does not appear to have taken place, Gilbert, the fourth Earl, having married a daughter of Lord Glamis.

† This son is mentioned in the History of the Kennedys.

‡ Buchanan having survived his pupil, composed the following elegant epitaph, in grateful commemoration of his virtues:—

“Hic situs est Heros, humili Gilbertus in urna
 Kennedus, antiquæ Nobilitatis honos :
 Musarum Martisque decus, pacisque minister,
 Et columen patriæ consiliumque suæ.
 Occidit, insidiis fallaci exceptus ab hoste,
 Bis tria post vitæ lustra peracta suæ ;
 Parce, hospes, lachrimis, et inanem comprime luctum ;
 Non misere quisquam qui bene vivit obit.”

Opera, ii.,
378.

§ On the 28th and 29th August 1559 the Earl entered into two contracts with his mother, the Countess of Cassillis, regarding her provisions. By the first contract he provided to her the place of Cassillis, with the garden and orchard, for her residence, and assigned to her, yearly, during her life, 110 bolls of meal, 52 bolls bear, 115 merks money, 89 capons, 36 salmon, and the third part of the meadow of Blairbowie, in full of her terce, to be uplifted and taken out of certain lands. She has also permission, to take wood to the place of Cassillis, from the woods of Cassillis and Dalrymple. By the second contract the Earl, for the love and favour he bears to his mother, and for decorating her house, gives her, during

cillor to Queen Mary ; a gentleman of the Bedchamber to Henry II., King of France, 10th February 1558-9 ; appointed justiciary of Carrick in 1565 ; was at the battle of Langsyde with Queen Mary, for which he was forfeited in Parliament, but from which he was subsequently reponed. He was afterwards appointed one of the Privy Council to the King. On the 1st and 7th of September 1570 he carried Allan Steuart, commendator of Crossraguel, to the castle of Dunure, where he presented to him for signature various deeds, conveying to the Earl the lands belonging to the abbacy, which, when he refused to sign, the Earl placed him over a large fire in the vault of Dunure, to compel him to do so. Kennedy of Bargany came to the Commendator's assistance, and took the castle of Dunure.* The

The forest of Buchan lies in Kirkcudbright.

her life, the yearly rent of the two and one-half merk land of Craigmulloch, along with 111 milk ewes, 77 yeild ewes, 108 widders, 40 gimmers, and 40 dinnonts ; as also, other 80 gimmers and dinnonts, to be received by her at the feast of Belton then next, 1560, together with 11 old goats and 2 kids ; as also, 114 head of nolt, pasturing upon the lands of Kerry Castle, in the forest of Buchan, viz. 16 Nicol cows, and as many calves, 17 farow and 9 yeild cows, 5 three-year-old cows, 22 old oxen, 2 bulls, 6 three-year-old oxen, and 2 bulls, 5 two-year-old oxen, 3 two-year-old queys, 8 quey stirks, and 9 oxen stirks ; which sheep, goats, and cattle, the Countess obliges herself, her heirs and executors, to leave on the ground of the lands respectively above mentioned at her decease, or the like number, and of as great avail, for the use of the Earl and his successors ; as also, he gives to the Countess, during her life, a silver bason and a laver, a double gilt cup of silver raised work with a cover, two cases of silver, the one gilt and the other ungilt, a gilt macer, two silver trenchers with two little salt-fatts in their nooks, twelve silver spoons, a silver salt-fatt and cover thereof ungilt, a black velvet bed with the curtains of black damask, and four pieces of tapestry in Edinburgh, and four feather beds and their bolsters ; all which silver work, tapestry, and bedding, the Countess obliges her and hers aforesaid to leave to the Earl and his successors within the place of Cassillis at her decease, or as much, and of the same avail. The Earl, being under age, obliges himself to choose curators between and Martinmas then next to ratify the contract. It is accordingly ratified on 5th November 1559 by Quintin, Abbot of Crossraguel, Sir Hugh Kennedy of Girvan Mains, David Kennedy of Culzean, and Mr Thomas Hay, parson of Spynie, the Earl's curators.

* Bargany seems to have had a personal interest to prevent the Abbot falling into the hands of the Earl. On the 28th January 1569 the Abbot obtained letters

Commendator lodged a complaint with the Privy Council against the Earl, who alleged in defence, that the complaint was either civil or criminal, and that he ought not to answer thereto to the Privy Council.* The Privy Council, however, sent him to Dum-

of relaxation against Bargany from letters of caption which Bargany had taken out against the Abbot, "whom he held in captivity, and would in nowise liberate," although he had found surety to underlie the law for being art and part guilty of the slaughter of umquhill James Ballany and two others, at Langside, in May 1568; and therefore charging Bargany to set the Abbot at liberty within three days. And, again, on 13th November 1573, Bargany grants a renunciation to the Earl of Cassillis, in implement of a contract between the Abbot on the one part, the Earl on the second part, and Bargany on the third part, whereby he renounces, in favour of the Earl, a great variety of lands, part of the Abbacy of Crossraguel, and renounces and overgives the whole letters of assedation of the said lauds and teinds granted to him by the said Abbot, so that the Earl may possess the same, conform to the disposition granted to him by James Steuart of Cardonald, except the proper lands held by Bargany immediately of the King and Laird of Barneil.

* With reference to the roasting of the Commendator on the 1st and 7th of September 1570, as to which fact there can be no doubt from the record remaining in the Privy Council books, there is a curious instrument in Lord Ailsa's charter-chest, dated 9th September 1570, two days after the roasting at Dunure, bearing that the Earl gave possession to Alan, Abbot of Crossraguel, *personally present*, of the place, orchard, wood, and four merk land of Crossraguel, to be enjoyed and possessed by him during the Earl's pleasure, and in token thereof the Earl presented to the said Abbot John Davidson and Patrick M'Cawell, occupiers of the said four merk land, together with the key of the principal tower of the place of Crossraguel; and the Abbot received the said John Davidson and Patrick M'Cawell for his tenants, and that conform to agreement formerly entered into between the Earl and him. Moreover, the Earl obliges himself to pay yearly to the Abbot the sum of £100 money of Scotland; and for the more sure payment of the said sum, the Earl is to find two landed gentlemen as cautioners therefor at the Abbot's pleasure—he being always obliged to give his counsel and service to the Earl. The deed is dated at the Abbacy of Crossraguel, and the witnesses are, David Campbell, son of Charles Campbell of Skeldon, Quintin Mure in Kileckie, Hector Fergusson in Crossraguel, and Mathew Hamilton in Dalrymple.

The conclusion of this affair was as follows:—On the 5th of April 1571 there is a memorandum of an arrangement, whereby Lord Cassillis paid 500 merks to Robert, Lord Boyd, to be paid to James Steuart of Cardonald, for which,

barton Castle until he found security not to molest the Com-
 mendator, in £2000, and also in the like sum to Mr George
 Buchanan, pensioner of Crossraguel, his father's old preceptor.
 He married Margaret,* only daughter of John, ninth Lord
 Glamis, and by her, who afterwards married John, first Mar-
 quess of Hamilton, had issue—

1. John, fifth Earl of Cassillis.
2. Hugh of Brunston, Master of Cassillis, died unmar-
 ried.
3. Gilbert, Master of Cassillis, from whom descended
 John, sixth Earl.

This Earl went by the name of the King of Carrick, and died
 in December 1576.† He was succeeded by

and the sum of 3000 merks farther, and the discharge of a bond for 300 merks,
 formerly borrowed by Lord Boyd from Hugh Kennedy, on the one hand, Lord
 Boyd undertook, on the other hand, to procure from James Steuart all the
 deeds granted in his favour of the Abbacy of Crossraguel by Alan, Abbot
 thereof, as also the Abbot's provision to the Abbacy from the Queen, and the
 instrument of institution by the Pope, and all other deeds relating to the Abbacy
upon his conscience; as also, to deliver to the Earl, between and the 15th of
 April next, a feu-charter, signed and sealed by the Abbot in favour of the Earl,
 of various lands therein mentioned, with a procuratory of resignation for new
 infetment thereof in favour of the Earl, or whatsoever person he shall nominate;
 as also, to grant an obligation in favour of the Earl for such sums of money as
 may be necessary to apprise the lands in case the Abbot refuse to accept the
 resignation thereof; but it is declared that it shall not be lawful for the Earl to
 apprise any more of James Steuart's lands than the lands of Crossraguel feued
 to him, as said is, nor yet his moveable goods. All which deeds are accordingly
 now in Lord Ailsa's charter-chest.

There appears also to have been a violent feud between Lord Cassillis and his
 vassals and the Gordons of Lochinvar regarding the lands of the Abbacy of
 Glenluce, which had been seised possession of by the Gordons whilst Lord
 Cassillis had been called in by the Abbot to his assistance.

* Contract dated 30th September 1566. The lady's fortune was 10,000
 merks Scots; her jointure, 1000 merks.

† In a curious MS. in the British Museum, containing an account of the
 Scotch nobility in the reign of James VI., this is stated: "The Erle of Cassilis,
 called Kanethly, being with his friends of the same surname upon the west seas,

JOHN, FIFTH EARL OF CASSILLIS, eldest son and heir. He succeeded during his minority, and was placed under his uncle, Sir Thomas Kennedy of Culzean, as tutor. The Earl was served heir to his father 30th August 1588.* He was high

in the countie of Carrick, a stewardrie and parcel of the shiredome of Ayre. There is of the same name, in that countie, and descended of his house, sundrie lordis and gentlemen, whereof the principall is the Lord of Barganye and Blairquhoy, of little less living than the Erle himself. His chief houses be Cassells and Dunnyre, 4 miles from the bridge of Doone. The people are mingled in speeches of Irish and English, not far distant from Carrickfergus in Ireland. This last Erle was sister (son) to the Lord Aberganie aforesaid.'

In other MSS. the chief seats of the Family at this time are said to be "Dunure in Carrick, Miribole in Carrick, Cullean, Cassillis."

In a MS. book of blazonry and depiction in their proper colours of the arms of the nobility during the reign of Queen Mary, in the Advocates' Library, those of the Earl of Cassillis are represented as they are now. The motto, however, is "avise a fin," instead of "avise la fin," which may be something different.

