

Testament dative of Robert and Andrew Fowlis  
NAS CC9/7/70 pp 505-523

[In margin] N.51.

[Main text] Testament Dative qua Creditor umq[ui]le Robert and Andrew Fowlis

The Testament Dative

Qua Creditor & Inventory

Of the Goods and Gear

That pertained & Belonged

To the deceased Robert and

Andrew Fowlis Printers

To the university of Glasgow And each of them at the

Time of their respective deaths, the said Robert having

Died in the month of .....And the said –

Andrew in the month of .....Faithfully

Made and given up by Joshua Johnston James

Donaldson sen[jo]r. William Ingram and Herbert Buchanan

All merchants in Glasgow And Andrew Fowlis Printer there

As lawfull Creditors of the said defunct and Trustees for

The nearest in kin and Consenting Creditors of the said

Deceased Robert and Andrew Fowlis in manner after-

-mentioned Vi[delice]zt. In so far as John Glassford of Dougal-

-ston merchant in Glasgow John Campbell of Clathick

and the said William Ingram for themselves and as

having right from the persons after named & designed their

Consituents Obtained Decreet & sentence of Confirmation at

Their insistance before the Commissary of Glasgow upon

The first day of July last against Andrew Fowlis Printer

In Glasgow only son of the said Deceast Robert Fowlis –

Robert, Elizabeth and Euphemia Fowlis daughters

Of the said defunct as representing him and the said

Deceased Andrew Fowlis their uncle and the Tutors &

Curator of such of them as were minors if they any had for

Their interest, Finding Cognosing & Declaring the debts

And Su,s of money principall interest and penalties

After mentioned to be Just true and lawfull debts owing

By the said deceast Robert and Andrew Fowlis and

Each of them to the said John Glassford John Campbell

And William Ingram or the Survivors or survivor of

Principall sum and interest there of only resting from

And since martinmass jm vij C[entus] [one thousand seven hundred] and seventy

five and in time

Coming during the non payment and Sixty pounds

Sterling of Liquidate Expencc and penalty obligated for

The slice payment of the said principall and Incured –

Thro failure Contained in a Bond dated the thirteenth

Day of November jm vij C[entus] and sixty nine Granted by the

Said Robert and Andrew Fowlis and the deceast

Archibald Ingram merchant in Glasgow and the said

John Glassford and John Campbell to margaret janet

And Grizal Sproul daughter of the deceased John Sproul merchant in Glasgow and failing any of them By decease without uplifting or assigning her share Which happened with regard to the said Janet to the Survivors or survivor of them payable at Whitsunday

Then next of which Bond and sums and all Costs Damage and danger theretro' The said Robert and Andrew Fowlis obliged them Jointly and severally And their heirs and successors to relieve and indemnify The said Archibald Ingram John Glassford and John Campbell and their heirs and successors Conform to Bond of relief dated the fourteenth day of November Jm vij C[entus] and Sixty nine And to which sums and Bond the saids John Glassford and John Campbell For themselves and the said William Ingram Representing the said Arch[ibal]d his father now deceast Having paid the same they the said Archibald Ingram John Glassford and John Campbell and The survivors or survivor in trust for behoof of themselves Or himself and the heirs or assignees of the deceasors Or deceiver have right by Discharge and assignation Dated the nineteenth day of September Jm vij C[entus] and Twenty six Granted by the said margaret & Grizel Sproul the surviving obliges in the said original Bond the said Janet having as aforesaid previously Died without uplifting or assigning her share, - Item one hundred pounds Sterling of principall And Interest thereof only resting from and since Martinmass Jm vij C[entus] and seventy five and in time Coming during the not payment And Twenty Pounds Sterling of Liquidate Expense and penalty Obligated for the due payment thro failure Contained in a Bond dated the sixteenth day of may Jm vij C[entus] and Sixty Three Granted by the said Robert & Andrew Fowlis Arch[ibal]d Ingram John Glassford and John Campbell to the said Grizel Sproul Of which Bonus And Sums and of all Costs damage & danger therethro' The said Robert & Andrew Fowlis obliged them con[current]lly And se[perate]lly and their heirs and Successors to relief And indemnify the said other Co obligants and their Heirs & c[etera]. Conform to Bond of relief dated the sixteenth Day of may Jm vij C[entus] and Sixty Three And to which

