

MEMOIRS

OF

GEORGE HERIOT.



INSIGNIA
GEORGH HERIOTI
FUNDATORIS
PIETAS LIGAT ASTRA TERRIS.

Drawn & Engr'd by W. B. Lewis

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MEMOIRS
OF
GEORGE HERIOT
JEWELLER
TO
KING JAMES VI
WITH AN HISTORICAL ACCOUNT OF THE
HOSPITAL
FOUNDED BY HIM AT
EDINBURGH.



HERIOTS HOSPITAL.

EDINBURGH;

PRINTED FOR ARCHIBALD CONSTABLE AND CO EDINBURGH;
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ADVERTISEMENT.

THE following brief notice of the Life of GEORGE HERIOT originated in a perusal of the Fortunes of Nigel, by the Author of Waverley, where he appears a prominent and interesting character. Little has hitherto been known of the personal history of this remarkable individual; and what is here given has been compiled chiefly from Maitland's History of Edinburgh; The Life of George Heriot by the Earl of Buchan; a Biographical Sketch which appeared in the Scots Magazine 1802; and some other sources of information, referred to in the Work, to which the Editor had access. He regrets his materials were so limited.

GEORGE HERIOT was born in Edinburgh in June 1563; his father was a

goldsmith of great respectability; he was himself brought up to the same trade, and held the lucrative appointment of Jeweller to the King and Queen, whom he accompanied to Loudon, in the year 1603, on the accession of James to the English Throne. Here he soon amassed a large fortune, and appears to have enjoyed the Royal Patronage without interruption, till the time of his death, which took place at his house, in the parish of St Martin in the Fields, February 1624.

Copies of his Last Will and Testament, the original Statutes of the Hospital founded by him, and other Papers illustrative of his History, will be found in the Appendix. The *Portrait* of Heriot, recently drawn by the Author of Waverley, like his other writings, so nearly impresses identity on the reader's mind, that any account of Heriot would be incomplete without it.

“ The stranger’s dress was, though grave, rather richer than usual, his paned hose were of black velvet, lined with purple silk, which garniture appeared at the slashes. His doublet was of purple cloth, and his short cloak of black velvet, to correspond with his hose; and both adorned with a great number of small silver buttons, richly wrought in filigree. A triple chain of gold hung round his neck; and in place of a sword or dagger, he wore at his belt an ordinary knife for the purpose of the table, with a small silver-case, which appeared to contain writing materials. He might have seemed some secretary or clerk, engaged in the service of the public, only that his low, flat, and unadorned cap, and his well blacked shining shoes, indicated that he belonged to the city. He was a well-made man, about the middle size, and seemed firm in health, though advanced in years. His looks expressed sagacity and good humour; and the air of respectability which his dress announced was well supported by his clear eye, ruddy cheek, and grey hair.* He used the

* In the Council-Room of Heriot’s Hospital there are original

Scottish idiom in his first address, but in such a manner that it could hardly be distinguished whether he was passing on his friend a sort of jocose mockery, or whether it was his own native dialect, for his discourse had little provincialism." *Fortunes of Nigel*, Vol. I. p. 29.

JUNE 1822.

portraits of the founder and his father, which were presented to the Governors some years ago by the Earl of Buchan, a nobleman to whom the literature and antiquities of Scotland owe much, and to whom they had been given many years ago by Mr George Paton, of the Custom House, Edinburgh, an eminent antiquary. The inscription on the portrait of the elder Heriot is "Anno ætatis suæ 50, 1590;" on that of George Heriot, younger, "Anno ætatis suæ 26, 1589." The painter has not been ascertained.—There is likewise in the Hospital a portrait of the Founder, in a rich dress. It is a copy by Scougall, from an original picture not now to be found. There was an engraving executed of this, by John and Charles Esplens, Edinburgh, 1743. The head of this picture was also engraved for the Scots Magazine, February 1802. It is to be regretted, that the portraits of Heriot and his father are in a decayed state: the portrait by Scougall is, most likely, from one done about the period of middle life—the complexion much as described by the Author of Waverley, but with fair hair. In the early picture the hair is represented to be dark.—It is remarkable that no artist, educated in Heriot's Hospital, has given to the world engravings of the portraits of his benefactor, or of the architectural and peculiar design of the building. If Mr Legatt be still living, the Editor suggests this subject as well worthy of his liberal consideration.

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ERRATA—Page 11, line 15, for which read who.

— 37, — 6, for anima read animi.

A
S K E T C H
OF
T H E L I F E
OF
G E O R G E H E R I O T.

SCOTLAND has produced few individuals better entitled to the gratitude of posterity than George Heriot, the founder of the Institution, which bears his name, at Edinburgh. Of the private life of this remarkable person few particulars have descended to us ; but, the benefit, which many generations have derived from his munificence, is a proud monument to his memory; while his name is enrolled among those, who have been distinguished as the greatest benefactors of their country.

George Heriot was the eldest son of a goldsmith, in Edinburgh, of the same name, who was descended of Heriot of Trabroun, a family of some antiquity in East Lothian: the period of his birth is not accurately known; but, it is supposed to have been in June, 1563: † he was destined to his father's trade of a goldsmith, a profession, at that time, one of the most important in which the son of a private citizen could be employed. The goldsmiths were then, and for a long period, the chief, or only money-dealers in Scotland; and as such ranked among the wealthy citizens of Edinburgh.

George Heriot, the elder, who appears to have been one of the most respectable men of his day, served often.

† Sketch of the Life of Heriot, by the Right Honourable David Steuart Erskine, Earl of Buchan.

—*In the Bee*, November 1791.

as a commissioner in the convention of estates, and parliament of Scotland;†

† Notices of George Heriot, elder, Goldsmith, and Burgess of Edinburgh, *from the Records of Parliament.*

1585, George Heriot, one of the Commissioners for Edinburgh, in the Convention of Estates, at St. Andrews, 31st July, 1585. *Acta Parl. iii.* 423-4.

1592, George Heriot, Goldsmith, one of the Commissioners for Edinburgh, in the Parliament at Edinburgh, 29th May, and 5th June, 1595. *Ib.* 530.

1594, George Heriot, one of the same for Edinburgh, in the Convention of Estates, at Edinburgh, 29th April. *Ib. iv.* 54.

1594, George Heriot, one of the same for Edinburgh, in the Parliament at Edinburgh, 30th May and 8th June. *Ib. iv.* 56.

1596, George Heriot, Commissioner for Edinburgh, in the Convention, at Dunfermlin, 29th Sept. *Ib. iv.* 101.

1596, Dec. 19, George Heriot was one of the four citizens, who were sent by the Magistrates of Edinburgh, to the King, at Linlithgow, to profess their obedience, and submission to his will, &c. concerning the tumult, which took place in Edinburgh, the 17th Dec. *Ib. iv.* 105.

he was one of the four citizens sent by the magistrates to the king at Linlith-

1597, George Heriot was one of the Commissioners for Edinburgh, in the Convention at Dundee, 13th May. *Ib. iv.* 118.

1597, May 13, George Heriot, elder, was one of the Commissioners appointed by this Convention to settle the prices, that should be paid for the gold and silver brought into the kingdom. *Ib. iv.* 119.

1598, George Heriot was one of the Commissioners for Edinburgh, in the Convention of Estates, at Holyrood-house, 29th June. *Ib. iv.* 158.

1598, George Heriot was one of the Commissioners for Edinburgh, in a Convention, 30th Oct. *Ib. iv.* 173.

1598, He was one of the Commissioners for Edinburgh, in a Convention at Holyrood-house, 14th Dec. *Ib. iv.* 177.

1599, July 31, George Heriot was one of the Commissioners appointed to consider and determine how the coin might be raised, with some profit to the King, and small loss to the lieges. *Ib. iv.* 181.

1600, Nov. He was one of the Commissioners for Edinburgh, in the Parliament at Edinburgh, in Nov. *Ib. iv.* 191-194.

gow, concerning the tumult, that took place, on the 17th December, 1596; which had occasioned the king to withdraw from the city:—an account of this singular occurrence is fully given in Spottiswood's History of the

1604, He was a Commissioner for Edinburgh, in the Parliament, which met at Edinburgh the 10th April. *Ib. iv.* 258-9, 261.

1605, He was a Commissioner for Edinburgh, to the Parliament, which met at Edinburgh, 7th June. *Ib. iv.* 276.

1607, He was one of the Commissioners for Edinburgh, to the Parliament, which met at Edinburgh, 18th March. *Acta Parl. iv.* 364.

1607, He was a Commissioner for Edinburgh, in the Parliament held at Edinburgh, 3d and 11th Aug. *Ib. iv.* 365.

1607, Aug. 11th, He was one of the Commissioners appointed, in this Parliament, to stent, (*assess*) the counties, and burghs, in a certain sum, for the expence of printing the Auld Laws, called Regiam Majestatem, prepared, and to be printed, by Sir John Skien, of Curriehill, the clerk register. *Ib. iv.* 379.

Church of Scotland; it is also told, in a very amusing manner, by Birrel, in his *Diary of the remarkable events of that period*.†—He was convener of the trades

† The 17th day of December, 1596, being Fryday, hes Maiestie being in the tolbuith sitting in session and ane convention of Ministers being in the new kirke, and some noblemen being conveyet yame, as in special Blantyre and Lindesey, ther came in some divilish officious persone, and said that the ministers were coming to take hes lyfe; upone the qlk the tolbuith dores wer shut and steikit; and yair arise sick ane crying, God and the King—and uther some crying, God and the kirk, that the haill commons of Ed^r raise in armes, and knew not quher for. Yair wes ane honest man quha was deiken of Deikens, hes name wes Johne Watt, Smythe.

