



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

ANCIENT
Heraldic Tracts

by

*Sir James Balfour, Knt. & Bart.
Lord Lyon King at Arms.
&c. &c. &c.*

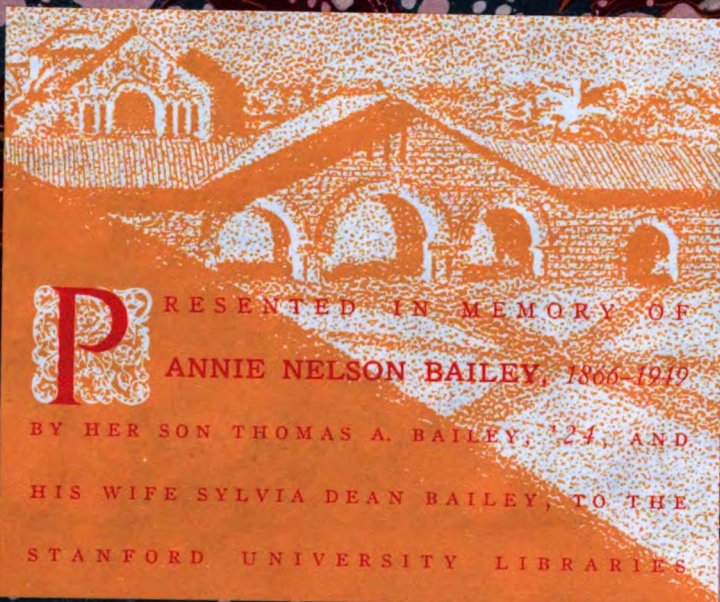


*Ancient heraldic
and antiquarian tracts*

James Balfour, James Maidment



Henry Drummond,
Albury Park, SURREY.



PRESENTED IN MEMORY OF
ANNIE NELSON BAILEY, 1866-1949

BY HER SON THOMAS A. BAILEY, '24, AND
HIS WIFE SYLVIA DEAN BAILEY, TO THE
STANFORD UNIVERSITY LIBRARIES

37
2



Large Water ...

1.13	ER
4.8	...

**Ancient
Heraldic and Antiquarian
Tracts.**



Thomas G. Stevenson, Edinburgh. MDCCCXXXIII.

ANCIENT
HERALDIC AND ANTIQUARIAN
TRACTS,

BY

SIR JAMES BALFOUR,
OF DENMYLNE AND KINNAIRD, KNIGHT AND BARONET,
LORD LYON KING AT ARMS.

EDINBURGH:
THOMAS G. STEVENSON,
87, PRINCES STREET,
M.DCCC.XXXVII.

Large Paper Copy.

EDINBURGH : PRINTED BY ALEX. LAWRIE & CO.

CONTENTS.

	Page
INTRODUCTORY NOTICE,	v
APPENDIX I.—The Method and Manner of Ryding the Parliament, with the Orders and Rules appointed thereanent, 1703, . . .	xvii
APPENDIX II.—Claim of the Duke of Ha- milton and Lord Douglas, to bear the Im- perial Crown of Scotland at Royal Processions, 1823,	xxviii
 I. Treatise on Nobility,	 1
II. Coronatio Alexandri Tertii Scotorum Regis, Sconæ, Tertio die Idus Julii 1249, . . .	32
III. Coronatio Roberti Secundi Scotorum Regis apud Monasterium Sanctæ Crucis. 23 Maij 1371,	36
IV. The Form and Maner of the Coronatione of King James the Sext, being a chylde of one zeir olde ; after that the Queene's Majestie, his Mother, had demitted the Croune in hir sone's fauors, in tuo seue- rall Conventions of the Estaits of the Kingdome at Edinburgh and Strevelinge, 1567,	42

	Page
V. Ceremonial at Royal Christenings, . . .	51
VI. Rydings of the Parliament, &c. . . .	60
VII. List of Knights, &c.	68
VIII. Register of Interments and Funeralls of Englische Kings, Queins, and Duckes.	
1. The Interment of Richard Duke of Yorke, father to Kinge Edward Fourte,	71
2. The Interment and Buriall of King Edwarde the Fourte,	75
3. At the Interment of Queeine Elizabeth, Wyffe to King Henrey the vijth, for black cloth, as it appeirs in the Booke of the Grate Vardrope,	86
4. A Breiue relatione of the Solemnitie used at the Interment of King Henrey the vijth, the prociding from Rich- mond to London,	89
5. The Painter's Charges at the Inter- ment of the said Nobill Kinge Hen- rey the vijth,	93
IX. Register of Interments and Funeralls of Scotish Nobility.	
1. The Funerall Ceremony of James Mar- quess of Hamilton, Earle of Arran, Cambridge, Lord Auon and Inner- daill, Stuarde of the Household of James King of Grate Brittain, France, and Ireland, &c. one of his Heighness Priuey Counseill in both Kingdomes,	

	Page
and Knight of the Order of the Garter, Performed at Hamiltone, 2 Sept. 1625,	101
2. The Funerall Ceremony of Walter Earle of Balcleuch, Lord Scote of Branks- home, &c. one of the Lords of the Priuey Counsaill to K. James and K. Charles, in the Kingdome of Scot- land, quho dyed at London, the 20 of Nouember 1633,	106
3. The Funerall Ceremony performed at the Interment of George Earle of Kinnoules, Viscount Dupline, Lord Hay of Kinfauns, Grate Chancelour of Scotland, &c. at Perth, 19th Au- gusti 1635,	111
4. The Particular Charges of the Earle of Kinnoules funeralls, exceptand hang- ings of black, mourning weids and clockes, Leuerys of Seruants, charges of intertaning of Noblemen and Gen- tlemen, making of Varffes one the river, and hyring of boatts, &c.	115
5. The Funerall Ceremony performed at the interring of the Countess of Wig- tone, quha wes first married to the Laird of Johnstone, and had issew this Lord Johnstone, now liuing, lastly to the Earl of Wigtone, and then to the Viscount of Airs, in Ir-	

	land, at Holyruidhouse, 29th Martij	Page
	1636,	122
6.	The Funerall Ceremony performed at the interring of the Countesse of Nid- disdaill from St. Geill's Church in Edinburgh, to the Abbey Church of Holyrudehouse, on Mononday, the twentyeth day of Marche 1637,	126
X.	Kings of Armes and Heraulds in England, 1628,	131
XI.	De Gubernatione et Reformatione Officiar- iorum Armorum,	141
XII.	Memorial of Margaret Countess of Leuenax,	143



INTRODUCTORY NOTICE.



THE MSS. in possession of the Faculty of Advocates, relative to Scottish History, Literature, and Antiquities, are extensive and valuable, and had the same spirit which animated the founders of this National Library influenced their successors, a collection might have been formed, which it would have been difficult to rival.*

* Many opportunities have been lost of enriching the Library, owing to the unaccountable stupidity of those having the management. Thus, Principal Robertson's unique collection of books on America, which he had formed while writing his history, including various important Manuscripts, was allowed to leave the country, because, as was sapiently observed, "why should the Faculty, having got the book, buy the materials from which it was formed. It would," continued the amiable Twaddler, "be similar to persons, who, after eating a delicious pudding, fell to devouring the shells

a

The Balfour MSS. both for their extent and historical importance, form not the least interesting portion of the collection.* They were acquired, as would appear by the ensuing extract from the Minutes of the Faculty of Advocates, so far back as the year 1698; as, upon the 19th of the month of November of that year, there is the following entry:—

“ *Nov. 19th, 1698.*

“ It being also represented by the Curators of the Library, and the Library-Keeper,

of the eggs of which it had been composed.” The learned body listened to this profound observation, and apposite illustration, with great satisfaction,—the reasoning was unanswerable,—and the books were lost!

* In 1712, the Earl of Balcarras presented to the Faculty, a singularly valuable collection of MS. papers, chiefly formed by his Ancestor John Lindsay of Menmuir, Secretary of State, including original letters of Henry the II, of France,—James V,—Mary Queen of Scots,—Catharine de Medicis,—The Constable Montmorency.—For about one hundred and thirty years, they were locked up in drawers, and seen by no one, and it was not until the appointment of the present accomplished and zealous librarian, that they were disinterred and made available to the public.

that there was a curious collectione of Manuscripts concerning the publick and privat affairs of the Kingdome, collected by Sir James Balfour of Denmilne, sometime King-at-Arms, and which were to be exposed to sale by his heirs, and that a purchase thereof was very proper to enrich their Library, it was thought that the printed catalogue of the samyne Manuscripts should be delivered to each of the Faculty, and that free inspectione may be granted to any who desyred against next meeting to speak anent the said purchase, and such of Denmilne's friends as were Members of the Faculty were desyred to cause the printed Catalogue be distributed accordingly."

Upon the 10th of December following, "The Dean of Faculty of Advocats haveing met in their Library to consider the purchase of Sir James Balfour's Manuscripts, which is recommended as a curious collectione, and very proper to enrich their Library, and haveing heard the opinions and reports of sundry of the Members who had taken inspectione and considered the books

themselves, they unanimously agreed that the said purchase should be made, and for that effect did nominat and appoint the Dean of Faculty, Mr. William Aikman, Mr. Charles Gray, Mr. William Calderwood, the Curators of the Library, Thesaurer and Clerk, or any three of them, a Committee to consider the value of the said books, and to take the opinion of Sir James Dalrymple,* and of the principall Clerks of Sessione, who hes knowledge in the antiquities of the kingdome, with power to the said Committee to treat and agree with the proprietor of the saids books, or any other haveing warrant to sell the same, for such a pryce as shall be thought reasonable to be given, and grant warrant to their Thesaurer, to make ready payment of the pryce which the Committee shall agree to, conform to their precepts, to be drawn upon him."

Upon the 14th of the said month, the Committee, " haveing first consulted amongst

* The Author of the well-known " Collections concerning the Scottish History preceeding 1153." Edinburgh 1705, 8vo.

themselves upon the matter anent the just and equall pryce, and the true value of the manuscripts, they thereafter mett with my Lord Rankeillor, who had the power of selling the same, in the which treaty there being some differences, the Lord President of the Session was pleased to come and interpose himselfe in the said matter, and after some conferences thereupon, the Committee, at sight of the Lord President, did buy the saids books at the pryce of ane hundred and fifty pounds sterling, which they, for themselves, and in name and behalf of the Faculty, ordained their Thesaurer to pay to the said Lord Rankeillor, or any other having Denmiln's order, upon delyvering the saids manuscripts to the Library-Keeper, and his receipt of the same."

Lord Hailes has chiefly formed his "Memorials of the Reign of James VI." from the papers contained in the Balfour Collection. The Annals by Sir James were, with his Memorials of State, published by the late Mr. James Haig of the Advocates' Library, in 4

vols. Edin. 1824, 8vo.* Many of the documents have been printed in the "ANALECTA SCOTICA."† The Letters and State Papers of the well-known Earl of Melross, afterwards Earl of Haddington, the greater part of which occur there, have very recently been presented by John Hope, Esq. Dean of Faculty, as his contribution to the Abbotsford Club,‡ but a great proportion still remains in manuscript,

In the present collection many minor pieces hitherto unpublished are preserved. It was thought that by bringing the more important together, they would collectively form a curious volume. A few evident errors have been corrected, but with this exception the text has been scrupulously adhered to, and even the variations in spelling preserved. In the accounts of furnishings for the different funerals there are one or two

* An account of Sir James Balfour is prefixed to this work, to which the Reader is referred.

† Two vols. Edin. Stevenson, 1834-1837, 8vo.

‡ Two vols. Edin. 1837, 4to.

evident inaccuracies; these have not been corrected, as it is not easy to say whether the error lay in the price charged for the article or in the general summation.

As illustrative of the matter contained in the text, the Editor subjoins to this Notice an Account of the Ryding of the Scottish Parliament from an original copy. This is followed by a detail of the Proceedings before the Privy Council on the dispute between the Duke of Hamilton and Lord Douglas as heir-general of the House of Angus, relative to the right of bearing the Scottish Crown at Royal Processions.

The Impression of the present work is limited to FIFTY Copies on small, and TWENTY on large paper.

J. M.

10, FORBES STREET,
July 1837.

APPENDIX.

I.

The Method and Manner of Ryding the Parliament, with the Orders and Rules appointed there= anent.

I. THE Lord Register is to call the Rolls of the Parliament at the Palace of *Holy-rood-house*, as the samen were called the last Parliament, and if any of the Members think themselves prejudged, they may protest to save their Rights, and apply themselves to the Parliament if they think fit.

II. In the Shires where there are double Elections, none of the Members contraverted are to Ride; but in such Shires where there is one or more chosen

c

undoubtedly by both Parties contraverting, they are to Ride.

III. The Magistrats of *Edinburgh* are to cause cleanse the Streets of all Stones, Timber, or Rubbish from the Weigh-house to the Nether-bow ; and the Baillies of the *Cannongate* are to take care the same be done from the Nether-bow to the Palace, and the Magistrats of *Edinburgh* are to cause Rail the Streets from the Parliament-Closs to the Nether-bow on both sides of the Street.

IV. The Magistrats of *Edinburgh* are ordained to make a Lane of their Citizens in Arms and best Order, from the Lady-steps to the Nether-bow, the Captains, Lieutenants and Ensigns being within the Rails, and the rest without: Her Majesties Foot-Guards are to make the Lane from the Nether-bow to the Palace.

V. The saids Magistrats are appointed to Order, that there be no Shooting, or any displaying of Ensigns, nor beating of Drums during the Cavalcade ; nor any Coaches, Carts, Slades, or Coal-horses, to be seen within the Ports of *Edinburgh* after Ten in the morning, till the whole Solemnity be over, under all highest pains ; And that the Magistrats of the *Cannongate* and Officers of Her Majesties Foot-Guards take care, that no Coaches,

Carts, Slades, or Coal-horses, be seen or suffered to be on the Streets from the Nether-bow to the *Abbey*, or in the *Abbey Closs* after Ten of the Clock in the Morning that day the Parliament is ridden: The saids Magistrats of *Edinburgh* are to cause make, and place two Banks of Timber within the *Abbey-closs*, for mounting on Horse-back, and two at the Lady-steps for mounting on Horse-back, and dismounting.

VI. The Constable and Marishal Guards of Partizans, are to make a Lane from the *Lady-steps*, these of the Constables without and these of the Marishals within the House, allowing the Constable six of his Guards within doors, conform to the former practice.

VII. Every Member of Parliament must Ryde, and the Absents incur fining, conform to the Acts of Parliament.

VIII. Where there are double Elections of Commissioners, none of these contraverted are to Ryde.

IX. The Nobility are to Ryde in their Robes and with Foot-mantles.

X. The Officers of State who are not Noblemen, and who have Gowns peculiar to their Offices,

are to Ryde in their Gowns, and with Foot-mantles.

XI. The whole Members are to Ryde covered, except these who carry the Honours.

XII. The Lyon, Heralds, Pursevants and Trumpets, Ryde immediately before the Honours; The Lyon in his Coat and Robe, Chain and Batton alone, and immediately before the Sword: The rest in their Coats and Foot-mantles bareheaded, in their accustomed Order.

XIII. The two Macers of Council, and four Macers of Session Ryde on each side of the Honours bareheaded with Foot-mantles, the two Macers of Council attending the Crown, and the four Macers of Session the Scepter and Sword.

XIV. The higher degree, and most Honourable of that Degree, is to Ryde always last.

XV. Every Duke is to have eight Lackies, every Marquess six, every Earl four, every Viscount three, every Lord three, every Commissioner for a Shire two, and every Commissioner from Burghs one; And every Noble-man is to have a Gentleman bareheaded to bear up his Train, and

these Gentlemen are at their Entry to the House to stand without the Bar.

XVI. The Noblemens Lackies may have over their Liveries Velvet Coats with their Badges, *i. e.* Their Crests and Motto's done on Plate, or Embroidered on their Back and Breast, conform to ancient Custom; or their ordinary Liveries.

XVII. The Constable and Marishal are in the Morning to wait on Her Majesties High Commissioner at the Palace, and to receive his Orders, and from thence, Returning privatly, the Constable is to come out of his Lodgings on Foot, and having viewed the Roomes under and above the Parliament House, puts on his Robes, and having his Batton in his hand, sets himself in a Chair at the Entry of the Closs, at the Lady-Steps by the outmost of his Guards, and from which he is to arise and salute the Members as they alight from their Horses, and to recommend them to the Gentlemen of his Guards, to be conducted to the Marishal Guards.

XVIII. The Marishal is also to attend in his Robes being set in a Chair at the head of his Guards, and to receive the Members (having his Batton in his hand) as they enter the Door.

XIX. The Officers of State who are Noblemen, so many of them as are in the Kingdom, are to Ryde up from the Abbay in their Robes about half an Hour before the Cavalcade, and to wait in the Parliament House, until the high Commissioner come, and then the High Chancellour is to take his own Purse in his hand, and to Usher him betwixt the Bar and the Throne.

XX. The whole Members of Parliament are to wait upon Her Majesties high Commissioner in the Guard Hall at Ten in the Morning, the Nobility being in their Robes, and the Servants and Horses are to attend in the Outter-Closs.

XXI. The Lyon King at Arms in his Coat, Robe, Chain and Batton (to whose charge the Order of the Ryding is committed) with six Heralds, six Pursevants, and six trumpets, in their Coates attend likeways.

XXII. When Her Majesties high Commissioner is ready ; The Lord Register, or such as he shall appoint, and Lyon standing together, each of them having a Roll in his hand, and the Rolls being Read, the Lyon is to call the Names of such of them as are to Ride according to their Order, and an Herauld is to call aloud at one of the win-

dows, and another Herauld is to stand at the Gate and see them do accordingly.

XXIII. The Members are to Ryde two and two, each degree by itself, at some distance, without mixing with any other Degree, so that if there fall to be one odd Member of one degree, he must Ryde alone.

XXIV. The Lord Register is to make up the Rolls of Parliament, both for the Ryding and Calling in the Parliament house, conform to the Rolls of the last Parliament, whereof he is to give the Lyon a just duplicat, except where there is just ground to alter the same; and the Members are to Ryde as they are called; But if they think themselves prejudged, they may protest in the same manner, as at the calling of the Rolls in the House, and may afterwards, as they think fit, apply themselves to the Parliament for a remedy.

XXV. The Honours are to be carried immediately before the high Commissioner, the Crown by the Earl of *Forfar*, because of the Marquiss of *Douglass* his Minority; the Scepter next to it by the eldest Earl present, and the Sword before it by the Earl next in order, and the Bearers are to Ryde one by one bare-headed.

XXVI. The Dukes and Marquisses are to Ryde after the high Commissioner at some distance, conform to the former custom.

XXVII. When Her Majesties High Commissioner alights from his Horse, the Lord Constable is to receive him, and to attend him to the Marishal Guards, and then both Constable and Marishal are to convoy him bare-headed to the Throne, and are in the same manner to attend Him in His return to his Horse.

XXVIII. When the Members alight, the Servants and Horses are to remove and stand in the Land-mercat betwixt the Tolbooth and the Weigh-house, until the High Commissioner be upon his return to the Palace, and the Members are again to be called two by two, and the Servants with the Horses to be called accordingly from the Land-mercat, for their orderly mounting and returning to the Palace.

XXIX. The return to the Palace is to be in the same manner, with these two Alterations, *viz.* First, The Constable and Marishal Ryde on the High Commissioners Right and Left hand, with Capes of Permission, the Constable on the Right, and the Marishal on the Left. *Secondly,* The Officers of State who are Noblemen, are not to take

Horse until the High Commissioner be gone, and then are to Ryde at some distance after the Guards.

Order of Proceeding on Horse-back, to be performed the first day of the ensuing Parliament, by all the Members of Parliament, in convoying his Grace Her Majesties High Commissioner, from the *Abbey of Holy-rood-house* to the Parliament-Closs, and back again to the Palace, the sixth of May 1703.

About the space of half an hour before the Ryding begin, the Lord High Chancellor, with the other Officers of State who are Noblemen, are to Ryde up in their Robes. The Lord High Chancellor having the Purse and Mace before him, and for this Time and Vice, the Lord President of the Privy Council on his Right Hand, and the Lord Privy Seal on his Left Hand.

Before the Commissioners from Burrows, the Troop of Horse Grenadeers are to Ryde up.

Two Trumpets, in their Coats and Banners, bare-headed.

Two Pursevants in their Coats and Footmantles, bare-headed.

The Commissioners of Burrows, two and two.

d

The Commissioners for Shires, two and two.

The Officers of State who are not Noblemen,
two and two.

The Lords or Barrons of Parliament, two and
two.

The Viscounts, two and two.

The Earls, two and two.

Four Trumpets, in their Coats and Banners,
bare-headed, two and two.

Four Pursevants, in their Coats and Foot-
mantles, bare-headed, two and two.

Six Heralds, in their Coats and Footmantles,
bare-headed, two and two.

The Lyon King at Arms, in his Coat, Robe,
Collar, Batton and Footmantle, bare-headed.

Three Macers, with their Maces and Footmantles, bare-headed.	{	The Sword of State, Born by the Earl of [<i>Mar</i>], bare-headed. The Sceptre Born by the Earl of [<i>Crawford</i>], bare-headed. The Crown, carried by the Earl of <i>Forfar</i> bareheaded, because of the Marquiss of <i>Douglas</i> his Minority.	}	Three Macers, with their Maces and Footmantles, bare-headed.
--	---	--	---	--

[Earl of *Morton*], Bearing the Purse, with His
Grace's Commission.

His Grace, [the Duke of *Queensberry*], Her
Majesties High Commissioner, attended with
his Servants, Pages and Footmen, and in the
Return to the Palace, having the High Con-

stable on His Right Hand, and the Marishal
on His Left, with Capes of Permission, and
their Robes.

The Dukes and Marquisses attending Her Ma-
jesties High Commissioner in their Robes.

The Captain of Her Majesties Guards on the
Head of the Troop of Guards.

EDINBURGH:

Printed by the Heirs and Successors of *Andrew
Anderson*, Printer to the QUEEN'S most
Excellent Majesty, *Anno Dom.* 1703.*

* From the Original Folio Broadside, contained in a Volume of
very Curious Papers relative to the SCOTS PARLIAMENT 1703-7,
which was formerly in the possession of PATRICK GRANT, LORD
ELCHIES.



II.

**Claim of the Duke of Hamilton and
Lord Douglas to bear the Crown
of Scotland.**

**RIGHT OF BEARING THE IMPERIAL CROWN OF
SCOTLAND AT ROYAL PROCESSIONS.**

In the Privy Council, June 14, 1823.

The Claim of ARCHIBALD LORD DOUGLAS to perform the above service, and the Counter Claim of His Grace the DUKE of HAMILTON, came before the Privy Council, by special appointment to day. Mr. Warren and Mr. Brougham, assisted by Mr. Riddel of the Scotch Bar, appeared as Counsel for Lord Douglas; and Mr. Adam and Mr. Abercromby for the Duke of Hamilton.

MR. WARREN commenced by stating the nature of Lord Douglas' claim, which was the right of carrying the Crown of Scotland before the King in all solemn processions in Edinburgh. On the occasion of His Majesty's recent visit to Scotland, the Claimant presented a Petition to the King in

Council, stating that this hereditary office was now vested in him, as the heir and representative of the Family of Douglas, by virtue of his feudal titles confirmed by Parliament; and he therefore claimed as his sole and undoubted right, to bear the Imperial Crown of Scotland at royal processions, within the City of Edinburgh, and especially at the then approaching royal procession of His Majesty from the Palace of Holyrood to the Castle of Edinburgh. When this Petition was presented, the Duke of Hamilton had also put in a claim to the privilege, and the King then allowed the Duke to carry the Crown; but reserved the question of right for future decision. It was not at all affected, therefore, by the judgment upon that occasion. There were various kinds of processions in which the Crown was borne; one was the royal procession, called "the Riding of Parliament;" another was the royal Coronation; and several others, for which there was no particular denomination. One of these was his Majesty's procession from Holyrood-house, when he lately visited Scotland. Lord Douglas claimed the right in all these cases,—at the Riding of Parliament, at the Coronation, and on all other occasions. This application was general; and their Lordships (the Council) would have to decide whether or not he had established his right to the privilege in question upon all those occasions; and if not to all, then to any, and to what extent. The

Counter Claim of the Duke of Hamilton was equally extensive. He stated that the privilege was originally granted to the Earl of Angus, from whom it descended to him as personally and hereditary honour; and, therefore, he alone had the right to exercise it. Lord Douglas denied that it was granted to the Earl of Angus, as Earl of Angus; but that it was an heritable office attached to the Lands of which William Earl of Angus and Lord Douglas obtained a Charter from the Crown in 1602. Now, as the Duke of Hamilton claimed as the Earl of Angus, their Lordships would require that he proved himself to be the Earl of Angus.