Sums and Bond the said John Glassford John Campbell And William Ingram as having paid the same they The Survivors or survivor in trust for behoof of themselves Or himself and the heirs or assignees of the deceasers or Deceiver have right by Discharge & assignation dated The nineteenth day of September Jm vij C[entus] & seventy six

Granted to them by the said Grizel Sproule Item Two  
Hundred and fifty pounds Sterling of principall  
And interest thereof only resting from and since the Eleventh  
Day of November Jm vij C[entus] and seventy five and in time coming  
During the not payment And Fifty pounds Sterling  
Of Liquidate Expense and penalty obliged for the due  
Payment of the said principall sum and Incured  
Failure Contained in a Bond dated the Eighth day  
Of December Jm vij C[entus] and seventy three Granted by the said  
Robert and Andrew Fowlis as principall and by the  
Said John Glassford and John Campbell as Cautioners  
To Jean Stirling relict of the deceast Mr. John Simpson  
Professor of Divinity in the university of Glasgow the[n]  
Being in life and failing her by decease to James Ann,  
Elizabeth and Jean Simsons Children lawfull of the  
Said deceased Mr. John Simson payable at the term of  
Whitsunday then next, and In which the said com.  
Ingram is inserted And the same bears to be granted  
Likewise by him as a Cautioner he having agrees the  
Former Bond for the like sum to the said Creditors  
By the said Arch[ibal]d Ingram John Glassford and John  
Campbell Butt the said William Ingram's signature  
Had been neglected to be ? And to which  
Sums and Bond the saids John Glassford John  
Campbell and William Ingram as having paid the  
Same they and the survivors or survivor in trust for  
Behoof of themselves or himself and the heirs or assignees  
Of the Deceasers or Deceaser have right by Discharge  
And assignation dated the Twenty first day of  
September Jm vij C[entus] and seventy six years Granted to  
Them by the said Jean Stirling, Item two hundred  
Pounds sterling of principall sum and interest thereof  
Only resting from and since martinmass Jm vij C[entus] and

Seventy five and in time Coming during the not  
Payment and forty pound sterling of Liquidate –  
Expencc and penalty obliged for the due payment  
Of the said principall sum and incurred thro faillure  
Contained in a Bond dated the fourteenth day of July  
Seventeen hundred and seventy three, Granted by the  
Said Robert and Andrew Fowlis as pricipall and  
The said arch[ibal]d Ingram John Glassford and John  
Campbell as Cautioners to John Stewart Portioner of  
? in the parish of Strathaven payable at time  
of martinmass then next, And to which sums & Bond  
the said Arch[ibal]d Ingram John Glassford and John  
Campbell as having paid the same they and their  
Survivors or survivor intrust for behoof of themselves or  
Himself and the heirs or assignees of the deceasers or deceaser  
Have right by discharge and assignation dated the

Twenty ninth day of November Jm vij C[entus] and seventy six  
Granted to them by the said John Stewart, Item Three  
Hundred pound sterling of principall sum and interest  
Thereof only resting from and since the Twenty Second  
Day of November Jm vij C[entus] and twenty three & in time  
Coming during the not payment And sixty pounds  
Sterling of liquidate Expense and penalty obliged for  
The due payment of the said principall sum and  
Incurred thro faillure Contained in a Bond dated  
The Twenty fourth day of July seventeen hundred and  
Seventy one Granted by the said Robert and Andrew  
Fowlis as principall and the saids Arch[ibal]d Ingram  
John Glassford and John Campbell as Cautioners tp  
The deceast Mrs. mary Stewart of ascog and payable  
On the twenty second day of November Jm vij C[entus] and  
Seventy two And by which Bond the said Robert and  
Andrew Fowlis obliged themselves Jointly and  
Severally and their heirs Executors and Successors  
To relieve and skaitless keep the saids Arch[ibal]d Ingram  
John Glassford and John Campbell and their heirs  
And successors of their said Cautionary and of all  
Damages and Expences thereanent And to which,