This Johne Watt raist the haill craftis in armes, and came to the Tolbuith quher the entrie is to the checker hous, and yair cryed for a sight of his Maiestie, or ellis he sould ding up the zet wt foir hammers; sua that nevir ane wt in the tolbuith sould come out wt yair lyfe. At length, hes M. lookit out the window, and spake to the commonis,

of Edinburgh, at five different elections of the council, for the years 1590, 1593, 1594, 1606, and 1607.—He died in the year 1610, as appears by his monument in the Gray Friars' Church-yard, on which there was the following inscription :

Viator, qui sapis, unde sies, quid sis, quidque
futurus sis, hinc nosce.

Vita mihi mortis, mors vitæ, janua facta est;

Solaque mors mortis vivere posse dedit

Ergo quisquis adhuc mortali vesceris aura,

Dum licet, ut possis vivere disce mori.

G. H.—1610.

“ Passenger, who art wise, hence know, whence
you are, and what you are to be.—1610.

quha offerit to die and live with him; quhilk
commonis of Ed^r offerit to die all in ane moment
far hes Maiestie; weill fair, sua hes Maiestie came
doun after the tounsmen wer commandit of the
gait and was convoyit be the craftismen to the
abbay of Holyruid-house quhair he stayit that night,
and, upon the morne he rode out of the tounne,
and sent back the chairges, as ze sall heir heirafter.

“ Life, gate of death, death gate of life to me ;
 “ Sole death of death gives life eternallie.
 “ Therefore, whoever breath draws from the air,
 “ While live thou may'st, thyself for death prepare.”†

The trade of a goldsmith in Edinburgh appears classed with that of the hammermen, or common smiths. In the charter of that corporation, granted 2d May, 1483,‡ the goldsmiths are included, and the whole received certain regulations and immunities, by which they were enabled to appear as a public company. At what time the goldsmiths were separated from the hammermen is uncertain. Their first charter of incor-

This tumult bred grate troubell betwixt hes M. and the toune of Edr.”—“ *Diary of Robert Birrel, Burges of Edinburgh, p. 41. Dalryell's Fragments of Scottish History.*

† Monteith's Theatre of Mortality.—Edin. 1704.

‡ Scot's Magazine, Feb. 1802, and Maitland's History of Edinburgh.

poration is probably that granted by the town-council, August 20, 1581, in which they received many valuable privileges, amounting, in the fullest manner, to a monopoly of their trade. This gaudy art, so essential to the vanity of a court, was confirmed in its *rights* by a charter from James VI., 1586, the year in which Young Heriot commenced business. From James VII., anno 1687,† the goldsmiths obtained the odious privilege of searching, inspecting, and trying all jewels set in gold, in every part of the kingdom; a licence to destroy all false or counterfeit work; to punish the transgressors, by imprisonment or fines; and seize the working tools of all unfree goldsmiths within the city.

“Scotland, which was then an indepen-

† Maitland's History of Edinburgh, p. 297.

dent kingdom, with a court in the metropolis, though poor in general, was probably then in a state not less favourable to the success of Heriot's occupation than at present. A rude magnificence, peculiar to the age, atoned for want of elegance, by the massy splendour of its ornaments. The nobles were proud, and extravagant when their fortunes would permit; and Anne of Denmark, the reigning queen, was fond of show and gallantry."

George Heriot, having thus been bred to his father's business, entered into a contract of marriage, on the 14th January, 1586, with Christian Marjoribanks, daughter of Simon Marjoribanks, merchant, in Edinburgh.† The father, on this occasion, agreed to give his son the sum of 1000 merks, with 500 more to fit

† Records of Heriot's Hospital,

out his shop and purchase implements and cloaths. With his wife, he received the sum of 1075 merks, which lay on a mortgage at 10 per cent. the legal interest of the times ; and brought in, annually, 107 merks, six shillings and eightpence, Scottish money. The united fortune of the parties amounted to about £214. 11s. 8d. sterling, a considerable sum, in those days ; but rendered much more useful by the prospect of his father's business, which would at this time naturally be transferred to the younger and more active man. By Christian Marjoribanks he had no children, which survived him ; and indeed, it is not certainly known whether there were any children of this marriage. And the precise time of her death has not been ascertained. Heriot appears to have been employed, by the Scottish court, during this period of his

life, and then to have laid the foundation of a fortune, such as few Scotsmen attained in that age. He was admitted a member of the incorporation of goldsmiths, on the 28th May, 1588.† In 1597, he was appointed, by James VI., under a writ of the privy-seal, dated at Dunfermline, July 27, goldsmith to his Queen. Soon after, he was constituted jeweller and goldsmith to the King, with a right to all the profits and emoluments of that lucrative office.‡ Thomas Foulis, goldsmith, in Edinburgh, furnished the King, and after his marriage the King

† Records of the Goldsmiths.

‡ 1597. The 27 of Julii, George Heriot maid the Queins goldsmythe; and was intimat at the Crosse, be opin proclamatiōne and sound of trumpet; and ane Clei, the French man, dischargit, quha was the Queins goldsmythe befor.—*Diary of Robert Birrel*, p. 44.

and Queen, with jewels and goldsmith's work, at various times, from 1582 to 1596.†

The first notice in the Treasurer's accounts of any work done for the King, by George Heriot, Junior, is the following :

1599, Sept. “ Payit at his Majestie's
 “ special command, with advyiss of the
 “ Lordis of secret Counsal, to *George*
 “ *Heriot, Younger*, Goldsmith, for a cop-
 “ burd propynit to Mons^r. Vetonu, Frenche
 “ Ambassadour, contening the peces fol-
 “ lowing, viz. twa basingis, twa laweris
 “ effeiring thairto, twa flaconis, twa chan-
 “ dilleris, sex couppis with coveris, twa
 “ couppis without coveris, ane lawer for
 “ water, ane saltfat with ane cover ; all
 “ chissellit wark, and doubill owirgilt,
 “ weyand two stane 14 pund and 5 unces,

† See Treasurer's Accounts.

“ at aucht mark the unce £4160. Item for
 “ graving of 28 almessis upon the said
 “ copburd, £14.”—Scots money.

- There is no other notice in the treasurer’s accounts of any furnishing of goldsmith’s work or jewels, by Heriot, between that time and the king’s going into England, in the year 1603.

Amidst this promotion, and success, he lost his wife. Being now in possession of opulence, he formed an honourable alliance by marrying Alison Primrose, eldest daughter of James Primrose, clerk to the privy-council, and grandfather of the first Earl of Roseberry.† He received, with this lady, 5000 merks, Scots; in

† James Primrose was the second son of Archibald Primrose of Burnbrae, in Perthshire, was bred to the profession of law; and being a gentleman of no small industry and sagacity in business, recommended himself so much to the notice of king

consideration of which, he bound himself, by a contract, dated Edinburgh, September 26, 1608, to lay out 2500 merks of the like money, in a purchase, to jointure his wife.†

Soon after the accession of king James to the English throne, Heriot followed the court to London, where he almost constantly resided afterwards. By assiduous application to business, he soon

James VI. as to be appointed, in 1602, clerk of the privy-council, and he discharged the duties of that honourable employment with great fidelity and high approbation, till his death in 1641. James Primrose, clerk of the council, had a gift, under the great seal, of the escheat of Dunrod, 14th of November, 1622, and was appointed clerk of the council for the Prince's revenues in Scotland, 17th of August, 1623: he married first Miss Sibylla Milner, by whom he had 19 children.—*Peerage of Scotland, by Wood.* vol. ii. page 401.

† Records of Heriot's Hospital.

became eminent and rich; and made several valuable purchases of lands and houses at Roehampton, in the county of Surrey, and St. Martin's in the Fields, which he afterwards transmitted by will to two illegitimate daughters.

His second wife died during this period. He was now advanced in years, and fortune, without any family to support or settle in life; and it is much to be regretted, that no accounts of his domestic habits remain. He appears to have been very attentive to his numerous relations, from the considerable sums, which he bestowed on them in his life-time, and the liberal provision that was made for all of them in his last will.

George Heriot died at London, February 12th, 1624, having attained little more than his sixtieth year, and was buried at St. Martin's in the Fields, on

the 20th of the same month ; in the register of which parish he is designed “ Yoman of King James.” †

His father, who had also been twice married, left children by both wives.

† “ *St. Martin in the Fields.*

“ 20 Die Februarii, 1624, Georgius Heriott, Armiger: Imo Jacobo Regi Yoman: Sepultus fuit.”—

The above is a true extract from the Register of Burials belonging to this church.

Witness my hand, this 13th day of May, 1822.

ANTHONY HAMILTON,
Registrar.

It is a circumstance worthy of observation, from the confusion, which might otherwise arise from the coincidence of names, that there was another George Heriot, residing in St. Martin's in the Fields, at this period, whose last will, dated 22d of April, 1623, is recorded at Doctor's Commons. He is designated George Heriot, shoe-maker.

Christian Blaw, the second wife of George Heriot, the elder, was alive at the death of her step-son, being attentively remembered in his will. Patrick Heriot, brother to the founder, had settled in Genoa, and was dead before 1623, leaving one daughter. His sister, Margaret, was first married to Mr. Scot, by whom she had two sons and two daughters, and secondly to Robert Kincaid, merchant, in Edinburgh, by whom she had a daughter. By Christian Blaw, George Heriot, senior, left three sons, David, James, and Thomas; and four daughters, Christian, Sybilla, Janet, and Marion.

With all of these family relations, Heriot appears to have lived on terms of kindness. His large fortune, probably amounting to 50,000*l.*, he disposed of by a will made 20th Jan., 1623, in

which he remembered them, with many friends and servants, both in Scotland and England. That we may the better estimate the character of George Heriot, who, contrary to the practice of some founders of hospitals, did not neglect his family, for the vanity of ostentatious charity, his last will and testament is given in the Appendix, and we extract the following list of bequests from that document.