SIR W. GRANT.—Why so, he only opposes you.

LORD REDESDALE.—It is sufficient for you, if he disproves your title.

MR. BROUGHAM.—It comes to the same question; for this mode of excluding our title is by setting up his own.

LORD REDESDALE.—This is one mode.

MR. WARREN.—He is bound to show what right he has to controvert ours.

LORD REDESDALE.—That principle is contrary

to every day's practice in claims of Peerage; for many who conceive they have a claim, may oppose the claim of another.

MR. WARREN.—Well, then, at all events, when his Grace advances his own claim, he will have to prove that he is, as he alleges, the Earl of Angus. The learned Counsel then proceeded to state the facts of Lord Douglas' case. In 1602, William Earl of Angus and Lord Douglas obtained, upon his resignation, a Royal Charter of the estates of Douglas and Angus, along with the heritable offices and privileges of the family, held or possessed by himself or his Ancestors, which were therein mentioned, viz.—that of giving the first vote, and having the first seat in Parliament; of leading the Vanguard of the Army in the day of battle; and of bearing the Crown in Parliament; to himself in liferent, and to William Lord Douglas, his eldest son, in fee.

LORD REDESDALE observed, that it would be necessary to read the whole of the charter. As there were two estates passed by it, it was requisite to know what heritable offices appertained to each. Leading the Vanguard of the Army was a Military Service.

MR. BROUGHAM.—We only claim the right of carrying the Crown.

LORD REDESDALE.—What is meant by carrying the Crown? There is now no Imperial Crown of Scotland. The King could not be crowned with the Crown of Scotland, although the Crown may be in existence.

MR. BROUGHAM.—With great submission, my Lord, the Crown of Scotland was not merged, but united with the English Crown, at the union of the two kingdoms. The King might be crowned in Scotland now, as King Charles was.

LORD REDESDALE.—I apprehend he could not be crowned with the Crown of Scotland.

MR. BROUGHAM apprehended he could; but suggested that his friend, Mr. Warren, had better proceed with the general opening of the case.

MR. WARREN resumed. After reading the charter of 1602, he added, that upon this charter feoffment followed, which was confirmed by Parliament 1606. Previous to the Coronation of Charles the First at Edinburgh in 1633, his Majesty, by a warrant dated at Theobald's, the 13th of May, authorised the Lords of the Privy Coun-

cil to consider of claims of privileges at the approaching Coronation. In consequence of this warrant, the Privy Council proceeded to investigate the several claims presented to them, and on the 31st of May, the Earl of Angus came before them and produced his infeftment. On the 12th of June, the Privy Council reported that the honours should be carried by the same person at the Coronation, who carried them at the Parliament. Accordingly the King granted his warrant to the Earl of Angus to carry the Crown at the Coronation, and on the 18th of June 1633, the Crown was carried by the Earl of Angus immediately before the person of the King, the Earl of Errol, Great Constable, riding on his right hand, and on his left hand the Duke of Lennox, Great Chamberlain, who had the Earl Marischal riding on his left hand. After them followed in their order the Peers, who carried the Sceptre, the Sword, and the Spurs, ranked according to the date of their creations. During the short time that Charles the Second was able to remain in Scotland, after the death of Charles the First, he was crowned at Scone, on the 1st of January 1651. It was matter of notoriety that the King was then in the power of a faction to which the Earl of Angus, (now created Marquis of Douglas), was strongly opposed, and the Marquis, therefore, did not attend the Coronation. At a meeting of the first Parliament after the Re-

storation, James, second Marquis of Douglas, was a minor ; but he protested, that his inability, from non-age, to exercise his privilege then should be without prejudice of his right to exercise the same in succeeding Parliaments. In the Parliament of 1669, his right of carrying the Crown was allowed, as of course, by a meeting of the Privy Council for regulating the order of riding the Parliament. In 1681, James Duke of York, having held a Parliament in Scotland, as Commissioner for the King, the Crown was carried in the procession by the Marquis of Douglas, as it was also in that of 1685. In 1703, when a Parliament was held by the Duke of Queensberry, as Commissioner for Queen Anne, Archibald third Marquis of Douglas was a minor ; but on the petition of his guardians to the Privy Council, his next kinsman, the Earl of Forfar, was allowed to carry the Crown in the Marquis's place. It was right to observe, (Mr. Warren said), that in no case had his Lordship claimed the privilege as a personal right, but in virtue of his infeftment. At the period of the union in 1707, the Marquis, recently created a Duke, being still a minor, his guardians recorded their protest, that the Treaty of Union might in any sort prejudice the honours and privileges, (which were before named), belonging to his Grace and successors in right of his Estates. At the Coronation of King George I. in 1714, the Duke of Douglas was a minor, and no claim was

made with regard to his offices. Scotland was then in a state of great political agitation. At the Coronation of King George II. in 1727, the Duke of Douglas was prevented, by particular circumstances, from making any public appearance. His Grace lay under an imputation of being concerned in the death of a person* whom he suspected of having formed designs prejudicial to the honour of his family, and lived long afterwards in seclusion. At the Coronation of his late Majesty in 1761, the claimant had succeeded to the estates of his uncle, the Duke of Douglas; but he was then a minor. He, however, presented his memorial to the King, stating his minority, and praying that he might be permitted to appoint some proper person to officiate in his place at the Coronation, in the office of carrying the Crown of Scotland. At this period the claimant's right to the estates and heritable offices of the family was the subject of litigation. Claims were likewise given in by the Duke of Hamilton and the Earl of Selkirk; but on these conflicting claims no decision was pronounced. The litigation did not terminate until a judgment was finally pronounced by the House of Lords on the 27th of February 1769, confirming the right of the claimant to the estates and heritable offices of the

* Murder by the Duke, of a natural son of a younger brother of the Marquis of Lothian, who had engaged the affections of his sister, the celebrated Lady Jane Douglas.

family of Douglas, as last vested in Archibald Duke of Douglas, the claimant's uncle. Previous to the Coronation of his present Majesty, Lord Douglas presented his petition to the Court of Claims, praying to be allowed at the then ensuing Coronation to bear the Imperial Crown of Scotland. His application was opposed by the Duke of Hamilton, who gave in a counter-claim. After a hearing in the Court of Claims, their Lordships being of opinion that neither claimants had made out a right to carry the Crown of Scotland upon this occasion, refused to allow either claim. The right claimed in the petition now under consideration was not then before them. The learned Counsel then proceeded to deduce the claimant's title to the office in question from William Earl of Angus, who held it in 1602, contending that it was feudally carried with the lands by the different title-deeds to which he referred down to 1698, when a charter under the Great Seal of Scotland was granted to Archibald Earl of Angus, only son of the Marquis James, of the estates and offices, which were specified as in the charter of 1631. The destination in this charter was to Earl Archibald and the heirs-male of his body; whom failing, to the heirs-male of the body of the Marquis's father; and failing them, to such heirs, and under such conditions, as the Marquis should appoint by any writing in his lifetime. Upon this char-

ter, Earl Angus was infeft on the 5th August following. On the 11th March 1699, the Marquis executed a deed of nomination, appointing, on failure of heirs-male of his body, the eldest heir-female of the body of his, Lord Angus, and the heirs general of her body to succeed to the lands and offices. On the 10th of April 1703, Marquis James being dead, his son was created Duke of Douglas, and in a charter under the Great Seal of Scotland, in the year 1707, the family estates and offices are said to have been united and incorporated. The destination in this charter was to the Duke and the heirs contained in the charter of 1698, in the faculty therein contained, and in the deed of nomination of 1699,—which charter was ratified in Parliament on the 25th of March 1707. Before being passed, the ratification was read in Parliament, and although the Duke of Hamilton protested against the privilege therein confirmed, of giving the first vote in Parliament, neither his Grace nor any other protested against the right it also conveyed of bearing the Crown, although that office, as well as the estates, was limited to the heirs of line, failing heirs-male, of the body of the Duke of Douglas; and the Duke of Hamilton, who was an heir-male general, and as such, a preferable heir under the ancient investiture, was prejudiced by the grant. Only for the change of destination, they would have gone to the Duke of Hamilton, as heir-

male general ; and the House of Lords having decided in favour of the changed destination, by which the lands descended to Lord Douglas, they (Lord Douglas's Counsel) contended that these heritable offices passed with them. It was well known that heritable offices might be transferred as real estates, and might be taken by a creditor the same as landed property in Scotland. On the death of the Duke of Douglas in 1761, the claimant was "retoured" as his Grace's sister's son, and, therefore, heir of provision in general to the Duke, in virtue of a deed of disposition and tailzie executed by his Grace in 1761 ; and his Lordship's claim to the estates was established by the judgment of the House of Lords, 1769. He (Mr. Warren) insisted that the bearing the Crown was an heritable office, and part of the estates to which his client had succeeded. He cited the case of *Sir James Cockburn v. Sir William Cockburn*, (23d July 1747,)* in which the Court of Session decided, that the office of King's Usher, and such like heritable offices, were not personal, but were transferable like other estates, and were as much the property of their owners as land was. Now, the office of bearing the Crown being an heritable office,—all heritable offices being real estates,—and all the real estates of the late Duke of Douglas having been decided by the House of

* Falconer's Decisions, vol. i. p. 373. Morison, vol. i. p. 157.

Lords to have passed to Lord Douglas, it was quite clear that the office of bearing the Crown was now indisputably his,—So much for his Lordship's claim. On the part of the Duke of Hamilton, several objections had been raised. The first was, that the honours and privileges in question were personal, conferred on the Earls of Angus, and confined to heirs-male; the grant of the honours, &c. being independent of the grant of the territory, the latter might be alienated, while it seemed impossible that the privileges in question could be meant to be alienable or transferable. He (Mr. Warren) contended that it was not at all impossible.

A MEMBER OF COUNCIL, asked if he contended that all the privileges might be transferred to females? That, for instance, of having the first vote in Parliament.

MR. WARREN mentioned a curious note of MR. HARGRAVE, in which he stated, that Women, although excluded by the Salique law from succeeding to the Crown of France, might yet succeed to every other privilege, and many of them had taken their Seats amongst the Peers of France. His Lordship had anticipated the Duke's second objection, which was, that these offices were of such a nature as to render it impossible that they could descend to females. Undoubtedly it was a strange office for

a Lady to lead the Vanguard of the Army in the day of battle ; but there was the office of the Lord Great Chamberlain, which had descended to a lady, and she exercised it through her Deputy. The office of Standard Bearer in Scotland, had been seised by creditors, and sold under a judgment of the Scotch Courts ; and there was no reason why a female, if she chose, might not have become the purchaser. The learned Counsel referred to instances in which, like the French ladies sitting as Peers of France, some of our ladies sat in their own Courts, and even presided over judicial combats. In France, too, ladies were known to have assisted with spears at the Coronation, and assisted with other Peers in bearing the Crown of Philip the Fair. At the Assizes of Appleby, the Countess of Dorset, Pembroke, and Montgomery, sat as Sheriff, and assisted the Judges on the Bench. As to the first objection, there was nothing in it.

LORD REDESDALE observed, that Beauchamp, Earl of Warwick, was, by special grant, possessed of the honour of being the first Earl, and this honour was known to have descended to females, although it might appear difficult to imagine how a female could become the first Earl.

MR. WARREN.—The third objection was, that by the law of Scotland, the succession of honours

could not be altered but by a resignation to the Sovereign, and a new grant under the royal sign-manual. In answer to this objection, the learned Counsel cited several instances of offices passing out of the original families, without a resignation, to the Sovereign.

MR. RIDDELL remarked, that the privilege in question was not an honour, but an office, and therefore did not come under the objection.

MR. WARREN.—The next objection was, that it was not in the power of the guardians of the infant Duke of Douglas in 1707, to change the succession to the estates or honours of their pupil, or by their Act, to confirm or render better the grant of 1698. But it appeared that his Grace did afterwards homologate; besides that objection, as well as the one which followed, was negatived by the result of the case in the House of Lords. The sixth objection was, that the ratification in Parliament of the Charter of 1707 was of no force whatever, such Acts being always qualified by a general Act, *salvo jure cujuslibet*, passed at the close of every Session of the Scottish Parliament, as was the case at the close of the Session in 1707. But then it shewed that the Duke of Hamilton never protested against the right of carrying the Crown, which it conveyed, although he did against that of giving the first vote

f

in Parliament. That was the use which he (Mr. Warren) made of it. The last objection was, that as Lord Douglas founded his claim to the privilege in question, as being the grant of an heritable office annexed to the landed property he possesses, and in the nature of real estate preserved to the possessors by the treaty of Union, the question could be competently tried only by a Court of Law, if his Lordship really had any ground to stand upon; and that Court, by the treaty of Union, was the Court of Session in Scotland. No English Court could take cognizance of such a question. "So," said Mr. Warren, "his Grace first claims your decision, and ends by telling your Lordships that you have no power to try the question."

SIR WILLIAM GRANT.—No; he only says that according to your statement, (that it is an heritable office descending to you as real estate,) your claim, if well-founded, can only be tried in the Court of Session. That objection does not apply to his, which is of a different nature.

Mr. WARREN observed, that the Court of Claims had taken cognizance of the question. It was but a temporary Court, deriving its authority from the King's pleasure.

LORD REDESDALE.—You mistake the right of

the Court of Claims. They only decide who are the persons entitled to perform certain services, reserving to the King's pleasure whether or not these services shall be received. You claim the privilege as an office.

Mr. WARREN.—We say we have a right to perform this service.

LORD REDESDALE.—The party may be bound to perform it.

Mr. WARREN said that Lord Douglas insisted that he was bound to perform it. In what way he was to be compelled, it might be difficult to say; but as to the authority, the Scotch Privy Council had exercised it. He would not say that that of Great Britain had the same jurisdiction.

LORD REDESDALE observed, that the Privy Council of Scotland acted on the King's warrant. The right of office might be tried in the ordinary Courts of Justice, and not referred to the King's pleasure.

Mr. WARREN said it certainly might; but as it concerned a personal service to the King, it came within the principle of the Court of Claims; and accordingly, when the case was before them, no question as to their jurisdiction was raised.

LORD REDESDALE.—Do you claim the office as annexed to the lands, or as an office in gross?

MR. BROUGHAM.—We claim it as an office in gross conveyed with the lands, but which may be separated. There was the case of Sir Patrick Walker, who purchased the office of heritable Usher of the White Rod, wholly disconnected with lands.

MR. WARREN having concluded his statement,

MR. BROUGHAM said he was to follow; but perhaps it would be better now to produce the evidence, and their Lordships might hear him afterwards, taking **Mr. Warren's** statement as a general opening.

Their Lordships assented.

MR. RIDDELL then read the different charters, &c. referred to, which were drawn up in law-Latin. After which,

MR. BROUGHAM addressed their Lordships, and enforced the arguments of **Mr. Warren**. In reply to the objection as to females holding the offices claimed by **Lord Douglas**, he instanced, besides those already mentioned, the office of Chief Constable, who was the leader of the feudal cavalry,

being held by Lord Errol, through a female ancestor, and several others; and contended, that offices of this nature were feudal, and *quasi* territorial, and need not be connected with land. The Earls of Argyll, and their ancestors, the Lords of Lorn, held the office of Justice-General, by a separate investiture; as did the Duke of Hamilton himself, the Keeper of Holyroodhouse, although he took seisin of both land and office by the same symbol. He argued from the Roxburgh case, that it was unnecessary that a resignation should be made into the hands of the King himself,—a resignation to the Barons of the Exchequer, or to Commissioners being sufficient. To shew that a barter of honours was not unknown in feudal terms, he mentioned the case of Lord Berkeley, who being then an old man, agreed to surrender up his barony of Berkeley to Henry VII. on condition that the King would create him Marquis of Berkeley, remainder to the heirs of his body, there being then, from his advanced age, no chance of any; and would regrant his barony to himself for life, remainder to the heirs of his body, remainder to the King and his heirs-male. The Marquis dying without heirs, the barony descended to the King, and after the entailment was extinguished, it reverted to the heir-at-law. He (Mr. Brougham) much questioned if such a bargain at the present day would be looked upon in the purest light, although it was common

enough in that reign, and even in the reign of the learned Monarch "of eternal memory," King James I. He only mentioned this, to show that this commerce of honours was not so abhorrent to feudal principles. With respect to the Duke's claim as Earl of Angus, Lord Douglas insisted that he, and not the Duke of Hamilton, was Earl of Angus; which question was now pending before a Committee of the House of Lords, and Lord Douglas had good grounds to expect that it would be decided in his favour. It was, therefore, not very wise in his Grace to rest his whole title to the office in question, on his right as Earl of Angus; but even if his Grace was Earl of Angus, still he contended, that the right of this office was in Lord Douglas. Mr. Brougham then referred to the question of jurisdiction. Where the Crown had referred the Petition, it was too late to object to the authority of the Council. If the Crown was wrong in referring it, there might be a Petition of right, as in the case of a usurpation by the Crown.

LORD REDESDALE.—This is a Petition of right, and if the King chooses to send it to us for our advice, he has a right to do so.

MR. BROUGHAM said that was his argument. Their Lordships were only to advise the King as to his decision, and if the Crown were badly ad-

vised, the Minister would be responsible. After some farther observations, Mr. Brougham concluded, by submitting, that on these grounds, the case of Lord Douglas was made out.

The Council adjourned the farther hearing of the case to Saturday, the 21st instant.

PRIVY COUNCIL, Saturday, June 21.—The arguments in this case were resumed this day.—Before the Duke of Hamilton's Counsel commenced,

MR. BROUGHAM begged to inform their Lordships, that in consequence of a doubt which had been suggested on the last day, as to the privilege claimed by Lord Douglas being denominated "*honores*"* in the charter, and not *munera* or *officia*, which would signify offices, they (Lord Douglas's Counsel) had directed their attention to that point. Their Lordships would find, that where these privileges were referred to in the charter of 1631, they were called heritable offices. They were similarly designated in the procuratory of resignation in 1699, and also in the charter by which the Dukedom was created in 1703. With respect to the objection raised by one of their Lordships of there being no such thing in the eye of the law as a Crown

* One or two instances were also referred to of "*honores*" being occasionally used in practice to designate petty offices.

of Scotland, it was distinctly admitted by unquestionable authority, that there was a Crown of Scotland; for it was provided by the 24th section of the Act of Union, that the Regalia, consisting of the Crown, the Sceptre, the Sword, &c. and the records of Scotland, should be kept in that kingdom. The Crown of Scotland was, therefore, a recognized subject of legislation; and, as it seemed to him, the King might be crowned with that or any of the Imperial Crowns, or with all three together. But, at all events, if there were a royal procession to take place in Scotland, there was no reason why the Crown should not form a parcel of that procession.

LORD REDESDALE.—Recollect the words are “in Parliaments.”

MR. BROUGHAM.—We have endeavoured to show that Coronations and other processions were meant as well as the Ridings of Parliament.

MR. ADAM, on behalf of the Duke of Hamilton, then proceeded to answer the arguments advanced on the other side. His learned friends, he said, were not contending for one object; for Mr. Warren claimed the right of carrying the Crown in all royal processions, of which he enumerated several kinds; while Mr. Brougham stated, that all he

contended for was the right of having borne it on the late occasion in Scotland. Now he, (Mr. Adam), insisted, that if Mr. Brougham's statement of his noble client's claim was the true one, it was impossible that he could ever succeed in establishing it; for by the words of the King's grant, the right was only given to carry the Crown in Parliaments. The main question between the parties was, whether the privilege claimed belonged to the territorial Earldom of Angus, or to the individual personally to whom the Earldom appertained as a title of honour? It must be the object of both parties to establish the existence of the right claimed; but it was for their Lordships to say to whom that right belonged. The learned gentleman then proceeded to combat those arguments by which the gentlemen opposed to him endeavoured to prove that the right was territorial and not personal. In the earliest instance cited, namely, the Coronation of Charles I., the Privy Council decided that the honours should be carried by the same persons at the Coronation, who were to carry the same at the Parliament, to wit, the eldest in creation; accordingly the King granted his warrant to the Earl of Angus to carry the Crown at the Coronation. But this decision was not made in consequence of his infestment, which he produced to the Council, but in consequence of his being the "eldest in creation." Mr. Adam then examined all the other proofs re-

ferred to by Lord Douglas in support of his claim, and argued, that from none of them could it be inferred that this was a feudalized office in gross, or an office incorporated with the lands. It has been very truly stated by Mr. Warren, that seisin of offices generally took place by different symbols from those used to pass land: as the delivery of a key, a rod, a sword, &c. the symbols of land being usually earth and stone. But in no instance had he shown that the Earls of Angus had ever received possession of their property by any other symbols than earth and stone. In the case of the hereditary office of Justice-General, that was clearly a feudal grant, for it contained a *tenendum* clause, and a *reddendum*; and seisin of it was passed by the delivery of a rod to the Marquis of Argyll at the castle of Inverary. It was true that with regard to the office of keeper of Holyroodhouse, possessed by the Duke of Hamilton, seisin was passed to his Grace by the symbols of earth and stone; but the keeper had the care of the palace, the gardens, the bowling green, and its other appurtenances; and it had not been shown that earth and stone were not, therefore, the proper symbols of the keeper's office. Possession of the hereditary sheriffdom of Renfrew was passed by the delivery of a sword; and other offices were passed in like manner; but in the absence of all such signs of feudalism in the case before their Lordships, he con-

tended that this was not a feudalized office. The learned gentleman next went on to show, from authorities, that it was only heritable offices incorporated with land and feudalized, that were alienable. The privilege in question was not an office, but an honour ; and was unlike the great offices of England which were held in grand serjeanty ; such, for instance, as the championship. As to the claim of Lord Douglas to the title of Earl of Angus, which Mr. Brougham stated was still pending before the House of Lords, it certainly was so ; but so had it been for the last 62 years, during all which period his Lordship had abstained from prosecuting his claims ; while in the meantime he had sat in Parliament as a commoner ; and although he was objected to as being Earl of Angus, he nevertheless continued to hold his seat. And when he was created Lord Douglas, he was designed in the patent as Archibald Douglas, Esq. The Duke of Hamilton, on the other hand, had done every thing to assert his claim to the title. His Grace assumed the title of Marquis of Douglas, and his son that of Earl of Angus. It was true that the bare assumption of a title was no proof of right to it, but still it was a challenge to Lord Douglas to assert his claim if he had any.

SIR W. GRANT.—But the Duke of Hamilton

also presented a petition to the House of Lords in 1762, which he never prosecuted.