Exchange as aforesaid nine pounds Sterling as the value  
Of prints thrown off after his fathers death for which he  
Furnished paper Six pound two shillings and four pence  
Sterling As the price of Binding Sundry of the Books  
One hundred and fifty nine pound sixteen shillings  
Sterling As the value of Sundry Books printed since  
His fathers death and added to the Stock of Books  
And Sixty pounds Sterling As the Amount of sales  
Since his fathers death Bill outstanding & unpaid  
By Sundries being part of the proceeds of the Sales  
Contained in the debit side of the said account amount-  
-ing in all to Four hundred and thirty three pound  
seven shillings and Eight pence Sterling Conform to the  
Credit side of the said account of debit and Credit which  
Is Lodged in the hands of the Clerk of Court All which  
Concerning the acts of the said Andrew Fowlis Since  
His fathers death is mentioned upon the authority and  
Averrment of the said Andrew Fowlis But which  
The said Executors are not in a Capacity and are not  
Sufficiently informed either to Contradict on the one hand  
Or to vouch or guard on the other And therefore Protest  
that their inserting his information herein is only with  
a view to Exhibit the Information they themselves  
have received Concerning the ? and state of the  
subjects That a meeting of the Creditors having been  
Called by advertisements in the newspapers and by  
Circular letters, And the said Andrew Fowlis finding

His fathers debts to turn out high and being unable to Find Security to the Creditors Satisfaction for the value Of the said subjects The Meeting of the Creditors which took Place in Consequence of the said advertisements and Letters Judged it would be proper to put the said subject Into the professional and management of Trustees and Factors who might make the most of it for the Benefit Of them and others with whom they should enter into Concert And accordingly they Entered into a Concert And named Trustees and factors to whom the said And[re]w Fowlis delivered the said Subjects as herein after given Up Excepting the printing types presses and utensils Book Binding utensils Bound Books Dr. Mures Library- Household furniture Body apparel which are still in

The possession of the said Andrew Fowlis and not delivered But altho according to the said account Exhibited by The said Andrew Fowlis his Intrmissions & Transactions Have been Considerable in Comparison of the subjects And debts yet it will thereby be difficult and it is not In the Executors Power to Extricate and reduce the Subject so as to exactly appear in the same State As at the death of the said Robert Fowlis But as they Cannot help this and they are under a necessity of Lacking what appears to have been the Stock & subject Of the defuncts as the same now stands Therefore the Same are herein given up as under written But under Protestation that they are not answerable for any Irregularities or unwarrantable proceedings of the said Andrew Fowlis before his delivering up the custody Of the said subject And also under these protestations That in respect of the precariousness and difficulty of Selling the said Subjects The Executors may not be Immediately liable or accountable to any having interest For the values at which the said subjects are given up Nor until the Expiration of a reasonable time to be Allowed for getting the same sold and the proceeds Collected and that the subjects herein given up & Confirmed shall be held by and the proceeds thereof Belong to the Creditors who have Concurred or shall Concurr and be admitted to Concurr in the said Concert Exclusive of the other Creditor and which Protestations are admitted by the Commissary in so Far as accords with Law, In terms of which Protestations The following Inventory of the Effects and moveable Subjects which proclaimed and Belonged to the said deceast Robert and Andrew Fowlis at the time of their deaths Is Given up by the said Executors Vi[delice]zt. Imprimis A parcel of Books in quires printed by the said Rob[er]t And Andrew Fowlis as valued by James Duncan Book-