To Franchischetta Heriot, † his brother's daughter, or in case of her being dead

† 1624, December 30. Francisceta Heriot, spouse of John Cerar, and lawful daughter of Patriek Heriot, the brother-german of George Heriot, jeweller to the King, was served heir of her grandfather George Heriot, senior, goldsmith, burgess of Edinburgh, to an annual rent of 100 marks from a tenement in Edinburgh, and to tenements in Edinburgh. *Inquisit. Special, Edinburgh Shire, 527.*

1624, December 30. Francisceta Heriot, lawful

to her children 500 marks English; to the poor of St. Martin's parish 10*l.*, and to those of the French church there 20*l.* sterling. His sister, Margaret, and her five children, he mentions as having been provided for, severally, and respectively, by certain annuities, gifts, and sums of money. To his half-brother, James Heriot, †

daughter of Patrick Heriot, brother-german of George Heriot, jeweller to the King, was served heir (in general) of the said George Heriot, jeweller to the King, her uncle. *Inquisit. General.* 1173.

† 1624, December 30. James Heriot, jeweller, was served heir male (in general) of his brother George Heriot, jeweller to the King. *Inquisit. General.* 1174.

1629, June 3. James Heriot, jeweller to the King, was served heir (in general) of his brother-german Thomas Heriot, lawful son of George Heriot, goldsmith. *Ib.* 1509.

1675, May 12. Mr. David Heriot, advocate, was served heir male of his grandfather's brother George Heriot, jeweller to King Charles I. *Ib.* 5805.

he bequeaths the sum of 2000*l.* to be paid 500*l.* in money, within a month after his decease, and 500*l.* in jewels, such as he traded in, to be delivered, in three months after, at a lawful and reasonable estimate of value. To his half-brother Thomas, 1000*l.* sterling, to go, in case of his dying without issue, to James Heriot; and, in case of his death, in similar circumstances, to the funds of the hospital. To James he also left 1000*l.* India stock, with the rights and interest thereof.

To his mother-in-law, Heriot bequeathed the annual interest of 500 marks English; of which sum, she was at liberty to bequeath 100 at her death to any person she pleased; the 400 remaining, to be divided at her death between her two daughters, Christian and Sybilla.

To the children of Christian he left 500 marks, to be paid after the death of

their parents; to Sybilla, the same; to the children of Janet, and Marion, 500 marks to each family, on the same condition with that of Christian. The intermediate legacies between these, and his daughters, are 30*l.* to Gilbert Primrose, preacher in the French church, London; 40*l.* to Margaret Robison, one of his kinswomen; and 20*l.* a-piece to the two daughters of another. After this, a few remissions of debt, and bequests to friends or old servants follow. His eldest daughter, Elizabeth Band, then about ten years of age, and residing at Windsor, he next provides for, by allotting her all his copy-hold messuages, lands, tenements, and hereditaments, in Roehampton, in the county of Surrey; and for Margaret Scot, his second daughter, then living at one Rigden's, a waterman, in the parish of Fulham, Middlesex, by leaving her his tenements in St. Martin's

in the Fields. The interest of several sums is also bequeathed in their favour, and he subjects them to the care of his executors. These he appoints in the following order: Robert Johnston of London, gent.; William Terry of London, goldsmith; Gideon Delaune of London, apothecary, executors of his last will, with 100 marks sterling a-piece. Mr. James Maxwell of his Majesty's bed-chamber, Walter Balcanquel, D. D. and Mr. Walter Alexander, gentleman-usher to the Prince of Wales, he nominates as overseers and supervisors, with appropriate bequests.

The prominent article of the will, which bequeaths all the surplus of Heriot's estate, after the full execution of the rest, to the ordinary Town Council of Edinburgh, follows the nomination of executors. It is left "unto the provost, bailiffs, minis-

“ ters, and ordinary council for the time
“ being, of the said town of Edinburgh,
“ for and towards the founding and erect-
“ ing of a hospital within the said town of
“ Edinburgh, in perpetuity; and for and
“ towards purchasing of certain lands in
“ perpetuity, to belong unto the said hos-
“ pital, to be employed for the main-
“ tenance, relief, bringing up, and edu-
“ cation of so many poor fatherless boys,
“ freemen’s sons of the town of Edinburgh,
“ as the means which I give; and the
“ yearly value of the lands purchased by
“ the provost, bailiffs, ministers, and
“ council of the said town, shall amount,
“ or come to.”

He then delivers the right of all his Edinburgh real property to the magistrates, &c. with the same design; this proviso being made, “That my mother-in-law shall hold and possess, during her

“ life, the benefit and rent of the house
“ wherein she dwelleth, and of the two
“ shops adjoining near thereto, or that she
“ have satisfaction and content otherwise
“ in that behalf.” The hospital he wills
to be governed by a set of ordinances,
either made in his own life-time, or formed
and signed after his death by his executor
Dr. Balcanquel. The council are appointed
perpetual governors ; the accounts of
the remaining funds are appointed to be
given into their hands, six months after
his decease. In case of the mal-admini-
stration or non-performance in the ma-
gistrates, the Chancellor of Scotland, the
two Archbishops, the President of the
College of Justice, with the Lord-Advo-
cate, are further appointed to examine
the matter, all, or any three of them ;
and, upon proof of such charges, the whole
of the funds to go to the University of St.

Andrew's, for the maintenance of as many poor scholars as the rector and professors of that seminary shall nominate. In the codicil, which contains a variety of small legacies, through charity, friendship, or other connections, Dr. Balcanquel is directed to go to Edinburgh and consult with the council about the full execution of the will, in particular of the hospital.

Heriot dying on the 12th of February, 1624, his executors became immediately possessed of all his fortune, except 1133*l.* 13*s.* 4*d.* due to him, on mortgages, by several of the Scots nobility, which he had also left to the hospital by a deed of gift, executed September 3, 1623. The legatees employed Sir John Hay, of Baro, afterwards clerk-register, to settle with the executors in England. On settling accounts with this gentleman, 12th of

May, 1627, the sum received by the governors, after deducting legacies, bad debts, and compositions for debts, resting by the crown, amounted precisely to 23,625*l.* 10*s.* 3½*d.* sterling.†

As the whole sum recovered for the purposes of an Hospital would appear to have fallen short of the expence of erecting the building itself, which was twenty-two years in progress, and cost 30,000*l.*, the governors must have laid out the original capital most advantageously, and have by no means deserved the charges of

† Where Maitland had collected his erroneous account of George Heriot's effects we know not.— He makes the sum received, by the Governors of the Hospital, to be 43,608*l.* 11*s.* 3*d.* being almost double of what they really got. This blunder has been the cause of many unjust murmurings against the magistrates of Edinburgh, and has even been the means of spiriting up law-suits against them.— *Arnot's History of Edinburgh.* 4to. p. 566.

mismanagement so often imputed to them, by party spirit, and mistaken opinions about their original receipt. In 1779, the hospital possessed a real income of 1800*l.* per annum. † Since that period, a considerable part of the property has been feued for building, and for which an annual feu-duty is paid *in money*. From this and the continued demand for building-ground, the revenues have of late years rapidly increased; being all derived from lands in the immediate neighbourhood of Edinburgh. It appears, indeed, to have been most judiciously the object of the first managers of the charity, to purchase such

† *Arnot's History of Edinburgh.*

We have not been able to ascertain the present Revenue, but it is supposed to amount to *seven times* what it was in the year 1779.—The number of the boys then maintained was 140—at present there are 180 in the Hospital.

property only as, from local circumstances, was likely to rise in value. Among others the barony of Broughton, of which Maitland gives the following account, may be particularly mentioned :

“ About a quarter of a mile to the
“ northward of the city lies the village
“ of Broughton. This appellation imply-
“ ing Castletown, probably owes its origin
“ to a castle. Be that as it will, it is a
“ burgh of regality, belonging to Heriot’s
“ hospital. The property whereof, toge-
“ ther with the mansion-house and eigh-
“ ty-six acres and a half of land, with
“ the lands of Middleton, and those of
“ the Three Riggs and their appurte-
“ nances, were purchased of *Thomas*
“ *Fleming*, by the common-council of
“ *Edinburgh*, in the year 1626, for the
“ use of that foundation, for the sum
“ of thirty-three thousand six hundred

“ marks, Scottish money.”—*History of Edinburgh*, p. 177.

On these lands, and others, fortunately acquired for Heriot's trust, the new town of Edinburgh now stands ; the annual feu payable for which is by no means considerable, the trustees of the hospital having feued part of the property to the magistrates of Edinburgh when the speculation of building a new town on that scite was first adopted ; of course the chief advantages of the transaction, arising from the increased value and modern improvement, are derived by the city. The governors of the hospital were not in a situation to have carried those extensive plans into effect ; indeed, they could not have directed the funds of the hospital to such a purpose, and the transaction, though beneficial to the city, cannot but be viewed as also important to the hospital, its

revenues having been thereby much increased. Considerable differences of opinion existed among the managers as to the legality, and expediency, of this measure, at the time, and it was frequently afterwards a subject of dispute, and even litigation at law.†

The greater part of the valuable grounds from the bottom of the Calton-hill towards the east, reaching to Leith and extending from Leith-walk to what is called the East-road to Edinburgh, belongs to Heriot's Hospital; an elegant plan has recently been executed for build-

† 1. Reasons of dissent and protest by Messrs. John Glen, Robert Wallace, George Kay, Robert Walker, Henry Lundie, John Erskine, and Robert Dick, ministers of Edinburgh, and administrators of George Heriot's hospital, against an act of the council of the said hospital, of the 14th of December, 1759, granting the feu of certain lands, men-

ing houses and streets in this situation, and will doubtless, in the course of very few years, be completely carried into effect, thus connecting Leith with Edinburgh; and adding immensely to the revenues of the Hospital, by means of one of those splendid improvements, which have of late years progressively elevated the Scottish capital to a degree of magnificence that equals any other city in Europe.