Mr. ADAM said, he certainly did ; but being in possession, as Duke of Hamilton, of all the privileges which the title could give him, he did not consider it necessary to prosecute his claim. He, (Mr. Adam), however, was not there to show that his Grace was Earl of Angus ; it was sufficient for him to prove that Lord Douglas had no right to the privilege in question. By prescription his Lordship had certainly no title ; for the right had never been exercised since the female succession. With respect to the protest made by the Duke of Hamilton in 1707, that was merely made against Lord Douglas's having the first vote in Parliament, on the ground that he was the first Peer ; that, therefore, had no reference to any of the considerations brought before their Lordships. He, (Mr. Adam), did not mean to contend that the office in question could not be held by females. The office of constable had descended to ladies, by whom a deputy was appointed until they were married, and then Lord Coke decided that the husband of the eldest should exercise the office. But it was afterwards determined, in the case of the Great Chamberlainship, which had descended from the Duke of Ancaster to his daughters, that they should appoint a deputy between them. But then it afforded a con-

struction for the intention of the original grantor, who could not have contemplated that the offices with which this was associated, namely, those of giving the first vote in Parliament, and leading the vanguard of the army, should descend to females.— After some farther argument, the learned Counsel concluded by insisting, that even supposing the offices to be incorporated, still their Lordships were not the tribunal to decide the question ; for if they were heritable property, Lord Douglas ought to have applied to a Court of Law. The Scotch Privy Council having been abolished in the reign of Queen Anne, their Lordships could not be said to represent the Privy Council of Scotland ; and by the act which abolished the Star Chamber in Charles's reign, the English Privy Council were precluded from taking cognizance of questions of property. He, therefore, trusted that their Lordships would advise the King that this question ought to be left to the decision of a Court of Law, and that his Majesty ought to refuse the prayer of Lord Douglas's petition.

The Commissioners presented their report to the King in Council, on the 8th August. It was read at the Court at Carlton House on the 16th instant, when his Majesty having been pleased to take the same into consideration, was pleased, by and with

the advice of his Privy Council, to approve thereof. After detailing the petition of Lord Douglas, and the memorial of the Duke of Hamilton and Brandon, the report so confirmed declares, that their Lordships reported to his Majesty that the privilege expressed in the several charters produced extended only to carrying the Crown of the ancient kingdom of Scotland in Parliament; and that, therefore, supposing the privileges so granted can be considered as existing, the claim of the Lord Douglas to an heritable right to carry such Crown in the late Procession from the Palace of Holyrood to the Castle of Edinburgh,* does not appear to them to have been made out,—the bearing of such Crown in such Procession not being a bearing in Parliament; and that, therefore, it rested with his Majesty to appoint such person as his Majesty might think fit to perform that ceremony; but the claim of the Lord Douglas of the office of carrying such Crown being a claim of an heritable right, their Lordships are of opinion, that the same may be discussed and decided upon in a Court of Law, as other claims of heritable offices have been discussed and decided. This, therefore, his Majesty has been graciously pleased to approve of.

* This refers to the Visit of his Majesty George IV. to Scotland, when his Grace the Duke of Hamilton bore the Crown in the Procession from the Palace to the Castle of Edinburgh.

On Nobility.

1.—THE Name of Nobility drawes its original from the Latine worde Nosco, even as Nobilis deriues it selve as it were from Noscibilis, and Nobilitas from Noscibilitas, one beyond wthers remarkable, perspicuous, famous, illustrious, conspicuous, noture, divulged, and celebrat by the comon discoursse of all.

2.—The significatione of the noune Nobility, is not one and the same, but manifold.

3.—The word being too wyde and improperly takine, may be construed one ather pairt, both of good and bad.

4.—Lykwayes analogically, and by a certaine similitude of reasone, quhat euer is worthier then ane wther, that selue same may be said to be nobler, as Man is of all creatures holden to be most noble.

5.—Tiraquell, d. cap. 2, is of the oppinione that the Name, Noble, is not only giuen to liuing thinges, bot also to thinges inanimat and woyde of reasone.

6.—The worde Noble being strickly takin and properly, all woyde of reassone, are lykwayes woyde of Nobility, Man only excepted, quha, amongset all Liuing, is only pertaker of Nobility.

7.—Nobility, therfor, is a thing passing excellent and illustrious. Nobility is a frind and familiar to Wertew, louing and delighting in ane harmles lyffe and innocent behaiour, aiming still at honest and ingenous actions; for to Man alone is competent, Liberty, Wertew, and Honesty, and not to brute beastes and cretures inanimate. Francisus Picolominens in Tractat: de Moribus Grad. 8, Cap. 17.

8.—Nobility especially signifies and denotes a certaine præminent degree of dignity, dew and competent to certaine persons for their Wertewss.

9.—And so amongst ws, Nobility is ather a certaine dignity be a Man acqyred by his wertew, from the Prince or King, gea, from anay Absolute Potentat, not acknowledging a Superior one Earth, or wtherwayes a discent in blood from worthy and famous Ancestors and Parents.

10.—The fontaine and spring of Nobility is ather Wertew or Authority of the Prince.

11.—Wertew alone is not sufficient to acqwyre Nobility Ciuill, wyles ather the authority of some Supreame Prince, or Estait, hauing pouer be addit, quho, by ther patent chartre, ore els by some usuall Solem Ceremoney, confirmed the same.

12.—And in this, does Ciuill Nobility differ from philosophicall, wich onlie wertew by it selue and alone does confer Nobility therto by the Lawes of Nature and Nations, competent, and therfor, more properlie to be called Nobility, Comon and Generall then Ciuill.

13.—For quho by Wertew alone is best known and most excella, is, by the wulgare opinione and estimation of all, euer reputted and holdin to be the most Illustrious and Noble, not by ciuell and politicle reassone, wyles the authority of the Prince interweine.

14.—The prince only as the fountaine and head of all dignity, as it were by a kynd of ciuill disquisitione, differences by tokens and markes of Nobility, the honest and wertewes from the churlische plebeian. 1. Prasectus in fin. G. de dig. lib. 12. L. fin. cap. de Legibus L. 1. cap. ut dignit. ordo seruetur.

15.—And hence it is, that Nobility politicall ore ciuill becomes to be of the ciuill Law, according to the oppinione of Tiraquell. d. Tract. cap. 6, N. 1. et 6. Vulteiuss consill. Marpurg. vol. 3, Consill. 34, Numb.: 167.

16.—This Ciuill Nobility by it selue is one and the same, get not so stricke in degree bot that it admitts varietie of distinctions, such as are the generall steppes and degreis of dignities, L. vt gradatim. ff. de Muneribus et Honoribus.

17.—Some, therfor, are simple Noble, others Nobler, and a third Noblest of all. Tiraquellus de Nobilit. cap. 37, N. 67. Scrader Consill. 23, Num. 2, et Consil. 14, Num. 89.

18.—And sua as amongst the Germaines, so amongst ourselues are the difference of tytills receaued to be in Vsse, so as some are called Gentile, some Honorable, some Worschipfull, others Noble. Gregorius Tholassanus lib. 4, de Repub. cap. 4.

19.—Morouer, of Nobles, some are Princes, some Duckes, some Marquesses, some Earles, some Viscounts and Lordes. Utheris also in ane inferior degree of Nobility, are Knights of severall degrees and Orders, according to the custom and priuillidges of the places quher they liue; and, lastly, Barrons

or Esquires, and Gentlemen and Squires. Petrus Heyns, pars. 1. Quest. 2, Num. 6.

20.—Hence it wes, that the Pope Innocent 3d calls the Marques of Misnia Nobleman, and Pope Innocent 4. lykwayes cittes the Earle of Bononia by the tytle of a Nobleman. In Cap. Constitutus Extravag. de test. et attest. In cap. Grandi in pr. de Supl. Neglect. præt. :

21.—The name of Nobility is ane ample and spacious field, comprehending therein all orders and degrees of Nobility, from the Prince to the Plebeian. Neuertheles, ther dignities are distinguished by degrees, more or les. Tiraquellus, d. Tract. cap. 2.

22.—In Germany, ther is a speciall and particulare sorte of Nobility so esteemed, zet, wnder the degree of Barrons, quherof some holds imediately of the Emperour, and of wther Princes and free Estaits. Suche are called ther free Nobles. Sextin. in Tractat. de Regalibus, Cap. 4, Num. 95, Lib. 1.

23.—Morouer, ther is a Nobility that is new, and as it wer new sprung upe, ore begunne, and ane wther that is ancient and hereditarey,—the first degree quherof are suche as by their personall wertewes and vorthy exploitts haue acqyred ther

Nobility from the bounty of the Prince, and ther waxe is said to be greeine, and ther Nobility new. Wthers ther are, quho being themselues wertewes, and discendit from a longe race of wertewes and worthey parents, quhosse Nobility is said to be ancient. Petrus Gregorius, lib. 4. Repub. cap. 2, N. 4.

24.—Treulie, altho ancient Nobility be reputed and holdin more perfyte then the new, get the insolency of some quho bostes of ther antiquity of discent in Nobility, despysing wthers new come upe, as buckes of the first head, can nowayes be approuen ore commendit, as if they wer beyond all beginning themselues, and had lost the fontaine from quhence ther auen Rill issewed.

25.—And treulie, as in euery thing, ther is a beginning and perfectione, ane infancie and virility, euen so of Nobility. It is most necessary that some beginning and originall limitt be fixed, since by the Law of Nature all men are æquall, altho by civill dispositione some are lawfully exeimed from the Plebein and Vulgar Route. To this conclusion may be addit that olde Rithme,—

Quhen Adam delueit and Eva span,
Quher wes then a Gentleman.

26.—Hence ussually is decerned a difference be-

twix Nobility by wertew, and Nobility by discent, for, in aney may be Nobility of blood and discent, in quhom perhappes no Nobility of wertew does appeire, as sayes Kickerman : præcog: Etheci System: pag. 41.

27.—Tiraquell hes ane ode distinctione of Nobility, viz. in Urbanos or Nobility of the citey, and Rusticanos of the countrey. Of the citey he calls thesse that duells in citties and tounes ; Rustickes, thesse that inhabit abroad in palaces and castells in the countrey. This friuolus Italian distinctione, in my oppinione, addes or diminishes little or nothing from the Nobility.

28.—Lastlie, then, since Vertew is the spring from quence Glorey, Honor, and Nobility flowes, and that it is ather by armes or letters, it will now follow that a tuo fold Nobility constitute one that is purchessed by Armes, Valor, and Skill in Militarey affaires ; the wther by Knowledge and Learninge.

29.—Ather of wich tuo ennobles, prowying the authority of the supreme Magistrat interweine in a formall way of Nobilitating, since Vertew by it selve and alone is not sufficient to Nobilitat a Man. Tiraquell. d. cap. 5. n. 5.

30.—He is a Nobleman quhome the prince hau-

ing pouer, exalts from the Plebeian Crew, and ather by publicke ceremoney or patent, Nobilitats. Carolus Tap. ad Rus: ff: const: principum cap. 4. num. 4 & 112.

31.—And so a king within his auen dominions hes pouer to nobilitat, for his pouer in all poyntis is als grate as is that of the Emperour within the Roman Empyre, and so is it with other Princes wich are free, accknouledging no Superior.

32.—Hence arryses a question, wither ore not inferior princes, as Electors, Duckes, and Marqueses, haue pouer to nobilitat, being free princes, altho fewers of the Empyre, als weill as Kinges, Princes, and Estaits not accknouledging a Superior. Diuers hold that they can and may doe it, as Tiraquell Tract: cap. 6. n. 5, and Obreschte disput: de feud. 2. Uthers denayes it, as Regner Sextin. Tract: de Regalibus lib. 1. cap. 5. Ferrerius Montanus, Tractatus de fewdis, lib. 5. cap. 7.

33.—It is certainly knowen that diuers priuat men, by the Emperours grant to them during lyffe, haue had pouer to nobilitat, and to usse and exercise uther kingly offices belonging to Royalty. Suche are called Earles Palatyne at this day.

34.—Notwithstanding that by the forsaid grant

to them they nobilitat, get the dignity is said to proceed from the Emperour onlie, for it is to be understood that what a man does by his depute or substitute, he does by him selue, since the power and authority flowes from him. Franciscus Philet: respub. 197. num. 3.

35.—So the Archdukes of Austria, by especial imperiall priviledge and grant, hes not only power to ennoble but lykwayes to creat Barrons and Earles, wich preuiledge is lairgly recordit by Munster Cosmograph. lib. 3. cap. 416.

36.—Quho euer hes power and preuiledge to Nobilitat, may ather priuatly or publickly take one from out the Wulgar, and ennoble him. Bartolus in D. L. C. de dignitat. lib. 12.

37.—Aptlie a prince is said to nobilitat one quhen, ather by expresse wordes or by wreat, or other wayes by some externall acte or ceremoney, he manifests his princely magnificence and creatione, aither by giuing of Armes or Signe Armorialls to be borne by the party so honoured in Escutcheons, ore by careing Helmetts with open Beuer, muche used by the Germans. Gutier, lib. 3. et 4. quest. 17. num. 151. Petrus Gregorius, lib. 6. de Repub. cap. 16. num. 2.

38.—Euen so is Nobility by the Law or by wreatt, conferred to a plebeiane woman by her mariage to a noble man. L. Fæminæ ff. de Senat. L. cum d. & L. Vult.

39.—And shee thereafter injoyes the immunities and previlidges of her husband who is a nobleman. Zea after his death shoe remaining a widow. L. Filii § Viduæ ff. ad Mancip. d. L. Fæminæ.

40.—One is said to be couertly and qyetly ennobled quhen he in quhosse hands the pouer layes, without aney expresse creatione, but only by a certaine necessary consequence, ennobles. Bartol. in L. cap. 1. de Dignitat. lib. 12.

41.—After this same maner are ennobled, without aney certaine forme of nobilitatione, thesse quhoin the Imperiall Courte are assumed to be ather Counsellors or Senators. Tiraq. de Nobil. cap. 6. n. 21.

42.—And lykwayes thesse quho by Princes are preferrid to be Leaders and Generalls of ther Armie, are ennobled. Lesnauderie in Tract. de preuil. doctorum, p. 2. quest. 38.

43.—Thosse also quho are preferred to the Dig-

nity of Doctor of the Lawes, Diuinity or Medicine, (for one suche maney preuiledges of Nobility attendes,) by many Ciuilians and Canonists, are euer reputted noble in their auen degree. Guido Papa decis. 88 Tiraquellus, L. Loc. cap. 5. n. 5.

44.—Bot if a prince shall invest aney in a noble feoffe ore feude, is he not (so invested) to be from that tyme fourthe reputted Noble?

It is answered that fees simple and off themselves, does not nobilitat, onlie in casse such a noble feude be giuen by such who hes pouer to nobilitat, and quhosse mynd is knouen to have been willinge to honor him on quhom he had bestowed that noble fewde. Wesembechius Consill. 135. n. 70.

45.—Quhen, as then, the donation of a fee is said to nobilitat, it is euer to be prasupponned that it is not the feude that ennobles, bot only the pleasure of the Prince quho is donator, for doubtles it must euer be thought that the dignity of ennobling does flow from the persone of the Prince, and not from aney wther thinge. Vulteijs d. Loc. n. 10.

46.—Nothing therfor impeds quhy a Prince may not enoble his auen subjects without his auen dominions. Tiraquellus, cap. 6. n. 26.

47.—Bot the Law being narouly and strickly lookit wnto, it may be said that non that is noble can enjoy the præuilidges of his nobility without the terretories of that Prince who ennobled him. Per L. fin. ff. de Jurisdic.

48.—Notwithstanding, it is wtherwayes, and that by the mutuaal practisse of Nations, and a receved custome, that who is Noble in one Nazione or Countrey, is so still reputted in ane other. For if thesse that are noble Germans, Italians, Polonians, Danes, Englische, Frenche, wer not so esteemed amongst us Scotts, noble, as in ther auen countries, no doubt bot amongst them wee should find the lyke measures, and by the law of retortione, being the most æquitable of aney. Antonius Faber. lib. 9. c. lib. 28. defin. 12. n. 9.

49.—But if a preuillidge of Nobility be for certaine usses conferred to aney, as for the atchiuing of some noble feude, or the attening of some dignity wich he can not have, wnles he be reputted Noble, in such casses the prævilidge of Nobility does not go ouer and beyond the borders of the giuers terretories. Faber. d. defin. 12.

50.—Thesse who are honoured with the dignity of Patricians, altho inhabitants of Tounes and Citties, and therfor rather to be esteemed Citicens

then Nobles ; neuerthelesse for the grander of the Citty, and ther antiquity of discent in the same within ther auin Jurisdictions and territories, they are reputted noble. Bot not without the same. Tiraquellus De Nobil. cap. 10.

51.—Who so euer is of good fame and reputation for lyffe and maners, one, quhome the gate of Nobility is not shute, him may the prince freely ennoble. Tiraquellus, cap. 6. n. 26.

52.—Nobility by birth belongs to those who are descendit of noble parents : the effecte treulie of a lawfull acqyred Nobility is perceaued by that. It is to maney generations remitted to ther posterity—Cod. de dignitat. lib. 12. Vbi Bartol.

53.—Hence is this Nobility called of Birth and Discent (of grate esteime amongst the Germanes), for quho so euer is borne amongst them of noble parents, is furthwith reputted to be Noble : yet if that Nobility is qualified with Learning, it is more sett buy. Petrus Hey. 1. 4. 2. Numb. 63.

54.—One is trewly said to be nobly borne quho is descendit and procreat of a noble father and mother ; at least of a noble father, for from him is the Nobility deriued to the sone, altho the mother

be by birth a plebeian. Tiraquellus. Cap. 18. Num. 20.

55.—And altho the mother be of the vulgar sorte, the Father being noble, it letts not the children procreat betwix them in lawfull wedlocke, to be reputed noble, since the issew by the Law followes the conditione of the father. Arg. Leg. Mulieres. 18. cap. de Dignit.

56.—Bot the Nobility of the children is euer holdin to be the more illustrious, that it proceed of the knowen Nobility of ather parent. Tiraquellus. cap. 28. Num. 26.

57.—One descendit of a noble father and mother is euer to be præferred to him quho is onlie procreat of one noble parent, of wich of the two so euer it be. Cod. de Silentariis lib. 12. L. 1. Menochius Consill. 126. Nobilis, Num. 12. lib. 2.

58.—From quence diuers of the Learnid holdis that a Doctor procreat of a Doctor noblie descendit, is to be præferred to a doctor issewed from a citizen not noble; as also the sone of a doctor is to be præferred to him issewed of a plebeian. Mart. Landensis in Tract. de Dignitatibus. questio 17.

59.—Tuo causes ore tuo reassons in Law, ane

more valide then one, as tuo Ligatours does taye more firmlie and assuredly then one. Althen. de Consanguineis fratribus, Cap. quia igitur 1, § plurima, Num. 82.

60.—So wee see the Germains to deduce usually ther peedigrees of 8 discents of Nobles in ather syde without a blote.

61.—Wich custome amongst in Germaney is lykwayes in ther cheiffe Ecclesiasticall præferments punctually observit; for if they cannot proue ther eight discents of Noble in ather syde, they are seldome admitted to the more eminent places in Church Gouerinment.

62.—Bot by the Cannon Law ther is no respecte at all had to Nobility of Birth in such præferments; for it is not the Nobility of Bloode, bot of wertew and ane wnsponsored lyffe and integrity that is acceptable in the sight of God, and makes a fitting and apte seruant. Tiraquellus, cap. 2. Num. 18.

63.—Munster in the thrid booke of his Cosmographie, setts doune the Laues and Constitutions ussed amongst the Germans in ther Knight lyke sports of Tilts and Turnaments, by wich non is admitted to shew his valor without he can shew his

discent of Nobility for foure Generations of ather parent.

64.—Hence arrysses the questione wither or no the Emperour may out of his supream pouer and princely prærogative, grace a Pesant or Bouer with his favour, by ennobling him, so that he may be capable to participat of such knightly exercisses. To this questione most of the Civilians anssuer affirmatively that he may doe it.

65.—Moreouer the transmissiōe, and as it wer the successiōe of Nobility doeth onlie flow from a just and lawfull mariage bed. Bastards, therfor, and illegitimat childrene of noble persons are not by the Civill Law reputted thers, in respecte thesse rills flowes not from the noble fontaine, bot from the pudell of tainted and corrupted bloode, *et sordes inter præcipuos nominari non merentur.*

66.—It is questioned wither the father's Nobility extends to his children procreat before he was nobilitat. Some Civilians are for it, as per L. Senatoris. ff de Senatoribus cap. de Dignitatibus, Duaren. lib. 2. dis. anniuerss. cap. 29.

Aginst it ar thesse of most notte. Julius Pacius Centur. 1. Quest. 39. Jacobus Cuiacius in explicatiōe. d. L. Senator.

67.—The second questione that falls in our way is, if ore not, a man's nobility does not extend als weill to his children ore sones adopted, as to thesse lawfull procreat of his auen bodey. This questione is ansswered affirmative, since by addoptione dignities are not in Law diminished bot rather augmented, ff. de Adopt. L. liberos. 10. de Senatoribus L. Ex adoptivo 27. Senatoris. 5. L. Seq. de Senatu. Cuiacius anssuers this questione by a distinction. Consult. 56. and in Coment. ad Lib. 36. Questi. Papinian.

68.—Lykewayes if a Nobleman suffers himselue to be addopted to a plebeian—does he so losse his Nobility—yea, according to Cuiacius. d. Constit. 56. Bot Bocer is of the contrarey oppinione in Tract. de Regalibus. cap. Num. 42. per text. in L. per Adopt.

69.—The children's Nobility does not ascend to the parents, wnless the King or Prince doe make the father noble at the dignifieing of his sone, (for to ennoble is euer thought to be in the number of thesse thinges wich does cheiffly consist in the free will and pleassur of the giuer,) in so far as diuers against ther vills hes beine enobled. Contra L. invito ff. de Reg. jur. Item Tiraquellus. cap. 16. N. 1.

70.—It is not to be doutted bot by the Law

c

a plebeian wyffe married to a Nobleman, sho becomes copartner of his dignity. Sup. Cond. 39. and 40.

71.—If a Noble woman marrey a plebeian, by such a matrimoniall acte, shoe not only impairs her dignity, bot losses by the Law, her Nobility, as if shoe had exposedd her selue to be a common strumpit. Tiraquellus, cap. 18. N. 13. Arg. L. Fœminæ. ff. de Senat.

72.—One the contrarey, if a plebeian woman marry a Nobleman, shoe is not onlie holdin and esteimed noble so longe as he luees, bot lykwayes after his deathe, during her widowed quhat somer preevilidgis he injoyed or dignities in his lyffe shoe is pertaker. d. L. Fæminæ, § 1, and L. Filii, § ad Municip. d. L. Mulieres. C. de Incolis. lib. 10.

73.—Bot if the Nobleman's relicke quha wes befor her wedding to him a plebeian, does after his death marry a villan or plebeian, then does shoe losse all the præuillidges of her Nobility acqwyred by her first marriage, and so followes the conditione of her present husband. Tiraquell. cap. 18. Num. 15. et seq.

74.—Ther does belong to Nobility certaine prævilidges, præheminences and immunities, as Armes,

Distinctions, Supporters, Crests, Helmetts, with open Beuers, with such lyk, by wich they are differenced from the plebeian and vulgar sorte. Arg. L. Sanctum. § 1. ff. Rerum diuisione.

75.—The plebeians, Comons and Ignoble, can, nor should not usurpe suche eseinges and markes of Nobility as ar wessed by persons dignified for awayding of confussione. Bon. de Curtili de Nobilitate p. 3. Num. 173.

76.—If by fraud or deceit, ambitione or ignorance, aney usurpe the seinges armorialls of ane wther, quho by Law and prævilidge bears the same, he is not only layable to the prohibitions, bot also incurre the plea of injurey and falsett. L. Mimæ. 3. C. de Epis. and Cler. ditect. vbi panormit. de Excess. Clericorum.

77.—Nobles in ther habitts and vestures have lykwayes prærogatives above the plebeians and vulgar. K. Ja. 6, Parl. 23. in a° 1621. Acte 25. Juxta L. Observandum ff. de officio pres. tot Titul. Cod. de Vestibus, Holoser: et Aur.

78.—Now a dayes Men are become so luxurious in ther apparell and clothing that scarsse cane aney difference be perceaued betwix Nobles and the Comon Rable, Basse Mechanicks and ther wyffes

æqualing if not surpassing the most eminent in Dignity in this kynd by ther excesse and ryott. Albericus in L. 2. C. quæ res vend. non poss.