* On the 28th of February 1578, a commission was granted to Mr John Skene and others, advocates, on the narrative that John, Earl of Cassillis, Thomas Kennedy of Culzean, his uncle and tutor, and John Kennedy, brother-natural of umquhill Gilbert, Earl of Cassillis, had humbly represented to the Lords of Council that they had intended divers actions and causes against John Gordon of Lochinvar, and sundry other persons, inhabitants of the county of Wigtown, stewartry of Kirkcudbright, and earldom of Carrick, within which county, stewartry, and earldom the Earl's lands and heritages lie; and that by reason of the feud between the Earl's House and friends on the one part, and the inhabitants of the said county, stewartry, and earldom, chiefly of the name of Gordon and Crawford, on the other part, who had lately been guilty of the slaughter of Patrick MacDouall of Logan, the friend and dependent of the Earl, it became necessary to grant commission to the said Mr John Skene and others, constituting them sheriffs of Wigtown, stewards of Kirkcudbright, and bailies of Carrick, with power to them to fence and hold courts within the Council-house of Edinburgh, and to proceed and decide in all actions intended and depending at the instance of the Earl, Thomas Kennedy of Culzean, and John Kennedy, against the said John Gordon and other inhabitants of the county of Wigtown, stewartry of Kirkcudbright, and bailiary of Carrick. And in 1580, when Lord Cassillis was served heir to his father to his estates in Kirkcudbright, viz. the £10 land of Brachs, called the Forest of Buchan, and fishings thereof, and also

treasurer of Scotland for a few months in 1599, but was glad to be relieved from the office on payment of 40,000 merks. It was during this Earl's life that most of the events occurred narrated in the History of the Kennedys, and which occasioned the death of young Gilbert Kennedy of Bargany at Brockloch, near Lady Course, Maybole, on 11th December 1601, and of Sir Thomas Kennedy of Culzean, by the Mures of Auchendrain, and Bargany's brother, Thomas Kennedy of Drummurchie.* He married Jean, daughter of James, fourth Lord Fleming, widow of John, Lord Maitland of Thirlestane, a lady a great deal older than himself, and against the wish of all his friends. They had

the lands called the Free Forest of Buchan, a dispensation was granted for holding the service in Edinburgh, because "it was hazardous that such should proceed before the said steward and his deputies in the burgh of Kirkcudbright, by reason of the feud subsisting between the Earl, his tutor, and their friends, on the one part, and Sir John Gordon of Lochinvar, Knight, on the other part—the latter, with his friends and partakers, having lately committed divers slaughters, mutilations, and other injuries upon the Earl's friends and dependents, as was clearly known to the Lords of Session."

* It seems to have been in consequence of his uncle's death, and the desire of vengeance upon Auchindrain, that the Earl was led to write the following extraordinary letter to his brother Hugh, the Master of Cassillis, to induce him to take the Laird of Auchindrain's life:—

"We, Johne, Earle of Cassillis, Lord Kennedy, &c., binds and obliiss ws, that howsovne our broder, Hew Kennedy of Brounstoun, with his complices, taikis the Laird of Auchindraneis lyf, that we shall mak guid and thankfull payment to him and thame of the soume of tuelff hundreth merkis zeirlie, together with corne to sex horsis, ay and quhill (until) we ressaue (receive) thame in household with our self: beginning the first payment immediatlic after thair committing of the said deid. Attour howsovne we ressaue them in household, we sall pay to the twa serving gentillmen the feis yeirlic as our awin houshald servandis. And heirto we obliiss ws vpon our honour. Subscryvit with our hand at Maybole the ferd day of September 1602."

"JOHNE, ERLE OF CASSILLIS."

Lord Cassillis' father and Sir Thomas Kennedy were cousins-german of Bargany's father, and the latter had been one of the Earl's curators, whilst Auchindrain's eldest son was married to Sir Thomas Kennedy's daughter.

no issue.* His Lordship died in October 1615, and was succeeded by

JOHN, SIXTH EARL OF CASSILLIS, eldest son of Gilbert, Master of Cassillis, the youngest son of Gilbert, fourth Earl, who married Margaret, daughter of Uchtred M'Dowall of Garthland. She afterwards married James, Lord Ochiltree. Lord Cassillis was a person of great virtue, and zealously attached to the Presbyterian form of worship. He took an early and prominent part in resistance to the designs of Charles I. in 1638. He was one of the three ruling elders sent to the Westminster Assembly of Divines in 1643. He was served heir to his uncle, John, fifth Earl, on 25th July 1616. He was appointed Lord Justice-General on the 29th June, and admitted an extraordinary Lord of Session 3d July 1649.† In that year he was sent

* In a manuscript in the British Museum, containing an account of the Scottish nobility about 1592, ap Cottonian MSS., it is said,‡ “ Earle Cassillis, Kennedy married ye Chancellour Maitland’s widow, of gude yeares, not like to bear children, daughter and heire to the Lord Flemming. She had compounded for the living with the Lord Flemming.”

† He is called by Crauford, in his Officers of State, “ the grave and solemn Earl.” Being naturally just and upright, he could ill brook to act harshly, much less unjustly, in his legal capacity, even to a decided political opponent during a turbulent and agitated period. As preses of the Court in 1646 he was obliged to sign the sentence of execution of Sir Robert Spottiswood, president of the Court of Session. His repugnance to the act is finely commemorated in the following classical though rather elaborate lines of the great lawyer, Sir John Nisbet of Dirleton, who had been counsel for Sir Robert.

Tempore nequicquam Judex CASSILLISSUS iniquo
Æquior, ei anceps officiumque fuit.
Nam, Judex et Præses erat, sed Judicis albus
Calculus, atrocem Præses utrumque fuit,
Testatus scripsisse *manu* NON mente—placebat
Quodque aliis, frustra displicuisse sibi.

‡ “ Cassillis Kennedy, Protestant, of years, his mother the daughter of Lord Glamis, and not married—his house, Cullean.”

And in another MS., (*ibid.*) in 1602, it is said,—“ Earle Cassillis Kennedy married ye Chancellour Maitland’s widow of good yeares, not like to bear children, daughter and heire to the Lord Flemming. She hath compounded for ye living with the Lord Flemming.”

to wait upon Charles II. in Holland with the terms upon which the Estates were willing to acknowledge his cause. These Charles would not agree to, and the Earl returned. He voted against sending commissioners to treat with the King at Breda; but this having been carried, he was himself appointed one of them, and accordingly met the King at Breda. At the Restoration the Earl was re-appointed an extraordinary Lord of Session, but did not retain the situation long, having been superseded in July 1662, on account of his refusal to take the oaths of allegiance and supremacy, without an explanation as to the King's ecclesiastical interests. He married, first, Jean, daughter of Thomas, first Earl of Haddington,* and had issue,—

1. James, Lord Kennedy, who died during his father's life unmarried.
2. Margaret, who married Gilbert Burnett, then professor of divinity in the university of Glasgow, afterwards bishop of Salisbury.
3. Catharine, who married William, Lord Cochrane, eldest son of William, first Earl of Dundonald, and had issue.
4. Helen, died unmarried.†

His Lordship married, secondly, Margaret, only daughter of William, ^{ninth} tenth Earl of Errol, and widow of Henry, Lord Ker, eldest son of Robert, first Earl of Roxburgh,‡ and by her had issue,—

1. John, seventh Earl of Cassillis.
2. Mary.

Lord Hailes remarks, in reference to the last two lines,—“Lord Cassillis dissented from the judgment, although, in virtue of his office, he signed it.”—See his Notes on the Catalogue of the Lords of Session, p. 14.

* Contract dated 21st December 1621, and registered in books of Session 25th January 1622.

† Confirmed Testament, Com^v. Regr. of Edin^r. 7th February 1663.

‡ Contract of marriage dated 20th February 1644, at the Scots League at Heighton in England.

3. Elizabeth.

Lord Cassillis died in April 1668, and was succeeded by

JOHN, SEVENTH EARL OF CASSILLIS, eldest surviving son and heir, was served heir to his father 22d September 1668. He was of the same religious principles as his father; was the only member of Parliament in 1670 who voted against the act for punishing conventicles. He was, in consequence, persecuted by the Government, by having a large body of Highlanders quartered on his estates. He joined in the Revolution, was a privy councillor of King William, and one of the Lords of the Treasury. He married, first, Susan, youngest daughter of James, first Duke of Hamilton, and by her had issue,—

1. John, Lord Kennedy, died during his father's life, having married Elizabeth, daughter of Charles Hutcheson, Esq. of Owthorpe, in Nottinghamshire,* and had issue,—

John, eighth Earl of Cassillis.

Lord Kennedy died in 1700, and his widow afterwards married John, Earl of Selkirk and Ruglen.

2. Anne, married, in 1694, John, Earl of Selkirk and Ruglen,† and had issue.

Lord Cassillis married, secondly, Elizabeth Foix, by whom he had issue,—

1. James, who died without issue.
2. Elizabeth.

His Lordship died 23d July 1701,‡ and was succeeded by

JOHN, EIGHTH EARL OF CASSILLIS, his grandson. He was

* Articles of marriage dated 15th June 1697, and contract of marriage dated 5th September 1698, and registered in books of Session 20th August 1759. Lady's fortune, £4000; her jointure, £500.

† Contract dated 21st June 1694.

‡ In 1695 Lord Cassillis granted a lease to Nicholas Dupin and Joseph Black, merchants in London, and Alexander Brand, merchant in Edinburgh, for twenty-one years, of the whole mines and minerals of lead, copper, or other metals

served heir to his father, Lord Kennedy, 22d February 1704. He was born about 1700; was governor of Dumbarton Castle. On the abolition of heritable jurisdictions, he was allowed £1800 for the bailiary of Carrick. He executed a strict entail of his estates on 29th March 1759 in favour of himself and the heirs-male of his body; whom failing, the heirs-female of his body, the eldest always succeeding without division, and the heirs whatever of their bodies, also without division; whom failing, Sir Thomas Kennedy of Culzean, Baronet, and the heirs-male of his body; whom failing, to Mr David Kennedy, advocate, brother-german of the said Sir Thomas Kennedy, and the heirs-male of his body; whom failing, to any person or persons whom he should at any time thereafter nominate or appoint to succeed to his said estates, and failing such nomination, to his nearest lawful heirs-male whatsoever; whom failing, his nearest lawful heirs whatsoever. He married his cousin, Susan,* youngest daughter of John, Earl of Selkirk and Ruglen, by Lady Anne Kennedy, daughter of John, seventh Earl of Cassillis, but by her had no issue. His Lordship died in London 7th March 1759, and was buried in Saint James' Church; but in June 1760 his body was removed to the collegiate church of Maybole. Lady Cassillis died 8th February 1763, and was buried in the abbey of Holyrood House.

On the Earl's death the estates went, under the deed of entail, to the heir-male, Sir Thomas Kennedy of Culzean, Bart., descended from Sir Thomas Kennedy, third son of Gilbert, third Earl, and a competition arose for the Peerage between

found within his proper lands in the bailiary of Carrick, at a lordship of an eighth of the metals wrought.

In the same year he obtained a private act, allowing two free fairs to be held yearly at the Kirktoon of Straiton on the first Tuesdays of June and November, and for two days thereafter, and a weekly market every Wednesday, with power to uplift tolls and customs.

* Contract dated 25th September and 6th October 1739.

him and William, Earl of March and Ruglen, afterwards Duke of Queensberry, as grandson and heir of Lady Anne, Countess of Selkirk and Ruglen, daughter of John, seventh Earl. After a lengthened litigation, it was finally resolved and adjudged by the House of Lords on 27th January 1762, "That the petitioner, Sir Thomas Kennedy, hath a right and title to the honour and dignity of Earl of Cassillis, as heir-male of the body of David, the first Earl of Cassillis, and that he hath also a right and title to the honour and dignity of Lord Kennedy, as heir-male of the body of Gilbert, the first Lord Kennedy." *

THOMAS, NINTH EARL OF CASSILLIS, who thus succeeded, was descended from Gilbert, third Earl, whose third son was

Sir Thomas Kennedy of Culzean. He was styled Master P. 37. of Cassillis (his immediate elder brother having died in infancy) at the battle of Langside, where he was taken prisoner. He was knighted at the coronation of James VI. He got a charter of the lands of Culzean from his brother Gilbert, the fourth Earl, in which he was infeft 14th September 1569. He married Elizabeth, daughter of David M'Gill of Cranston Riddell,

* The note which follows, of a resolution of the House of Lords in this case, is in the handwriting of the Earl of Hardwicke, 22d January 1762:—"After time taken for consideration on debate, but without any division, the Lords resolved that Sir Thomas Kennedy, as heir-male, was entitled to the titles and honours of Lord Kennedy and Earl of Cassillis, and so reported to the King.