The magistrates of Edinburgh, on getting possession of the money, originally left, and the revenues arising from it, began to think of erecting an hospital pursuant

tioned in the said act, to the magistrates and town-council of the city of Edinburgh.—*Edinburgh, printed in the year 1760.*

2. An address to the citizens of Edinburgh, relative to the management of George Heriot's hospital, by a free Burgess of Edinburgh.—*Printed in the year 1773.*

to the will of the founder, who had appointed a large messuage or tenement, in the city, situated between Gray's-close and Todrick's-wynd for that purpose ; but the magistrates, and Dr. Balcanquel, having surveyed this property, it was found unfit for a work of the kind, and the trustees, accordingly, 22d of June, 1627,† purchased of the citizens of Edinburgh eight acres and a half of land, near the Grass-market, in a field called the *High Riggs*, for the sum of seven thousand six hundred marks, Scottish money, and having prepared materials for the intended work, laid the foundation of the present magnificent structure on the 1st of July, 1628, according to a plan of the celebrated Inigo Jones, with variations,

† Records of Heriot's Hospital, and Maitland's Edinburgh.

to suit the taste of the founder's trustees: The mason-work of which is considered as equally faultless with the design. The stones with which the fabric was reared, were brought from Ravelstone, near Edinburgh, and the building was conducted under the direction of Mr. William Aytoune, one of the principal architects, or masons of that day: He was of a family in Fifeshire, of that name, and his portrait is preserved in the council-room of the Hospital.†

† 1606, December 23. William Aytoune was served heir (in general) to his brother-german Magnus Aytoune, servant of Alexander Earl of Dunfermline. *Inquisit. General.* 273?

1669, June 22. William Aytoune of Feddensh, in Fyffe, departed out of this life at Bennochie, and was interred the 26th of June, att Kirkaldie, in the day tyme. *Chronicle of Fife.* p. 262?

1692, September 15. William Aytoune, son of Mr. John Aytoune, was served heir of conquest to

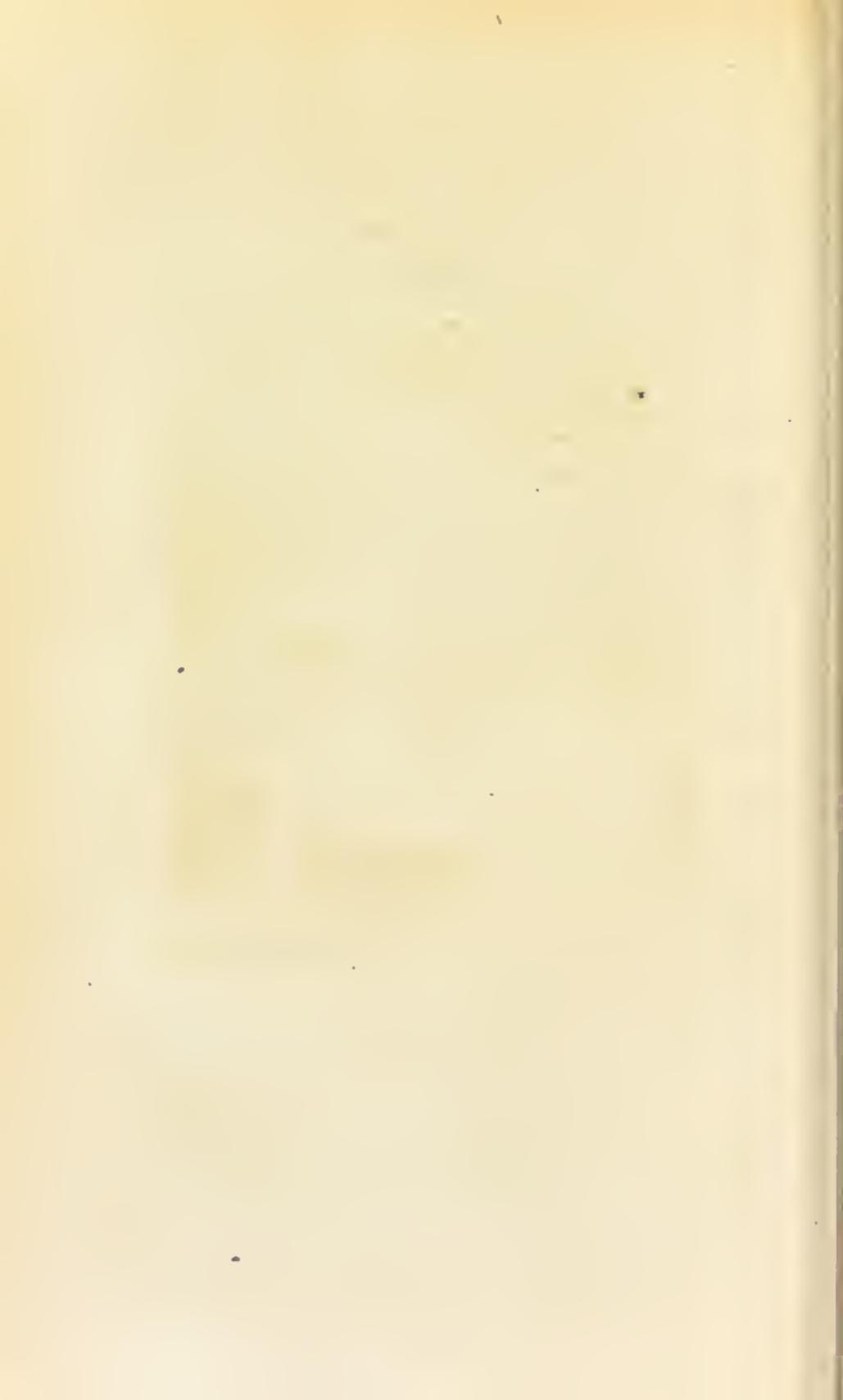


WILLIAM AYTOUNE MEAST,
ER MEASON TO HERIOTS VORKE

FROM AN ORIGINAL PICTURE
IN THE GOVERNORS ROOM
HERIOT'S HOSPITAL.

Engr'd by W. R. L. Stone

Published by A. Constable & Co. Edin. 1822



The national troubles, which arose, in the year 1639, for some time interrupted the progress of the building, but it was renewed A. D. 1642, and carried on with such vigor, and success, that it was almost completed in 1650, when taken possession of by the English army, under Oliver Cromwell; the Protector converted it into an infirmary for his sick, and wounded, to which purpose it continued to be applied till 1658, when General Monk was commander of the English forces, and, at the earnest request of a committee of governors, he was prevailed on to agree to remove the soldiers on condition that they should, at the expense of Heriot's executors, be suitably accommo-

his grandfather's brother, *William Aytoune*, of Feddinsh, in the lands of Feddinsh, within the regality of St. Andrews, in Fife.—Feufirm. *Inquisit. Special. Fife*, 1338?

dated elsewhere : and the soldiers were accordingly removed to the new Infirmary, in the Canongate.†

The completion of Heriot's magnificent edifice again proceeded ; and on the 11th of April, 1659, was ready for the admission of boys.—The total expenditure appears, in the course of its erection, to have been about 30,000*l.* ; for that period an immense sum.

The building thus completed, is one of the greatest ornaments of Edinburgh, stands upon a rising ground, immediately south of the castle, and consists of a quadrangle, with four square towers, and is perhaps one of the best specimens of the college style of architecture of that period. The north, or principal front, has a centre

† Maitland's History of Edinburgh.

tower, with a vaulted arch-way leading† to the court-yard, over the centre of which stands a statue of the munificent founder, with the following inscription:‡

CORPORIS HÆC
ANIMA EST HOC OPUS
EFFIGIES.

The south-front also displays a circular tower—in the centre there is a hand-

† Inscription over the outer-gate,

Fundendo Fundavi.

Vi cor incaluit Pietatis et Charitatis

Sic vos Deus, ut vos eos,

Deus nobis hæc otia fecit.

Over the entry to the Chapel,

Aurifici dederat mihi, vis divina pcrennem,

Et Facere in Terris, in Cœli, et ferre, coronam.

‡ “ Above his statue is a latin inscription signifying, that the person was represented by that image, as his mind was by the surrounding foundation.”—*Grose's Antiq. of Scotland, vol. i. p. 37.*

some Gothic window, which forms part of the chapel. The architecture of the whole is of the mixed style, so prevalent at that period. Variety seems to have been the end in view, and it is said, that the original plans of the architect were considerably altered and departed from, to meet the taste of Balcanquel, who, according to the request contained in the founder's will, superintended the building, during the early periods of its progress, and appears to have made very active and faithful use of the powers, which were therein confided to him. It is probably to the taste of this gentleman, that we may attribute the singular variety, in the windows of this building, no one of which is similar to another.

The Chapel of the Hospital forms a considerable portion of the south-side of the square. It has been considered as

peculiarly elegant, and is suitably fitted up for the accommodation of the boys, who assemble here every morning and evening to prayers, in compliance with the Statutes of the Hospital, where it is expressly commanded, that “Lest the memory of so pious a work should perish, and for the provocation of others to like piety, he who readeth prayers shall give thanks unto God, in express words, for the bountiful maintenance which they receive, living here from the charity of their pious founder.”

In the year 1659, the Governors appointed Mr. Robert Douglas, one of the ministers of Edinburgh, to preach a sermon on the first Monday of June of that year, in commemoration of the founder; for this sermon he received an allowance of one hundred merks,

Scots, to be laid out by him in the purchase of books. This solemnity has ever since been continued annually, the ministers of Edinburgh preaching in rotation, according to their seniority of office; for this purpose the old Gray-Friars' Church has always been used, and the relations, and friends, of the boys usually assemble on this occasion: and the first Monday of June, the anniversary of the institution, is thus a day both of solemnity, and rejoicing, with the boys, who each receive a new suit of clothes. The statue of the founder is fancifully decorated with flowers, and there is usually a great assemblage of citizens, old and young, admitted on this occasion to view the Hospital, and the scene which follows never fails in being gay and gratifying to all present.