79.—In publicke places, in meittings, and salutations, and wtheris of that nature, the Law lykwayes attributts prævilidges to such as are ennobled, and if ther inferiors out of disdaine, deny them ther dew, they are to be forced therto by the Magistrat, as also for defence of ther honor. Actione of injurey is competent to them against such dandiparts L. Injuriarum § 15. Siquis ff de injur.

80.—Nobles are distinguished and limited from the Vulgar by certaine honorable stepes and degrees according to custome of the countries quherin they liue, and the favor of ther princes, as in Honorable, Worschipfull, Reverend, Noble, and Most Noble.

81.—The civill Law likwayes putts difference betwix retinew, house-keping, and aliment of Nobles and Plebeians; yea in ther werrey ordinarey expensis. L. cum vnus. § Aliment. ff de Aliment. K. Ja. 6. parl. 23. Acte 25, 1621.

82.—Diuers prævilidges belonging to Nobility consists also one presumptions, because it is euer more to be presumid that the integrity and de-

meanor of a Nobleman in all wertews actions is still to be preferrid to a plebeian. Tiraquell, cap. 20, num. 20.

83.—The asseueratione and declaratione of a Nobleman is by the Law euer to be preferred to that of a Plebeian. Gl. in L. 3. Verb. pleb. ff. de testibus & in cap. item testium 4. Quest. 3.

84.—By the Ciuill Law, the assertione of a Nobleman is to be trusted ; and in landes, contracta, and renuntiations, his promise on the faith of a Nobleman is in a lyke esteeme with the corporall othe of a Plebeian. Vesembechius consil. 52, Num. 22.

85.—A Nobleman cannot be tortured by the Civill Law, as a plebeian, without the Prince's command, except for the crymes of Lessemajeste, Falsett, and Heresie. Arg. L. Milites. 8. in pr. L. decuriones 16. Zangerus de Torturis reorum. cap. 1. n. 30.

86.—In inflicting censures and punishments, Noblemen are more myldly to be dealt withall then plebeians, as proves Tiraquell be maney forcible arguments: Yea from some censueres they are altogether exeimed. Tiraq. de Nob. cap. 20. n. 30 and 110.

87.—Bot one the contrarey ther are some caisses quherin Noblemen are to be more rigorously and severly punished then plebeians, if they be bothe delinquents in the selue same cryme, for exemple if such a cryme be committed by a Nobleman derogatorye to the Lustoure and splendore of hes auen honor and Nobility. Gaill. 1. obseruat. 110. K. 92. Tiraquellus cap. 20. num. 116.

88.—And generally Nobility is euer to be honoured by all, with all the respectes and obseruances dew to the same by Law, in sua far as it does not wronge the prævillidge of the Honourer. Arg. L. Sed Milites & ff de excusat.

89.—Nobility wither purchest by a man himselfe, receued by discent from his antecessers, or transmitted to him from ane wther quhosse wertew did acqyre the same, must euer be cherely preserued and illustrat by hes auen vertew and industry. Boethius, lib. 3. de Consolat. philos.

90.—Bot if Noblemen leaue the pathes of wertew and honor, and abandon themselues to licentiousnes and wyce, committing robries, thefts, and deprædations, by wich they not onlie become wyle and infamous, bot may be openly declared to haue lost ther nobility, since they follow such a course of lyffe, by wich, by the Law, Nobility is

holdin to be forfaulted. Leg. si qua Cod. de Secund. nupt. L. Senatoris. Filia ff d. senat. L. 1. Cod. ubi senator vel clariss. L. quoties de Dignitat. cap. Nobilis 2. Questi. 5.

91.—Bot wither or not by the Law, Brewers, Ventners, Merchants, and suche tradesmen being noble borne, by thesse occupations losse ther Nobility : this questione hes euer beine a contrauersey amongst the best civilians.

92.—By the Imperiall Constitutions of the Emperours Dioclesian and Maximilian, it is prohibit that Nobles wsse the Trades of Marchandize in L. Vinc. Cod. de perfectiss, dignitat. By Honorius and Theodosius, also in L. Nobiliores 3. cap. de Locat. Zeno lykwayes in L. agentes. 1. cap. de Præposs. agent in Reb. ; and lastly by Justiniane tot, Tit. cap. Negotiat. ne militent.

93.—If then Nobles by playing the Merchant losse ther Nobility ; falling as it wer from that dew reputatione wich formerly belonged to them, are by the Law then to be called and holdin as ignoble and vulgar persons. Schraderus consill. 44. n. 4. Franciscus Pseill Respon. 202. n. 34. § and Nobilis.

94.—Zet this conclusion is to be takin as it ad-

mitts some limitations, as in some places quher mercature is permitted by the Law of the Land, as in Venice, Florence, Genua, yea all Italy ouer, the Princes and Magnificoes playes the Merchant, and yet by the Lawes losses not a jot of ther nobility, altho the Germans esteeme the Italian Nobility basse in respecte of ther auen. Franciss. Pseild. L. N. 34 § neque hoc casu.

95.—Morouer in thesse places quher the usse of Merchandizing derogatts no poynt of his Nobility quho playes the Merchant, it is to be adverted to wither such is a grate Merchant and Venturer, or bot a poore pittefoger, chapeman, or retailer. The exercisse of Mercatour with a small stocke is euer reputted wyle and sordid, bot contrarey quher the handlinges, adventures, and imployments are grate, then is Mercature in that caisse not to be vituperat in respecte they become publicke benefactors to ther countrey, as sayes Cicero in his offices.

96.—Ney for all that, Noblemen of a small fortune, for the interteinment of ther family and lyffe, may lawfully without reproche usse the trade of Merchandize, as sayes Lucas de penna in L. Vltm. cap. de fund. Limittroph.

97.—Non will denay bot it is lawfull and de-

cent too for Noblemen to buy such necessary provisions and merchandize for mantinence of ther auen housses and families, as also to sell cattell, cornes, fruitts, wooll, flaxe, iron, lead, &c. and all such commodities as ther auen grounds geildes. Mollerus, lib. 4. Semest. cap. 17. num. 1.

98.—Nobles can not, (with saue honor), sell bread, and tape ale to passengers, since this is a kynd of basse mercature. Arg. L. Milites. C. de Local.

99.—Hence is it that Nobles cannot command nor force ther vassalls and tenants to bay ale and beire only from them and from no other. Andreas Ranchlour, Questi. 27. p. 1.

100.—Nather shall a man by the Law tyne hes Nobility, because it may perchance be prowyn against him, that he hes laboured and mannured his auen Land in the sweat of his auen face. Tiraquell, cap. 32, per tot.

101.—A Nobleman that pleades or procures for aney, does not losse his nobility by his procuratone, in so far as by the law such procuratatione is reputed noble, being performed in Souerane Courts and Consistories. Faber, lib. 9, c. tit. 28, definit. 5.

D

102.—By the same reassone, the office of Advocat is reputed honorable, and by the defence of clyents causes, they rather augment then diminische the dignity of Nobility, in respect they defend the oppressid and iniured. L. Laudabile 4. c. de Advocat. din. Iudic. L. quisquis ubi. Glos. C. de postul. L. Advocati.

103.—As for the professione of Theologie, it is nowayes to be questioned bot the same is honerable, and addes a grate deall of praisse and honor to the professor; for it is notor that eminent and noble persons hes with grate happines preeched the word of God, and none of a sound judgement can think that ther laudable paines hes ever detracted aney jot from ther birth.

104.—The study of the Lawes so well becomes noble personages, that it is a shame and disgrace to them to be ignorant of the same. Nather is Nobility, by such a study, obfuscat, bot rather conserued, amplified, and polished, since the most eminent places of Gouverniment in Kingdomes and Realmes is custumarey furnished with these.

105.—Medicine is not only ane laudable and honest airte, bot a most noble. Formerly honoured by Kinges and grate Princes, the knowledg

quherof addes grately to the splendor of trew Nobility. Tiraquell, cap. 31, per tot.

106.—Vinius, lib. 2. Comm. oppin. verb. Notarius is of the oppinione, that the office of publicks notarey is derogatorey to the dignity and honor of Nobility, and so is Tiraquell, cap. 29, n. 14. Ciuido Papæ decis 89; bot maney of the German Lawyers ar of a contrarey mynd, for say they, none should be admitted Nottorey, but a man of approved fidelity and honesty, for they are only creat by supream authority. Faber. d. Loc. defin. 4.

107.—In Scotland, the clercke of Register, and in England, the Master of the Rolles, are pryme Notaries, and the head and comptrollers of all inferior notaries within ther jurisdictions. They are euer persons of honor and dignity, and the places are amongst the prymest of the Land, rather adding Lusture to the Nobility, and ennobling them, then deminishing therfra.

108.—The professione of teaching and Learning Liberrall Sciences, much improues Nobility, and is ussefull to the same, (so it be not for gaine), as of drawing, and painting, musicke, poetry, architecture, &c. Tiraquell, cap. 34, Num. 6.

109.—Hunting and Hauking are bellicose, noble, and heroicke exercises, and most competent for nobles, prowying they doe not profussly waste ther estaits, idly one the same, and incurr Cicero's censure of prodigality and deboshry.

110.—It is questioned wither or not a Nobleman may surrender and renunce his Nobility, to wich Didacus Couarruias anssueres by a distinctione wich he explicats, Part 2. Relect. quamvis de pactis in 6. Num. 17. et seq. usque ad Num. 24.

111.—Secondly, it is questioned also if a father reseinge, renunce, or losse his Nobility, quither or not shall that deid of his præjude his children. Antonius Faber. d. lib. 5. Cod. defin. 25, answers this questione by a distinctione. If, (sayes he) the father himselue did first of all accquyre his Nobility, and then lossed it, then his children, by his acte, are præjudged; bot if the Father did not accquyre it, bot it descendit to him from his ancesters, then can he not doe aney legall acte that can præjude his successors in the fruitione after him of that dignity. d. Defin. 14. et defin. 25.

112.—Now, lastly, we shall speake of such remedies as the Law prowyses against detractórs, defamers, and vrongers of the dignities and prævidges of Nobility; and first, that ther is in Law

ane actione of injurey competent to Nobles wronged, for reparatione of ther honor, with certaine penalties contained in that præuilidge.

113.—Bot against one that auers that he is als noble as the other, gea more noble, ther can be no actione in Law, in respecte he does accknowledge the other's Nobility, and detractes nothing from it, bot rather confirms the same. Plotus Consill. 131. Num. 20, volum. 1. Criminalium and L. ubi autem. 75. § usque a Deo ff. de verborum obligationibus.

114.—Morouer a Nobleman, in defence of his auen honor against aney calumniator, may intend actione. Ex. L. de famar. Cap. de ingen. Manumiss.

115.—To one for uindicatione of his Nobility, by Law, is competent also Actio Confessoria. Arg. § æquq. Institut. de Action. Sueduinus N. 10. Cothmannus Responsio. 1. Num. 17. Volum. 4. Num. 19.

116.—In waine are the forsaid remedies in Law assayed wnles the fundatione of his Nobility intendit be prowyn, for it is euer presumid that non is noble that can not proue the same. Johannes Gutiretze lib. 3. et 4. questione 14. num. 2.

117.—Quho then wold prove his Nobility, is to

be articheled, first, that he is linially discendit of 4 discents from Nobles, at least so by all repute : 2dly, that his said parents in the tymes quherin they liued, did behaue and carey themselues as nobles, without imbracing thesse trades and occupations that might derogat from their Nobility, bot liued as became men of their quality and conditione : Lastly, that he himselue in the countrey quher he wes borne and now liues, by all is reputted noble, and liues no otherwayes then becomes a Nobleman. Marcel. Cala in Tract. de modo articul. et proband. § 2. Glos. vinc. n. 256.

118.—Quho euer, by such a probatione, proues his Nobility by such a constant possessione, without interruptione, without reproche of aney, is euer maugure al contradictione, to be holdin and esteemed by all, honorable and noble, and to haue a publicke sentence in testimoney of his worthey probatione. Bartolus in L. § 2 non autem N. 1. ff. de Bon. poss. secund Tab.

119.—And that sentence is vssefull to all discendit of that family euery quher, and amongst all peopell, being a Law for him quho is interressed, as giuen in a caisse of Stait. Faber. in d. § præjudicial. Institute. de Acte.

120.—Bot if one does not proue him selue noble

by thesse lawfull wayes forsaid, then shall he be reputted a plebeian and ignoble. *Deficiente eum qualitate in Nobilitate requisita deficit et ipsa Nobilitas*, sayes Tiraquell de utraque Retr. 1. p. § 26, Num. 37 and 39, sub finem.

121.—Tiraquell is of the oppinione, that if one of name or family be declared ignoble, that is in honor, it is præjudiciall to thesse descendit of that family and stocke. d. Tract. de Nobilitate, cap. 37. num. 14. in fine: bot Faber manteins the contrarey oppinione in § Præjudiciales. Institut. de Acte.



**Coronatio Alexandri Tertii Scottorum
Regis, Sconæ, Tertio die Idus
Julii 1249.**

Post obitum Regis Alexandri Secundi, cum multitudine Procerum, Prælatorum, Baronum, et Militum, puer Alexander, annorum ætatis octo constitutus venit ad Sconam, die martis proximo sequenti post Patris obitum, viz. tertio Julii, Anno Mundi 5219, et Salutis 1249.

Interfuerunt inter Cleros, David de Berhame Episcopus Sancti Andreae, et Galfridus Dunkeldensis Episcopus, et ecce, statim postquam omnes congregati sunt, orata est dissentio inter Regni Magnates. Quidam vero illorum non Regem sed Militem facere voluerunt, dicentes quia dies est Egyptiacus (non hoc propter diem Egyptiacum dictum) sed quia Dominus Allanus Ostiarius Regni, Justiciarius, hinc Militiæ flos reputatus, Regem cupiebat eo die gladio militari insignire.

Cum igitur hinc inde magna fuisset Magnatum altercatio, et quasi ad partes tumultuosa separatio, Vir consilio prudens, Valterus Cumen, Miles, animo satis fortis, partes ad concordiam sapienter flectere

tunc satagit, dicens se debere vocem habere in concilio, quia ipse Comes de Menteithe experientia plura providebat, vnde libera voce protestatus est, se vidisse Regem consecratum nondum tamen militem, sed et sepius audivisse et pro certo cognovisse Reges consecratos, qui nunquam ceremonialiter ordine militari insignirentur.

Tandem post multas lites et altercationes, vt omnia celerius sopirentur et ne ira in odium cresceret, demum ad hoc, vtramque partem flexit, vt Rex a Dauide Episcopo Sancti Andreae, qui officium Regis implet, ipsum etiam in militem consigniret (ad [modum] Villielmi Ruffi militaribus insigniti a Lanfranco Cantuariensi Episcopo) Daud namque Episcopus Sancti Andreae ipsum Regem coram terrae magnatibus Baltheo militari precingente et iura et vota que ad Regem spectant, prius Latine postea Gallice, (ipsi exponenti) Rex omnia benigne consedens et acceptans Benedictionem ab Episcopo in nomine Patris, Filii, et Spiritus Sancti.

Tunc Præsules et Comites, Regem ad magnam cellam juxta choram ex parte orientali Ecclesiæ adduxerunt, quem ibidem in Cathedra Marmorea, Gatheli positum pannis sericis anno textis ornata reuerenter sedere fecerunt. Et Comes de Fyffe, Regem in Reguli cathedra locavit, coronaque capite

E

imposita Regem deosculavit et statim Homagium et fidelitatem juramento firmavit.

Ipsa vero Rege super hanc Cathedram lapideam coronam in capite habente, et sceptrum manu, purpuraque Regia induto solenniter precedente, desub cuius pedibus Comites, ceterique Nobiles sedilia sua pro Sermone audiendo collocantes.

Sermone finito, quidam Scotus venerabilis canicie senex, longo scarlatico pallio indutus, inclinato capite, genu satis morose flectens Regem materna lingua salutavit.

Salve Rex Albanorum, Alexander, filii Alexander, filii Villielmi, filii Henrici, filii Daud, filii Malcolmi, filii Duncani, filii Beatricis, filiae Malcolmi, filii Kenethi, filii Alpini, filii Ethasi, filii Ethafind, filii Ethdaci, filii Douenaldi Brecke, filii &c.* sic pronunciando regis Genealogiam usque ad Regem Fergusium primum Hyberum et Hymecum, Scotam et Gathelum ex Argo, Neolo, et Cecrope, Athenorum Regibus.

Tunc Rex ex Cathedra surgens et versus magnum Altare granei cum pompa progreditur coronam

* The remainder of the genealogy will be found in Vol. 2, of Fordun, (Goodall's Edition), page 82.

sceptrum et gladium, Deo offerens, quo tempore canebat chorus " coronet eum Deus corona gloriæ, et ducat te Jehoua in semitis suis" cumque perorasset Episcopus supra Regem, postea surrexit et coronam quinque aureis nummis redemit.

Postea Episcopus, Regis caput, scapulas, brachia, et patenas, sacro oleo vnxit Regem variis precationibus, benedicens. in nomine Patris, Filii, et Spiritus Sancti, Amen. Chorus toto hoc tempore vnctionis canens, " Vnexerunt Salamonem."

Linteolo Regis capite deterso, cum bracijs et scapulis et vestibus iterum clausis, Episcopus longa oratione Regem iterum benedicit.

His finitis, tunc Episcopus Regem, solenniter in regali solio locat, in nomine Patris, Filii, et Spiritus Sancti, et omnes nobiles et Barones cum Regni liberetenentibus, Regi publicum Homagium prestant et juramento confirmant.

His finitis, Rex, solemni pompa ad magnam aulam dicti Monasterii revertitur, vbi mensæ variis ciborum generibus magnifice onorantur.

**Coronatio Roberti Secundi Scotorum
Regis apud Monasterium Sanctæ
Crucis de Edinbroghe, 23to
Maij, in anno 1371.**

IN the morning, befor the King came in publicke, ther came to him tuo Bischopes, tuo Abbots, with twenty four other of the clergie, four noblemen, the Constable and Marischall, hauing their battans of office in their hand, sex commissioners of the Barrons, and als maney of the Burrowes.

The King wes brought fourth with the Constable, one hes right hand, and the Marishall one hes lefte, quher he wes set wnder a clothe of stait, to declaire, that as yet he had not receaued the croune.

The Churchmen, Nobles, Barrons, and Burgesses, askit at the King if he wer lawfull successor or not, and ver villing to accept the dignity of the croune, wich they did now offer to his Maistie, then wes his genealogie recitted.

Vpone the Kingss graunt to accept, the Bischopes

and all the rest caussed the pall to be hallfe opened, (wich befor is called a clothe of stait,) and they said "GOD BLISSE YOU, SIR;" then did the Queir and all sing, "GOD BLISSE HIM, AS HE HAD DONE HIS FATHER."

Then the Lyone King of Armes was called one by the Lord Marishall, quho attendit one by the Herauldes, came in ther coates,—the Lyon satt doune at the Kinges feete, and the Herauldes went to ther stage prepared for them, and ther the Marishall, by the mouthe of the Bishope of St. Andrewes, did sueire the Lyon, quho being suorne, then did he put one hes crowne, ordained him to weare for that solemnity.

Then did they all come fourth to the Theater, quher the King wes to be crowned, the Bischopes, nobles, gentrey, and Commissioners of the Burrowes, being with him. The Marishall desyred the Lyone to show the Kinges pleasur, quho sayes alloud to the People. THAT THE KING IS VILLINGE TO ACCEPT THE CROUNE, then all the commissioners and standers bay crayes, GOD BLISS HIM QUHO IS TO BE OUR KING, and all in one woyce, crayes, with shoutts, GOD BLISS HIM AND US, FOR HIS CAUS.

Then the Lyone returned with the Bischopes, Constable, and Marishall, &c. and they shew the

King that the people would haue him crowned, and call very earnestly for him.

Then does the King come fourth of hes closse pail with the Croune, Suord, and Scepter borne befor him, the Bischopes being one his right and left hand at his out comeing, and the Lyone going befor, crayes, heir comes the King, the people with acclamations ansuer, GOD BLISS HIM.

The King hath one hes ordinarey apparel for that day, hauing his clothes open one the boughes of the Armes and shoulders, with loupes fastened, and his clocke about him,—the Grate Constable and Marishall did beare his Roabes, the Grate Seall and Spurs, with the honors, wer layed doune one a litle table, befor the King.

Then did the Bischope make a sermone, wich endit, the Lyone brought tuo vialls of sacred oyle, deliuering the one to the Constable and the other to the Marishall, which they deliuered to the Bischope, quo therwith anoynted the King one the croune of the head, boughes of his armes, shoulder blades, and palmes of hes handes.

The Bischopes said diuers prayers and orations at the anoynting of each place.

Then did the Constable take vpe the Roabes, and gaue the same to the Bischopes, who fourth-with did put the same one the King, and, at euerey piece they put one, they said **INDUE, REX, TUNICAM IUSTITIÆ.**

Then did the Lyone take off his croune from his head, and layes it doune at the Kinge's feete, and coming to the Marischall, sayes, **I SURRENDER AND COMMANDS THE KING TO BE CROWNED, repetting sex generations of his discente.**

Then wes the croune put one the King's head, the Bischopes craying aloud, **GOD BLISS THE KING,** the Herauldes at their stage cray, **BLISS THE PEOPLE,** and the Lyone, with a loud woyce, crayes, **GOD BLISS THE KING AND PEOPLE.**

After the Croune is one the King's head, he solemnlie suers by othe, taken one the Euangell, by the Bischopes, to be a father to the people, to do justice, to manteine the religion he professt, to serve God, &c. to route out all heretickes out of his realme, to procure peace to the church, to the vttermost of hes pour, to preserue the rents, rights, and preuiledges of his croune, and not to transfer nor alienat the same, to forbid and quaushe all oppressions, to defend the vidues house, and fatherles, &c.

Then the Marishall hauing in his hand the obligaritie othe of the people, goeth to the foure corners of the scaffold, quho crayes it out to the people, they holding vpe ther hands all the tyme.

The wordes of the othe wer thesse, " I become
 " your man, as my liege King, in Land, Lyffe, Lithe,
 " and Lime, and varldes honer, feule and laule,
 " against all that liue and dyie may. Your coun-
 " saill celand that ge shaw to me, the best counsaill
 " giueand if ge charge me. Your skaith, na dishoner
 " to heir nor see, bot I shall lett it, at all my goodlie
 " pouer, and varne you thereof. Sa help me God.
 " Amen."

Then the Constable tooke the Croune from off the Kinges head, and layed it doune befor the King, and the Bischope put one the Kinges hat.

The quholl noblemen came, one by one, and touched the croune, saying these words, **SUA MOTE GOD HELPE ME AS I SHALL SUPPORTE THE.** Wich done, they all of them, againe holdeing vpe their hands,—**I SUEARE AND HOLDE VPE MY HANDE TO MANTEINE, DEFENDE, AND SUPPORTE THE, AS I VISHE THE LORD IN MY NEED TO HELP ME, &c.**

All wich ceremonies performed, with maney more not heir particularly set done, the King rysse

from hes chaire, and solely accompanied with all
hes Bischopes, Abbotts, Nobles, and Commissioners
forsaids, went to the great hall of the Abey, quher
with the King, each estait in order, hathe their
deue to the King's feast, prepared for them.