"The grounds were two:—

"1st, That no particular limitation or constitution of the fief appearing, it ought to be presumed to be a male fief, that being the most usual and customary limitation in those ancient times, especially in the case of an earldom which was originally an office.

"2d, That the resignation and new charters of 1642 and 1671 did not comprise or extend to the dignities and honours, but only the estate, (*i.e.*) the earldom erected and the lands. Lord Marchmont differed. A letter was addressed on this occasion to Lord Hardwicke by Lord Mansfield, stating his own views on this matter, which coincided with those of the ex-chancellor, and referring to cases and precedents bearing on the points before him."—Harris' *Life of the Earl of Hardwicke*, vol. iii., pp. 277-8.

widow of Robert Logan of Restalrig, and who afterwards married William Mure of Rowallan, and by her had issue,—

1. Thomas, died unmarried 1601.

2. James, who succeeded to his father in Culzean. He was served heir to his brother Thomas 18th May 1602. He sold the estate of Culzean to his younger brother, Alexander, by contract dated 30th July 1622, and acquired the estate of Blairquhan. He married Ann Steuart,* and had issue,—

1. James,† who was served heir to his father 12th October 1637. He had a son,—

William.‡

3. *Sir Alexander of Craigoch*, of whom below.

4. Helen, married John Mure of Auchindrain, and afterwards John Fergusson of Kilkerran,§ and had issue.

Sir Thomas was murdered on 12th May 1602 by Thomas

* She is mentioned in an obligation by James Kennedy to his brother, dated 30th July 1622.

† He is mentioned in a contract between him and Sir Alexander Kennedy of Culzean, his uncle, dated 11th September 1639.

‡ He is mentioned in a bond, dated 24th June 1662, by him to his cousin, John Kennedy of Culzean.

The estate of Blairquhan was appraised from James Kennedy in 1623 by John Gilmour, W.S., who disposed it to William M'Adam of Waterhead, and Humphry Dowie, who afterwards disposed it to Adam Whitefoord in Trochrigg, and he to John Whitefoord, who got John Kennedy, a descendant of the old family of Blairquhan, to make up a title and convey the estate to him. The estate was subsequently sold by John Whitefoord's descendants to the curators of Sir David Hunter Blair, Baronet.

Reg. Mag.
Sig. 57, B. 65.

§ She is mentioned in a contract, dated 30th July 1622, between James Kennedy of Culzean, with consent of Anne Steuart, his wife, and John Fergusson of Kilkerran, and Helen Kennedy, his wife, and Alexander Kennedy of Craigoch.

In the History of the Kennedys, Sir Thomas Kennedy's sons are said to have been—James, Alexander, John, and David, and his daughters—Margaret, married the young Sheriff of Galloway; Helen, married the young Laird of Auchindrain; and Susanna, who was afterwards Lady Larg.

by whom the land was
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See Reg. Mag.
Sig. 57, B. 65.

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Kennedy of Drummurchie, at the instigation of the Mures of Auchindrain. The Mures were tried before the High Court of Justiciary, and sentenced to be beheaded, and their estates forfeited. Sir Thomas was succeeded by his second surviving son, *James*, who sold the estate to his brother,

Sir Alexander Kennedy of Craigoch, and ultimately heir. He acquired the estate of Culzean in 1622. He also acquired the barony of Greenan, lands of Balterson, Mochrumhill, and Glenluie in 1642 from John Steuart, Earl of Carrick. He married Agnes, daughter of Thomas Kennedy of Ardmillan,* and had issue,—

1. John, of whom below.
2. *Alexander*, called, first, of Craigoch, afterwards of *Kilhenzie*, from whom descended *Archibald*, eleventh Earl of Cassillis.
3. Thomas of Balterson, tutor of Culzean, a major in the army, married, and had three daughters, whereof Jean, his second, married Hugh, son of Thomas Kennedy of Ardmillan, and Mary was the third.†
4. James, married, first, Anne _____, and had a daughter, Anna.‡ He married, secondly, Katherine, eldest daughter of Sir John Mure of Auchindrain.§
5. Marion, married James Kennedy of Girvan Mains.
6. Margaret, married Alexander Crauford of Skeldon.

* She is mentioned in a discharge by James Kennedy of Girvan Mains to John Kennedy of Culzean, dated 18th March 1653.

† They are mentioned in an obligation by the said Hugh Kennedy to Major Thomas Kennedy of Balterson, dated 19th January 1686.

‡ She is mentioned in a discharge by James Kennedy to John Kennedy of Culzean, dated 17th March 1623.

§ Contract of marriage dated 14th October 1657. Lady's fortune, 4000 merks.

7. Agnes, married Captain James Hamilton of Clinton-
clare, son of Archibald Hamilton of Halleraig.

Sir Alexander Kennedy died September 1652, and was succeeded by

John Kennedy of Culzean, his eldest son, who was served heir to his father 8th February 1656, married, first, Ann, daughter of John Blair of Blair,* by whom he had no issue, and, secondly, Margaret, daughter of John, first Lord Bargany,† and by her, who afterwards married Sir David Ogilvy of Clova, had issue,—

1. John, died without issue.‡
2. Sir Archibald Kennedy, Baronet, of whom below.
3. Alexander, died without issue.
4. Thomas, who was served heir to his brother Alexander
22d January 1676.§
5. Katherine.
6. Jean.||

John Kennedy died in 1665, and was succeeded by

Sir Archibald Kennedy of Culzean, Baronet, who was served heir to his father on 17th April 1672. He was created a Baronet of Nova Scotia to himself, and the heirs-male of his body, 8th December 1682. He married Elizabeth, eldest daughter of David, first Lord Newark, and by her had issue,—

1. Sir John, of whom below.
2. David, an advocate at the Scottish Bar, died unmarried at Ayr, April 1754.
3. Lewis, collector of the customs at Irvine. He died

* Contract dated 22d February 1645.

† Contract dated in 1653. Lady's fortune, 10,000 merks.

‡ Mentioned in a testament by John Kennedy, dated 26th March 1658.

§ These sons are mentioned in a paper entitled Information for Thomas Kennedy, youngest son of the deceased Laird of Culzean, against Archibald Kennedy of Culzean, dated 5th July 1670.

|| Jean is mentioned in a disposition of the lands of Dunymuick by John Kennedy of Culzean to his son Archibald, dated 7th May 1664.

in 1721, having married Magdalen Cochrane, daughter of the Honourable Alexander Cochrane of Bonshaw, and by her had issue,—

John, lieutenant in the navy, died without issue.

4. Jean, married Sir Gilbert Kennedy of Girvan Mains.

5. Susanna, married Alexander, ninth Earl of Eglington,* and had issue.

6. Mary.†

7. Catherine.

Sir Archibald Kennedy died in 1710, and was succeeded by his son,

Sir John Kennedy of Culzean, Bart., who was served heir to his father 12th March 1711. He married Jean, daughter of Captain Andrew Douglas of Mains, R. N., in Dumbartonshire,‡ and by her had twenty children,—twelve sons and eight daughters,—fourteen of whom died young, and unmarried. The rest were—

1. Sir John, of whom below.
2. Sir Thomas, afterwards ninth Earl.
3. David, afterwards tenth Earl.
4. Elizabeth, married, in 1729, Sir John Cathcart of Carleton, Bart., and had issue.§

* Contract dated 12th and 20th December 1709.

† Mentioned in two bonds of provision, dated 26th April 1710, registered in books of Session 1711 and 1715.

‡ Contract dated 15th March 1705.

§ Lady Cathcart's family were—

1. Sir John, who married Margaret, daughter of Robert Hamilton, Esq. of Bourtreehill, and sister of the Countesses of Crawford and Eglington. He died without issue in 1785.
2. Charles, died without issue.
3. Hugh, died without issue.
4. Sir Andrew, who claimed the Culzean estates on the death of the tenth Earl, and died without issue.
5. Jane, married to James Chalmers of Kildonnan, and had issue.
6. Grizel, married to Robert Kennedy of Daljarrock, and had issue.



5. Anne, married John Blair, younger of Dunskey, and had issue.*

6. Clementina, married George Watson of Bilton Park, Yorkshire, and died without issue.

Sir John Kennedy died in 1742, and was succeeded by his son, *Sir John Kennedy of Culzean, Bart.*, who was served heir to his father 28th January 1743, and died 10th April 1744, and was succeeded by

Sir Thomas Kennedy of Culzean, Baronet, who was served heir to his brother, Sir John, 22d July 1747. *He became the ninth Earl of Cassillis* by the decision of the House of Lords in 1762, before referred to. He died without issue in 1775, and was succeeded by his brother,

DAVID, TENTH EARL OF CASSILLIS, who was served heir to

7. Elizabeth, married to John Cathcart of Greenock, and had issue,—
Hugh Cathcart, Esq., who married Caroline, daughter of Conway Montgomery, Esq., and had issue, with two other sons,—
Sir John Andrew Cathcart of Carleton, Bart., married, in 1836, Lady Hannah Eleanor Kennedy, only sister of Archibald, second Marquess of Ailsa, and has issue.

* Contract dated 16th March 1738.

Mrs Blair's family were—

1. John, died young.
2. John, died unmarried.
3. James,
4. Eglinton, } died young.
5. Thomas, }
6. David, died unmarried.
7. Robert, died young.
8. Jane, succeeded her brother David, married James Hunter, Esq., of the family of Hunter of Abbotshill, now of Barjarg. He was created a Baronet, and took the name of Sir James Hunter Blair, and was the father of Sir David Hunter Blair, Bart.
9. Clementina, married John Bell, W.S., by whom she had John Bell, W.S., and Archibald Bell, sheriff of Ayrshire.

his brother, Earl Thomas, 15th April 1776. He executed a supplementary entail of the estates of Cassillis and Culzean, on 2d February 1790, in favour of himself, and the heirs-male of his body; whom failing, to Captain Archibald Kennedy of the navy, late of New York, then residing in London; whom failing, to Archibald Kennedy, eldest son of the said Captain Archibald Kennedy, and the heirs-male of his body; whom failing, to John Kennedy, second son of the said Captain Archibald Kennedy, and the heirs-male of his body; whom failing, to Robert Kennedy, third son of the said Captain Archibald Kennedy, and the heirs-male of his body; whom failing, to any other heirs-male procreated of the body of the said Captain Archibald Kennedy; whom failing, to the other nearest lawful heirs-male whatsoever of John, eighth Earl of Cassillis, maker of the former entail, in their order; whom failing, to such person or persons as he should nominate or appoint to succeed to the said lands and estate; whom failing, to his nearest lawful heirs whatsoever. Earl David was an advocate at the Scottish Bar, and died unmarried 18th December 1792, when the Baronetcy became extinct. He was succeeded by

ARCHIBALD, ELEVENTH EARL OF CASSILLIS, called in the deed of entail, above mentioned, Captain Archibald Kennedy of the navy. He was served heir-male of David, the tenth Earl, on 12th March 1793, being descended from

Alexander Kennedy of Craigoch, afterwards of *Kilhenzie*, P. 49. second son of Sir Alexander Kennedy of Culzean. He was infeft in Craigoch 16th May 1644, and afterwards acquired the barony of Kilhenzie. He was twice married. By his first marriage he had a daughter, who married David Kennedy of Drum-mellan,* and had issue. He married, secondly, Anna, youngest daughter of William Crawford of Auchenames,† and had issue,—

* This marriage is mentioned in the service of Earl Archibald, but the lady's name is not mentioned.