Thirty boys were admitted April 11th,

1659; in August next they were increased to forty; in 1661, to fifty-two; in 1753, the number was raised to one hundred and thirty; in 1763, to one hundred and forty; since which period the number has been occasionally increased, and at present *one hundred and eighty boys* are maintained on this establishment.

The education of the boys has always been conducted by able masters; by the Statutes of the Hospital, it is only required that they should be taught to read and write, distinctly, and cast all manner of accounts; also, the rudiments of the Latin language: but they are now taught Greek, mathematics, &c. If the professions chosen by the boys require a knowledge of drawing or navigation, they are sent to teachers for that purpose; such of them also as are dis-

posed to follow learned professions, the church, law, or medicine, are, on application to the governors, sent to the university for four years, with an allowance of thirty pounds annually. There are generally six or eight youths attending college on this principle, in addition to the ten Bursers, provided for by Heriot's will, and who are selected by the governors from other seminaries, unconnected with the Hospital—each of whom is allowed £20 sterling for four years. Both these classes of young men must appear annually before the Education Committee of the Managers, and if it appears, that any of them have not been diligent, their Bursary is discontinued. Many charges of misapplication, and mismanagement, have been made, from time to time, against the governors, in their gratuitous administration of those important benefits; but it

is believed, without any real cause. The internal management of the house has always been conducted in the most creditable, and economical manner.† Most of the boys are apprenticed out to trades in Edinburgh, and are allowed £10 sterling, yearly, for five years, being equal to an apprentice-fee of £50; and at the end of their apprenticeship, which sometimes extends to six or seven years, they receive, on producing from their master a certificate of good conduct, the sum of £5 to purchase a suit of clothes: while

† All articles required for the establishment are understood to be furnished at the lowest rates, every thing of importance being supplied by contract; for which there is usually considerable competition. In the year 1695, there appears to have been a representation made to government for freeing the hospital of the duties then payable on beer and ale; a copy of which will be found in the Appendix, No. VII.

in the Hospital, the greatest care is bestowed on them, in regard to morals and health, they have certain hours allowed them daily for exercise, and their amusements generally partake of a manly character ;† and it is believed that, no institution of the kind can boast of having

† A singular occurrence took place, with the boys of Heriot's Hospital, in 1681—2; the year in which the Earl of Argyle was tried, and convicted of High-Treason, for refusing the Test Oath, without certain qualifications. We extract the following account of it from Lord Fountainhall's Chronological Notes of Scottish Affairs, just published.

“ Argyle was much hated for oppressing his creditors, and neither paying his own or father's debts, but Lord Halifax told Charles II. he understood not the Scots law, but the English law would not have hanged a dog for such a crime.”—page 21.

Every lawyer of common sense, or ordinary conscience, will be of the same opinion. Lord Clarendon, when he heard the sentence, blessed God that he lived not in a country where there were such laws, but he ought to have said, such judges. The very

reared a greater number of useful and respectable members of society, than that of Heriot's Hospital, some of whom have at different periods made donations or left legacies to the foundation.†

A set of statutes, consisting of sixteen articles, were compiled by Dr. Balcanquel, by which the government of the hospital is managed. To these statutes, which are particularly minute, the governors are obliged to swear. The present establish-

hospital children made a mockery of the reasoning of the Crown Lawyers. The boys of Heriot's Hospital resolved among themselves, that the house-dog belonging to the establishment, held a public office and ought to take the test. The paper being presented to the mastiff it refused to swallow the same, unless it was rubbed over with butter. Being a second time tendered, (battered as above mentioned,) the dog swallowed it, and was next accused and condemned, for having taken the test with a qualification, as in the case of Argyle!—*Editor's Note on Fountainhall.*

† See Appendix No. II.

ment consists of a treasurer, physician, surgeon, clerk, house-governor, four teachers, housekeeper, steward, cook, tailor, two porters, gardener, and twelve women servants, who act as nurses, and laundry-maids.

Dr. Balcanquel, at the period of Heriot's death, was Dean of Rochester; he was the cotemporary, and, it is believed, early friend of Heriot; he was some years one of the ministers of Edinburgh; † attended King James to England, with whom he was in great favor; he obtained the degree of D. D. at Oxford, and had previously appeared at the Synod of Dort. "1619, Nov. 3, the Synod of Dort began, whither English divines were sent, and the doctrine of Arminius was condemned by it—it ended on the 29th of October, 1620." He was succes-

† Spottiswood's Hist. of the Ch. of Scotland.

sively Master of the Savoy, in 1620 Dean of Rochester, and in 1639 Dean of Durham; he was author of King Charles's DECLARATION, concerning the late tumults in Scotland, 1639; wrote several Sermons, Letters to Sir Dudley Carlton, concerning the Synod of Dort, and was a person of much consideration. He suffered many hardships during the civil wars, with no small difficulty escaped his persecutors, and died at Chirk Castle, Denbighshire, at an advanced age, in the year 1645.†

“ From what appears throughout the whole of this transaction, we cannot but conclude that the objects of Heriot were patriotic, and charitable. He acted from no motives of disgust at any of his family. As he had no legitimate heirs, his wealth could not have been better employ-

† Wood's Athen. Oxoniensis.—And Golden Remains of John Hales, of Eaton, 4to. 1673.

ed. Vanity was certainly not his motive; he had amassed riches, by industry, which he only applied in part to the benefit of the future generations of his native city.

“ The same cannot be said for many founders of hospitals, who, after collecting money by narrow parsimony, neglect their poor relations, to be distinguished as founders of charities, a title, in such cases, to be numbered among their vices, rather than their virtues.”

The eldest daughter of Heriot† married in England: but, being reduced to great difficulties, she came to Edinburgh, where the magistrates allowed her 1000 merks, Scots, annually, till her children were admitted into the hospital. After this she obtained £20 to support her journey to London, and received, besides, a present of 1000 merks.—

† Maitland's History of Edinburgh.

ELOGIES

ON

GEORGE HERIOT.

APPENDIX I.

1870

10

1870

10

1870

ELOGIES

ON

GEORGE HERIOT.

(From Monteith's *Theatre of Mortality*. Edin. 1713.)

To the most eminently pious, most fragrant,
and everlasting Memory of that unparalleled
Patriot and true Pattern of Charity George
Heriot, Goldsmith, Burgess of the city of Edin-
burgh; and Jeweller to the Two renowned
Princes James VI. and Charles I. Sole Founder,
Builder, and Erecter, of the most celebrated
Hospital, in the said Burgh, called by his name.

GREAT men in all employments God doth raise,
For his own glory to advance his praise;
Each century affords its famous birth,
Wherewith wise God doth dignify the earth;
Of all and every age where shall we find
A man so Christian, so truly kind;

Restoring banished charity) to found,
 With our great Heriot, Hospital from ground :
 Giving thereto what may support the same,
 To ages all in honor of his name ;
 Especially in his declining days,
 When avarice in most men secret sways.
 He left no children of his proper seed,
 Left all he had, adopted sones to feed ;
 Enhancing bliss from bowels of the poor,
 God's lender, serves thrice Forty every hour
 Rage, nor of foes, nor all-devouring time,
 Shall never waste his memory to sublime ;
 In his Alumni every where doth stand
 His monument and very liberal hand,
 Of's faith to make a verdict by his deed,
 Among the Saints, he room, in glory pleads ;
 Triumphant trophies of his charity
 Run parallel with all eternity.

Sacrum æternæ Memoriae immortalis Famæ,
 immarcescibili Honori pientissimi munificen-
 tissimi adeaque Deo gratissimi. D. *Georgi*
Herioti.

Quondam aurificis ac civis Edinburgensis
 Regnantibus Jacobo VI. et Carolo I. Gemmarii
 Regii; Hospitalis Cognominis unici Fundato-
 ris et Almi Provisoris.

GEORGIUS HERIOTUS,

Anagramma,

REGIUS, EGREGIUS, HEROICUS,

In Anagramma,

Regia (quis dubitat) Res est, succurrere Egenis,

Item,

Quam bene se produnt verissima, nomen et omen,
 Conveniunt rebus Nomina tanta suis,

Anagramma, 2 et 3.

EGREGIUS THURIS ODOR.

EGO REGIUS HORTUS.

In Anagrammata..

Dives Nectareum sileat Panchaia odorem

Et Fructices, arabum quos colit ultra manus,

Non atque ambrosium redolet Panchaia odorem,

Ac data adoptivis Fercula Herota suis;

Urbem hanc qui serie jugi stabiliq. beabunt,

Dum Mare, dum Terras texerit usque Polus.

An offering to the eternal memory, immortal Fame, incorruptible honour of the most charitable, most munificent, and therefore most acceptable to God, GEORGE HERIOT, some time goldsmith and citizen of *Edinburgh*, jeweller to King James VI. and Charles I. sole founder and bountiful provider of that Hospital called by his name.

Anagram 1.

Royal, Excellent, Noble.

On that Anagram.

Undoubtedly it is a kingly part,
To Th. poor and needy succour to impart.

As also,

Truth now appears most graphically, when
Nature and name agree, the best of men
Whose horoscope presaged soon that he
Should Royal Excellent and noble be.

Anagram 2 and 3.

Surpassing savour of incense.

I. A Royal Garden.

On these Anagrams.

