

John Maitland, Duke of Lauderdale CC8/8/84 [p.418] John Duke of Lauderdale 31 May 1709  
The Testament Dative and Inventory of the Debts and Summs of money pertaining and  
addebted to umq[uhil]e John Duke of Lauderdale the tyme of his Decease who Deceased in  
england in the moneth of jm v years Faithfully made and given up be John Earle of  
Lauderdale only Exe[cuto]r Dative Decerned as creditor to the s[ai]d Defunct [p.419] In sua  
farr as the sd umql John Duke of Lauderdale (Designed in the bond underwri[tte]n John Earle  
of Lauderdale viscount Maitland, Lord Thirlestoun and Bolton) be his bond sub[scribe]d with  
his hand of the date the xv day of Jully Jm vjC lxiiiij [one thousand six hundred and sixty  
four] years Granted him at the terme of whit[sunday] then Last by past to have borrowed and  
received form Sir John Wauchope of Niddrie marishall all and haill the summ of xxm merks  
Scots money which sum he band and obliged him his heris & c[etera] to have refounded  
contented payed & again Delivered to the sd Sir John Wauchope his heirs Exe[cutor]s or  
assignayes And that betwixt the date of the sd bond and the terme of mart[inmas] then nixt to  
come But longer Delay with the summ of ijm merks money fors[ai]d of Liquidat[e] expenses  
in case of failzie And furder he band and obliged him and his forsaiids to make good and  
thankfull pay[men]t to the sd Sir John Wauchope and his ar[rea]irs of the ordinar @ rent of  
xijC merks money forsd agreeable to the sd prin[cipa]ll summ of xxm merks confirme to the  
act of parliament And if @ rents shall be lighted or Diminished of ane ordinar @ rent  
agreeable to the said prinll summ as the Same shall be due and payable for the tyme yearly &  
so furth yearly thereafter During the not pay[men]t of the sd prinll summ as the sd bond of  
the date forsd inser[te]d and reg[ist]rat in the books of Councill and Session upon the xij day  
of aprill Jm vjC and four years in itself at more length bears Lykeas the said Sir John  
Wauchope be his Disposition & assignati[on] dated the vj day of aprill Jm vjC lxxxj years  
(for the causes therein spe[cifi]ed) assigned and Disponed to Andrew Wauchope his eldest  
Lawfull Son all rents in his tenants hands that should be adebted by them to him at the tyme  
of his Decease and all goods gear hous[e]hold plenishing uttinceilis and Domicieills  
hersshipe moveables and other moveables whatsoever that should there pertain to him And  
like wayes all summs of money both prinll penaltys and @ rents then presently pertaining and  
which should be Due to him at the tyme of his Decease and nott otherwayes Disposed upon  
be him and all bonds contract Dispositiones tackes Decreets and other wrytts and Securities  
whatso[eve]r made and granted or that should be made and granted to him as the sd  
Disposition & assignatione of the date forsd inserd Regrt in the books of Councill & Session  
upon the first day of aprill Jm vjC lxxxiiij years in itself at more length proports Sicklyke the  
said Andrew Wauchope now of niddry by his Disposition dated the xx vij day of Jan[ua]ry  
Jm vjC and two years for the reasons & causes therein mentioned sold assigned transferred  
& Disponed to and In favours of Sir Rob[ert] Dickson of Inverask knight and barronett his  
heirs & Successors & all others whom it effeirs the summ of xvjm merks only resting of the  
said summ of xxm merks with xvjC merks as a proportionall pairt of the sd summ of ijm  
merls of liquidat penalty offering thereto and @ rent of the said summ of xvjm merks bygone  
resting time the terme of mart Jm vjC lxxxx years [p.420] And in tyme comeing During the  
pat payt thereof Together with the said originall bond itself granted by the sd Deceased John  
Duke of Lauderdale to the sd umql Sir John Wauchope of niddry So farr as might be  
extended to the summs of money yet resting and now Disponed Turneing and transferring  
Surrogating and Substituteing the said Sir Robert Dickson and his forsd in his full right due  
and place of the promisses forever as the sd Disposition of the date forsd insert & regrat in  
the books of Councill and Session upon the xij day of aprill Jm vjC and four years in itself at  
more length proports And Moreover the sd Sir Robert Dickson by his Disposition and

translation of the date the xvj day of aprill Jm vijC and vj years assigned transferred & Disposed to and In favours of the sd John now Earle of Lauderdale his heirs and Successores &c the forsd summ of xvjm merks Scots money only Remaining of the forsd prinll summ of xxm merks money forsd with the @rent of the sd summ of xvjm merks bygone resting unpaid and in tyme comeing During the not payt of the samen with a proportionall pairt of the penalty @ rents offerring thereto with the forsd bond and convoyance thereof ? In Sua farr as may be extended to the samen and with the heall Diligence therein men[tione]d Following thereupon As the sd Disposition and translation Regrat in the books of Councill and Session upon the vj day of Jully Jm vijC and viij years in itself at more length bears And therefore the sd John now Earle of Lauderdale as having right in manner ? is only Exe[cuto]r Dative Decerned as creditor to the sd umql John Duke of Lauderdale for payt & satisfaction to him of the forsd summ of xvjm merks Scots money resting of the sd prinll summ of xxm merks and of the @ rents and liquidat penalty @ spec[ifie]d offering thereto after the same and tenor of the forsd bond assignation Disposition & translationes @ narrated in all pairts And Sicklyke for payt and satisfaction to the sd John now E[arl] of Lauderdale of the charges and expences of confirmation of this present testament In sua farr as the sd Defunct his Debt and summs of money underwrit[ten] will extend to and as may be recovered be the said Exe[cuto]r thereof And that by Decreet of the Commissars of Ed[inbu]r[gh] as the samen of the date the iiij day of may Jm vijC & ix years in itself at more length proports In the First their was adebted and resting owned to the sd umql John Duke of Lauderdale the tyme of his Decease forsd Be the toun of Hadingtoun officer duties preceding the terme of whit Jm vjC lxxxj years the summ of ijC lx £ib[ra] Scots money sums of the Debt oweing to the Dead \_\_\_ ijC lx £ib Sir James Elphinston & Understanding & ? Decern & hereupon William Maitland of Cranstoun became cau[tione]r as ane act bears