† The contract is dated 12th and 14th December 1683, and registered in the

1. John, of whom below.
2. *Archibald, from whom descended Archibald, eleventh Earl.*
3. Alexander.
4. William.
5. Thomas.*

He died about 1698, and was succeeded by his eldest son,

John Kennedy of Kilhenzie, an advocate at the Scottish Bar. He married Helen Monteith, and died about 1748, leaving issue,—

1. Alexander Kennedy of Kilhenzie, who was served heir to his grandfather, Alexander Kennedy, 4th May 1754. He was a captain in the army, and died unmarried 3d May 1766.
2. Helen, who was served heir to her brother 9th November 1773. She married John Shaw of Dalton, and had issue.†

Archibald Kennedy the second son of Alexander Kennedy

Sheriff-Court books at Ayr 2d January 1702. The lady's fortune was £3000 Scots; her jointure, 800 merks.

* All these children are mentioned in Alexander Kennedy's settlement, dated 3th July 1695, and recorded in the Sheriff-Court books at Ayr 7th June 1697.

† Mrs Shaw's family were—

Captain John Shaw, who married William Hannah, seventh daughter of James M'Adam of Waterhead, and had issue,—

1. John, a captain in the army, died unmarried.
2. James Shaw Kennedy of Kirkmichael, a major-general in the army, married Mary, sister, and eventually heiress, of David Kennedy of Kirkmichael, and has issue,—
 1. John.
 2. Harriet, married Primrose William Kennedy of Drummellan, died without issue.
3. Helen, married David Ramsay of Grimmet, W.S., and has issue.
4. Alexander, } died unmarried.
5. David, }

of Kilhenzie, went to New York about 1722, where he was appointed collector of the customs. He had a large estate called Pavonia, at Second River. He married, first, Miss Massam, by whom he had issue,—

1. James; who was killed in the expedition against Carthage.
2. Robert, died unmarried.
3. Archibald, who became eleventh Earl of Cassillis.
4. Thomas, barrister at New Jersey, died in England unmarried.
5. Katherine, married Dr Joseph Mallet, physician to the army.

Archibald Kennedy married, secondly, Miss Waters, a Dutch lady, by whom he had no issue. He died in 1763,* and was succeeded by his son,

Captain Archibald Kennedy of the navy, who became P. 53.
eleventh Earl of Cassillis on the death of Earl David. He distinguished himself in many brilliant actions, particularly in one when upon the Lisbon station, in consequence of which he was presented by the merchants of Lisbon with a handsome piece of plate. He succeeded to his father's estate of Pavonia, in the State of New York. His house was burned during the War of Independence, and all his papers destroyed. He married, first, Miss Schayler, a lady of great fortune in New Jersey, by whom he had no issue; and, secondly, Anne, daughter of John Watts, Esq. of New York, by whom he had issue,—

1. Archibald, twelfth Earl, created Marquess of Ailsa.
2. John, formerly captain of an Independent Company

* He left a will dated 1738, with two codicils dated 13th March 1745 and 10th December 1749, and recorded in the Probate Office, New York Lib. Wills, No. 25, pages 250-3. From this will it appears his two eldest sons were then dead without issue. The death of Thomas appears from the service of Earl Archibald.

of Foot, married, in 1800, Charlotte, only daughter of Laurence Gill, Esq.

3. Robert, married Jane, sister of General Alexander Macomb, and, dying in 1843, left issue,—
 1. John, secretary to the British Embassy to the United States, married, 5th August 1834, Amelia Maria, only daughter of Samuel Briggs, Esq., and had issue. He died 14th March 1845.
 2. Anne, married Sir Edward Cromwell Disbrowe, G.C.H., and has issue.
 3. Jane.
 4. Sophia Eliza, married John Levett, Esq. of Wichnor Park, county Stafford, and has issue.
 5. Margaret, unmarried.
 6. Frances, married the Baron de Weiller of Heidelberg.
 7. Isabella Matilda, twin with Frances, married to Hugh Campbell, Esq. of the Scots Greys.
4. Lady Anne, married to William Henry Digby of Twickenham, Esq. She died in 1820.

Lord Cassillis died 30th December 1794, and was succeeded by his eldest son,

ARCHIBALD, TWELFTH EARL OF CASSILLIS, AND FIRST MARQUESS OF AILSA, K.T. He was served heir to his father on 29th April 1795. In 1790 he raised an Independent Company of Foot, and was lieutenant-colonel of the West Lowland Fencibles. He was created a Baron of the United Kingdom in 1806, and a Marquess in 1831, and was a Knight of the Most Ancient Order of the Thistle. He married Margaret, daughter, and eventually heiress, of John Erskine, Esq. of Dun, in Forfarshire, by whom he had issue,—

1. Archibald, Earl of Cassillis, died before his father, having married Eleanor, daughter and heiress of Alexander Allardyce of Dunnottar, Esq., by whom he had issue,—
 1. Archibald, second Marquess of Ailsa.
 2. Alexander, died unmarried.
 3. John, died unmarried 1846.
 4. David, an officer in the East India Company's Service.
 5. Gilbert.
 6. William, an officer in the Artillery, married Miss Cecilia de Blois, of Halifax.
 7. Fergus, an officer in the East India Company's Service.
 8. Nigel.
 9. Adolphus Archibald, died young.
 10. Lady Hannah Eleanor, married Sir John Andrew Cathcart of Carleton, Bart., and has issue.
2. John Erskine, married Lady Augusta Fitzclarence, daughter of William IV., who afterwards married Lord John Frederick Gordon Hallyburton, and by her had issue,—
 1. William Henry Kennedy Erskine of Dun.
 2. Wilhelmina Kennedy Erskine.
 3. Augusta Milicent Anne Mary Kennedy Erskine.

He took the name of Erskine, as heir to the estate of Dun.
3. Lady Anne, married to Sir David Baird of Newbyth, Bart., and has issue.
4. Lady Mary, married Richard Oswald, Esq., younger of Auchincruive.

5. Lady Margaret, married Thomas, Earl of Newburgh.

6. Lady Alice Jane, married Colonel Jonathan Peel, son of the late Sir Robert Peel, Bart., and has issue.

Lord Ailsa died on 8th September 1846, and was buried at Dun. He was succeeded by

ARCHIBALD, THIRTEENTH EARL OF CASSILLIS, AND SECOND MARQUESS OF AILSA, born 25th August 1816, served heir to his grandfather on the 17th March 1847, married, 10th November 1846, Julia, second daughter of Sir Richard Mounteney Jephson, Baronet, of Springvale, Dorsetshire, and has issue,—

1. Archibald, Earl of Cassillis.

Creations:—Lord Kennedy before March 1457, Earl of Cassillis before January 1511, in the Peerage of Scotland; Baron Ailsa, of the Isle of Ailsa, 1806, Marquess of Ailsa, of the Isle of Ailsa, 1831, in the Peerage of the United Kingdom.

APPENDIX,

CONTAINING

ROYAL LETTERS, COMMISSIONS,

AND OTHER

ORIGINAL PAPERS,

OF

THE EARLS OF CASSILLIS.

APPENDIX, &c.

1. COMMISSION by HENRY II., King of France, addressed to his Grand Chamberlain.

Appointing Gilbert, third Earl of Cassillis, (Lord High Treasurer of Scotland,) to be one of the Gentlemen of his Bedchamber, 28th April 1558.

De par le Roy

Grand Chambellan Monseigneurs de nostre hostel et vous monseigneurs et contrerolleur de nostre chambre aux deniers salut et dillection. Scauoir vous faisons que nous desirans bien et fauorablement traicter nostre ame et feal Gilbert de Kennedy Conte de Cassillis Grand Tresorier descosse Et luy donner estat en nostre maison tel et si honorable que le merite-l'affection quil a portee et demonstree enuers nous et nostre couronne et luy augmenter par la le moyen et occasion dy continuer et perseuerer de bien en mieulx Icellyuy pour ces causes et aultres bonnes considerations a ce nous mouuans Auons cejourdhy Retenu et retenons en lestat de gentilhomme ordinaire de nostre chambre Pour audict estat doresnauant nous seruir Aux honneurs auctoritez prerogatiues preeminances franchises libertez gaiges droictz proffictz reuenuz et emolumenz accoustumez et qui y appartient Tant quil nous plaira Si Voullons et vous mandons que dudit de Kennedy pris et Receu le serment en tel cas requis et accoustume Vous ceste presente nostre retenue enregistrez ou faictes enregistrer es registres Roolles papiers et escriptz de nostre dict chambre aux deniers Auecques noz autres

officiers de semblable estat Et dicelluy ensemble des honneurs auctoritez prerogatiues preeminances franchises libertez gaiges droictz proffictz reuenuz et emolumentz dessusdictz Le faictes souffrez et laissez Joyr et vser plainement et paisiblement Et a luy obeyr et entendre de tous ceulz et ainsi quil appartiendra es choses touchans et concernans ledict Estat Car tel est nostre plaisir Donne a Paris Soubz le seel de nostre secret Le xxvij^e Jour de Auril Lan mil cinq cens Cinquante huit.

Par le Roy

DE LAUBESPINE.

Aujourdhuy quatrieme Jour de May Mil cinq cens cinquante huit Monseigneur Le Duc de Guize estant a Paris Monseigneur Le conte de Cassillis a faict et preste es mains de mondict Seigneur de Guize le serment de gentilhomme ordinaire de la chambre du Roy dont Il a pleu a la mandate le pououeoir Ainsi quil est contenu plus au long au blanc de ces presentes moy par

TOURNYER.

TRANSLATION.

By the King.

To our Lord High Chamberlain, the Stewards of our Household, and Comptroller of our Accompts,—he it known to you, that it being our desire to extend our favour and regard to our trusty and well-beloved Gilbert Kennedy, Earl of Cassillis, Lord High Treasurer of Scotland, and to assign him such a rank in our Household as he justly deserves, from the attachment which he has ever shewn towards us and our Crown, and thereby to increase to him the means and occasions to continue and persevere in it from good to better—therefore, and for other weighty considerations thereto moving us, we have this day ap-

pointed, and do appoint him to the rank of Gentleman in ordinary of our Chamber, and to all the honours, prerogatives, authorities, precedences, liberties, privileges, rights, salaries, profits, revenues, and emoluments, belonging to the said office, and that during our pleasure, it being our will and command, that when the said Earl has taken the oaths usually required in such cases, you insert, or cause be inserted, in the Registry of our Chamber of Accompts, these our letters-patent, and that you permit and allow him to enter into full possession and enjoyment of all the honours, prerogatives, authorities, precedences, liberties, privileges, rights, salaries, profits, revenues, and emoluments aforesaid, and that you shew him all the respect to which such rank entitles him, for such is our will and pleasure. Given under our Privy Seal at Paris, this twenty-eighth day of April, in the year one thousand five hundred and fifty-eight.

By the King.

(Signed) DE LAUBESPINE.

2. COMMISSION by HENRY II., King of France, addressed to his Grand Chamberlain.

Appointing Gilbert, fourth Earl of Cassillis, to be one of the Gentlemen of his Bedchamber, in place of his father, the Earl of Cassillis, deceased, 10th February 1558-59.