Your odours, sweet Panchaia, never boast,
 Nor yours, ye shrubs, on the Arabian coast,
 No odour sweet, like divine charity,
 Wherewith George Heriot doth the poor supply ;
 Nature deny'd him children ; Divine Grace
 Of sones adopted, gives him goodly race,
 Whose long succession shall this town decore,
 Till Heav'n and Earth and Sea shall be no more.

INSCRIPTION IN THE COUNCIL-ROOM OF
 THE HOSPITAL.

To

The pious and worthie
 Memorie of George Heriot
 Goldsmith Burges of
 Edinburgh and sometye
 Jeweler to King James the
 Sixth of happie memorie
 who mortified not only
 So much of his Estate as
 Founded and completed
 This stately Hospital but

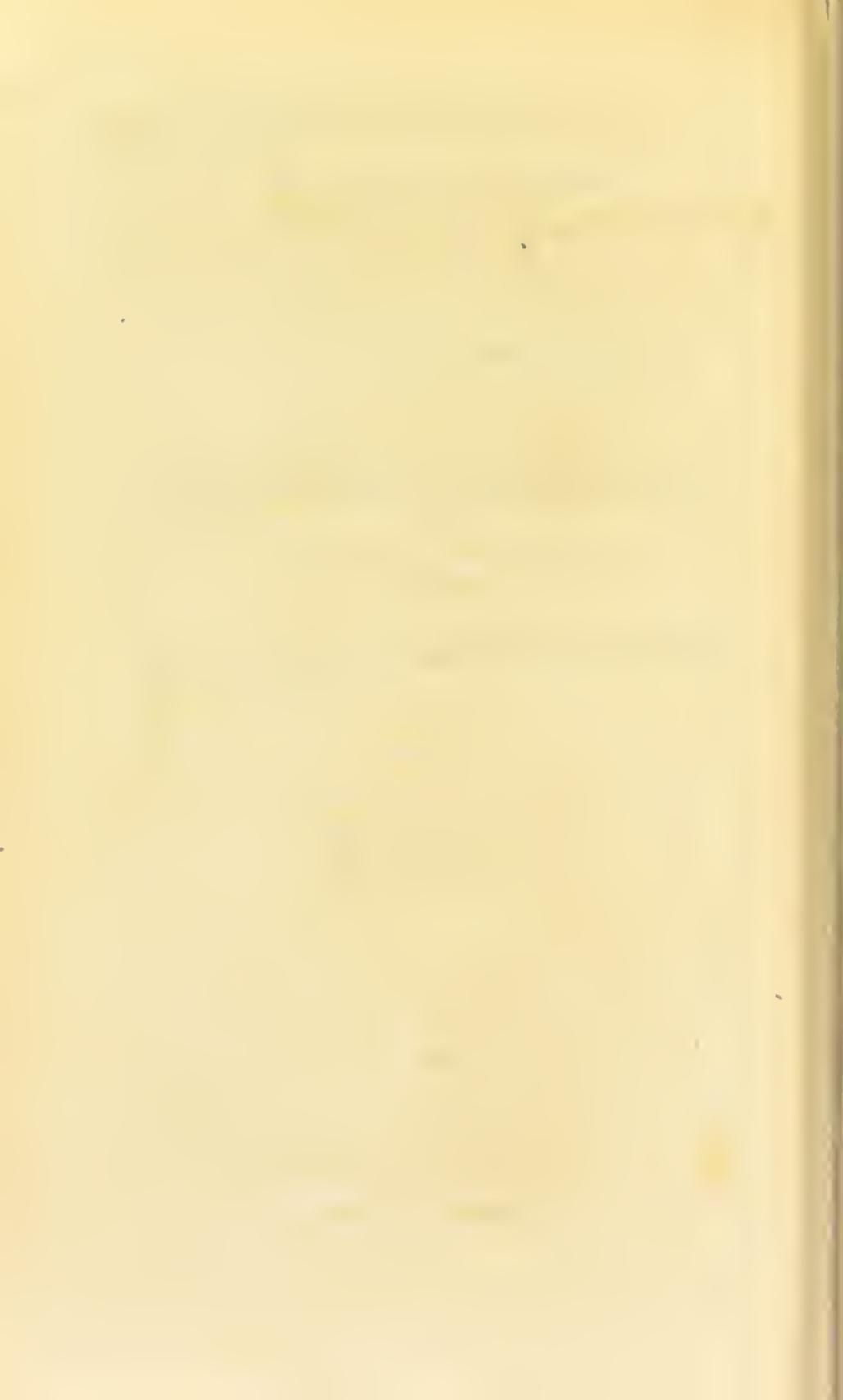
Doeth now also maintaine
130 Poor Burgeses and
Freemens Children of the citie
of Edinburgh in the tearmes
Specified in the Statuts of
The said Hospitall compiled
by D: Balcanquell, D. of
Rochester, The Founder's
Trustee for that effect
Anno Domine M,DC,XCIII.

DONATIONS AND LEGACIES

TO

GEORGE HERIOT'S HOSPITAL.

APPENDIX II.



DONATIONS AND LEGACIES,

FROM INSCRIPTIONS OF THE COUNCIL-ROOM.

Robert Sandilands, Mer^t,
In Edinburgh, did give
2000 pounds Scots, for the
Use of Heriot's Hospitall,
In the year 1695 years.

Sir James Gray,
Knight and Barronet,
Gave to the poor of
This Hospitall £100
Sterling, as by account,
The 2d day of February,
1708 years.

1799.

Dr. William Abercrombie,
of the City of York,

Educated in this Hospital,
Left in Legacy
£800 sterling.

1804.

Dr. John Gilchrist,
Several years Professor of
the Hindostance Language in the
College of Fort William, Bengal;
Presented £100 sterling
To this Hospital,
As a small Testimony
Of Gratitude for
His Education in so
Valuable a Seminary.

1805.

Mr. David Arbuthnot,
Taylor, in London,
Educated in this Hospital,
Left in Legacy
£200 Sterling.

Master
Robert Johnstone,
Doctor of the Laws,
Left to George Heriot's
Hospitall—one Thousand
Pounds sterling, the Interest
whereof he ordained for
Buying of Cloaths to the
Children of the said Hospitall ;
As also one Hundred Pounds
Sterling, the Interest
Whereof to goe towards
The payment of the
Schoolmaster, his
Sallarie.

Anno Domini M,DC,XC,III.

Mr. Alexander Murray,
Doctor of Divinity, and Dean
Of Killolla, in Ireland,
Left to George Heriot's
Hospital 108 Scotts.

(no date.)

Captain Dougal Campbell,
 Of London, Grandson
 To Archibald Campbell,
 Of Inver-aw, in Argyll-
 Shyre, who died at
 Edr ye 27th day of Sept^r
 1718. Left to Heriot's
 Hospital 100
 Pounds Sterling.

George Watson,†
 Mert in Eden, who dyed
 ye 3d of April, 1723, mortified
 To George Heriot's
 Hospitall Five Thousand
 Merks Scots money,
 For maintaining Two
 Boys, in ye said Hospitall,
 They being ye children,

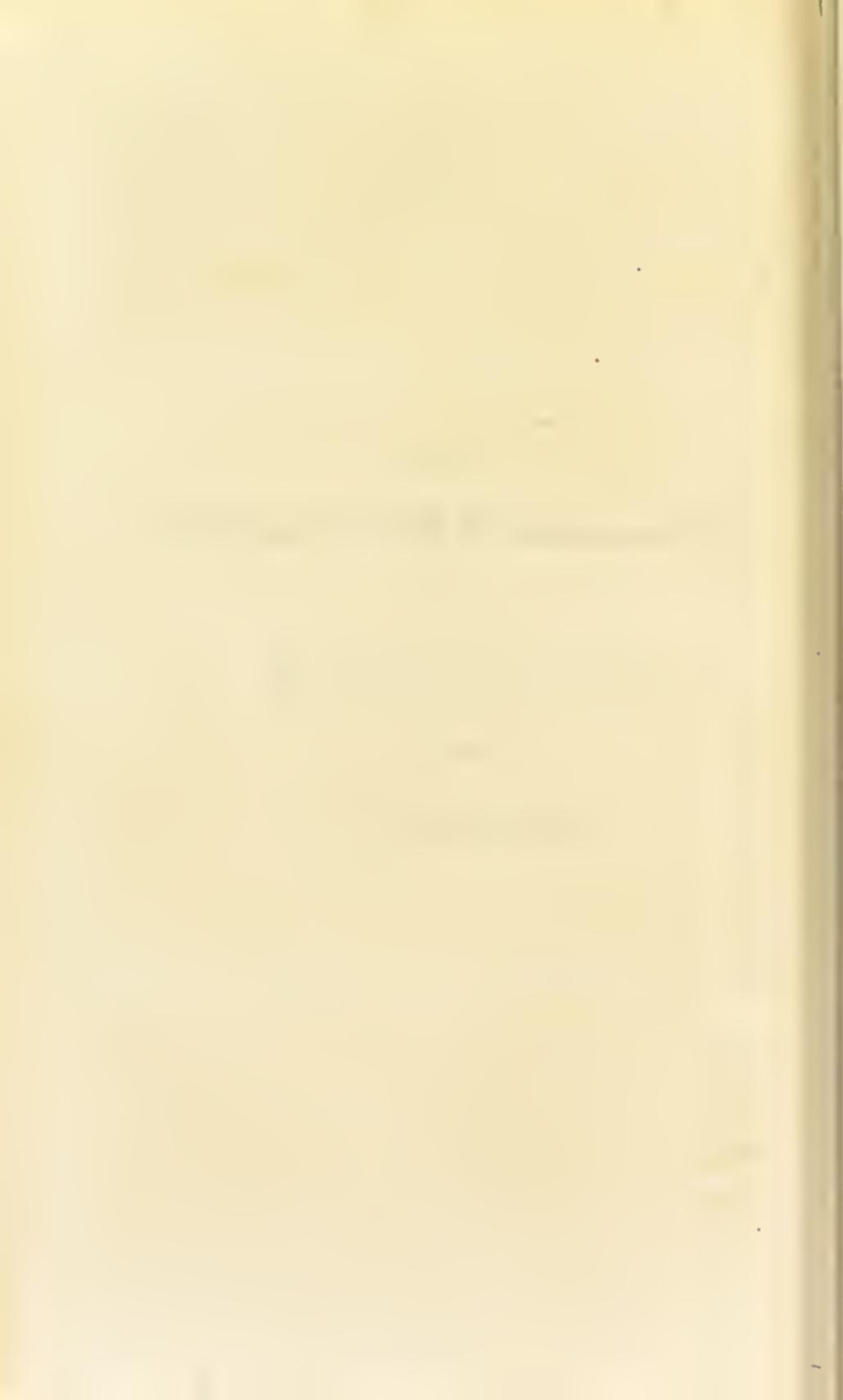
† Founder of Watson's Hospital—an institution, in many respects, similar to that of George Heriot.