**The forme and maner of the Corona-
tion of King James the Sext,
being a Chylde of ane Seir olde,
after that the Queene's Majestie,
his Mother, had demitted the
Croune in hie Sone's fauors,
in two severall Conven-
tions of the Estaitts of the
Kingdome at Edinburgh
and Streuelinge.**

At Edinburghe, 24 of Julay 1567, in presence of the Lordes of the Secret Counsaill, and vthers of the Nobility, Prelats, Barrons, and Commissioners of Burrowes, conweined at Edinburghe, compeir'd Patrick Lord Lindesay of the Byris, and presented the commissione wnderwritten subscribed by the Queines Maiestie, our souerane Ladey, and vnder the Privey Seall, desyring the samen to be openley read, (Looke, Cap. 1, Part 1, Ja. 6, quher it is sett doune verbatim), wich being read, the saids Lordes, of Secrett Counsaill, and others of the Nobility, Prelats, and Barrons, &c. gladly accordit therto, and

approuit the same, in verifications quherof, they all subscribed the band following:—

Wee wich haue subscribed this wnderwritten band, wnderstanding that the Quenis Maiestie villing no thing more earnestly, nor that in her lyffetyme, her most deire sone, our Natiue Prince, be placed and inaugurat in the Kingdome of this his Natiue Countrey and Realme, and be obeyit as King by ws and wtheris his subiectis, and being weiried of the grate pains and trawellis taken by hir Maiestie in hir gouernement, hes by ther letters demittit and renuncit, and giuen poure therby to demitt and renounce the said gouernement of this realme, leidges and subditts thereof, in fauoris of her said sone, our Natiue Prince, to the effect he may be inagurat therein, the Croune Royall put vpon his head, and be obeyed in all things as King and Natiue Prince thereof, as hir Highness letters past therwpone beares: Thairfor, and because it is one of the most happiest thinges that can come to aney People or Country, to be gouerned and ruelled by ther auen Natiue King, we, and ilk ane of ws, that hes subscrivit thir presents be the tennor heiroy, Promitts, Binds and Obliges ws faithfully to conveine and assemble ourselues at the Brughe of Streueling, or aney other place to be apoynted, to the effecte forsaid, and ther con-

curre, to assist and fortifie our said native King and Prince to the establisheing, planting, and placing of him in his Kingdome, and putting the Croune Royall therof wpon his head; and in the feare of our God being instructed and taught be his and all wther Lawes; shall give our othe of fidelity for homage and deutifull obedience, to be made be ws to him during his Heighness lyffetye, as it becomes faithfull subiectis and trew Christians to doe to their native King and Prince; and further, that wee shall with all our strenthe and forces, promott, concurre, fortifie, and assist to the promotione, advancement and establishing of him in his Kingdome and Gouverment, as becomes faithfull and trew subiects to doe to their Prince, and to resist all sicke as wold oppose themselues to him therein, and shall doe all vther things that becomes faithfull and Christian subjectis to their native King and Prince. In vitnes quherof we haue subecriuit thir presents with our handis, &c.

APUD STREUELING 29 DIE MENSIS JULII ANNO DOMINI MILLESIMO QUINGENTESIMO SEXAGESIMO SEPTIMO.

The quhilk day within the parochiall church of the Brucht of Streueling conveyned thesse of

the Nobility, Gentry, and Commissioners of Burrows underwritten :—

James Earle of Morton, Lord Dalkeith.
Johne Earle of Athole, Lord Balwany.
Alexander Earle of Glencairne, Lord Kilmawers.
Johne Earle of Mar, Lord Erskeine.
Villiam Earle of Menteith, Lord Kilpont.
Johne Master of Grhame.
Alexander Lord Home.
Patrick Lord Lindesay of the Byris.
Villiam Lord Ruthuen.
Eduard Lord Crichtone of Sanquhare.
Robert Lord Sempill.
Johne Lord Innermeathe.
Andrew Lord Vchiltrie.
James Lord St. Jhone.

Adam, Bischope of Orknay.
Robert, Commendator of Dumfermling.
James, Commendator of St. Colum Inche.
Adam, Commendator of Cambuskenethe.
Johne, Commendator of Dryburghe.
Alexander, Commendator of Culrosse.
Robert, Minister of Faillfurde.

Mr. Robert Richesone, Commendator of St. Mary's
Isle, Thesaurer.

Sir Villiam Murray of Tullibardyne, Knight,
Comptroller.

Villiams Maitland of Lethingtone, younger, Se-
cretary.

Sir John Ballendene of Achenoule, Justice-Clerk.

Commissioners for Edinburghe,
Mr. Jhone Prestone. Nicoll Vdwarte.

Montrosse, John Erskine of Dun, Prouest.

Dundee, Mr. James Halybruntone, Prouest.

Streueling, Sir John Steuart of Minto, Prouest.

Perth, Johne Craingingelte, Prouest.

Linlithgow, Charles Drummond, Prouest.

With a grate maney more of the Nobility, Prelates, Gentry, and Commissioners of Burrowes, Quher the Right Highe and Mightie Prince James, be the Grace of God, Prince and Steuarte of Scotland, being presentit to the Lords of the Nobilitie, Spirituality, Commissioners of Barons and Burrowis, quho after inuocatione of the name of God, the said Patricke Lord Lindsay of the Byris and William Lord Ruthuen at command, and be wertew of the Queen's Maiesties, oure Souerainge Ladeyes commissione and letter subscriued with her hand, and wnder her Priuey Seall, compeirit, and her Maiestie's name, and vpone her behalfe, demittit and renuncet the government,

gyding, and reuling this realm, leges, and subjects thereof, all intromissione with the propertie, casualtie, or vther thinges apperteening to her heighnes therby, and all right and tyle that sho has, hes, ore may haue, be aney maner of way therto, in fauors of the most excellent Prince, her darrest sone, to the effect that he might be inaugurat and placed in this kingdome, the Croune Royall deliuered to him, and be obeyed in all things concerning the same as her Maiestie or her prædecessors hes beine in tyme by past: and in signe and token therof, the saidis Lords Lindesay and Ruthuen presentit befor the said Lordes of the Nobility, Spirituality, Commissioners of Barrons and Burrowes, and remanent people convened, the Royall Croune, Suord, and Sceptre, requyring the saids letters and commissions to be read and put one record, *ad futuram Rei memoriam*. As also the vther tuo commissions following, concerning the Regiment of the realme during this minoritie of the said most excellent prince. The substance quherof are in the first acte of the first Parliament of King James 6.

Quhilkis tuo Commissions being oppenly read,
the saids Earls of

Mortone,
Athole

Glencairne,
Mar,
Menteithe,
Master of Grhame,
Lord Home,
Bishop of Orknay,

In name of the estates presently conueined and assembled according to the command and tenor of the first commissione, received the said renunciatione and demissione in fauor of the said most excellent Prince, and after the receiuing therof, the said James Earle of Mortone inclyning his body, and layand his hand vpone the Booke of God, made the othe and promisse following, viz. :—

I, James Prince and Steuart of Scotland, promises faithfully in the presence of the Eternall, my God, that I indureing the hail course of my lyffe, shall serue the same Eternall, my God, to the wtermost of my pouer, according as he requyrethe in his most holy word reuealed and contened in the New and Old Testament, and according to the same vord shall manteine the trew religione of Jesus Christe, the preaching of his holy vord, and right ministrations of his sacraments, nou receaued and practised within this realme, and shall abolishe and withstand all fals religione contrarie to the same, and shall reule the people committed to my

charge according to the will and command of God reweld in his foresaid word, and according to the laudable lawes and constitutions receaued in this realme na wayes repugnant to the said vord of the Eternall God, and shall procure to my wtermost to the kirke of God, and haill Christian People, trew and perfyte peace in all tymes cominge. The rights and rents with all just preuiledges of the Croune of Scotland, I shall preserue and keepe vnviolat, nather shall I transfer nor alienate the same.

I shall forbid and repres in all estaits and deegres, reiffe, oppressione, and all kynd of wronge.

I shall command and procure that justice and equitie in all judgements be kept to all creatures, without exceptione, as he shall be mercifull to me and you, that is, the Lord and Father of all Mercies.

And out of my Landis and Empyre, I shall be cairfull to roote out all hereticks and enemies to the true worschipe of God, that shall be conuicte by the true Kirke of God of the forsaid crimes, and thir thinges abovewrittin, I faithfullie affirme be my soleme othe.

The soleme othe being thus taken, the Lordes and haill Estaits present, the Bishope of Orkney

did solely anoynte the chylde one the wsuall pairts quher Kinges are anoynted.

Then did they sett him on a throne, putting the croune one his head, wich wes performed by the Earle of Athole, and the suord and sceptre on each hand, vith all the accustomed ceremonies.

Then did one of each e stait kisse his cheeke, and, in the name of the quhole, doe him homage, and sueare fealty to him. Quhervpone Sir Thomas Bellendene, Justice-Clerk, in name of the saids estaits, and als Jhone Knoxe, Minister, and John Campbell of Kymacleuche, askit actes and instruments.



Ceremonial at Royal Christenings.

At the Christning of King James, Athole had place before Eglinton, Lord Semple before the Lord Ross.

At that solemnity, the Lord Harres created Lord.

At the Feist ther serued the Queene.

E. of Huntley, Caruer.

E. of Murray, Cupebearer.

E. of Bothuell, Suer.

Ther seruid the French Ambassador.

E. Mar, Caruer.

E. Cassiles, Cupebearer.

E. of Athole, Suer.

Ther serued the Englishe Ambassador.

E. of Rothes, Caruer.

E. of Eglinton, Cupebearer.

E. of Craufurd, Suer.

Ther serued the Sauoyan Ambassador.

Master of Maxsuel, Caruer.

Lord Boyd, Cupebearer.

Lord Leuingston, Suer.

At Queene Anne's Coronatione, 17 Maij 1592.

Esme Ducke of Lennox bure the Croune.

Johne Lord Hamiltone the Scepter.

William Earl of Angus the Suord.

At the christning of Henrey Prince of the Isles,
eldest sone to King James 6,

My Lord Home bore the Croune Ducall.

Lord Leuingstone the Touale.

Lord Settone the Bassin.

Lord Semple the Euare.

Ther serued hes Maiestie that day at dinner.

Earle of Montrois, Caruer.

Earle of Glencairne, Cupebearer.

Earl of Orknay, Seuar.

For the Quein's Maiestie.

Lord Setton, Caruar.

Lord Home, Cupebearer.

Lord Semple, Seuar.

Vpone the 29 of Agust 1594, in the Castle of
Streueling at supper, sederunt solely.

Lennox.
E. Glencairne.
E. Montrois.
E. of Mar.
E. of Menteith.
L. Settone.
L. Fleiming.
L. Leuingstone.
L. Semple.
L. Sinclair.
L. Vrquharte.

At the Christning of his Maiesties eldest daughter,
the Lady Elizabeth, 28 Nov. 1596.

Lord Leuingstoune bure the Basing.
Lord Setton the Lawarre.
Lord Home the Toule.

Ther wes of the Nobilitie present at the Kirke
at the said christening.

Duck of Lennox.
E. Argyle.
E. Craufurd.
E. Montrois.

E. Mar.
 Lords Home.
 Settone.
 Leuingstone.
 Vrquhart.

At the Christning of hes Maiesties second daughter, Lady Margaret, vpon the 15 day of Appryle 1599.

The Master of Elphingstone bure the Bassinge.
 Lord Neubotle the Lauarre.
 Lord Fyuie the Touall.

Of the Nobilitie present in the Kirke at thes Christening, wer,—

Lord Chancelar.
 Duck of Lennox.
 Hamiltone.
 Huntley.
 Mar.
 Cathnes.
 Eglintone.
 Fyuie.
 Neubotle.
 Master of Elphingstone.

At the Christning of hes Maiesties second sone,
Charles, 23 December 1600.

Ther attendit the chylde to church, of the Nobilitie,

Marques Huntley.

E. Montrois, Chanceler.

E. Cassiles.

E. Mar.

E. Vintone.

Lord Fyvie, President of the Session, bure
the Croune Ducall.

Lord Spynie the Euare.

Lord Roxbrugh the Bassinge.

At the Christning of hes Maisties third sone,
Robert, 2 Maij 1602.

Lord Oliphant bure the Croune Ducale.

Master of Angus the Euare and Toule.

Master of Pasley the Basinge.

Noblemen Gossopes present at the Christninge,
wer,—

Duck of Lennox.

E. of Argyle.

E. of Mar.

L. Oliphant.

L. Louat.

L. Sanquhaire.

Orders subscriuet by hes Maiestie at the Christening of Prince Henry.

To be within the bare.

Hes Maiestie.

The Ambassadors.

The Lords that beares the Honors.

The Barons that bearis the Pale.

The Noblemen.

The Priuey Counsellors.

To stand vpon the stage about hes Maiesties chaire.

The Master of the Gardrobe.

The Capitane of the Guard.

Thomas Erskyne.

The Master Elemosiner.

Lords appointed to bear Honors.

Lord Home the Croune.

Lord Leuingstone the Touale.

Lord Settone the Bassinge.

Lord Semple the Euarre.

A number of the maist honest men at Edinburgh to stand in Ranke, in Armes, betuix the trance and the Chapell door.

Barons appointed for bearing the Pale.

Sessfurd.

Balcleuche.

Constable of Dundee.

Traquaire.

The actione of the Baptisme to be performed by
the Bischope of Aberdeine, first in Englishe then
in Latin.

JAMES R.

The Ambassadors placet one his Maieties right
hand, the Earle of Sussex for England, and Mr.
Bou's the Lieger, the Ambassadors of Brunswick
and Holland, and next them the Ducke of

Lennox.

Earles of Mar.

Glencairne.

Menteith.

Then the English Gentlemen and nixt them the
Lordes

Home.

Settone.

Semple.

H

One his Maiesties lefte hand sate the Ambassadors of Denmarke, Lunebrughe, and next him he of Meckelbrughe.

The Pale wes sustinet by the Gentlemen bearers thereof, under the quhilk the Prince with the Ladeyes remained.

The sermone preached by Mr. Patrick Gallo-way, his Maiesties Minister, hes text wes out of the Booke of Judges.

The Bischope of Aberdeine first in English, and then in Latine, performed the ceremony, quhilk being endit, his Maiestie descendit from his seat with the haille Ambassadors, Mr. Bouis excepted, the Pale being remouit befor the pulpit, wnder wich the Countesse of Mar stooode with the Prince in her armes, shoe deliuered him to the Duck of Lennox, and he deliuered him to the Earle of Sussex, the English Ambassador quho presented him to the Baptisme.

SIR DA. LINDSEY.

Orders to be performed at the Christning of Charles, hes Maiesties second sone, 23 December 1600.

To beare the Pale.

Edgell.

Dedope.

Lards of Clerkingtone.

Traquaire.

Buchanan.

Sir Mercke Ker.

JAMES R



Rydings of the Parliament, &c.

My Lord Ducke.

E. of Huntley.

E. of Argyle.

E. of Arrane.

E. of Athole.

E. of Craufurde.

E. of Glencairne.

E. of Orknay.

E. of Montrois.

E. of Gourey.

E. of Mortone.

E. of Sutherlande.

E. of Rothes.

The king's Maiestie, with aduyce and consent of the Lordes of hes Secret Counsaile, hes appoyntit, and appoynts, the Noblemen aboue vretten to keipe ranke and place in this present Parliament, as they are here sett doune, wjthout preiudice of their auen deu place and honor in tyme coming.

JAMES R.

At the Parliament halden at Edinburghe, 29 of
Maij 1592.

Lennox the Croune.
Angus the Scepter.
Argyle the Suord.

Sederunt.

Constable.
Marishall.

Lennox.
Angusse.
Argyle.

Settone.
Semple.
Lindesay.
Dingwall.
Spynie.
Vrquhart.

The last day of the ryding of this Parliament,
my Lord Lindesay sat formost, and Settone the
first day.

**At the Parliament haldin at Edinburgh, 16 Julij
1593.**

Lennox bore the Croune.

Argyle the Scepter.

Morton the Sword.

Sederunt one the King's left hand,

Hamiltone.

Argyle.

Earles Morton.

Mar.

Constable.

Marischall.

Home.

Lindesay.

Lordes Ochiltree.

Forbes.

Sinclare.

Spynie.

Lord President Fyvie wes Vice Chanceloure.

**The honors borne the last day of Parliament as
the first, and the Nobilitie did ryde and sitt the
last day as they did the first, onlie the Lord Linde-
say was absent.**

SIR DA. LINDESAY.

At the Parliament holdin at Edinburghe, the
penulte of May 1594.

Lennox the Croune.
Mar the Scepter.
Sutherland the Suord.

Sederunt one King's right hand.
Lennox with the Bischopes.

Sederunt on his Maiesties left hand.

Constable.

Earls Marischall.
Hamilton.
Montrois.
Mar.
Home.
Settone.

Lords Lindesay.
Sinclare.
Vrquharte.

The Chancelour sate betuix my Lord Duche and
Hamiltone. All things wer performed the last day
as the first, onlie my Lord Hamilton wes absent.

SIR DAVID LINDESAY.

At the Parliament haldin at Edinburghe, 14 Decem-
bers 1597.

Honours borne the first day,

Cassiles the Croune.
Mar the Scepter.
Sutherland the Suord.

Constable.
Marischall.

Home.
Settone.
Leuingstone.
Forbes.
Saltone.
Sinclair.
Dingwall.
Spynie.

At this Parliament the banischt and forfaulted
Earles were restored, and the last day of this Par-
liament the honors were borne by thesse follow-
ing :—

E. of Angus the Croune.
E. of Huntly the Scepter.
E. of Casseles the Suord.

SIR DAV. LINDESAY.

At the Parliament holdin 11 day of November
1600.

The honors wer borne as followes, viz. :—

E. of Cassiles the Croune.
E. of Eglinton the Scepter.
E. of Mar the Suord.

Sederunt.

Constable.
Marischall.

Earles Cassiles.
Eglinton.
Mar.
Home.
Lordes Home.
Seytone.
Leuingstone.
Saltone.
Neubottle.
Fyuie.
Spynie.

The honors were borne the last day of the ryd-
ing of the Parliament by these Noblemen that did
beare them the first day. SIR DA. LINDESAV.

APUD PERTH, 1 JULII 1606.

The Lords of Secreit Counsale, villing that a decent and comlie order shall be obseruit and kept, by the Estaites of this kingdome, in ther ryding to the present Parliament, hes therfor sett doune the order followiing, to be kept by them at this tyme of Parliament, viz. that the haill estaittes shall attend the Lord Commissioners Grace at hes lodging, and conuay him therfra to the Parliament Housse in this order.

First the Commissioners of Burroues to march tua and tua in ranke vpone horsse back with foote-mantells. Nixt them the Abbots and Priors, tua and tua, in ranke.

3dly to them shall ryde the Temporall Lords of Parliament tua and tua, and that euer the last created shall merche togider formost. 4thly, the Bischopes and Archbischopes tua and tua in ranke according to ther place and dignity, and

Immediatly after them the Earles rankit as said is tua and tua, and the leatest creatione to marche formost.

And then the Trumpetts.

Pursuewants.

Heralds.

Lyone King of Armes.

And then the honors immediately befor my Lord Commissioners Grace, and after his Grace, the Marqueses, and that nane of the estaits repaire to the Parliament Housse till the Commissioners Grace be redey, and that they attend and vait vpone him and convey him in ther rankes and order aboue wrettin, as they will be ansuerable vpon their obedience, and ordains publicatione to be made herof at the mercat crosse of Perth quherthrow nane pretend ignorance of the same.

JA. PRYMOIS.

Notwithstanding of this acte, at Perth, nather Commissioners of Burrowss nor Barrons read, for vant of furnitur be ressonne of the vntymous varninge.

SIR DA. LINDESAY.

**A list of thesse gentlemen knight by my
Lord Duche, his Maiesties Com=
missioner giuen in this order to
the Lyone vnder hes hand.**

Alexander Gordon of Neuedale.
Villiam Douglas of Glenberuey.
Donald Mackoneill of Slaite.
John Steuarte of Kirkton, Shriffe of Bute.
Alexander Menzies of Weeme.
George Forrester of Corstorphin.
Ludouick Houston of that Ilk.
Roger Gray of Southsax.
Mr. Johne Cæsar of Hydehall.
Mr. Johne Sauage of Baraper.
Coyle Lamont of Innerrin.
Johne Hamiltone of Preston.
Patrick Agneu of Lochnau, Shriff of Galloway.
James Hamilton of Rosseuen.
Johne Somerwail of Carswell.
Jo. Blakeater of Tulliallen.
Robert Montgomery of Lochransey.
Robert Scot, zounger of Gokstone.
Jo. Mackdougall of
. Macoule of Dundighe.

LENNOX.

**Register of Interments and Funeralls
of Englische Kings, Queens,
and Duckes.**



**The Interment of Richard Duke of
Yorke, Father to Kinge Edward
the Fourte.**

FIRSTE, ther ves ordained a chaire, the houpis couvered vithe blacke veluit, and the sydis vithe blacke clothe, the pomells painted with hes armes, drauin vith sex courseirs, trapped vithe blacke clothe, vith Scoutsions of hes armes vpoune Buckroume, sett one eurey syde and forheids of horsstes, and of the formost horsstes, and after eurey tua horsstes satt a yeoman, clothed in a blacke gounne, vith a houde ouer hes face, hauing a quhipe in hes hands, and a raine to gyde the aither horsstes befor him.

Item. The chaire ves couered vith blacke veluet, vith a crosse of quhyte Satine. The geir of our Lord 1476, the 4 day of Julay, Dirige ves begunne by the Bischope of Durhame.

Item. The dean of the king's chapell, vith the uther members of the chapell, vaited alway, sauing at cerimonies. And ther ves vatche all the nighte.

Item. The nixt mornon after, the said Bischope did singe Masse of requiem, being present in pontificalibus, the Bischope of Chester, the Bischope of Hereford made a Sermone, vithe the bischopes of Bangor and Durhame.

Item. The fryiars of the place said ther dirgie and masse of requiem, at ane Altare beneth the quheire.

Item. Ther vos ordained a hersse quherin lay the bodey chested, and aboue the cheste ane image lyke to the prince, laying upright in a Surcotte, and a Mantell of Bleu veluit, furred with Armyne, betuene the Image, one the cheste ves sprede a bleu clothe of goulde, and one hes hede ves sette a Cape of Mantinence, vith ane angell standing in quhyte, holding a croune ouer hes hedde, in token that he wes king of righte.

Item. Ther ves railed aboute, for the lords, mourners, vich kneiled at the hed and both sydes of the hersse, vithin rails, that is to say, hes sone, the

DUCKE OF GLOCESTER,

And on the righte syde of the said hersse ves ther the Earll of

NORTHUMBERLAND,

BARRON OF GRAYSTOCKE, and
LORD DARCEY OF THE NORTHE.

And one the lefte syde satte ther kneilling, the
Steuard of the king's housse, the

LORD STANDLEY,
LORD VELLEIS,
LORD MONIOYE,

All in ther habitts, that is to say, long gounes and
mourning hoodis, vith long Mantells, training one
grounde.

Item. By the railles vithout, stoode the officiars
of Armes, in longe gounes, and hoodes upone ther
heids, hauing aboue all, ther coatts of Armes, for
betuene the officers of Armes, and the Lords should
stand no man.

The Lord's chaplen may stand by hes Lord,
vithoute the barres, sayuing hes service, and no
vther vayes.

Item. Ouer the Image of the corpes, a cloth of
Maiestie of blacke sarsenet, vith the Image of our
Lord sitting one a rainboue in gould, hauing one
eurey syde a Scutseone of hes armes of France and
England, quarterlie, vithe a variance aboute the

K

heresse, also of blacke sarsenet, freynged halffe a gaird deepe, with ye frynge beattin vith iiij Angels of goulde, holding hes armes vithin a garter, as is aboue syde in eurey place of the heresse.

Item. The nounter of the lightts of the heresse at Pomfrette, ij^c and lix in all, that is to say, 5 principall lightts, the first standing in the midst, vith 14 boughes aboute him, flourished, and four branches, and vpone eurey branch a Mortar, vith sex lightts flourished, and vther 4 staunding in the 4 corners, hauing aboute them 6 lightts and 4 branches, flourished, one evrey branch a mortar, furnished as is aboue saide, and 24 coursse lightts aboute the corpes and heresse, eurey one of them hauing a boughe flourishing, as said is.



The Interment and Buriall of King Edward the Fourte.

Quhen the nobill Prince Eduard the 4, ves decessed at hes pallace at Vestminster, vich ves the 6 day of Appryll, 24th Anno. Regno sui.