De par le Roy

Grant chambellan de France Monseigneurs de nostre hostel et

vous Monseigneur et contrerolleur de nostre chambre aux deniers salut Scauoir vous faisons que nous voullans Recognoistre enuers nostre ame et feal Gilbert Conte de Cassillys Les bons agreables et Recommandables seruices que le feu conte de Cassillys son pere nous a de son viuant faitz au fait de noz guerres et autrement en plusieurs et maintes manieres Icelluy pour ces causes et pour lesperance que nous auons quil sera pour ensuiure les vestiges de son dict feu pere et a son Imitation nous faire de bons et notables seruices Auons cejourdhy Retenu et Retenons par ces presentes En lestat de Gentilhomme ordinaire de nostre chambre Au lieu et place dudict feu conte de Cassillys son pere Pour audict estat doresnauant nous seruir par ledict Gilbert conte de Cassillys Aux honneurs auctoritez prerogatiues preeminances franchises libertez gaiges liuraisons hostellaiges droictz proffictz Reuenuz et emolumens qui y appartiennent Tant que nous plaira Si voullons et vous mandons Que prins et Receu dudict Gilbert conte de Cassillys le serment en tel cas Requis et accustume Vous ceste nostre presente Retenue enregistrez et faictez enregistrer es Registres papiers et escriptz de nostre dicte chambre aux deniers avec noz autres officiers desemblable estat Retenue et dicelluy ensemble des honneurs auctoritez prerogatiues preeminances franchises libertez gaiges livraisons hostellaiges droictz proffictz Reuenuz et emolumenz dessusdictz Le faictez souffrez et laissez Joyr et vser plainement et paisiblement et a luy obeyr et entendre de tous ceulz et ainsi quil appartiendra es choses touchans et concernans ledict estat et Retenue Mandons en oultre Au Tresorier et paieur des gaiges et droictz de noz officiers domestiques Que audict conte de Cassillys Il paye baille et deliure lesdictz gaiges et droictz audict estat appartenans doresnauant par chacun autre Selon et en ensuiuant les estatz quilz luy en seront par nous faitz et quil est accustume en semblablement Car tel est nostre plaisir Donne A Paris Soubz le seel de nostre secret Le x^{me} Jour de feurier Lan mil cinq cens cinquante huit

PAR LE ROY VOUS MONSIEUR DE GUYSE PAIR ET GRANT CHAMBERLAN PRESENT

BOURDIN.

TRANSLATION.

By the King.

To our Lord High Chamberlain, the Stewards of our Household, and Comptroller of our Accompts,—be it known to you, that wishing to shew our gratitude to our trusty and well-beloved Gilbert, Earl of Cassillis, for the important and commendable service done to us by the late Earl of Cassillis, his father, during his lifetime, both in our wars and on many other occasions,—hence it is that, from these considerations, and from our hope that he will endeavour to follow his father's steps, and after his example distinguish himself in our service, we have this day, by these our letters-patent, appointed, and do appoint him to the rank of Gentleman in ordinary of our Chamber, in the room and place of the said late Earl of Cassillis, his father, with all the honours, prerogatives, authorities, precedences, liberties, rights, salaries, profits, revenues, and emoluments appertaining to the said office, and that during our pleasure, it being our will and command, that when the said Gilbert, Earl of Cassillis, has taken the oaths usually required in such cases, you insert, or cause be inserted, in the Registry of our Chamber of Accompts, these our letters-patent, and that you permit and allow him to enter into full possession and enjoyment of all the honours, prerogatives, authorities, precedences, liberties, privileges, rights, salaries, profits, revenues, and emoluments aforesaid, and shew him all the respect to which such

rank entitles him—besides, we command the treasurer of the salaries and dues of the officers of our Household to pay to the said Earl, annually, from this time forward, the salaries and dues belonging to the said office, according to the usual practice in such cases, for such is our will and pleasure. Given under our Privy Seal at Paris, this tenth day of February, in the year of our Lord one thousand five hundred and fifty-eight.

By the King to Monsieur de Guise, Peer and Lord High Chamberlain.

(Signed) BOURDIN.

3. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF CASSILLIS. Dated at Edinburgh, 29th May 1562.

Informing him that she and the Queen of England were to meet at some place near the Borders, and requesting the Earl to attend her at Edinburgh.

Traist cousing We grete yow wele Forsamekle as We be the aduise of the Lordis of our Secrete Counsell and sic vthers of our nobilitie as war present with ws have fund it expedient for the commoun wele of our realme that We and our gude sister the Quene of England sall meit this somer at sum place neir the borderis of baith the realmes To the end we may be sic familiaritie Interteny the peax and Incres farder amytie betuix ws In quhilk viage it is necessare for our honour that we be wele and honorabillie accompanyit with the maist able and best qualifijt personis of our realme. In quhilk nowmer we have thocht gude to comprehend you being assurit alswele of your

qualificatioun as gude affectioun to do ws seruice. Heirfore we require yow that ye addres yourself and be in reddines to pas with ws in that Journey agane the xv day of July nixtocum and at the samin day to meit ws at Edinburgh wele furnissit for twa or thre monethis after your cuming And for that our hail tryne wilbe cled in dule Thairfore addres yow and sic vther as wilbe in your company efter that sort failye nocht heirin as ye will declare your self willing to sett fordwart the honour of our Realme & oure plesure and aduertise ws agane in writing with diligence of that thing we may lippin to, and quhat ye will do in this behalf. Subscrivit with our hand AT Edinburgh the xxix day of May 1562

MARIE R.

To our traist Cousyng the erll of Cassillis &c.

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4. LETTER of TACK by HENRY and MARY, KING AND QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF CASSILLIS, of the Abbacy of Crossraguell for nineteen years. Dated 10th February 1565.

Oure Soueranis Lord and Lady Ordanis ane Letter to be maid undir the Privie seil in dew forme Makand mentioun that thair Majesties understandis that the abbay of Corsraguell hes evir bene disponit to freindis of the hous of Cassillis at the sute of the Erlis therof for the tyme and for thair gude service, quhilk Abbay is presentlie vacand in thair hienessis handis Throw deceise of umquhile Quintyne last Abbat therof And thair Majesties having the lyke gude opinioun of thair traist cousyng Gilbert now erll of Cassillis Lord Kennedy as thair
b

progenitouris hes evir had of his predecessouris ffor his gude trew and thankfull service Settis and for maill Lattis to the said Erll his airis and assignayis all and hail the said Abbay of Corsraguell with all landis kirkis teyndis milnis multuris woddis fisheingis abbey place housis yardis and pertinentis quhatsumevir pertenynng therto For all the space and termis of thre yeris nixt following the day and dait heirof quhilk day and dait salbe thair entre In and to the tak and assedatioun of the said Abbay and hail fewis thairof and thaireftir to endure be the said space of thre yeris And eftir the outtrynning of the saidis thre yeris utheris thre yeris and sua furth fra thre yeris in thre yeris unto the Ische and full compleit end of nyntene yeris With power to the said Erll his airis and assignais To sett and raise all landis kirkis teyndis and possessionis pertenynng to the said Abbay siclike and alsfrelie as the said unquhile Abbat mycht have usit or sett the samyn in his lyvetyme or befor ony dispositioun maid of the samyn or ony part therof to utheris with all and sindrie utheris commoditeis fredomes &c. frelie quietlie But ony Revocatioun And that for the yeirlie payment of the soume of sevin hundreth merkis usuale money of Scotland According as the said Erll is detbund to pay be virtew of the tak and assedatioun quhilk he hes sett to him be the said unquhile Abbat quhilk yeirlie dewitie thair Majesteis for the gude service maid and to be maid to thame be thair said cousing Remittis and dischargis during all the tyme of this present tak and assedatioun Commanding hir hienes Comptrol- lar present and to cum and all utheris to desist and ceis fra all craving or uptaking of the said yeirlie dewitie Discharging alswa the Lordis of Counsell and Sessioun of all passing and directing of ony letteris aganis the said Erll his airis or assignais the tenentis occupiaris and possessouris of the landis and possessionis of the said Abbay for payment of the rentis and dewiteis therof or ony part of the samyn to ony utheris during the tyme of this present tak and assedatioun Attour thair

Majesteis for the causis foirsaidis promittis to the said Erll That he sall have ane confirmatioun of all sic few landis as he hes in Carrik and Galloway gratis without ony compositione and commandis the Thesaurair and remanent Lordis compositouris to pas the samyn confirmationis in maner for-said And in caise this present tak be nocht sufficient securitie upoun the said benefice Thair Majesteis sall reforme the samyn of new gif neid be And that the said Letter be extendit in the best forme with all clausis neidfull Subscrivit be thair Majesteis AT Edinburgh the Tent day of Februare The year of God I^m V^e thre scoir fyve yeris

The King and Quenis Grace Tak of Croraguell

5. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF CASSILLIS. Dated Edinburgh, 19th March 1565-66.

Acknowledging his good service, and desiring him to attend her with his household and kinsmen.

Traist Cousin and Counsalour: We have ressaut your vretting and be the contentis thairoff hes knawin your guid mynd and voill towartis owr service Quhairroff as the occasioun sall serwe

we sall nocht be vnknawin desyring yow effectuouslie to continnew in the samyn And be raisoun thir trowblis laitlye occurrit hais tane sown stave quhairthrow sik forcis and assembleis as we requeyrit ar nocht at this present necessar Yeit newirtheles We pray yow to addres your selff accompaneit with your substantius houshald and kynnismen and sik barounis as ye ken ar voilland to forder owr entreprysis to cown to ws with all possible diligence And at meiting ye sall knaw forder off owr mynd and intentionn in all behalffis And swa committis yow to the protectioun off almichtie God At Edinburgh the xix day off Marche 1565

MARIE R.

To our traist Cousing and Counsalour the erll of Cassillis.

6. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF CASSILLIS. Dated Carlisle, 20th May 1568.

Stating that, finding no place of safety in her own dominions, she had been obliged to pass into England, where she had been well received, and commending the Earl for his feats in the last battle.

Traist Cusing Forsamekle as I for the saltie of my bodie findand na suir acces nor place within my realme to retire me at this tyme as ye may knaw, I wes constraignit to leve the samin and to pas in this cuntrey of Inland quhair I assuir yow I have bene Rycht weill Ressaut and honorable accompaigned and traicted I have deliberit to pas fortherward in France to pray the King my gude broder to support and help me to delyuer & Releue my Realme of sic Rebellionis troublis &

oppressionis that now regnis within the samin and to depart furth of this toun the xxiiij day of this Instant moneth Thairfore I pray yow effectuouslie traist cusing that ye in the menetye hald your self constant in my seruice and aduerteiss your freinds and neighbouris to do the samin and to be in readienes to serue me quhan the occatioun sall offer as ye have done trewlie afor this tyme Speciallie at the last battall quhair (as I am adverteist) ye have done Rycht weill your deuoir ye beand on your featis quhilk sall nocht be forgit be me in tyme coming with the help of God I houp to returne agane about the xv day of August nixt with gud company for the effect foresaid God willing This I beleve ye will do as my traist is and wes ay in yow And for to mak ane end of my bill I will commit yow to the protectioun of the eternal God. AT Carlell the xx day of Maij 1568.

MARIE R.

I pray* you my lord excuss this stamp† becauss the quene hes na uthir at this tyme.

To My lord Erle of Cassillis.

* This postscript is written on the back, but under the fold.

