

Testament of John Middleton, Earl of Middleton
CC8/8/76 p.283

John Middleton, Earl of Middleton CC8/8/76 [p.283] John Earle off Midletoun 19
apryll 1679 The Testament dative and Inventar of the debts and soumes off money
pertaneing and addebted to the deceist John Earle of Midletoun the tyme of his
deceis who deceist in the moneth off Jan[uar]y 1694 Faithfullie maid and given up be
W[illia]m Coupper collector of his maj[es]ties Customes at montrois assigney and
ayeways haveing Richt in man[n]er underwr[itte]n only Exe[cuto]r dative decerned as
creditor to the s[ai]d umq[ui]le defunct In Swa far as the sd umqle Noble Earle
(designed in the bond underwr[itte]n Johne Midletoun off Fettercairne) as prin[cipa]ll
daved Ramsay Fiar of balmaine and Johne Strachane of hang h heid as cau[tione]rs
be the[i]r bond sub[scrib]ed with ther hands off the deatt the 13 day of nove[mbe]r
1674 yeirs bond and obleidged him his airs exe[cuto]rs and successors to have
payed and delivered to Anna Barclay Relict off umqle John douglas fiar off
Tillighillne and mr daved Strachane ane persoune of fittercairne her her husband
and Longest Liver of them twa and to the airs Law[ful]lie to be procreat betwixt them
and failzeing of them be deceis to certain uth[e]r persounes th[e]r[e]in exprest all and
haill the soume off vjm [6000] merks Scotts at the terme off witsunday then nixt to
com[e] 1650 yeirs but delay with jm £ib[ra] off Liquidat expens[es] In caise off
Failzie & @[nnual]rent there[a]fter dureing the not pay[men]t As the sd bond off the
daitt For[e]s[ai]d conteaneing divers provisiones Reg[ist]rat in the books off councell
and sessione upon the first day of december 1653 In and to the Q[ui]lk bond heall
soumes of money prin[cipa]ll @rent bygane & to cum and Liquidat expenss[es]
above wri[tt]e[n] therein conteined the sd Anna Barclay be her assignatione daitit the
seaventein day of may 1676 For the causs[es] therein exprest maid and constiut[e]
Sir Charles Ramsay of Balmaine knight Law[ful] soune and air to the sd david
Ramsay off malainan off the cautioner in the sd bond his commissioner and assignay
off the daitt Forsd Reg[ist]rat in the books off counsel off [and] sessione upon the 19
day of Jan[uar]y 1676 yeirs Foe the causs[es] therin exprest [p.284] transfer[r]ed and
disponed From him and his to & In favo[ur]s off the sd W[illia]m Couper his airs
executors & the forsd bond and assignat[i]on ane & heall soumes prin[cipa]ll @rents
bygaine & to cume & Liquidat expenss[es] therein contained as the sd translatione of
the dait Forsd beirs And Sicklyk the umqle noble Earle be his bond Sub[crib]ed with
his hand of the dait the 4 July 1674 yeirs band and obleidged him and his forsd to
have payed and delyvered to Sir George kinaird off Rossie his airs executors or
assignays the soume of iijm merks at the terme off mertinmes 1664 with @rent
thereof efter dureing the not pay[men]t As the sd bond beirs In And to the Q[ui]lk
bond and heall soumes prin[cipa]ll @rent bygaine and to cum the sd Sir George
beirs assignatione daitit the 21 July 1676 maid and constitut the sd Wm Coupper his
cessioner and assignay As the sd assignatione And therffor the sd Wm Couper is
only executor dative decerned as creditor to the sd umqle defunct For payment and
satisfacione to him off the soumes off money principall @rents bygain and to cum
and Liquidat expenses above written efter the Formes and termes off the bonds
assignationes and translationes In all poynts extending the sds soumes principall
Liquidat expenses and @rents at the term off candlemes 1679 to the soume off xvm
vjC lxxx £ And Sicklyk For pay[men]t and atestatione to him off his charters off
confirmatione off his present estat[e] In Sua Far as the sd umqle defunct his goods
and uthers underwritten will extend to and as may be Recorded be him hereof and
that by decreit off the Com[m]iss[ar]rie[s] of Ed[inbu]r[gh] As the Samy[n] of the daitt

the J day of merch 1678 yeirs beirs In The First the sd John Earle of Midletoun had adebitit and Restand awin to him the tyme off his deceise Forsd be the persones following the soumes off money underwritten to witt daved Earle off Northesk and daved Lord Rosehill, by bond granted to the sd umqle Noble earle and his trusties daitit the 14 day of may 1673 the soume off iijm jC lv £ Scotts [p.285] off principall with jC lxxxix £ vj ß [olidus] of @rent preceding the terme of witsonday 1674 yeirs and Q[ui]lk bond containes vC £ of penaltie Item be Ro[ber]t Earle of Southesk and the sd daved Earle of northesk and John Straham off Creikie by bond daitit the tent day of merch 1673 yeirs the soume off jm iiijC xl £ principall with lxxx vj £ viij ß off @rent at the sd terme Item ain Mair be them by the sd bond the number off xjx barrells off Salmond at xxx £ Scotts the barrell and that For Makeing up the number off xxvij barrells off salmond frie the yeir 1673 q[ui]ch by the sd bond they wer[e] obleidged to mak the fishing of old montrois and Marietoun to extend to the sd yeir of frie salmond the chamberland haveing only compted For nyn barrells off frie salmond maid be him that yeir and Q[ui]lk bond conteaines iijC £ of penaltie Item mair be them by ane uther bond daitit the sd tent[h] day of merch 1673 yeirs the soume off vj £ Scotts For ilk barrell of xxxij barrells of Salmond yearly the yeirs 1670 1671 and 1672 yeirs In Respect the Laird off dun fot xxx £ for eatch barrell of his salmond the sds years and that the sd persones wer[e] obleidged be the sd bond to pay to the sd umqle noble Earle and his trusties what ever the sd Laird of dun Receaved Mair nor xxiiij £ For eatch barrell off the sds xxxij barrell the sds thrie yeirs Extending in all to the soume off vC lxxvj £ Scotts and Q[ui]lk Last bond conteanes vC £ off penaltie Sum[m]a of the debtes awin to the dead vm iiijC xlvj £ vj ß Summa the debts extends the goods the soume of xm ijC xxiiij £ 13 ß Sir daved Falconer & Understanding & We decerned & Q[ue]r[e] upon James Carruthers merchant in Edinburgh Became cau[tione]r As ane act beirs