-seller and Robert Chapman Printer both in Glasgow  
at one thousand and seventy nine pounds nine  
shillings and four pence sterling Conform to a particular

list or Inventory thereof signed by the said valuations and  
Lodged with the Clerk of Court to be made patent to-  
To be made patent to all persons having interest therein  
Item a parcel of Books and quires not printed by the  
Defuncts as valued by the said James Duncan and  
Robert Chapman at Forty two pounds sixteen shillings  
And six pence sterling Conform to a particular list or  
Inventory thereof signed by the said valuator and  
Lodged in the Clerk of Court to be made patent  
To all persons having interest therein Item a parcel of  
Bound Books still in the possession of the said  
Andrew Fowlis one of the Executors as valued by the  
Said James Duncan and Robert Chapman at  
One hundred and thirty five pounds two shillings  
And five pence sterling Conform to a particular List or  
Inventory thereof Signed by them and Lodged in  
The Clerk Court to be made patent to all persons  
Having interest therein Item the Library of Book  
Which belonged to Dr. James Moor late professor of  
Greek in the university of Glasgow as valued by the said  
James Duncan and Robert Chapman at one hundred  
And two pounds sterling Conform to an Inventory  
Thereof signed by them and Lodged in the Clerk of  
Court to be made patent to all persons having  
Interest therein. Item a Quantity of Printing types  
With presses and other utensils belonging to the Print-  
-ing office still in possession of the said Andrew Fowlis  
as valued by Robert Chapman and Alex[ande]r Duncan  
Printers in Glasgow at one hundred and seventy six pounds  
Seventeen shillings sterling Conform to a particular list  
Or Inventory thereof signed by them and Lodged in  
The Clerk of Court to be made patent to all persons  
Having interest therein Item a number of Copperplates  
And utensils for Copperplate printing as valued by  
William Cochrane Painter in Glasgow at seventy Eight  
Pounds two shillings and six pence sterling Conform  
To a particular List or Inventory thereof signed by them  
And lodged with the Clerk of Court to be made  
Patent to all persons having interest therein Item  
A quantity of devices for Bookbinding still in possession

Of the said Andrew Fowlis as valued by John Morison  
And William Watson Books Binders in Glasgow at  
Twelve pounds and five pence sterling Conform to a  
Particular list or Inventory thereof signed by them and  
Lodged with the Clerk of Court to be made patent to

All persons having interest therein Item Matrices  
For a Font of long Primer Greek imperfect as valued  
By Dr. Alexander Wilson and sons Type founders in  
Glasgow at Five pounds Sterling Item a parcel of  
Paintings done in the Academy of Glasgow as valued  
By the said William Cochrane at Thirty three pound four  
Shillings and six pence Sterling Conform to a particular  
List or Inventory thereof signed by them and Lodged  
with the Clerk of Court to be made patent to all  
persons having interest therein Item a parcel of  
statues Busts and bass relieves in plaister of Paris  
as valued by the said William Cochrane at one pound  
Sterling Item a parcel of moulds for making statues  
Busts & c[etera] in plaister of Paris as valued by the said  
William Cochrane at Three pound fourteen shillings  
Sterling Conform to a particular Inventory thereof  
Signed by him and Lodged with the Clerk of Court  
To be made patent to all persons having interest  
Therein Item a parcel of prints and drawings as  
Valued by the said William Cochrane at Three  
Pound ten shillings sterling Item a parcel of old wood  
Valued at two pounds Sterling And the Defuncts  
Household furniture and Body apparel old and bad  
Still in the possession of the said Andrew Fowlis valued  
At Thirty pounds Sterling-

Summa Inventory Is Mvij Civ Lib[ra]  
xvi/ viiid[enarii] sterling [£7,400,16,8]  
I Mr. Ilay Campbell Advocate Commissary of Glasgow  
By the tenor hereof after due and Lawfull warning  
Made by public form of Edict openly as Officers  
Ratify approve and Confirm This present Testament  
Dative qua Creditor and Inventory In so far as the  
Same in Leilly and truly made and Given up and I