† The wax is red, but the stamp is so defaced that it is quite impossible to say what it has been. Its figure, from the impression on the paper, clearly appears to have been oval.

7. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF
CASSILLIS. Dated Carlisle, 25th May 1568.

Acknowledging his good services to her, and thanking
him therefor.

My Lord, We have Ressaut your writting the xxv of this
Instant and therby vnderstand your constancie quhilk is weill
provin to ws & mon never be forget salang as we leve gif God
geve ws occatioun and meanes to Reward ye samin We ar heir
honorablie Ressaut and in vere gud hop schortlie to writt to
yow sic things that salbe to your confort and our weill for We
dout nocht to be put in our awin place agane with the grace of
God the help of guid freinds heir your L, and our loving sub-
jectis assistance very schortlie als sone ye will beging to have
some experiance In the mene tyme ye may weill assure your
self thair sall na eardlie plesour confort ws quhill we help to
Releve our troublit freinds Prayand yow to exerces your wit to
entretene and confort thame quhome ye find bere ws gude mynd
And do that ye can to winn sic freindis as ye find is nocht not-
able offendaris to ws quhais faouris We desyre nocht We com-
mit this my lord to your awin gud, constant and freindlie
wisdome vntill our nixt mair speciall adverteissement Commit-
tand yow to the protectioun of the Almichtie God AT Carlell
the xxv day of Maij 1568.

MARIE R.

To our traist Cusing and Counsellar
The Erle of Cassillis.

S. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF
CASSILLIS. Dated Carlisle, 6th July 1568.

Thanking the Earl for his services—desiring him not to let Lord Murray receive her rents—acquainting him that Lord Fleming had come to her from London, and was soon to be in Scotland, and to whom he was to give credit, and expecting relief by France or Spain.

Richt traist Cousing We haif ressaut your wryting and vnderstandis the samyn We haif writtin to yow laitly of befoir anent our proceidingis Thanking yow your gud mynd and seruice done towartis ws As God willing Quhan It sall pleis him to restoir ws to our awin maist richttuous ye sall nocht think your gud seruice ewill bestowit. Nocht doubting bot ye will conteneu ferme and stable in the samyn And yitt being, thankis to God in gud helth and veifair We thocht expedient be this present to assure yow of the samyn—Praying yow That ye latt my lord Murraye ressaue nane of our mailles in thai pairtis nor nane of his. Bot that ye vptak and ressaue the samyn Bestowing it on soldatis to do ws seruice quhair ye haif ado with thame sicyk as we haif writtin to the Lard of Lochinwer and vtheris in the cuntrey. My Lord Flemyng arrevit yisterdaye to ws fra Loundoun quha Is boun in Scotland To quhome ye sall gif credeit and will schaw yow of our proceidingis at mair lenth and amply nor we think expedient to wryt at this tyme, ffeir nocht quhat contrarious tydingis be schawin yow of ws For God willing our trew and faythfull subjectis will gett releif be France and Spanye suppois England will nocht assist ws to the distructioun of our enemys and your honour and confort. Referring the rest to your faythfull constancy Committis yow to

the protectioun of God Almychtie. Off Carleill the vi of Julij
1568.

* Your mest asured frind

MARIE R.

To oure Richt traist Cousinge The erle of Cassillis.

9. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF
CASSILLIS. Dated Bowton, 23d October 1568.

Informing him of Lord Boyd having declared his good
mind and service towards her—mentions the con-
ference at York between her commissioners and
those of the Queen of England—and promises to
be careful of the Earl's weal and of his house.

Richt traist Cousigne. We greit yow weill We haif vnder-
stand your gud mynd and seruice towartis ws being amplie de-
clarit be our traist cousigne my lord Boyd, of the quhilk we
thank yow and hoipsis in God schortlie to remember the same be
our awin presens. Ye sall wytt that at this conference quhilk
hes bene in York betuix our commissioneris and thais of the
Quene our gud sisteris Quhair our reabellis hes bene hard and
found na thing to thair advantage our affaires (thankis to God)
ar proceidit in gud maner and veill advanced And the Quene
our gud sister in the meane tyme hes desyrit ws to send sum of
our Lordis towartis hir, as in lyk maner of the saidis reabellis
wilbe thair Qubairfoir We haif send vp our traist Counsalouris

* Written in the Queen's own hand.

The bischop of Ross my lord Hereis and the Abbot of Kylwynning At quhais returning we luik to haif ane gud resolutioun And as we are adwertised of the furtherance thairof in the same maner sall mak yow participant of the samyn We haif writtin to yow laityly anent that quhilk the beirar heiroy Mr James Boyd schew ws of the credeit he had of yow and considerit the same at gud lenth quherin God willing as tyme sall serve and being in our awin estait hoipis to satisfie you nocht only in that nor sic ane matter as presently ye requyre Bot sall sa gratifie yow for the gud seruice and faythfull mynd we haif of yow That your posteritie sall knaw ye haif nocht bestowit the samyn in wayne nochtwithstanding considerand in the estait we ar presentlie in, could nocht fulfill your haill desyre in effect as ye requyrit as vnvalabill for your proffeitt, quherof we haif commounicat with this said beirar at mair lenth quha will declair yow our mynd mair amplie therintill Praying yow to contenev in keiping the cuntrey and our faythfull subiectis (sa far as ye may) in gud peace and quyetnes till our obedience Referring the rest to our nixt advertisment Committis yow to the protectioun of God Almychtie Off Bowtoun the xxij of October 1568.

* Ye schal bi assureid that I schal bi als kerful off your weil and off your hous as you schal wuisehe mi as ye shal hir by your aun man wuam tu I hef spokne my mynd.

Your richt gud Cusignes †

MARIE R.

To our Richt traist Cousigne The erle of Cassillis.

* This postscript is written in the Queen's own hand.

† In the Queen's own han .

10. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF
CASSILLIS. Dated Bowtoun, 6th December 1568.

Letting him know that the negotiations at York had
been broken off, and praying him to intercept those
who were opposed to her on their return to Scot-
land.

Richt traist Cousigne We greit yow weill Forsamekill as We
ar advertisit That our Commissioneris for dyuers ressonabill
causis hes brokin the negotiatioun of our affaires quhilk was
afoir our sister the Quene of England and hes tane vp the mat-
ter fra hir, swa we persaif na gud meanis to be hade thairby
Heirfor seing our reabellis contenevis in the distructioun thai
may do to ws our faythfull subiectis and realme with Intentioun
to do war fra this furth nor in tymes bypast gif thai be sufferit,
We praye yow That ye be in reddynes with your haille friendis
and force in substantious maner to prevene the tyme with the
saidis rebellis and tak the first adwantage maye be gottin of
thame nocht only to stop thair waye in hame cuming gif it war
possibill Bot presentlie gif ye can apprehend ony of the princi-
pallis of thame in handis quha ar at hame Lyk as thai haif of
ours That na mair tyme be lost We haif nocht as yitt gottin ad-
vertisement heirof be our saidis Commissioneris bot swa sone we
gett the samyn ye salbe participant God willing Quhome mott
preserve yow. Off Bowtoun the vj of december 1568.

Your gud Cusignes *

MARIE R.

To our Richt traist Cousigne The Erle of Cassillis.

* In the Queen's own hand.

11. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF CASSILLIS. Dated Bowtoun, 5th January 1568-69.

Acknowledging receipt of a letter from the Earl, with two horses standing at Dumfries.

Richt traist Cousigne and Counsalour We greit yow weill, We haif ressaut your letter fra your seruitour Sanders Eclis quha hes schawin ws of twa horsis ye haif send ws standing in Dumfries becaus as yitt we ar nocht resolut that thai sould cum heir Thanking yow werraye hertlie thairof and hes desyrit the said Sanders to retene the said horsis with him selff in Dumfries till we get vthir newis frome the Court of Ingland and that for ane x or xij dayeis to the effect We maye then knaw quhat salbe done with the same Quhairfor ye sall excuse him of his long tary We haif na vthir newis to wryt to yow than thais we haif written with the Lard of Skeldoun quhilkis as thai occur ye salbe aduertisit of the same Swa committis yow to the protection of God Almychtie. Off Bowtoun the v of Januer 1568.

Your richt gud Cusignes *

MARIE R.

To our Richt traist Cousigne and Counsalour The erle of Cassillis.

* In the Queen's own hand.

12. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF CASSILLIS. Dated Tutberry, 10th February 1568-69.

Praying the Earl to continue his faithful services—complaining of her letters being intercepted—and that she had therefore sent her servant, the Laird of Gartley, to inform him more fully.

Richt traist Cousigne and Counsalour We greit yow weill Being ewer surely perswadit of your faythfulnes and constancy towart our seruice doubtis nocht bot ye will conteneu in the same. And now specially seing the resoluciuon of our affaires and proceeding therof ar sa neir apperantlie to tak gud effect Prayis yow that ye will perseweir in setting forward all that quhilk maye redound to ye veifair and aduancement of our autoritie And albeit We wryt nocht sa amplie and sa oft to ewery ane of yow as we wald do for dyuers discomodeteis And cheiflie becaus our letters ar commounly tane be the waye, Yitt be nocht discouragit nor skar nocht thairat, giff we wryt to thame only of quhome ye may vnderstand our desyre weill aneuch And think nocht that we leif for that to esteme ewerie man in his awin degrie Bot considering our commoditie that we maye nocht wryt to all, ye sall excuse ws thairin Quhairfor We haif deschit our louit seruitour the Lard of Gartly present beirar heirof towart all thais with quhome he maye commownicat to schaw yow our mynd mair amplie nor we can wryt Quhome ye sall creidit And siclyk our traist Cousigne and Counsalour the Duke of Chastellerault being retournit in our realme will declair and mak mair manifest vnto yow our will and intention Swa

committis yow to the protectioun of God Almychtie. Off Tut-
berrye the x of februarye 1568.

* Your richt gud Cusignes

MARIE R.

ie vous prie enlabsanse de mi lord Boyd que ie retiens pour
vn temps pour mon seruise suporter & meintendir son fils & ser-
uiteurs en leur actions Mi lord Heris vous informera de lestat
de mes affayres ie vous prie aussi vser de son bon conseil comme
celui qui scet lestat des choses issi.

To our Richt traist Cousigne and Coun-
salour The erle of Cassillis.

13. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF
CASSILLIS. Dated Tutberry, 7th April 1569.

Surprised at not having heard from the Earl for a long
time—mentioning certain articles sent to her by the
Queen of England, containing the heads of some
communings between the Duke of Chattelherault
and the Earl of Murray, and hoping to receive
good success from the Queen of England and from
France.

Richt traist Cousigne and Counsalour We greit yow weill.
Merveling greitumly that this lang tyme We haif hard nane of

* This, with the postscript, is in the Queen's own hand.

your aduertimentis furth of Scotland, Now presently We haif
 ressaut the double of certane articles quhilk the Quene our gud
 sister hes send to ws delyuerit to hir be Mr Johne Wod, con-
 tening the headis of certane commowning betuix the Duke of
 Chastellerault and vtheris in his name with the Erle of Murraye
 At Glasgw the xij day of Marche Last wes, quberin thair
 is dyvers headis contenit nocht only prejudice to ws bot also to
 thair awin honour, dewitie, and promeses, sa oft tymes maid and
 confermit to ws as to thair souerane, Quhilk makis ws on na
 wayes to beleif, bot the same ar Invented be our rebellis as dyvers
 vtheris hes bene of befoir, to caus ws tak ane ewill opinioun of
 our faythfull subjectis quhilk we will nocht do vnto the tyme
 we be surely aduertisit Nocht doubting bot ye will remane in
 lykmaner constant towart ws and mak ws aduertisement at the
 leist of your awin part in all proceidingis ffor (praysit be God)
 We are in hoip of ane gud succes and expeditioun in our causes,
 throw the gud Intertenement and confortabill writingis that we
 haif ressaut fra the Quene our gud sister, as also be sic assured
 aduertimentis and letteris, that we haif presently gottin of
 France, quhilk the present beirar our servitour will mak knawin
 to yow, quhome ye sall credeit Referring the rest to your adver-
 tisment Committis yow to the protectioun of God Almychtie
 Off Tutbery the vij of Aprile 1569.