The bodey of ye king laide to be seine by all the Nobilitie and Maior of London and Aldermen. First the corpes ves couered from the nauill to the kneeis and so layed upone a boarde all naked, after vich maner he lay open x or xij houres that the lords both spirituall and temporall then leiving in London, or neir therabote, might looke on him, and the Maior of London and hes brethren sau him so laying, and then he ves seyred and ordered.

Then after he ves brought to the church of VESTMINSTER, quher ver sung iij solemne Masses. 1. VIRGINIS MARIE. 2. SANCTE TRINITATIS. 3. REQUIEM, vich ves sung by the Bischope of Chester. After noune ther ves sung dergies and comandations, and after the seruice ves doune, the quholl psalter ves said by hes chapell, and att night ves veill vatched vith nobellmen and uthers, his servants, and at the masse of requiem the LORD DACKERS, the queinis chamberlaine, offred for the

Queine. And the Lords temporall offred daylie, pue the said masses, the Lordes spirituall offred also to the heighe altar, bote note to the Bischope, and all vthers the kings seruants did offer also. This ordour ves keipt in the palace viij dayes, eurey day, except the first, hauing bot one solemne masse, vich alwayes ves sunge by a Bischope, and one Vednisday the 28 of the said month, hes bodey ves convayed to the Abeye borne by diuers knights and esquyres, that ver of hes bodey ; that is to say,

Sr. Eduard Stanley.

Sr. Jhone Sauage.

Sr. Thomas Vorcesley.

Sir Thomas Moleneux.

Johne Cheney, Master of his Maiesties Horsses.

Walter Hungerfourde.

Guye of Volstonne.

Jhone Sabcotts.

Thomas Tirell.

Jhone Risley.

Thomas Dacre.

Jhone Norice.

Boyeis De Bartell.

Christopher Collens.

Hauiing one corps a large and brode cloth of goulde, aboue a rich canopy of cloth imperiall frynged vith goulde and bleu silk, borne by

Sr. Thomas St. Clair.
 Sr. Villiam Aparr, Comptroller.
 Sr. Johne Ashleye.
 Sr. Villiam Schouer, Knights.

And at eurey corner a Baner, the 1. of the Trinitie borne by SR. HENRY FERRIERS; the second of our Ladey borne by SR. JAMES RADCLIFFE; the thirde Baner of St. George borne by SR. GEORGE BROUNE; the fourte Baner of St. Eduarde borne by SR. GILBERT DENHAME; and the LORD HOUARD boure the king's baner with hes armes going nixt affor the corpes amongst the officiers of Armes, and so in deu ordour till they came to the Abbey of Vestminster, quher vnderneath the herse as appertineth ves a grate processione befor him, as folloues, viz. :—

Archbischope of York, Chancelour of England,
 The Bis. of London,
 The Bis. of Chester,
 The Bis. of Bathe,
 The Bis. of Chechester,
 The Bis. of Carleill,
 The Bisch. of Noruiche,
 The Bis. of Durheme,
 The Bis. of Lincoln,
 The Bis. of Eley,
 The Bis. of Rochester,

The Bis. of Exeter,
The Bis. of Salisburey.

Next in ordoure came the corpes caried as said
is, after vich did follou, the

Earll of Lincolne,
Marquess Dorrsett,
Earl of Huntingdoun,
Viscounte Barkley,
Lord Stanley, Steuard of hes M^{tie} housse,
Lord Hastings, Kings Chamberlaine,
Lord Dacre, the Queens Chamberlaine,
Lord Dudley,
Lord Bageney,
Lord Audley,
Lord Ferreis,
Lord Morley,
Lord Cobham,
Lord Velles.

Thir aboue named Lords ver with the corpes at
seruice that night, and to-morrou also.

The seruice at Vestminster wes doune by the
Archbischope of York, and at Masse the Abote of
Bansey ves Deacon, and aboue the hersse vpon the
cloth of gould ves the kings effigies, haueing one
the same robs vich the king vsed to veare, with a

crowne one hes head, and a schepter in hes one hand, and a globe in the vther hand.

And after that the Lords that ver vithin the hersse, and the Bischops had offred, the Maior of London offred, and after him the cheiffe Judge, and vther judges, and Knights of the Kinges Housse, vith the Barrons of the Exchequer, and Aldermen of London.

And quhen the Masse ves doune, and all vther Solemnitie, and that the Lords ver redey to ryde, ther ves ordained a royall chariote couered vith blacke veluet, hauing aboue that a blacke clothe of golde vith a quhyte cross of golde, and under that, a Maiestque clothe of blacke sarsanet.

The chariott drauin vith sex coursers trapped vith blacke veluet, vith certaine Scutseons betuin upone black Sarsinet vith gold.

Upone the formost horss and tylt-horse satte tuo chariote men, and one the . 4 . other horsess sate four henshmen, one ather syde, vente diuerss knights and Squyres for the body.

The Lord William Houard did beare the kings Baner nixte befor the 4. horsesses, and hes horsse ves trapped vith blacke veluet vith diuerss Scut-



seons of the kings Armes, vith hes mourning hoode
one hes heade.

Then the corse vith the personage, as aboue
vith the processione, of Bischops in pontificalibus,
and the 4. ordour of fryars ves conveyed to the
chaire, and in ordour as aboue, to Charing Crosse,
quher the Bischope sensed him; and after ves pute in
to the said chaire: and the Lords toke ther horsse
and proceded to Syone that night. Quher at the
church dore, the Bischope senset him, and the corps
vith the Image (as said is befor) ves borne to the
queire of the said church, and ther the Bischope of
Durheme did the seruice.

And one the morrou, in lyke ordour (as aboue)
he ues conveyed to the chayre, and from thense to
Vindsore, quher at Eyton the Bischope of Lincolne
and the Bischope of Eley did meete the corps and
senset them, and proceded to the Castell.

And at the Bridge mette the procession of Vind-
sore, and at the Castell gate the Archbischope of
York, and Bischope of Vinchester senset the corps,
being theruith the Bischope of Noruich, the Bischope
of Durheme and the Bischope of Rochester, vith the
chanons of colledge and the Kings Chappell, and so
proceded to the Neu church, quherin wes ordained
a marualous neu veill vrought hersse, and fourth

vithe dirgie, and in the euening they of the colledge said the quholl psalter ; and ther ves a grate vatch that night, by many grate Lords, knights, and squyres for the body, Gentelmen Ushers, and others, quhose names here follow.

First vithin the hersse the Lords of

Bargaueney,	Hauard,
Audley,	La-ware,
Lisley,	Cobhame,
Welles,	Sr Jhone Arundell,
Fitz-heughe,	Sr Thomas Bourser.
Morlay,	

Knights vith oute the hersse ver these that fol-
loues.

Sr Thomas St. Claire,	Sr Gilberte Denham.
Sr Henrey Ferries,	Sr Jhone Sauage,
Sr Eduard Stanley,	Sr Thomas Molinex,
Sr William Parker.	Sr Villiam Stone.

Esquyres for the hodey ver these that follows, viz. :—

Jhone Cheney, Master of the horss,	John Rysley,
William Barclay,	Lois de Berclais,
Villiam Odall,	Anthony Malauere,
Robert Poyntis,	Jhone Sabcotts,

L

Gentlemen Ushers ver these, heir in ordour, viz. :—

Villiam Colingburne,
 Eduard Hargill,
 Nicolas Cremer,
 Christopher Colling,
 Villiam Clifforde.

Officers of Armes ver these following, viz. :—

Garter and	} kings at armes.	Rougecrosse,
Norroy,		Guysnes and
Glouchester,		Harrington, pursefants.

Esquyres of the houshold ver the following, viz. :—

Thomas Mortimer,
 George Democke,
 William Rodewall,
 Jhone de la Mere,
 Edmond Gorgis.

Zeomen Vshers ver these that folloues, viz. :—

William Rider,	George Cheyny,
Roger Chelsate,	James Pembretoune.

Vith diuers vthers, vith al the moste pairte of the
 zeomen of the chalmerys and courte, vich helde
 torches.

And one the morrow, after the comandationes, begane the Masse of our Ladey sounge by the Bischope of Durseme, at vich masse Sr. Thomas Boyuesse offered the masse penney, because ther ves no grater persone of Estaite presente, and after him all vther that ver in the hersse.

After that masse ves doune, then began the masse of Requiem, the trinitie sunge by the Bischope of Lincolne, at vich masse the Earle of Huntingdoun offered the masse pennie, and after him other Lords (as is aboue sayed).

At the beginning of the masse of Requiem vich ves sounge by the Archbischope of Zorke, the officers of armes vent to the Vestuarey, quher they receauid a rich embroidered coate of Armes, vich Garter King of Armes helde with als grate reverence as he coulde at the head of the hersse till offring tyme.

At vich tyme after the Earlle of Lincolne had offred the masse pennie, the said Garter did present it to the Marquesse of Dorsette and the Earll of Huntingdoun, and they offred it, and the said Garter recevid it againe from the Archbischope, and helde it still at the heigh altar till the masse ves doune.

In lykwayes Clarentieux and Norroy, kinges at Armes did receaue the shield at ye offring, and presented it to ye Lord Mattrauersse, and to the Viscounte Barckley.

And Marches and Jyrland Kings of Armes receuid a rich sword vich hed beine sent from the Pope, and lykevayes presented it to Sr. Jhone and Sr. Thomas Boursers, the king's aunt's sonnes.

Also Chester, Leycester, heraulds, receaued a Basnet vith a rich Croune of Goulde, and presented it to the Lord Stanley, and to the Lord Hastings.

And Glouchester, and Buckinghame, heraulds, vith Rouge-Crosse, Rose-Blanche, Callis, Guysnes, Beruick, and Harringtoune, pursefants, vente vith the knights and squyres of the housholde,

And for the bodey, to the church dore, to receaue of Sr. Jhone Cheney, master of the horsse, the man of armes vich ves Sir Villiam Aparre, armed al places sauing the heade, hauing ane axe in hes hand, the plomell dounvarde, and thus accompanied to the queir dore, quher he did alight. And the Decon toke the hersse vich ves trapped vith a rich trape of the king's armes,

Quher the Lord Audley and the Lord Ferreirs

receaued the man of armes, and vith the forsaid coimpanie of knightes and squyres, heraulds and pursefaunts, accompanied him to offring; vich doune euery Lord in mourning habit offred for him selue, and after the Lords, knights, and officers.

Incontinent that doune, the Lords offred certaine clothes of goulde to the corps, eurey one after hes degree and estaite; that is to say, the Earll of Lincolne certain gairds of tisheu, the Marquesse of Dorsett, vith all the vther that ver of the Bloode.

And after that doune, he ves vith the ceremonies thereto appertening, interred in the same church at the lefte hand of the heigh altar.

One quhose Soule the Lord haue mercey.

AMEN.



**At the intermente of Queene Eliza-
beth, byffe to King Henrey the vijth
for black cloth, as it appeirs in the
booke of ye Grate bardrope.**

Soume ix m^{lib}. ccc,xxiiij gairds at diuers pryces,
amounting to the Soume off m^{lib}. ccc,xxiiij^{lib}. xv
ss. x. d.

Payed to Richard Gibsone for the pictur makinge,
ij^{lib}.

Payed to William Bokey for 9 gairds of Sattin
crimpsone, and a gaird and a quharter of blacke
veluite, to be a garment of the said picture, v^{lib}.
ij^{sh}. ij^d.

Payed for the hersse, ccclxviij^{lib}. ij^{sh}. x^d.

Auen to Elizabeth Pecke of the torches at the courte,
ccclxxij^{lib}. at xlvj^{sh}. The hunder as affor, xl^{lib}.
xvj^{sh}. viij^d.

So rests, ccclvij^{lib}. xj^{sh}. ij^d. ob.

Payed to Jhone Bodelaine for tuo pices of black
burkrome, for the said herse, xxj^{sh}.

Payed to the Herauld paientters, for Scuttcheons,
Banierrs, Staues, and &c. as pereth, cclxxxviij^{lib}.
xj^{sh}. 8^d.

Payed to the sadler, $\text{xxiiij}^{\text{lib.}}$ $\text{viiij}^{\text{sh.}}$ 8d.
 Payed for blackning of the haill chairrs, $\text{xxiiij}^{\text{sh.}}$
 Payed for Manteletts, Corsings and Parris and lyn-
 ing clothe, iiij^{xx} $\text{xv}^{\text{lib.}}$ ijs. $\text{ij}^{\text{d.}}$
 Payed for 34 palles to be offrede, iiij^{xx} $\text{xiiij}^{\text{lib.}}$ 17s. 9d.
 Payed for the hersse clothe, and chyre cloth of
 goulde, and black veluit and other thinges neces-
 sarey, $\text{clxxxiiij}^{\text{lib.}}$ $\text{x}^{\text{s.}}$ $\text{ij}^{\text{d.}}$ ob.
 Payed in Almesse to the pooure, $\text{ccxl}^{\text{lib.}}$
 Payed to the plumer for a coffin of Leade, $\text{vj}^{\text{lib.}}$
 Payed to Valter Foster, tonnber and vorkmanship,
 of the hairsse at Vestminster, $\text{iiij}^{\text{lib.}}$
 Payed for expensis of Nobellmen at Westminster
 at the saide Buriall, $\text{xxxviij}^{\text{lib.}}$ $\text{iiij}^{\text{s.}}$ xjs.
 Summa totius oneris et expensarum
 $\text{iim}^{\text{lib.}}$ viijs. $\text{x}^{\text{lib.}}$ vijs. $\text{iiij}^{\text{d.}}$

Lykuayes for Nobellmen as folloues :—

The Marquess vj gairds, and 4 men xiiij gairds.
 The Earlls lyk quantitie also.
 The Barrons vj gairds, 3 seruants x gairds.
 The knights v gairds, and tuo seruants viij gairds.
 Henchmen vj & viiij gairds, and sex seruants xxj
 gairds.
 The Cupebearir iiij gairds, and one seruant iiij
 gairds.
 The Suarde iiij gairds, and 3 to hes seruant.

Esquyres for the bodey iiij gairds to 5. 3.

All other Esquyres iiij gairds to 5. 3.

Gentelmen hussers iiij gairds to 5. 3.

Seriants at Armes iiij gairds to 5. iij.

Leuars of the Chalmber a lyke vith geomen, vshers, and pages of the Chalmber all at iiij gairds a peice.

The King's Chapleins vj gairds, and 1 seruante iij gairds; all other Chapleins v gairds and one seruante iij gairds.

Garter,	Vindsore,	Rouge dragonne,
Clarentieux,	Lancaster,	Groby,
Somersette,	Bleumantell,	Serreshall,

All vich hed v gairds black cloth a mane, and the Kinge of Armes 3 gairds for a seruante.

The total number of gairds of black clothe extended to 9681 gairds.



**A Breue relatione of the Solemnitie
used at the interment of King
Henry the vijth, the proceeding
from Richmond to London.**

After that all things necessarie for the interment
and funerall pompe of the laite kinge, verey sump-
tuoslie prepared and doune,—

The corps of the decessid king ves brought fourth
of bead chalmber to the grate chalmber, quher he
did lay iij dayes, and every day befor the corps ther
ves masse and dirgie solemlie sunge, with a prelate
mytred; the nixt thre dayes thereafter the corps ves
frome thense remoued to the hall, and frome the
hall, uther three dayes to the chapell with lyk ser-
uice, hes morning seruants both [day] and night off-
ring ther deu attendance, and in evrey place ves
ther ane hersse garnished vith Baners, Scutcheons,
and Pincells.

And upon Vedinsday, being the 19 of May, ves
the bodey bot in a chaire couered vith black cloth
of goulde, drauin vith 5 grate coursers, couerid vith
black veluit, and garnished vith Scutcheons of fyne

M

goulde: one the corps ther ves ane Image or Representatione of the laite kinge, layed on cuschons of gould, and apparelled in hes rich robs of estaite, vith a croune one hes head, a Ball and Schepter in hes hands, environed vith Baners of Armes, of al hes Dominions, Tyttles, and Genealogies, and thus the chaire being ordered, the chapeleins and prelatts vente praying, and all uther in black mourninge, vith inumerabill torches, procided in good ordoure from Richmond to Londone.

And at Londone Bridge ver all the preists, clerkes, and religious persons vith ther crosses, inhabitting in Londone or aboute, vich vent aboute the said corps; and the Maior and his brethren, vith many citicens al in blacke vaitted one the bodey, and so passed throu the streitts vich ver besett vith Torches one eurey syde, and childrin on the stalls holding tapers, to the cathedrall church of St. Paull's, quher ves a sumptuos hersse made of vaxe, and garnished vith baners and scutscheons, quher ves sunge a solemne derge and masse, during vich tyme the Kinges houshold reposed in the Bischopes palace.

The nixt day was the corps remoued in lyke ordour to the Monasterey of Vestminster, Sr EDUARD HAUARDE ridyng in the King's Coate of Armes, bear-

ing hes baner one a courser trapped with the Armes
and Atchievements of the decessed Kinge.

In Vestminster church ves ther a mearvelous
grate hearsse, of 9 principallis full of lightts vich ves
lighted against the cooming of the corps, vich ves
taken out of the chaire vith sex Lords, and set under
the hersse, the effigie laying vpon the coffen one a
pall of goulde, the mourners being rounde aboute
within the first raill, knights bearing baners standing
within the 2 raylle, and officers of Armes vith oute
the same, Garter vith a loude voice crayed, **FOR
THE SOULE OF THE NOBILL PRINCE KING HENREY
THE vijth.** King of this realme, and incontinent
theraftere, the queire began **PLACEBO**, and so sunge
dergie; vich being endid, the mourners vithdreu
themselues into the palace, quher they hed a voydy,
and so reposed themselues that nighte.

The nixt day ther uer iij masses solemnlie sunge
by Bischops, and at the laste masse vere offred the
King's Banner, Coatte of Armes, sourd, target,
helme, courser. At the end of the masse the lords
offered vpe the pallais of Goulde, and then the
queire did singe **LIBERA ME, DOMINE**. The bodey
ves pute into the earth, and the lords,

Grate Tresuarer of England.
Steuard and

92 THE INTERMENT OF KING HENRY THE SEVENTH.

Chamberlain of the King's hous.
Treasurer and

Comptroller of the King's houshold did break ther staues and caste them into the grave. Then did Garter cray with a loude voice, **VIVE LE ROY HENREY, LE HUITIESME ROY D'ANGLETER, & DE FRANCE, &c.** and then all the mourners depairted to the palacie with all vther of the housholde, quher they had a verey grate and sumptuos feste, and thus ver the funeralls solemlie finished.

Grate wounder it ver vrette, quhat sorrou and lamentation ves made for this prince, by hes seruants of the vysest sorte, (and the joy made by such as ver troubled by the rigor of ye lau,) get the houppe that in all poynts appeired in the neu kinge, did both reprove the heuie heartts of them who hed lost so visse a prince; and also did establish the mirth of them that ver reliued by hes death, by ressoun that both the father and the sounne hed pardoned ther offences.



The Painter's charges at the Interment of the said Nobill Kinge Henry the vijth.

MR. BROUNE.

First ij^{cc}. scutscheons mettall, of fyne Goulde at
iiij^s. a peice, xxxvij^{lib}. 9^s.

Item, iiij^c scuttcheons cullers atte xij apiece is
xx^{lib}.

Item, iij coatts of armes of fyne gould at 40^s.
apiece is vi^{lib}.

Item, ij coatts in party gould at 28^s. xlvj^s. viij^d.

Item, 30 scutcheons, one sarsnet at iiij^s. xd. is
vij^{lib}. v^s.

Item, viij small scutscheons for horsse heads at
xvj^d. apiece is xv^s. iiij^d.

Item for a Baner of St. Eduard of fyne goulde,
fringed, xliij^s. iiij^d.

Item, vj. c. pencells at xd. apiece is xxv^{lib}.

Item, lxxij zairds of rachnents at 18^d. a zaird is
v^{lib}. viij^s.

Item, xij banerolls of fyne goulde at xx^s. a peice is
xij^{lib}.

Item for giltting a sheilde, vithin the garter a croune
imperiall, the helme and crest, in burneshed

94 THE PAINTER'S CHARGE AT THE INTERMENT OF

goulde, garnisheing of the Mantell, Basnette, of
fyne silke vith ane open vein, vij^{lib}.

Summa j^{cxxij}^{lib}. xiijs. iiij^d.

TO WILLIAM VHYTTINGE.

Item, a 100 scut. gold at iiij^s. pice is xv^{lib}.

Item, 200 scut. in cullers at 12^ds. is x^{lib}.

Item, 10 banerolls at 20^s. a piec, x^{lib}.

Item, 26 scut. one sarsnet at iiij^s. 10^d. vj^{lib}. v^s.
vij^d.

Item, 7 scut. for horseheads at xvjd. ix^s. viij^d.

Item, 40 pencels apice, 10^d. xxxiijs. 4^d.

Item for lyning 3 cotts of armes, v^s.

Item for the chairs pryce, xliijs. iiij^d.

Summa xlvj^{lib}. xiijs. iiij^d.

TO JHON VOLFFE.

Item, 100 scut. golde, iij^s. pice, xv^{lib}.

Item, 236 scut. collors at 12^d. xj^{lib}. x^s.

Item, 4 banerolls at 20^s. is iiij^{lib}.

Item, a baner of the Trinitie, xliijs. iiij^d.

Item, 64 pencels at liijs. iiij^d.

Item, 6 scut. upone sarsnet 4^s. 10^d. xxix^s.

Item, 6 baner stauis at 8^d. iiij^s.

Summa xxxvj^{lib}. xix^s. viij^d.

TO THOMAS GREINE.

Item, 1010 Scutseons in fyne gould at iiij^s. apeice,
xvj^{lib}. x^s.

Item, 1050 Scutseons in colors at xvj^s. apeice is
viij^{lib}. x^s.

Item, 2 Banerolls at xx^s. xl^s.

Item, xxx pincels at 10^d. xxv^s.

Item, 6 Scutseons one sarsnett at iiij^s. apeice is
xxx^s.

Item, a baner of the table, xliij^s. iiij^d.

Summa xxx^{lib}. xvij^s. iiij^d.

Item, to Villiam Vriosley of the lyke voorke, the
soute of 184^{lib}.

Item, to Jhone Vanlesse for a 100 scutseons of fyne
goulde, 100 and to scutseons in colours, ij Ba-
nerolls, 30 pincells, 8 scutseons, one sarsenett,
and a Coatte of Armes in fyne goulde.

Summa xxix^{lib}. xij^s. viij^d.

Item, to Richard Roundanger, herauld painter, for
a 100 scutseons in fyne gold, 100 and 50 scut-
seons in colors, ij Banerolls, 20 pincells, viij
scutseons one sarsenette, and a Coatte of Armes
in fyne goulde.

Summa xxix^{lib}. xij^s. viij^d.

96 THE PAINTER'S CHARGE AT THE INTERMENT OF

Item, to Jhone Copington, painter for 50 scutseons
in fyne goulde, and for 50 scutseons in colours
the

Summa x^{lib}.

Item, to Thomas Marischall for a 100 scuttseons
in mettall, a 100 scutseons in cullors, and ij Ban-
erolls, the

Summa of xxij^{lib}.

Item, to Roger Vilmote, painter for a 100 scutseons
in fyne goulde, and a 100 scutseons in colors,
the

Summa of xx^{lib}.

Item to Thomas Alysander, painter, for 50 scut-
seons in fyne gould, and for 50 scutseons in
colors, the

Summa of x^{lib}.

Item, to Jhone Heth, for xxx scutseons in fynegolde
at iiij^s. a pice, and for 30 scutseons in colors at
xij^d. a pice, the

Summa of vj^{lib}.

Item, to Jhone Rolse, painter, for a 100 scutseons
in colors at xij a pice, v^{lib}.

Item to Symon Hickford, for 60 scutseons at xij^d.
a pice, iiij^{lib}.

Item, to Jhone Vrykell, painter, for a 100 scutseons in colors, the pice, xij^d.—v^{lib}.