Give and Committ full power of Intromission with the  
Goods and Gear and Effects and the values and prices thereof  
Given up and Contained in the preceeding Inventory  
To the Suids Joshua Johnston James Donaldson senior  
William Ingram Harbert Buchanan and Andrew  
Fowlis or their quorum foresaid as Executors dative  
Qua Creditors Decerned and hereby Confirmed to the  
Said Defuncts allenary and that in trust and for  
The behoof of temselves and the several other Creditors  
Of the said defuncts Subscribers of the foresaid Concert  
And of need bees to Call and pursue therefore as  
Accords of Law ? faith is made as ? is and  
Caution found as the Law directs In witness whereof  
These presents are subscribed by John Marshall Com[missioner]  
Substitute and this and the ..... preceding pages  
Are subscribed by Alex[ande]r Stevenson Clerk of the

Commissariot of Glasgow At Glasgow the Eighth day of  
October Jm vij C[entus] and seventy seven years-  
Bond of Cautionry

In Presence of John Marshall Commissary Substitute of  
Glasgow Compeared Thomas Grahame writer in Glasgow  
As pro[curato]r for the after designeds persons and Gave in the Bond  
Of Cautionry after specified Desiring the same to be Regis-  
-trate in the said Commissary Court books of Glasgow and  
to the Effect mentioned in the Clause of registration therein  
Contained and whereof the tenor follows I James Duncan  
Bookseller in Glasgow Do hereby Bind & oblige myself and  
My heirs Executors and successors as Cautioner & surety  
Inacted in the Commissary Court books of Glasgow for  
Joshua Johnston William Ingram Herbert Buchanan  
And James Donaldson sen[i]o]r merchant in Glasgow  
And Andrew Fowlis printer there Trustees for the  
Creditors of the Deceased Robert & Anndrew Fowlis  
Printers to the university of Glasgow the major number  
Of them beigna quorum That the sums of money  
Goods Gear and Effects to be given up and Confirmed  
In the Confirmed Testament Dative of the said deceased  
Robert and Andrew Fowlis to be expedede before the  
Commissary of Glasgow at the Instance of the Said  
Joshua Johnston William Ingram Herbert Buchanan

James Donaldson and Andrew Fowlis or their quorum  
As Trustees forsaid as Executors qua Just and Lawfull  
Creditors of the said defuncts Shall be made furth earning  
To all persons having interest as accords with Law And  
We the said Trustees Bind and oblige as Conjunctly and  
Severally to the Effect foresaid and also to free & relieve  
Our said Cautioner and his foresaids of his Cautionry  
Obligation above written and of all Cost and damage  
He or they may anyway sustain or incur therethro'  
Conscriting to the registration hereof in the Commissary  
Court Books of Glasgow or others Competent therein to  
Remain for preservation And that Letters of Homing  
On a Charge of six days and all other Execution necessary  
May pass hereon in Common form and Constituting  
Thomas Grahame writer in Glasgow an Procurators  
For that purpose In witness whereof these presents written  
By Arch[ibal]d Grahame writer in Glasgow are Suscribed  
By us as follows vi[delice]zt By us the said James Duncan  
Joshua Johnston William Ingram and Andrew Fowlis  
At Glasgow the first day of September seventeen hundred  
And seventy seven years Before these witnesses John  
Buchanan and Thomas Grahame writers in Glasgow the same  
Day month and year Before the same witnesses and by  
One the said Herbert Buchanan At Glasgow the third  
Day of September and year foresaid Before New witnesses



Robert Chapman Printer in Glasgow and the said  
Arch[ibal]d Grahame Declaring that the said witnesses are  
Witnesses also to the subscription of the marginal addition  
Writer foresaid at the place and of the respective dates  
Above written (Sic super) James Duncan, Joshua  
Johnston, Ja[me]s Donaldson sen[io]r W[illia]m Ingram Andrew  
Fowlis, Herbert Buchanan John Buchanan Witness  
Thomas Grahame witness Rob[er]t Chapman witness