Your gud Cusines and frind,*

MARIE R.

To our Richt traist Cousigne and Coun-
 salour The erle of Cassillis.

* In the Queen's own hand.

14. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF
CASSILLIS. Dated Wingfield, 4th June 1569.

Refers the Earl to Lord Boyd for information as to the
good state of her affairs.

Richt traist Cousigne and Counsalour We greit yow weil
Forsamekill as in tyme bypast We haif ewer aduertesit yow be
our letters, of our proceidingis with the Quene of England our
gud sister, nocht sa amply as we wald haif done, be ressonne of
the discommoditie of passage hes bene betuix thir realmes, bot
at the leist of the gud opinioun We hade of the resolutioun
thairof, And now our traiste Cousigne and Counsalour My Lord
Boyd ane of our Commissioneris towartis our said sister being
returnit fra hir and hir Counsale, We haif depeschit him with
thir presentis in our realme to declair vnto yow at lenth the
treuth and gud estait of our affaires, and our mynd in all thingis
Quhilk becaus of his sufficiency, We wald nocht wryt amply
Bot referring the same to him Quhome ye sall credeit as our
selfe Committis yow to the protectioun of God Almychtie. Off
Wingdfeild the iiij day of Junij 1569.

Your good Cusignes*

MARIE R.

To our Richt traist Cousigne and Coun-
salour The erle of Cassillis.

* In the Queen's own hand.

15. MARY, QUEEN OF SCOTS, to GILBERT, FOURTH EARL OF
CASSILLIS. Dated Sheffield, 6th May 1571.

Excusing the Earl's having been constrained to con-
cur with her adversaries—Mentioning her having
charged the Bishop of Galloway to declare to him
how sensible she was of his being well affected to
her, and desiring him to pay to the Bishop what
had been assigned to him out of the Abbacies of
Glenluce and Crossraguell.

Richt traist Cousin and Counsalour We greit yow weill For-
samekle as We ondirstand that in the greit trobles of oure
realme and the enumerabill rewolting of oure subjectis aganis ws
ye have alwayse borne ane good mynd toward ws and oure trew
subjectis Yit nochtwithstanding partlie for feir of los of your
gudis and partlie by the crafty perswasionis of our Enymeis ye
have bene constranit ether to concur with oure aduersares or
ellis to ly by and abstrak your forces from the ayde and sup-
porte of our Lieutenentis and the rest of our parttakaris And
therfor We will nocht Interpret your assistance to our rebellis
in tymes past in ane evill part becaus We ar suirlye perswadit
your mynd to have gud, nether will We reput yow among the
number of oure rebelles Bot rather esteme yow ane favorer and
dewtifull subject in your hart And becaus oure intent Is to sup-
port yow and to encurege yow to profes oppinlye your obedience
to ws as your ondouttit and naturall Soverane. And for that
caus We have givine charge to our trusty Cousin and Counsa-
lour the Bischop of Galloway to declare to yow our gud mynd
and will towardis yow and youris alsweill for the avansment of
our service as to sawe yow frome gretter Inconvenience quhome
ye sall credit as our self Quha is ane faithfull commissioner hes
weill and deligentlie done his devoir in treating with the Quene

our gud sister for our restitutioun and releif of yow our gude subjectis And seing thair is no occasioun nochtwithstanding this new delay to be disparit of the obtening of ane finall end of our lang swtis at oure said gud sisteris hand We will yow in tymes to cum to declair your self sic as heir efter ye wald have ws your frend for evir And as ye wald ye sould We sould esteme yow wordy of our favour and reward And that ye failt nocht presentlie to assist oure said cousin with your counsal and ayde for the furdering of sic thingis as concernis the avancement of our effaris Rychtswa ye sall undirstand that We have assignit to oure said cousin furth of oure thirdis alsmekill yeirlie as will mak his Bischopruck of Galloway free of all pensionis during his lifyme Heirfor We pray yow to mak him payment of samekill as salbe assignit to him furth of your abbayis of Glenloise and Crocragall of the thirdis therof Quhilk salbe allowit to yow be oure Collectouris and admittit to yow in our Eschecker comptis This We desyre ye to do as ye tender our favour quhairof We desyre your answer So Committis yow to God Frome Sheffield the vj day of Maij 1571

Yowr richt good frind and Cusignes*

MARIE R.

To our Richt traist Cousin and Coun-
salour the Erle of Cassillis.

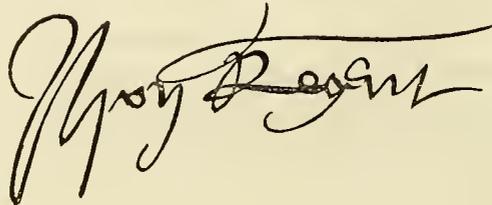
* In the Queen's own hand.

16. JOHN, EARL OF MAR, Regent, to GILBERT, FOURTH EARL
OF CASSILLIS.

Beseeching him to attend at Leith at the day appointed,
and to remember to satisfy Mr George Buchanan
for his pension. 14th July 1572.

My Lord eftir maist hartlie commendatioun, We have hard
be a brute that your L. is not to keip the appointit day heir at
Leyth Bot myndis to remane quhill the begynning of August.
Afoir quhilk tyme sic thingis as We have ado wilbe in hands
and gif your L. remane sa lang It sall gif occasioun to the hail
cuntre to follow that same cours quhilk may wirk na small hin-
der, ffor gif our hail force beis not togidder We cannot tak
purpois to interpryise. And thairfoir seing your lang absens
may be ane greit stay to the prosecuting of the present caus
the cornis about the toun being sa rype We sall desyre and pray
your L. maist effectuouslie That ye will not fail all your uther
bissines set apart To keip the day appointit precislie and rather
befoir the same nor eftir gif it be possibill Always at the day
We doubt not to have your presens and company As ye will
declair your affectioun to the present caus wald procure the
removing of thir present troublis and will do us maist speciall
and acceptabill pleasure Farder we pray your L. to remember
Mr George Buchannan and to bring with yow sumquhat for his
satisfactioun of his pensioun Thus referring the rest to your
cuming, praying you to keip tryist, Committis your L. to the
protectioun of God Frome Leyth the xiiij day of July 1572.

Your L. assurit freind



Gif your L. remane at hame at this tyme and kepis not the appointit day, We ar abill to ressave na small harme in the avancement of the Kingis service.

To my Lord My Lord erll of Cassillis.

17. LICENCE by KING JAMES VI. to JOHN, SIXTH EARL OF CASSILLIS.

To go to France, Germany, and the Low Countries, and to remain there for his instruction in the languages during the space of five years. 24th January 1619.



Wee by the tenour hereof give and grante Libertie and Licence to our Righte trustie and righte welbeloved Cosen John Earle of Cassilles to departe oute of our Dominionis into the partes of France Germanie and the Low Contries there to remaine for his instruction in languages and doing his other lawfull affaires the space of ffyve yeare nexte and immediatlie following the date hereof, Hereby straitlie Inhibiting and discharging all and syndrie our officers whome it doeth or may concerne to call persew trouble or in anie wise moleste our said Cosen in his bodie landes or goods for his said absence during all the time aforesaid and of their offices in that parte Provided alwise that our said Cosen during his absence aforesaid devise practise nor be participant or of counsell of nothing prejudiciall

to our sacred person the estate of our Realmes or of the trew religion now publickly profeste therein, Otherwise this our Licence to be nulle and of none effecte. Given under our hande and seale at Newmarkett the xxiiij day of Januar and of our Regnne the xvj and fiftie tua yeires 1619.

AL. CANCELL,
SANCTANDREWS.

MAR
JA GLASGOW.

Apud Edinburgh xxiiij January 1619.
Red past and allowit in Counsell.

J. PRYMROIS.

18. NOTE holograph of KING CHARLES II. 9th May 1650.

CHARLES R.

As to the third proposition His Majestie will grant the same in terminis, when he comes into Scotland; If the Parlement of that Kingdome shall desire the same. Breda May the 9 1650.

19. NOTE of Two Bonds for 20,000 Guilders. 20th May 1650.

At Breda the 20 of May 1650.

The Commisioners subscrivit Two bands of Twenti thousand gilders to the Factors of Campheer & an Band of mutuall relief among themselus of the lyke sum—The Money is to be payd at Midlburgh the first of August next 1650.

The ane of them being payd the uther is null.

20. PETITION of JOHN, SEVENTH EARL OF CASSILLIS, to
KING CHARLES II.

As to sums advanced by his father for maintenance of
the army raised in Ireland; with reference on the
back of the Petition. 26th February 1683.

TO THE KINGS MOST EXCELLENT MAJESTIE

THE HUMBLE PETITION OF JOHN EARLE OF CASSILLIS

In all Humility Sheweth,

That albeit the Supplicants Father was among the last that
was drawne into the disloyall courses of the late Troubles Yet
hee was amongst many others prevailed with to subscribe pub-
lick Bonds for vast sumes far exceeding the value of his Estate
for payment of many of which publick Debts Hee was distress-
ed by sentences during the English Usurpation (at which time
his Estate also was Sequesterd for his constant adherence to
your Majesties Interest) And hee was necessitated to borrow
great summes on his private Credit for that end, Likeas hee did
advance considerable summes for the maintanance of the Army
raised by your Royall Fathers command in Ireland by which
meanes his Estate did descend to the Supplicant with a great
Burthen of private Debts, besides such of these publick Debts as
were not satisfied or transacted by him which have been sus-
pended by seaverall Acts of Parliament ever since Your Ma-
jesties Happy Restoration but are now by the 26th Act of this
Your Majesties Current Parliament acquitted & discharged with
this Reservation that no person should have the Benefitt of that
Act who should not take the Test appointed by the 6th Act of
that Parliament to be taken by all persons in publick Trust;

And Your Sacred Majesties Supplicant being unclare to take the Test; his Estate which is over burthēned with private debts undertaken allready for payment of such of these Publick Debts as his Father was forced to satisfie in the English time, will now bee absolutely ruin'd & his Family quite extinguished by the Remainder of these public debts not yet transacted Except Your Majesties Royall Grace & Bounty prevent the same, And seeing the Supplicants Father though hee had the Misfortune to be at last seduced to engage in these Troubles Yet Your Sacred Majestie was graciously pleased to looke on him allwaies while hee lived as a dutiful Subject and faithfull to Your Interest, and to honor him so far as to command his services when occasion offered and particularly to attend your Sacred Person Two seaverall times at Breda, where hee endeavoured to the utmost of his poure to begitt and Entertaine a good understanding betwixt Your Majestie and your Subjects; At that time and afterwards your Majestie was pleased to Employ him as Justice Generall for your Kingdome of Scotland; Which office hee did faithfully Exercise without any Fee or Pencion. And notwithstanding the Extravigancies of a Faction Partie here, & the Oppression of the English Usurpers who had sequesterd his Estate Hee continued in and never swerved from the duty & Allegiance hee owed your Majestie even unto his death And did singularly manifest to all the Countrey where hee lived his detestation & Abhorrence of all compliance with the English Usurpers. Likewise Your Sacred Majesties Supplicant ever since hee was capable hath been ready & willing upon all occasions to serve Your Majestie and is still ready to sacrifice his Life & Fortune in Your Majesties Service; And seeing the Representatives of the late Duke of Rothes were upon worthy considerations allowed by the said Act the benefitt thereof without necessity of their Takeing the Test.