Item, to Henrey Oxfourde, painter, for 50 scutseons in gold at iiij^s. a pice, and 50 scutseons in collors at xij^d a pice.—x^{lib}.

Item, to Jhone Vhetgette, the turner, for keruing and embossing of the shield vith the garter and a croune Imperiall, and for a Lyone to be sette one the tope therofe, xx^s.

Item, to Claude Butter, for gilding the Basnett and the crossings of the axe, iiij^{lib}. vj^s. viij^d.

Item, for a helme al quhyte, xl^s.

Item, for Mantletts of blacke cloth of goulde, and for lynyng to the helme and croune, xxxiiij^s. iiij^d.

Summa ix^{lib}. x^s.

Summa totius oneris extendit ad velxxxj^{lib}. xij^d.

First, for searing of the kings corps vith 40 ells of lining, at xvij^d. ane elle, expendit aboute the same, iiij^{lib}.

More for 40 ells of Lining clothe at viij^d. ane elle, expendit aboute the same, xxvj^s. viij^d.

Item, for 200 vaight of vaxe expendit aboute the same, xxxx^s.

Item, payed to ij vaxe chandlers hauing the chairage aboute the said corps, iiij^{lib}.

N

98 PAINTER'S CHARGE AT THE INTERMENT OF, &c.

Summa for saruing, xiiij^{lib.}

**Item, to Jhone Burtell, plumer, for crosse of lead
and coffin, vith vther thinges, vj^{lib.} xiiij^{s.} iiij^{d.}**



**Register of Interments and Funeralls
of Scottish Nobility.**



**The Funerall Ceremony of James
Marquess of Hamilton, Earle of
Arran, Cambridge, Lord Anon, and
Innerdall, Stuarde of the Hous=
hold of James, King of Grate
Brittane, France, and Ireland, &c.
One of his Heighness Priuey
Counsell in both Kingdomes,
and Knight of the Order of
the Garter, performed at
Hamiltone, 2 Sept. being
Fryday, in Ao. 1625.**

First the conductor of the saulies in morning,
with a black batton in hes hand.

Tuentie four saulies, 2 and 2, in order, the fore=
most of them carying one hes staffe a gumpheon,
and all the rest the armes of the defuncte in buch=
rome one the one syde, and hes name and surname
cyphered on the other syde.

Mr. Alexander Hamilton, a J'an de armes one horsse back, armed at all poynts, cariing one the poynte of a lance the colours of the House of Hamilton, viz. pulée Arg. and Geuls of Taffata.

A Horsse for the feilda, led by a Lackey in Liverey.

A parliament Horsse, with a rich foote matte, led by a Lackey in Liverey of Scarlet and siluer lace, and a mandeill with hes Master's cognisance.

Three trumpetts.

Four pursueuants.

The grate gumpheon caried by Johne Hamilton of Airdrie.

The pincell caried by William Hamiltone of Disserffe.

The Standard caried by Johne Hamilton of Vestone.

The defunct's cote caried by Johne Hamiltone of Haggis.

The Spurs caried by Alexander Hamilton of Binning.

The Suord caried by Gauin Hamilton of Raplouche.

The Gantelit caried by Sr. Alexander Hamilton of Innerwicke.

Then followed the 8 branches in this order:—

The King's Ma^{ties} armes one the fathersyde, caried by Jhone Hamiltone of Orbestone.

One hes left hand the Armes of the Lord Gray of Fouills, caried by Hamiltone of Kilbrackmont.

The Armes of Betton of Creighe, caried by Robert Hamiltone of Torrence.

One hes left hand the Armes of Douglass, Earll of Angus, caried by Mr. William Hamiltone, Torrence brother.

The Armes of Douglass Earle of Morton, caried by Hamiltone of Pardoue.

One hes left hand the Armes of Keth Earle Marischall, caried by Hamiltone of Milburne.

The armes of Hamilton, caried by Robert Hamiltone of Bathcate.

One hes left hand the Armes of Lyon Earl of Kingorne, caried by James Hamiltone of Langehermistone.

Thrie trumpets.

Four heraulds, 2 and 2.

The defunct's parliament robes, caried by S^r Robert Hamilton of Siluertounehill.

The defunct's coronett ouerlayed with crispe, caried one a black velwet cuscheon by Claude Hamiltone, Master of Abercorne.

The pages in Liueriey, bearing the Armes of the defuncte.

S^r Jeorome Lindesay, Lyone King of Armes, bearing the defunct's cote of Honor of black welwet.

Then the corps, caried under a pall of black weluett, dect with L'armes and Scutcheons, and ciphers of the defuncte. One the coffin lay the order of the Garter, with hes Batton of grate Steuarte of his Majestie's housholde coured with cipres.

After the corps, followed Lord William Hamilton his 2d sone, as cheiffe mourner, assisted on the right hand with Sr George Hay, Lord Grate Chancelour of Scotland, and, on the lefte, with Johne, Earle of Marr, Lord Heigh Thesaurer of Scotland.

Then followed 6 Noblemen in longe mourning gounes and hoods, 2 and 2 in order, viz. :—

William Earle Marshall one the right hand.
William Earle Morton one the left.

John Earle of Cassilis one the right hand.
John Earle of Kingorne one the left.

Thomas Earle of Melros one the right hand.
Johne Earle of Lauderdaill one the left.

And thus from the palace, through the toune, did they enter the church of Hamilton.

The funerall Sermon was preached by Mr. James Law, Archbischope of Glasgow.

**The Funerall Ceremony of Walter
Earle of Balcleuch, Lord Scote of
Brankshome, &c. one of the Lords
of the Priuey Counsaill, to K.
James and K. Charles, in the
Kingdome of Scotland, quho
dyed at London the 20 of
November 1633.**

THE FUNERALL CEREMONY OF WALTER EARLE OF
BALCLEUCH, LORD SCOTE OF BRANKSHOME, &c.
ONE OF THE LORDS OF THE PRIUEY COUNSAILL,
TO K. JAMES AND K. CHARLES, IN THE KINGDOME
OF SCOTLAND, QUHO DYED AT LONDON THE 20 OF
NOVEMBER 1633, HES CORPES BEING EMBALMED,
WER SHIPPED THENCE FOR SCOTLAND IN ONE
JHONE SYMPSONE SHIPE OF KIRKCALDY, QUHO,
BY TEMPEST OF WETHER, WER ALMOST PERISHED,
AND DRIUEN TO THE COST OF NORRUAY; AT LAST,
BY DIUYNE PROUIDENCE, LANDIT AT LEITH, QUHER
THE CORPS WER SETT IN THE CHURCH THER, FOR
THE SPACE OF 20 DAYS, AND FROM THENCE, BY
HES HONORABLE FRIENDS, TRANSPORTED TO HES
AUEN HOUS OF BRANKSHOLME, QUHER THEY RE-
MAINED TILL 11 DAY OF JUNII, IN ANNO 1634, FROM
QUHENCE THEY WER SOLEMPLY CARIED TO HAUVICK
CHURCH, AND INTERRID THER AMONGEST HES
ANTECESTERS IN THIS ORDER.

Imprimis, Went a conductor (of?) ye saulies in mourning, with a black staffe in hes hand, and after him ane old mane in a murning gounne, cariing a staffe, a Gumpheone one buckrone.

Item, 46 saulies, 2 and 2, in order, in black gouns and hoods, with blacke staues in ther hands, and one them the defunct's armes and ciphers in Buckrone.

Item, A trumpet cled in the defunct's Liuerie, ryding one horsse back, sounding.

Nixt Robert Scot of Houeschaw, armed at al pices, ryding one a fair horsse, and carriing on the poynte of a lance, a litle Baner of the defunct's cul-lers, viz. agur and or.

Item, a horsse in black led by a Lackey in Murning.

Item, a horsse with a footemantle of crimpstone weluet embrodered with siluer, led by a lackey in the defunct's Liuerie and Mandeill.

Item, 3 trumpetts in murning one foote, sounding-sadlie.

Item, the Grate Gumpheon of black tafta caried one the pointe of Lance, sutable by Mr. James Scote, 2d sone to Laurence Scot, aduocat.

Item, the defunct's spurs caried by Walter Scot of Lauchope.

Item, the suord caried by Andrew Scot, Brand-medowes.

Item, the Gantletts caried by Francis Scot of Castellsyde.

Item, the defunct's coate of honour caried by Mr. Laurence Scot.

Then followed the 8 branches of the defuncte in this order, viz ;—

The Armes of Montgomery, 2d Grandame one the Mother syde, caried by Johne Scot, prouest of Crighton.

One hes right hand the Armes of Hamilton of Clidisdaille, 2d Grandame on the father's syde, carieyd by Robert Scot of Drayvpe.

The Armes of Douglas of Drumlanricke, 2d grandsyre one the mother's syde, caried by Robert Scot of Bouhill.

One hes Right hand the Armes of Douglas, Earle of Angus, 2d grandsyre one the father's syde, caried by Johne Scot of Heidshaw.

The Armes of Ker of Pherneyhirst, first Grandame one the mother's syde, caried by Andrew Scot of Carschope.

One hes Right hand the Armes of Betton of Creighe, the first grandame one the father's syde, caried by Rob. Scot of Hartewoodmyres.

The Armes of Ker of Cesfurd, first Grandsyre one the mother's syde, caried by Robert Scot of Whytefield.

One hes right hand, the Armes of Scot of Balcleuche, first grandsyre one the father's syde, caried by S^r Robert Scot of Haning.

Item, The grate pincell of black taffata, caried one a Lance poynt by Walter Scot of Gridlelands.

Item, The defunct's Standard, caried by Mr. William Scot, eldest sone to Lawrence Scot, aduocat.

Item, The defunct's pincell and motto of colors, caried by S^r James Scot of Rossie.

Item, The defunct's Armes in mettall and color, and taffata, caried aloft by S^r William Scot of Harden.

Item, 3 trumpetts in mourning.

Item, 3 pursueuants in murning, in ther coates.

Item, The defunct's coronett, ouerlayd with cipres, caried one a veluet cusheon, by S^r John Scot of Scotstaruet.

Then, last of all, cam the corps, caried under a fair parte of black veluet, deckt with Armes, L'armes and Cipres of Sattin, of the defuncte, knopt with gold, and one the coffin the defunct's Helmett and coronett, ouerlayed with cipres, to show that he wes a souldiour. And so in this order, with the conducte of maney honorable friends, marched they from Branzholme to Hawick church, quher, after the funerall sermon endit, the corpes wer interr'd amongst hes antcestors.

S^r JA. BALFOUR, Lyone.



**The Funeral ceremony performed at
the interment of George Earle of
Kinnoule, Viscount Dupline,
Lord Hay of Kintfauns,
Grate Chancelour of
Scotland, &c. at
Perth, 19 Augusti,
1635.**

Conductors, 2 in murning.

Tuentie,* 25 poore in gounes and hodes, cariing
the defunct's escutcheons on black staues.

Ane opin trumpett, cled in Liurey.

Item, a gentleman in compleit armour, on hors
backe, cariing one the poynt of a lance the colors
of the hous, of quhyte and read taffata. Thomas
Moncur.

Seruants of frinds in clockes, 2 and 2.

The grate pinsell, caried aloft by George Hay,
Meginche, brother.

Item, The defunct's Standard, caried by James
Hay, Meginche, brother.

The defunct's Seruants, 2 and 2, in clockes.

* Sic in MS.

The defunct's parliament hors, deckt with hes ordinarie footemantle, led by tuo lackeyes, in Liuerie and Mandeills.

Item, 4 trumpetts in mourning, 2 and 2, in order.

Item, The Grate Gumpheon of black taffata, caried one the poynt of a lance, by Johne Neue of Methey younger.

Item, The pincell of Black taffata, caried by Patrick Butter of Gormacke.

Gentellmen, the defunct's frinds, 2 and 2, in mourning.

Item, The Grate Mourning Baner, caried by Capitane James Hay.

Spurs borne by Patrick Venton of Strickmartine, younger.

Gauntletts, caried by George Hay of Naughtane.

The 8 Branches of the defuncte went in this order, viz. :—The Arms of Maxsuoll of Telling, carieyd by George Kynaird, Incheture, 2d sone.

Ogstone de eodem, caried by David Rattery of Craighall.

Kynaird of Incheture caried by Johne Kynaird of Incheture, younger.

Boyde of Pitkindie, caried by Patrick Boyde of Pitkindie.

Oliphant of Neuton, caried by Patrick Oliphant, younger of Bachilton.

Crighton of Ruthwens, caried by Johne Hay, Keilor's sone.

Ogiluey of Inchemartyne, caried by William Kynman of Hill.

Hay of Meginche, caried by Sir Peter Hay of Meginche.

The defunct's armes in black taffata, caried by Andrew Wenton of Strickmartine.

A horsse in doole, led by tuo lackayes in mourning.

Four trumpetts in mourning 2 and 2.

Four pursueuants 2 and 2.

The suord borne by James Esplyne, Merchemound Herauld.

The targe borne by Johne Malcolme, Ross Herauld.

The crest borne by Thomas Drysdail, Iylla Herauld.

The helmet borne by James Law, Snadoun Herauld.

The defunct's parliament robes, caried by Peiter Hay of Leyes.

The defunct's coronet, caried on a veluet cuscheone ouerlayed with criske, by Sir Andrew Hay of Keilor, younger.

The measse, caried by Marcke Home.

The grate seall, caried by Mr. Dauid Sybald.

The defunct's phisitian and chaplain in mourning.

Tuo pages of honour in mourning.

The defunct's coate of armes of blacke veluett,

careyed by Lyone King of Armes in hes coate of office.

The corpes caried under a fair pale of black weluett adorned with teares of satin, and decte with escutcheons and ciphers of the defuncte, and knopt with gold, supported ouer the coffin by 12 gentlemen in mourning; one the coffin lay hes coronet couered with cipres.

Then folloued the cheiffe mourner, George Earle of Kinnoule, hes sone and heir, in a longe mourning robe and hoode, assisted by 6 Earlls, and thre Lords cled in that habit, they went 3 and 3 in order after the cheiffe mourner.

Earles.—Erole, Marischall, Rothes,
Vigtone, Kingorne, Dumfermling.

Lords.—Lorne, Dalkeith, Spynie.

And in this order went they through the lenth of the toune of Perth, and neir the bridge crossed the watter, (warffes and boates being appoynted a purpois), and so marched to Kinoule Church, quher after the funerall sermon being endit, wich wes preached by Mr. James Foulter, Minister of Kinfauns, his text, prowerbs, cap. 16, vers 20, the corps wer sett in the tombe prepared for them.

SR. JA. BALFOURE, Lyone.

**The particular charges of the Earle of
Kinnoules Funeralls, exceptand
Hangings of black, Mourning
weids and clockes, Leuerys of
Seruants, charges of inter=
taning of Noblemen and
Gentlemen, making of
Varrles one the River,
and hyring of boatts,
&c.**

THE PAINTER'S COMPTE.

- Item, for painting and mounting 80 double small
armes, one black buckerome to serue the saules,
church-dors, trumpetts, and uthers places neid=
ful at 33^s. 4^d. the pice, is 133^{lb}. 6^s. 8^d.
- Item, for seuing one the frangies one the opin trum=
pett baner, and the seuing and mounting of the
colors of the Jandarmes, 8^s.
- Item, for painting the pincell of colors in oyle,
mounting frengeing, &c. with gold and siluer
20^{lib}.
- Item, for painting the grate Baner in colors in oyle,
40^{lib}.

Item, for painting the gumpheon, the defunct's armes, and 8 branches, at 5^{lib.} the peice being 10 in number, 100^{lib.}

Item, for painting, frengeing, and mounting in black pinsell, 5^{lib.}

Item, for painting, frengeing, mounting the black baner or mourning standard, 24^{lib.}

Item, for painting and ribbining the 2 pages coattes at 8^{lib.} the pice, is 16^{lib.}

Item, for dressing the black weluett coate, 30[•]

Item, for dressing and making 16 armes lyke embrodrie, 12 mortheads, 10 ciphers, 5 crouns, and tearing the morte cloth and peale, 26^{lib.} 13^{sh.} 4^{d.}

Item, for gilding 24 grate knopps to the paille at 10^{sh.} the pice is 12^{lib.}

Item, for gilding the coronetts of the kist and pale, 13^{lib.} 6^{sh.} 8^{d.}

Item, for colouring and bleckning all the spears, lances, staues, battons, and vther worke, 13^{lib.}

Item, for painting, making, and mounting the grate armes in logenge at the for-entrey, 13^{lib.} 6^{sh.} 8^{d.}

Item, for the gilded helmet, 13^{lib.} 6^{sh.} 8^{d.}

Item, for the lend of the suord, 3^{lib.} 6^{sh.} 8^{d.}

Item, for making and gilding the targe, 26^{lib.}

Item, for making and gilding the crest, 28^{lib.} 13^{sh.} 4^{d.}

Summa totalis, 493^{lib.} 12^{sh.} 4^{d.}

SR. JA. BALFOUR, Lyone.

THE MERCHANT'S PARTICULAR COMPTE FOR FURNISH-
ING FUNERALL MATERIALLS. 11. Apryle 1635.

Item, 43 ells of small black buchrome, at 15^{sh}. the
elneis, 32^{lib}. 5^{sh}.

Item, 3 quarter crimpsons Spanische taffta, 10^{lib}.

Item, 3 quarters quhyte Spanische taffta for the
Jandarmes, at 8^{lib}. 10^{sh}. elne, is 6^{lib}. 8^{sh}.

Item, 7 elns Crimpsons Spanische taffata for the
streimers of colors and pincells of colors, at 8^{lib}.
10^{sh}. the elne, is 59^{lib}. 10^{sh}.

Item, 8 elns and a halffe of black Midland Span-
ische taffta for the standards black pinsells and
the Defunct's armes, at 6^{lib}. 6^{sh}. 8^d. the elne, is
53^{lib}. 16^{sh}. 8^d.

Item, 4 ells of black, 2 pyle welwett, to be the
coate, at 15^{lib}. 10^{sh}. the elne, is 62^{lib}.

Item, 6 quarters of Midling Spanisch taffta for the
gumpheon, is 9^{lib}. 10^{sh}.

Item, 3 ells reid Sasinett for 2 branches, at 4^{lib}. the
elne, is 12^{lib}.

Item, 6 quarters blew Sesnett for ane branch, 6^{lib}.

Item, 6 quarters Zellou Sasnett for ane branch, 6^{lib}.

Item, 3 elns quhyt Sasnett for 2 branches, 12^{lib}.

Item, to the painter ane vnce of read silk, is 34^{sh}.

Item, 4 ellns and a halffe of quhyte and gallow
Sattin to for the ciphers, teires, crounes and morte
heads, at 9^{lib}. the elne, is 40^{lib}. 10^{sh}.

Item, Ane black hate and band to the herauld director of the painters, 11^{lib.} 16^{sh.}

Item, 3 ellns of reid and blew Sasnett to be tua branches, at 4^{lib.} the elne, is 12^{lib.}

Item, 12 ellns of small black buckerome to the painter more, at 15^{sh.} the elne, is 9^{lib.}

Item, 5 quarters of read and quhyte Spanish taffata, at 8^{lib.} the elne, is 10^{lib.}

Item, 2 elns midling Spanische taffata, at 6^{lib.} 6^{sh.} 8^{d.} the elne, is 12^{lib.} 13^{sh.} 4^{d.}

Item, 6 peper of prins at 13^{sh.} 4^{d.} the paper, is 4^{lib.}

Item, 12 ellns black ribands, at 8^{sh.} elne, is 4^{lib.} 16^{sh.}

Item, 12 ellns bred black ribands, at 10^{sh.} elne, is 6^{lib.}

Item, 12 elns creiping criske, at 33^{sh.} the elne and 4^{d.} is 20^{lib.}

Item, ane elne of read and quhyte taffata more, 8^{lib.}

Item, 9 ellns black midling Spanish taffata for the pale, at 6^{lib.} 6^{sh.} 8^{d.} the elne, is 57^{lib.}

Item, 12 black ribanes therto, at 6^{sh.} the elne, is 3^{lib.} 12^{sh.}

Item, 20 elns of broad black ribbands, at 10^{sh.} the elne, is 10^{lib.}

Item, 2 unce black silk therto, is 3^{lib.}

Item, 4 ells and halffe of Padua serge, at 58^{sh.} the elne, is 13^{lib.} 1^{sh.}

Item, 2 ells and a halffe black and read calico, at 32^{sh.} the elne, is 4^{lib.}

Item, Ane elne and a halffe of blew, zellow, and quhyte callico, at 32^{sh.} ell, is 40^{sh.}

Item, 22 unce 9 dropes of colors of silk, at 32^{sh.} unce, and 9 unce 2 drope black silke, at 30^{sh.} the unce, to be 129 elns frenzeis, is 52^{lib.} 1^{s.} 1^{d.}

Item For making the frenzeis at 12^{d.} the elne, is 6^{lib.} 9^{sh.}

Item, 6 quarters bleu and crimpsons satin, at 9^{lib.} 10^{sh.} elne, is 14^{lib.} 5^{sh.}

Item, A quarter crimpsons weluett to lyne the croune for the Targe, 4^{lib.} 10^{sh.}

Item, Halffe wnce silke, 17^{sh.}

Item, 6 paper dole preins, at 6^{sh.} 8^{d.} the paper is 40^{sh.}

Item, 5 unce, 9 drope and a halffe of reid and quhyte silke, at 34^{sh.} the unce, and 2 unce and halffe of black silk more, to be 36 ells frenzeis, 13^{lib.} 5^{sh.} 2^{d.}

Item, For making thir frenzeis at 12^{sh.} elne, is 36^{sh.}

Item, For 15 ells black cloth, at 12^{lib.} the elne, is 172^{lib.} 10^{sh.}

Item, 1 vnce and halffe black silk therto, is 45^{sh.}

Item, 12 ells brod ribbands, at 9^{sh.} the elne, is 5^{lib.} 8^{sh.}

Item, ane elne black bucrone therto, 15^{sh.}

Item, 9 ells and a halffe of 2 pyle weluett, at 15^{lib.} 10^{sh.} the elne, is 147^{lib.} 6^{sh.}

Item, 8 ells black midling taffata, for the trumpetters baners, 50^{lib.} 13^{sh.}

Item, 8 ells ribands therto, at 8^{sh.} the elne, is 4^{lib.} 4^{sh.}

Item, 3 unce read and quhyte silk, and 4 vnce black silk, to be 28 ells frenzies to the trumpetters baners, is 11^{lib.} 2^{sh.}

For working thir frenzies at 12^{d.} the elue, is 28^{sh.}

Item, ane elne and halffe quarter of Crimpson Sattin, to be a shapron for the head pice, at 10^{lib.} the elne, is 11^{lib.} 5^{sh.}

Item, ane quarter quhyt Spanische taffata therto, at 8^{lib.} ane elnes, is 40^{sh.}

Item, 1 vnce 5 drope reid and quhyte silke, to be 4 fratts to the chaprone, 46^{sh.} 1^{d.}

Item, For making thir fratts at 8^{sh.} the piece, is 32^{sh.}

Item, 2 ellns grate Frenche Loupning therto, at 6^{sh.} the elne, is 12^{sh.}

Item, for the trumpetters Liuary of Sca(r)lett, and Siluer Lace therto, 78^{lib.} 6^{sh.} 8^{d.}

Item, ells black brod taffa ribbons for the coffin clothe, at 9^{sh.} the elne, is 6^{lib.} 15^{sh.}

Item, 42 drope silk therto, 25^{sh.} 6^{d.}

Item, 6 ells read and quhyte ribbands for the trumpeter and Jandarmes, 48^{sh.}

Item, Ane black hate and siluer band to the trumpeter, 12^{lib.}

Item, 4 single fethers, read and quhyte, at 4 merks
the pice, is 9^{lib.} 13^{s.} 4^{d.}

Item, ane puisboord therto, with 2 ells Frenche
buckrome, 38^{s.} 6^{d.}

Summa, 1125^{lib.} jd.