Or grand-children
Of decayed Merch^{ts}
In Ed^r of ye name of
Watson or Davidson,
Perferring always,
the name of Watson;
Which sum was
payed by his
Trustees Decem^r 1724.



LAST
WILL AND TESTAMENT
OF
GEORGE HERIOT.

APPENDIX III.



LAST WILL AND TESTAMENT

OF

GEORGE HERIOT.

(FROM MAITLAND'S HISTORY OF EDINBURGH.)

IN the name of GOD. Amen.--The tenth of December, Anno Domini 1623, and in the one and twentieth year of the reign of our sovereign Lord King James, by the grace of God, King of England, France, and Ireland, Defender of the Faith, and of Scotland, the Seven and Fiftieth.

I, George Heriot, of the parish of St. Martin in the Fields, in the county of Middlesex, Jeweller to the King's most excellent Majesty, being weak of body, but of good and perfect remembrance: Praise therefore I render to the Almighty

God: do make and ordain this my last Will and Testament, in manner and form following: that is to say, first and principally, I do commend my soul into the hands of the Almighty God, my maker, and Jesus Christ his Son, my only Saviour and Redeemer, in whom, and by the merits of whose most glorious death and precious blood-shedding, my full trust is to have remission of all my sins and to be saved; and my body to be interred in Christian burial, at the discretion of my Executors, hereafter named.

And touching that talent of worldly goods and estate, which God hath lent unto me, I give, devise, and bequeath the same as followeth:—

Imprimis. I give and bequeath unto the poor of the Parish of St. Martin, aforesaid, the sum of ten pounds, of lawful money of England.

Item. I give and bequeath unto the poor of the French church, in London, the sum of twenty pounds of like money.

Item. I give and bequeath unto my niece, Francischetta Heriot, born in Genoa, in Italy, daughter of my deceased brother, Patrick He-

riot, if she be alive at the time of my decease, the sum of five hundred marks of like money, in lieu and for full satisfaction of all right, claim, and demand whatsoever, which she hath, may, shall, or can make unto my lands, tenements, hereditaments, goods, and estates, in any wise, or unto every or any part or parcel of the same, and in case she be dead, then I give and bequeath the said five hundred marks, unto such lawful child or children as she hath or shall leave behind her, to be equally divided amongst them, and to be disposed of and secured for their best benefit upon this condition, that she shall upon the receipt thereof, and her husband, if she have any, make such lawful and sufficient release and discharge for and concerning the premises as in that behalf shall, by counsel learned, be devised and required; and that in case my said niece happen to die before her receipt of the said portion, and that she leave no issue behind her, that I give and bequeath the said five hundred marks unto the children of my sister Margaret Heriot, now wife unto Robert

Kincaid, or to the survivor or survivors of them, to be equally divided amongst them.

And as concerning my said sister Margaret Heriot, my nephews William Scot and George Scot, her two sons, and my nieces Janet Scot, Margaret Scot, and Mary Kincaid, her daughters, and their husbands and children, I have already, by a deed or writing, under my hand and seal, dated the 3d day of September last past, made and executed here, according to the manner of Scotland, made provision for them, by assuring, assigning, or conveying unto them severally, and respectively, certain annuities, gifts, and sums of money, as thereby plainly and at large appeareth.

Item. I give and bequeath unto my half-brother, James Heriot, the sum of two thousand pounds of like money, which I will and direct shall be paid and satisfied to him in form following, viz.—Five hundred pounds thereof in money, within an month next after my decease, and the other one thousand, and five hundred pounds, in jewels, such as I trade in, to be

delivered within three months next after my decease, at such reasonable value and estimation, as they shall be indifferently appraised at.

Item. I give and bequeath to my half-brother Thomas Heriot, one thousand pounds of like money, to be paid unto the said Thomas, at his full age of Twenty and five years, and not before, and if he, the said Thomas, happen to die before the accomplishment of the said age, then I give the same to such lawful child or children as he shall have; and if he have none, then I give the same unto the said James Heriot, or to such child or children as he shall have. For my will is, that the survivor of them, the said James and Thomas, or the child or children of either of them, shall have the part or portion of him or them so happening to die before the same legacy shall accrue due, by virtue of this my last will; and in case that they both happen to die before the said several legacies shall be due or grow payable unto them, without any lawful issue of their's or either of their bodies, I give and bequeath the same or such

part thereof as shall be unpaid, unto the Provost, Bailiffs, Ministers, and Council of the town of Edinburgh, within the kingdom of Scotland, for and towards the founding and provision of and for the Hospital hereafter mentioned in this my will.

Item. I give and bequeath also unto the said James Heriot, all my stock and adventures in the East India Company, of the second joint stock, wherein I did under-write one thousand pounds, whereof I have already payed and delivered in eight hundred and odd pounds, as appeareth by several acquittances, and I give also to him the whole benefit thereof, and all my right and interest therein.

Item. I give and devise unto my mother-in-law, Christian Blaw, late wife of my father, George Heriot, deceased, for and during her natural life, the yearly rent, benefits, profits, and increase of five hundred marks of lawful money of England, to be paid to her at Whitsun-day, and Marten-mass, yearly, by even portions. And I will and bequeath unto her my said mother-in-law an hundred marks,

parcel of the said five hundred marks, to be disposed of and given by her in and by her last will and testament, unto what child or children or other person or persons, or other use that she shall name or think meet, which I will that my executors shall pay, as she shall limit or appoint, within six months next after my decease; and I give and bequeath four hundred marks, the residue of the said five hundred marks, unto my half-sister Christian Heriot, wife of Archibald Lindsay, doctor of physic, and Sibella Heriot, to be divided equally betwixt them, and paid by my executors respectively unto them, within six months also next after the decease of my said mother-in-law; and in case they die before it grow due, then I give the same to such child or children that they or either of them shall leave behind them. And I will that the survivor of them, the said last named two sisters or their children, shall have the portion of him, her, or them, or their children, happening to die before that the same shall accrue due.

Item. I give and bequeath also unto the

children of the said Christian Heriot, wife of the said Archibald Lindsay, five hundred marks of lawful money of England, to be equally divided amongst them, to be paid unto them or the survivor of them respectively, within six months next after the decease of the said Christian and Archibald, or the survivor of them, and in the mean time from my decease, I give and bequeath the rent, interest, and profits of the said five hundred marks, unto the aforesaid Christian and Archibald, and the survivor of them. And I will that the survivors or survivor of the said Children shall have the part and portion of him, her, or them, happening to die before the age of one and twenty years or days of marriage.

Item. I give and bequeath unto the said Sibella Heriot, the sum of five hundred marks of like money, to be immediately employed for the best benefit and profit of her, and to be paid unto her at the age of one and twenty years.—And if she happen to die before that age, that I will and bequeath the same unto such lawful child or children as she the said Sibella

shall happen to have; and for want of such issue, then I give and devise the same unto the Provost, Bailiffs, Ministers, and Council of the said town of Edinburgh, for the foundation and provision of and for the said Hospital: But I do hereby declare and express, that my will is, that whereas I have made a writing or assignment, under my hand and seal, unto or to the use of the said Sibella, of and for the benefit of an obligation or an writing obligatory, of five hundred marks sterling, that it is not my meaning that the said Sibella should have the benefit of both, but only of one, and I have bequeathed her the same by this my will in manner aforesaid, in case that assignment or writing should not prove effectual and free.

Item. I give and bequeath unto the children of my half-sister, Janet Heriot, wife of William Hayning, the sum of five hundred marks sterling, to be equally divided betwixt them, to be paid within six months after the decease of the said Janet and William, and the survivor of them, and in the mean time from my decease, I will and bequeath the rent and profits thereof

unto the aforesaid Janet and William, and the survivor of them; and I will that the survivors or survivor of the said children shall have the part or portion of him, her, or them, happening to die before the age of one and twenty years or days of marriage.

Item. I give and bequeath unto the children of my half-sister, Marion Heriot, wife unto John Houston, the sum of five hundred marks sterling, to be equally divided betwixt them, to be paid within six months next after the decease of the said survivor of them of the said Marion and John. And in the mean time from my decease, I will and bequeath the rent and profits thereof unto the said Marion and John, and the survivor of them; and I will that the survivor or survivors of the said children shall have the part or portion of him, her, or them, happening to die before the age of one and twenty years, or days of marriage.

Item. I give and bequeath unto Mr. Gilbert Primrose, one of the preachers of the French Church in London, the sum of thirty pounds sterling.

Item. I give unto my kinswoman Margaret Robinson, the sum of forty pounds sterling, and if she die before my decease, then I give unto Thomas Cunningham, her husband, twenty pounds sterling.

Item. I give and bequeath unto the two daughters of my kinswoman, Janet Robinson, twenty pounds sterling a-piece, and I will to the survivor of them the part of her happening to die.