MAY IT THEREFORE please Your Sacred Majestie graciously

to recommend your Supplicant to his Royall Highness Your Majesties High Commissionour and your Estates of Parliament that at the next Session hee may be likewise excepted from that Proviision in the Act, and the Benefitt thereof may be Extended to him though hee be not cleare to take the Test appointed for Persons in publick Trust, And least the Supplicant be distressed for these debts, in the meanetime in respect the Acts suspending the same are neither expressly reserved nor rescinded, May it therefore please Your Majestie to recommend the Supplicants condicion to the Lords of Session that Process hee not sustained against him for these Debts untill the next Session of Parliament

And your Petitioner (as in duty bound) shall ever pray, &c.

CASSILLIS.

Whitehall 29th Feby 168³

His Majesty is graciously pleased to refer this Petition to the Right Honorable the Lords of the Secrett Committee of his most Honorable Privy Councill of Scotland, who are by his Majesty required to consider the Petitioners request, and with all convenient diligence to report their Opinion thereof to his Majesty who thereupon will signify his further pleasure in this matter.

MORRAY.

21. JAMES, EARL OF PERTH, TO SIR ARCHIBALD KENNEDY.

Thanking him for a present of Solan geese. 19th
August 1693.

SIR

I thank you heartily for the rarity you sent vs. Solen geese are Strangers in our part of the world & yours have come very much fresher than could have been expected at so vast a distance.

I confess it is hard to live in a Countrie such as yours is & therefor the Caution cannot be too great you use in your conversations. You may be sure that I am far from being so nice in point of Jealousie as to misconstrue a far greater appearance of unkindness than any thing you mention in your oblidging letter.

I came hither thinking to stay only two nights but my Wife relapt into the Jaundice which she had recovered of not two months before which has kept us here these 5 Weeks. She is scarce past danger as yet, both she & I Give our service to you, and to all your family & I am particularly

SIR

Your affectionate humble Servant

Stobhall, 19 Aug.

PERTH.

93

For Sir Archibald Kennedy
of Collenn.

22. GEORGE, DUKE OF GORDON, to SIR ARCHIBALD KENNEDY.

Thanking him for a present of Solan geese. 19th
August 1693.

Edinboro Castel 19 August 1693.

MUCH HONORED

I thanck your honor most kyndly for your obliging Letter. My health indeed has been verry bad off leatt and continows so stil, so itt seemes that your Constitution and myn has sum simpathey as the causes off our having been in the seam logings ar alyck off which I thank God neather you nor I haw raison to bee ashamed. Tho I bee indisposed I would bee glaid to contribut to your health, pray then lett mee know the particular circomstances off your deaffness and perhapps I may help you to a remedy—the Solen gees you fawored mee with loock werry weell. I thanck you for them and I am

Your honors most obediant and most humbel Servant

GORDON.

23. ROBERT, VISCOUNT OXENFURD, to SIR ARCHIBALD
KENNEDY.

Mentions his Lordship being a prisoner in Stirling Castle.
20th August 1693.

Stirling Castell Agust 20-93.

SIR

Your kynd letter to me was very excaptable for noe bodie
e

wishes ther freinds better as I doe and willinger to serve them as I if it were in my pouer to doe it espeacelie a man of that good character which every honest man hes of you. ffor your comeing heir—the circomstances you are in will excuse you at all your freinds hands you know what is not fitting at this tyme. I hope it shall or it be long be made up by a free convers together which will mak all by passed tymes swittine our unhappie restreantes eather from our freinds not meatting together or the not Injoying of what is our oune—God Grant every man his oune—wither the Goverment will or not. I thank you heartly for your Solan Guise. Give my most humbell service to your ladey and all my Cusings I am,

SIR

Your most affectionat Cusing and humbell Servant

OXFURD.

Excuse the badnes of the peaper.

For Sir Archibald Kennedy
of Cullean.

24. LORD DUNLUCE, (probably eldest son of the Earl of Antrim,)
to SIR ARCHIBALD KENNEDY.

Expressing the friendship which his Lordship and his ancestors had been honoured with by their relations in Scotland, particularly by the family of Culzean.
28th May 1694.

May the 28th 94.

HONORED SIR

As nothing shall be more my study then to merit the continuation of that friendship my Ancestoures were honored with from their friends in Scotland The earlie testimonie you give me of yours Sir must certainly make great impressions of honor and gratitude in me for you. It was great misfortune to me that the fewnesse of my yeares made me uncapable of the honor of your acquaintance in the litle stay you made in this country tho were I soe fortunat as to see you I could not forgett a person of your merit and quality, (as upon the matter I may say) you were the first to putt armes into my hands. I shall allways make it my business next those I owe all to, to make use of them to your Service and do asure you I am extreamly proud of your present. I wish Sir I were so fortunate as to have a great dogg I am sure that or any thing else in my power should be at your Service: My father or I have none but Ile be sure to make inquirie and if any be in the Kingdome I do not doubt to procure it for you and begg youle please to own me forthwith I very much am

SIR

Your most obliged humble Servant

DUNLUCE.

My mother is with much respect your and your Ladys most
humble Servant

To the Hon^{ble} Sir Archibald Kennedy
at Coulean.

25. JOHN, LORD KENNEDY, to SIR ARCHIBALD KENNEDY.

Mentioning his Lordship being immediately to sail for
Hamburgh, and expressing the greatest friendship
and regard for Sir Archibald. 8th July 1695.

DERE SIR

I recev'd your Letter of the 5th instant dated. I cannot express the sorrow and regrait I have for the want of your good company. I am just now going on board a ship that sailes strait for Hambourgh and honest Will Seaton is with me. I must needs tell you so much there are few persons in Scotland that I would not willingly part with but when I think of parting with my deare Sir Archibald God knows perhaps for ever I confess that tutches me to the very heart however assure yourselfe that to the last of my breath I shall continue the love and esteeme I have alwise had for Sir Archibald Kennedy and none shall without complement be more ready and willing to serve you dere Sir excuse me for this confus'd Letter being in a hurry and assure yourselfe I am till death

Your affectionat Cusin & humble Servant

KENNEDY.

Leith July the 8th 1695.

The Gulloone Coat you mentioned in one of your Letters I

have delivered to Mr Seaton in order to be sent to you for your Son and hartily wish it had beene ten thousand times better for his saike be pleas'd to present my humble Service to your Lady and Daughter Deare Deare Sir Archibald faireweell.

26. ALEXANDER, LORD MONTGOMERIE, to SIR ARCHIBALD KENNEDY.

Thanking him for his present of a setter dog. 25th
June 1698.

Eglintoune June 25
98

SIR

I am verie sorie it never was in my pour to shew the friendship I have for you, it hes hitherto concisted in naked professions. I have all the sence of your so kindlay accepting thes I am capable, and if ever it lay in my way you shall have no reson to complen of my actions.

I am much oblidged to you for the dog you have sent me, setting being the onlay sport I am like to have the next seson but you writt the doge is out and your man tells me Murdochs in your countrie, besids my wife likes mour-foull and I would take ane day or tuos sport or I goe to Edinburgh all which has made me return this doge and sent my fout man along for the other you writt off. I hope you will excuse this fredom and beleve me in all sinceretay to be

SIR

Your faithfull Servant

MONTGOMERIE.

Be pleased to give my humble service to your Lady.

27. COLIN, EARL OF BALCARRAS, TO SIR ARCHIBALD KENNEDY.

Respecting the education of Sir Archibald's son, then studying at one of the Universities abroad. 8th July. This letter probably from Holland, where Lord Balcarras resided during several years.

July 8 Utright.

SIR

Tho I have neather seen you, nor heard from you thes many years yet I assure you I retaine stil both the Kindnes and Estime I had of you, and was very glad to find att my arrival to this Countray on of your sons who resemls you so much I thought it had been you. Att first acquaintance I loved him on your account and now very much on his own, he is now goeing to quitt us, as you have ordred him, which I could not lett him do without giving you my opinion what I think would be best for him to do afterwards, if your affairs can easily admit it, to be yet att a little more expence about him. I assure you he has been very dilligent and frugal beyond many of his countraymen—but tho' he has studdyed very weal it will need another year in my opinion to perfite him in what you intend him for and since on yeare more eather in France, or in this place will do it, it wer a pity he had it not. I'm confident that time will make him fitt to do for himself so he will be the les burdensom to you. I do not use to medle in other peopls affairs for evry body knows best ther own, but I interest my self in any thing belongs you so much I could not but give you my opinion in a thing I see would be so much to his advantage and conequently to yours. If I be here as its to like I shal I will be very glad of his company and any litle servise I can render him you may be confident of it. Gladly would I see you in Scotland but I have litle hops of that since I have been refused so often. Wherever I am,

you may be confident, if ever it be in my power to shew how much

SIR

Your Most faithful and Humble Servant

BELCARRES.

For Sir Archibald Kennedy
of Colean Scotland.

28. JAMES, DUKE OF HAMILTON, TO SIR ARCHIBALD KENNEDY.

Promising to send him ten young cows, &c. 29th May
1701.

Kenell May 29. 1701.

I am now Turned a drover and am going to make an essay how the Aran stots will do in Lankesheir. if you can furnish the Bearer with ten young cows that have had calves I shall pay in their price when you'll appoint. I hope you'll assist the Bearer with your advice how he may get them to Carlyl, he knows the rest of the way himself. I intend to be in Lankisher in the beginning of July; I have nothing more to trouble you with at present but to assure you that I am your most assured friend and affectionate Cussing.

HAMILTON.

For Sir Archibald Kennedy
of Collain.

29. JOHN, EARL OF CASSILLIS, to SIR JOHN KENNEDY, Baronet.

Requesting Sir John to give Duke Hamilton the hawks
which were to have been brought from Ailsy, and
for which the Duke would send his falconer, &c.
1st May 1730.

London May 1. 1730.

SIR,

I received yours by Thomas Nimmo Mr John Alv's brother is in town who tells me he hop's his brother will get the money upon assigning the security which if he do's will save you the trouble ; Mr Nimmo tells me that you forgot to write concerning A Claim of the Earl of Stairs. I shall wait upon him & in-deavour to perswade him to defer using any diligence till I come to Scotland which I am perswaded he will not refuse. I shall acquaint you with his answer in a post or two att farthest ; Duke Hamilton has ask'd the Hawks this year those upon Alsy & Knockwreare he is to send his Faulkoner to you for them & I beg the favour of you deliver them to him ; Tom Nimmo tells me I may wish you joy by this time as a Grandfather which has been my Uncles case about a month ago. I beg the favour of my humble service to my Lady Kennedy my Lady Cathcart & the rest of your Famyly wishing you & them all manner of happiness I remain

Your most humble Servant

CASSILLIS.