Item, to Johne Scott for make the frame of the pale
and coffin, with 23 Ringe-spears, and uthers
timber workes, and for dewysing the warffes to
land and boate. at 400 merks.

And to his men in drink siluer, 9^{lib.}

Item, To 9 trumpeters, to each of them 80^{lib.} the
pice, is 720^{lib.}

Item, To 4 Heraulds, 320^{lib.}

Item, To 4 pursuewants, 420 merks.

S^r JA. BALFOUR, Lyone.



**The Funerall Ceremony performed at
the interring of the Countess of
Aigtonne, quha wes first married
to the Laird of Johnstone, and
had issew this Lord John=
stone, now living, then to
the Earl of Aigtonne,
and lastly to the Vis=
count of Airds in
Ireland, at Holy=
rudhous, 29
Martij 1636.**

First a conductor for the poore in mourning.

Twenty four poore in gouns and hoodes, with
little staues quheron wes the defunct's escutcheon's,
loginges, and cyphers.

The horsse of stait, with a crimpson veluet wo=
man's sadell, led by a lackey in the defunct's liuerey.

A trumpett, open.

A horss in doole, led by a lackey in mourning.

The grate Gumpheon, caried by Johne Johnstone of Readhall.

The standard of 3 coattes, being of her 3 severall mariages, caried by Robert Johnstone of Stable-toune.

The 4 branches on her father syde went ordered thus :—

Lord Maxsuoll carieyd by Johne Maxsuoll of Neulands.

Douglas of Drumlanrick caried by Archibald Johnstone of Clachrie.

Stewart of Garlies caried by Jo. Jhonstone, Clachries sone.

Gordon of Lochinvar caried by Archbald Johnston of Cartluis.

The 4 Branches one her mothers syde followed thus :—

Lord Harries caried by James Balgie, Lamington's brother.

Blarquhane caried by Jo. Kennedy of Hallayes.

E. of Home caried by Jo. Home, unckell to Ja.
E. of Home.

Murray of Cockpull by ———

Four trumpetts in morning, close 2 and 2 in
order.

Four pursuewants, 2 and 2 in order.

Four Heralds, 2 and 2 in order.

The coronett of the defuncte Ladey borne one a
cuscheon of black weluett, couered with crispe, by
Alexander Maxsuoll, brother to the Lord Harries.

Lyone King of Armes betuix Sir Samuel John-
stone of Elphingstone, one hes right hand, and Sir
Patrick Murray of Elibank, Knights, one hes left.

The corps ouerlayed with black weluett fitted
with ciphers, gumpheons, and L'armes, wnder a pale
of black weluet, adorned with a coronett one a
black weluett cuscheon ouercrisped, and borne by
12 Gentlemen frinds to her husband and sone.

For the Right hand of the Pale.

1. Johne Montgomery of Cockilbie.
- William Shaw of Neutone.

2. Thomas Niniane of Monkeding, 3ounger.
Johne Montgomery of Creboy.
3. William Montgomery of Bugend, 3ounger.
David Kennedy of Kilerny.

For the left Hand of the Pale.

1. Robert Jhonston of Neuton.
Patrick Jhonston of Granton.
2. Ambrosse Jhonstone of Podoune.
Andrew Jhonstone of Turner.
3. Adam Jhonstone of Elchesheills.
John Jhonstone of Miltoune.

The defunct's daughter by the Earle of Wigtone,
cheiffe mourner folloued, supported by tuo other
ladayes, ther tranes being caried by thre Maydes
in mourning.

After all folloued 16 Ladeyes 2 and (2) in mourn-
ing, and after them the multitude, from S^t Geills
Church in Edinburgh to the Church of Holyrud-
hous, quher she wes interred.

S^r JA. BALFOUR, Lyone.

**The Funerall Ceremony performed at
the interrring of the Countesse of Ar=**
disdaill from St. Gills Church in
Edinburgh to the Abbey Church
of Holyrudehous, on Monon=
day, the Twentpeth day of
Marche 1637.

First of all went tuo conductors for the poore, in mourning, with black staues.

The small Gumpheon.

Tuentie fyve poore in gounis and hoodes, with staues, quheron were Loginges of the Defunct's armes and ciphers.

The horsse of stait led by a grooume in the Defunct's Liuary.

Seruants of the defuncts Ladey 2 and 2 in mourning.

Gentlemen friends in mourning.

Esquyres 2 and 2.

Knight Batchleours 2 and 2.

Knights Barronetts.

Noblemen's sons in mourning.

Lords.

Viscounts.

Earls.

Marquess of Douglas.

A mourning horse led by a lackey in doole.

The grate Gumpheon caried by James Maxwell.

The 8 branches of the defuncte Lady went
ordred thus, first :—

1. The Armes of Douglas, Earls of Angus, caried
by James Maxsuoll of Conheathe.
2. The Armes of Drumond, Earle of Pearth, borne
by Robert Maxsuoll of Cauers.
3. The Armes of the hous of Pittindreich, caried
by Johne Maxsuoll of Holme.
4. The Armes of Innes, de eodem, caried by Johne
Maxsuoll, tutor of Cornseurthe.
5. The Armes of Hamilton, Marques Hamilton,
caried by Johne Maxsuoll of Milnetoun.

6. The Armes of Lindesay, caried by Johne Maxsuoll of Couhill.
7. The Armes of Home, Earle of Home, caried by the Laird of Preston.
8. The Armes of Borthuick, Lord Borthuick caried by Thomas Maxsuoll of —————

The Grate Baner or coate of the defuncte, caried by a closse mourner, one of the kinred of the defuncte Lady, viz. by Francis Douglass, brother to my Lord Marques of Douglas.

Four trumpetts cosse, 2 and 2.

Two pursueuants.

Tuo Heralds.

The Coronett of the defuncte Ladey, borne one a black weluett cusheon, couered with cypres, by Alexander Maxsuoll, brother to the Lord Harries.

Lyone King of Armes, in hes coate of office, supported betuix tuo especiall of the defunct's frinds, viz. on hes right hand, S^r James Maxsuoll of Calderwood, Knight and Barronet, one hes left hand, Alex. Maxsuoll of Neuwark.

The corpes caried in a litter by four horsses, all in doole, wnder a fair pale of blacke weluet, adorned with lozinges, ciphers, Gumpheons, and tears, belonging to the defuncte.

After the corpes folloued her sone, the Earle of Niddisdaill, and after him the Countesse of Winton, as cheiffe mourner, assisted by 6 Ladeys, close mourners, and after them the multitude.

S^r. JA. BALFOUR, Lyone.



Kings of Armes and Heraulds in England, 1628.

In England ther ar 3 Kings of Armes, viz:—

1. Sr. Villiam Segar Garter.
2. Sr. Richard St. George Clarencieux.
3. Sr. Jhone Brughs* Norroy: of vich 3. Sr. Villiam Segar hes the precedencie and is principall king of armes.

Ther is sex Heraulds, viz:—

1. Sr. Villiam Pensone, Lancaster.
2. Sr. Henrey St. George, Richmound.
3. Henrey Chetinge, Chester.
4. Jhone Philpot, Somerset.
5. Williame Le Neue, Zork.
6. Jhone Bradshau, Vindsor.

And these ar the sex heraulds according to ther dignities and places of precedencie, ther admisione

* Sir John Burroughs, afterwards appointed Garter, upon the death of Sir William Segar, in December 1633. Upon the demise of Burroughs in April 1644, the office was conferred on Sir Henry St. George, Richmond Herald, and eldest son and heir of Sir Richard St. George, Clarencieux.

pertaining onlie to the King's Maiestie, quho, with consent of the Marischall, does present them to ther places by Letters pattents vnder The grate seall of England.

The Pursefants Ordinarie ar 4. and one extraordinarie, viz:—

1. Sampson Leonard, Bleumantle.
2. Thomas Thomsone, Rougedragon.
3. Thomas Preston, Portcullis.
4. George Ouen, Rouge-crosse.

The one extraordinarie pursephaunt is,—

Robert Hamleine, Blancecross.

It is to be obserued, that none can be a Herauld vnles he first be a pursefaunt for the space of 4 geirs, and none can attaine to the place or dignitie of King of Armes, vithout he first be a heraulde for sex geirs at lest.

The Kings of Armes, vith al the heraulds and pursefants, at lest so many as be in Toune, does meite at the office of Armes, the first day of eury mounth, quher they consulte aboute matters of armes and business concerning the office, and al the benefits and casualities arrysing in the monnuth

preceding, is æquallie, according to ther place and office, by the Thesaurer of the office, devydit amongst them ; and at euery one of these publick meetings, vich is mounthlie, they haue a feaste or dinner, made by the Thesaurer of the office, and payed proportionable by the quholl members of the said office.

The Heralds is so devydit in office, according to ther gifts, and as employment should offer in that kynd, viz. :—

Sr Henrey St George, Richmond Herald, for genealogie and pedigree.

Sr Villiam Pensone, Lancaster Herald for antiquite.

Jhone Philpot, Somerset Herald, for eloquence, oratorie, diversitie in languages, and vith him in that professione is Henrey Chetting, Chester Herald.

William Le Neue, Zorke Herald, onlie for maters of Ceremonie and Antiquitie, as Coronations, inaugurations, funeralls, mariages, cristnings, tylts, torneys, and triumphs, &c.

Jhone, sone, brother and unckell to kings, Duck of Bedford and Anjou, Earl of Richmond and of

Kendall, vnto our veill belouit cusin Jhone, Duck of Northfolk, Marischall of England, greeting. We command and charge you, that you cause to be arrested, and to come befor [us] or our Leutenant, at Westminster, vpone the 15 of St. Hillarie next coming, Villiam Cloptone of the Countie of Suffolk, Esquire, then to ansuer befor ws or our Leutenant, in the courte of cheualrie to Robert Eland, in the Countie of Lincolne, Esquire, to that, vich he, the said Robert, sall then charge him vith by the vay of armes, as hauing sett and pute to the seall of hes Armes to a false and forged vretting done to the hurte and danger of him, the said Robert, ane hundreth punds and more then that he sayeth: returning befor the said day vith this our mandate, all that vich you sall haue therein doune. Givin vnder the seall of our office, 23 Nov. in A^o. 16. regni Domini nostri regis, and since the conquest of England the hundrethe —

THE COLEGIAT SOCIETIE OF HERAULDS CONSISTETH OF 13 PERSONS, VIZ. 3 KINGS OF ARMES, AMONGST QUHOM,—

GARTER, quho goeth first as cheiff ringleader of them all, not so much for the antiquitie of hes creatione, (for he was first created by King Henrey the 5,) as for the supereminence of the ordour of the garter.

CLARENTIUS and NORROY, both of them ver ordained by Edward the 3, and ar called provincially kinges of armes.

SIX HERAULDS, vich, by the names of ther additions, ar called,—

Somerset.
Chester.
Vindsor.
Richmond.
Lancaster.
Zorke.

FOUR PURSUIPHANTS, vich in herauldrie you may call Learners and follouars, vnto quhome other Names ar givin also, viz. :—

Rougedragon.
Portcullis.
Bleu Mantell.
Rouge-Croix.

All these by the names of King's Heralds, and pursevants, ar by the Kings themselues immediatlie, or by the Constabill of the Kingdome, or the Marischall, vith the Kinges authoritie, crowned vith crowns, graced vith colors, attired vith ther rich cotts, named by ther names of addition, and vith diuers appoynted cerimonies created, receave

ther geirlie stipends out of the King's exchequer, to consulte and meit togider aboute Armes and authentick monuments, and helping and profitting vnto the arte of Herauldrie, and they, by the King's charter incorporate, ar endeued with a publick housse in London, quher (besyds the imunities and priuelidges quherby they live), they ar with the preheminiencies of ther degrees and functions, one distinguished one frome ane other.

Garter King of Armes is not onlie sett above the rest as cheiffe for the supereminencie of the order of the garter, as to preserue the dignitey and reputation of ther society, and governe the rest, quhose peculiar office it is with al deutifull seruice to attend upone the Knights of the order, to advertiss them vich ar chosen of ther neu electione, to call them to be enstalled at Vindsor, and to caus ther armes to be hanged up upone ther seatts, at ther Berrialls to haue a care of ther funerall Rittes and Ceremonies, quherfor, besyde the geirlie vagges giuen him by the Knights, he is by the King him selve rewarde with a salarey doubell to the reste. In every neu,—

Empreour,
Kinge,
Prince,
Duck,

Marquiss,
Earll,
Viscounte,
Barrone, or
Knighte,

to be enstalled, he challenge the of him as his deu, the uppermost garmente vich he one that day verethe. He also schauethe vnto ewrey Neu Barron called vnto parliament the place quher he is to sitt among hes peeres, and ordereth all vther things concerning ther order.

CLARENTIUS, quo is King of Armes of all the East, West, and South prouinces of England one this syde of the Riuer of Trent.

NORROY, quho is also acknowledged for King of Armes through the North pairt of the Kingdome beyond the River of Trent, even till Scotland.

Thir two have, by ther Charter, pouer to visit the Nobelmen's families, to sette doune ther pedegrees, to distinguishe ther armes, and in the open market place openlie to reprove such as falsley tak upone them Nobilitie of Gentrey, and to order euery man's exequies and funeralls according to ther dignitie, and to appoynt vnto them ther armes

s

or enseings, &c. and in all things governe the Herald als veil as Garter.

Other some ar appoynted to obey, viz. :—

Heraulds and
Pursuivants.

Quho, in all things doe endeuer themselves for the deffence of ther society, or to ther auen lawfull profite in privat, and villinglie depend of the commandiment of the Kings.

And these onlie ar the King's HERALDS, with ws so called, for that they doe receave vaggies of the kinges, and vith publick seruice doe serue all the Nobilitie of the kingdome.

Howbeit, Nobell men and peers of this Land in ancient tyme had ther Heraulds peculiar unto themselves; for CHESTER the HERALD, and FALCO the PURSUIVANT, lived at the command of the prince of Walles, and served him.

HUMFREY, Duck of Glocester, and Earl of Penbrock, had the herauld Penbrock, his domestick Servaunte.

RICHARD, also Duck of Glocester, having obtined the kingdome, vald neids have hes Herauld GLOCESTER to be called King of Armes for all Walles.

CHARLES BRANDON, Duck of Suffolk, retained the HERAULD SUFFOLK and MARLCON, the purse-vant to be hes servaunts.

The MARQUISS of DORCESTER did kepe and intertaine GROBEY the HERAULD.

The EARL of NORTHUMBERLAND did kepe the Herauld NORTHUMBERLAND, and ESPERANCE the pursevaunt.

ARTHUR PLANTAGENET, the Viscount L'Isle, tooke to him selve L'ISLE pursevaunt, and the Lord HASTINGES, HASTINGE the pursevaunt. These it pleased me to haue, oute of maney others, rehersed, quho serued Nobellmen in ther peculiar and domesticke seruices, bot the conditione of the servant is made better, by the conditione of hes Lord and Master. So these forenamd Heraulds lived not vith the lyke authoritie and previlidges as vith the kings.

A STATUTE and ACTE of PARLIAMENT, made in the one and 30 geir of Henry the 8, concerning placing the Lords in parliament chalmber, and other assemblies and conferences of counsell.

FORASMUCH as in al grate counsells and congregations of men, hauing degrees and offices in the Comonvealth, it is verey requisite and convenient

140 KINGS OF ARMS AND HERALDS IN ENGLAND.

that ane ordour should be taken for the placing and
fitting of such persons as ar bound to resorte to the
same. To * * *

[Cetera desunt.]



**De Subnatione et Reformatione
Officiariorum Armorum,
R. R. V.**

Volumus et statuimus quod nullus heraldus sua propria autoritate presumere audeat conferre aut concedere insignia armorum alicui sine debito consensu et licentia et Sigillo primarii Armorum Regis, sine [consensu ?] Regis Armorum ipsius provinciæ apud quam huiusmodi hominis titulus et insignia desiderantur, &c.

Si aliqua fuerunt arma concessa alicui per aliquem inferiorem Regem Armorum tenetur ille illa exemplificare in Registro Superioris et principalis regis armorum infra tempus limitatum, sub pœna centum solidorum, &c. Sin autem erunt nullius effectus sine auctoritate, &c. Vti habetur articulo 5 de concessione armorum. T. D. L.

Item, Non tam cauere debeat primarius Armorum Rex, quam ceteri Armorum Reges omnes in suis provinciis, Vt nemini personæ inhonestæ (qui aut infamiæ laboraverit, aut qui fidem Catholicam deseruerit aut qui Rebellis contra Dominum Nostrum

regem inventus fuerit, aut qui vilis conditionis aut sanguinis habitus fuerit) conferantur armorum insignia. Sed duntaxat viris probis honestis virtutum imitatoribus et quibus abundat opes ducentarum librarum, vel possessiones propriæ et liberi annui redditus decem lib. stilingorum ad minimum, &c. &c.



Memorial of Margaret Countess of Lennox.*

Margareta Comitissa Leuinæ, filia Archibaldi Duglassij, comitis Angusiæ ex Margareta dotoria Scotiæ Regina, filia Henrici Septimi regis Angliæ. Vxor ante Matheij Steuarti comitis Lennoxæ, qui peperit Henricum Ducem Albanæ, comitem de Darnlie, &c. matrimonialem regem Scotiæ et patrem Jacobi Sexti Scottorum regis. Carolum comitem Lennoxæ aliosque liberos, qui primis annis obierunt. Migravit ex hac vita, Anno 1578. Conditur in tumulo Magnifico ex Alabastrite cum his Epitaphiis.

MEMORIÆ SACRUM.

Margaretæ Douglasiæ Mathei Steuarti Leuinæ comitis uxori, Henrici Septimi Angliæ regis ex filia Nepti, potentissimis regibus cognatione coniunctissimæ. Jacobi Sexti Scottorum Regis auisæ Ma-

* These entries occur in the middle of Sir James Balfour's Notices relative to the English Heralds. But it was thought better to remove them from the place they occupied, and insert them at the end.

tronæ. Sanctissimis Moribus et invicta animi patientia incomparabili.

Margareta potens virtute, potentior ortu,
Regibus ac proavis nobilitata suis.
Inde Caledoniis, Australibus inde Brittanis.
Ædita principibus principibusque parens.
Quæ mortis fuerunt solvit letissima nocte.
Atque deum petiit; nam fuit ante dies.

Here Lyeth the Nobill Ladey Margaret Countess of LENNOX, daughter and sole aire of ARCHIBALD EARLL of ANGUISS, by Margaret Queine of Scotts, hes Vyffe, that ves eldest daughter to King HENREY the seuenth, quho bouer to MATHEU Earll of LENNOX, her husband, 4 sonns and 4 daughters.

THIS LADY had to her grate Grandfather,—HENREY the 4. To her grandfather King HENREY the 7. To Her Vnckell King HENREY the 8. To her Cusin-German King EDUARD the 6. To her brother King JAMES the 5. of Scotland. To her sonne King HENREY the 1. And to her grandchld King JAMES the SEXT.

Hauing to her grate grandmother and grandmother tuo Queins both named ELIZABETH, to her mother MARGARET QUEINE of SCOTTS, to her Aunte MARIE the french queine, to her cusin Germans

MARIE & ELIZABETH Queins of England, to her Neis and daughter in lau MARIE Queine of SCOTTS.

HENREY SECOND SONE to this Ladey ves King of Scotts, and father to James the 6, King of grate Brittain, France, and Irland. This Henrey ves murdered at the age of 21 geirs.

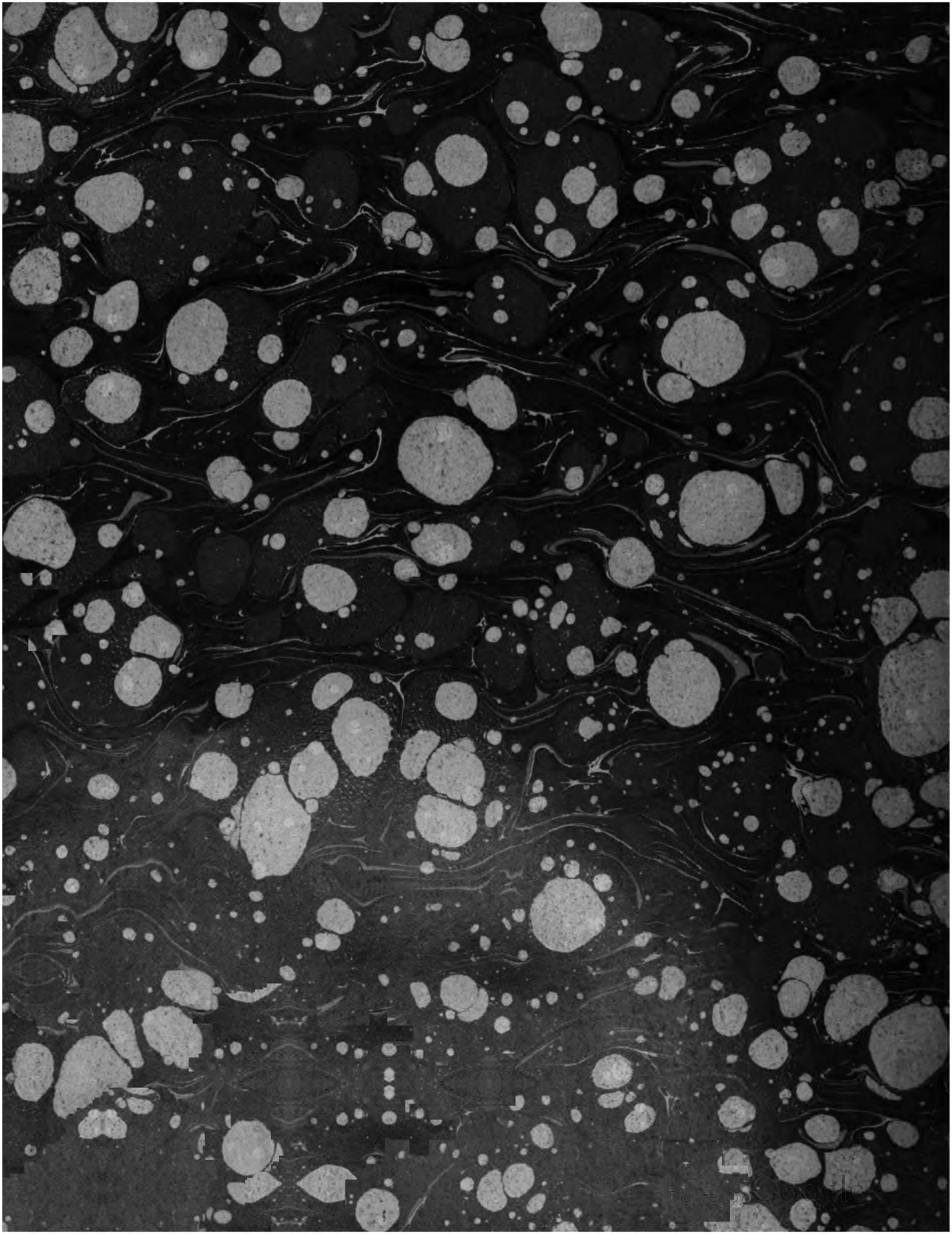
CHARLES, her 3oungest sonne, ves Earl of Lennox, and father to Ladey Arabella, he deyed at the age of 21 geirs, and layes entombed in eadem crypta cum matre vith this Epitaph.—

“ Hic Situs est Carolus, comes Lennoxia, qui duxit filiam Willielmi Cavendish Militis, e qua cum Arabellam unicam filiam suscepisset diem obiit Anno Ætatis suæ 21, et Salutis Humanæ 1576.”

23.



EDINBURGH :—PRINTED BY ALEX. LAWRIE & CO.



DA 773 .B3 C.1
Ancient heraldic and antiquari
Stanford University Libraries



3 6105 040 530 003

DATE DUE

DATE DUE			

STANFORD UNIVERSITY LIBRARIES
STANFORD, CALIFORNIA 94305-6004