Item. I give and bequeath unto the two younger sons of my cousin William Cooley, thirty pounds sterling a-piece ; and I will unto the survivor of them the portion of him happening to die.

Item. Whereas I did heretofore lend to George Heriot, shoe-maker, fifty pounds to buy the lease which was assigned for my security, whereof I am satisfied about thirteen pounds, my will is, that he paying within one year next after my decease, thirty pounds unto my executors, shall have all the rest and profits thereof remitted for the good of his children.

Item. I give and bequeath unto Mrs. Elizabeth Livingstone, to buy her a gown, three score and two pounds, which the Lady her mother doth owe unto me.

Item. I give and bequeath unto John Heriot, in Edinburgh, if he be alive at the time of my death, twenty pounds sterling.

Item. I give and bequeath to Anne Welch, sometime my maid-servant, twenty pounds. But if I give her twenty pounds in my life, then this legacy to cease.

Item. I give and bequeath the sum of an hundred marks sterling for the good and benefit of Robert Mitchel, my late servant, and Katherine Marjoribanks his wife, and to their daughter, which I will shall be paid unto Joseph Marjoribanks, Merchant, of Edinburgh, and that he shall give security for payment unto the said Robert and his said wife, of the rent, use, and profits thereof, equally betwixt them, during their lives, and after to the survivor of them, and after their decease the said hundred marks to be paid to their said daughter.

Item. I give and devise unto Elizabeth Band,† now an infant of the age of ten years or thereabout, and remaining with Mr. Starkey at his house in Windsor, all those my copyhold messuages, lands, tenements, and hereditaments whatsomever, with their appurtenances lying in Roehampton, within the parish of Putney, in the county of Surrey, being parcel of the manour of Wumledon, which I lately purchased of one David Papillon, and which are particularly mentioned and expressed in an copy of Court-roll, dated 2d day of May, 1622, whereby I did surrender the same then in Court into the hands of the Lord of the said Manour, by the hands of his steward, to the use and behoof of such person and persons, and of their heirs and assigns and for ever, and to such intent and purpose, as I by my last will and testament should limit and declare, to have and to hold all and singular the said copyhold messuages, lands, tenements, and hereditaments, with their

† The Founder's natural daughter.

appurtenances, unto the said Elizabeth Band, for and during the time of her natural life, and after her decease the remainder thereof unto the first begotten son of the body of the said Elizabeth and the heirs of the body of the said first begotten son lawfully issuing, and for default of such issue, the remainder thereof to the said James Heriot, my half-brother, for and during the term of his natural life; and after his decease, the remainder thereof unto the first begotten son of the body of the said James, and to the heir of the body of the said first begotten son, lawfully issuing; and for default of such issue, the remainder thereof to the heirs of the body of the said James, lawfully issuing; and for default of such issue, the remainder thereof unto the said Thomas Heriot, my other half-brother, for and during the time of his natural life; and after his decease, the remainder thereof unto the first begotten son of the body of the said Thomas, and to the heirs of the body of the said first begotten son, lawfully issuing; and for default of such issue, the remainder thereof unto the heirs of the

body of the said Thomas, lawfully issuing; and for default of such issue, the remainder thereof unto Margaret Scot, being an infant about the age of four years, now remaining with one Rigden, a waterman, at his house in the parish of Fulham, in the county of Middlesex, for and during the time of her natural life; and after her decease the remainder thereof unto the first begotten son of the body of the said Margaret, and to the heirs of the body of the said first begotten son lawfully issuing; and for default of such issue, the remainder thereof unto the right heirs of me the said George Heriot for ever.

Item. I give and devise unto the aforesaid Margaret Scot, those my two messuages or tenements, with the appurtenances, situate, lying, and being in the parish of St. Martin in the Fields, in the county of Middlesex, aforesaid, which I lately purchased in fee-simple of Sir Nicholas Fortescue, Knight, and William Fortescue, his son, to have and to hold the said two last-mentioned messuages and tenements, with their appurtenances unto the said Margaret

Scot, for and during the term of her natural life; and after her decease, the remainder thereof unto the first begotten son of the body of the said Margaret Scot, and to the heirs of the body of the said first begotten son lawfully issuing; and for default of such issue, the remainder thereof unto the heirs of the body of the said Margaret lawfully issuing, and for default of such issue, the remainder thereof unto the aforesaid Thomas Heriot, for and during the time of his natural life; and after his decease the remainder thereof unto the first begotten son of the body of the said Thomas, and to the heirs of the body of the said first begotten son lawfully issuing; and for default of such issue, the remainder thereof unto the heirs of the body of the said Thomas lawfully issuing; and for default of such issue, the remainder thereof unto the aforesaid James Heriot, for and during the time of his natural life; and after his decease the remainder thereof unto the first begotten son of the body of the said James, and to the heirs of the body of the

said first begotten son lawfully issuing; and for default of such issue, the remainder thereof unto the heirs of the body of the said James lawfully issuing; and for default of such issue, the remainder thereof unto the aforesaid Elizabeth Band, for and during the time of her natural life; and after her decease the remainder thereof unto the first begotten son of the body of the said Elizabeth, and to the heirs of the body of the said first begotten son lawfully issuing; and for default of such issue, the remainder thereof unto the heirs of the body of the said Elizabeth lawfully issuing; and in default thereof, unto the heirs of me the said George Heriot for ever.

Item. I give and bequeath unto the aforesaid Margaret Scot, the residue of the term of years and interest which I have of and in certain garden plots, with the appurtenances, situate and being in the parish of St. Martin in the Fields aforesaid, by force and virtue of indentures of leases of the demise and grant of the Right Honourable the Earl of Bedford, and other mean conveyances, together with the said.

indentures and conveyances. And if the said Margaret happen to die before the expiration of the said leases, or marriage, or accomplishment of twenty-one years of age; then I give the residue of the said term and interest in the same garden plots unto the aforesaid Thomas Heriot.

Item. I give and bequeath unto the aforesaid Elizabeth Band, and Margaret Scot, two hundred pounds of lawful money of England, a-piece, to be immediately put forth for their best benefit and advantage, and paid unto them severally and respectively, together with the whole profits thereof, at the age of one and twenty years, or days of marriage, which shall first happen: and if either of them die in the mean time, then my will and mind is, that the survivor of them shall have the part or portion of her so dying; and if they both happen to die in that interim, then I give and bequeath their said legacy of two hundred pounds a-piece, unto the aforesaid Provost, Bailiffs, Ministers, and Council of the said town of Edinburgh, towards the founding

and provision of and for the aforesaid Hospital.

Item. My will and mind is, that my executors herein after-named, shall have the tuition and bringing up of the aforesaid Elizabeth Band and Margaret Scot, and government of their estates, until they shall respectively accomplish the age of one and twenty years, or be married, which shall first happen, upon special trust, that they or the survivors of them shall be true and faithful accomptants to the said Elizabeth and Margaret, or the survivor of them severally and respectively, of and for the rents, issues, and profits of the said premises; and that they shall dispose, let, and set the same at the true, uttermost, and best value, for the benefit of them the said Elizabeth and Margaret, and of them to whom the same shall belong unto, by virtue or means of the limitation aforesaid: and I do hereby charge and require the said Elizabeth and Margaret, and either of them, to be solely directed and advised by executors or the survivor of them in their marriages.

Item. I do nominate, ordain, and appoint,

my very loving and kind friends Robert Johnston, of London, Gentleman, William Terry, of London, Goldsmith, and Gideon Delaune, of London, Apothecary, to be executors of this my last Will and Testament; and I give and bequeath unto each one of them for their pains and care-taking, for and in execution of this my Will, in all things according to my true meaning, one hundred marks sterling; and I do nominate and ordain my worthy good friends Mr. James Maxwell, of his Majesty's Bedchamber, Mr. Walter Balcanquel, Doctor in Divinity and Master of the Savoy, and Mr. Walter Alexander, Gentleman-Usher to the Prince his Highness, to be overseers and supervisors of this my last Will, praying and entreating them and every of them to do their true and best endeavours to see it performed in all points, according to my intent and true meaning therein expressed—and in respect of their loving care and industry to be taken therein, I will unto the said Mr. Maxwell, so much plate as shall be of the true value of one hundred pounds sterling, and to the said Mr. Balcanquel

and Mr. Alexander, so much plate as shall be of fifty marks value a-piece, to be of such manner and fashion as they shall severally appoint or direct, according to their own wills and pleasure.

And I do desire my executors and supervisors aforesaid, to do their true and best endeavours for the getting in and recovering of all and singular such debts and rights, as shall be due to me at the time of my decease; and immediately after my debts and legacies are paid and deduced, and funeral discharged, I do absolutely give and bequeath all the surplusage, rest, and residue of my estate, goods, and chattels, real and personal, moneys, household stuff, jewels, plate, and all other thing or things, and sums of money whatsoever, as well that decreed unto me by the high Court of Chancery as otherwise, as also the surplusage of certain debts or moneys contained in the writing or deed, made according to the manner of Scotland, before recited, remaining over and above the satisfying of the annuities, sums of money, or bequests given or

assigned by me, to the said Margaret my sister, and others therein, which surplusage of these debts or moneys in Scotland, I esteem will be about sterling, unto the Provost, Bailiffs, Ministers, and ordinary Council, for the time being, of the said town of Edinburgh, for and towards the founding and erecting of an Hospital within the said town of Edinburgh, in perpetuity; and for and towards purchasing of certain lands in perpetuity, to belong unto the said Hospital, to be employed for the maintenance, relief, bringing up, and education of so many poor fatherless boys, freemen's sons, of the town of Edinburgh, as the means which I give, and the yearly value of the lands so purchased by the said Provost, Bailiffs, Ministers, and Council, of the said town shall amount or come unto. And I give and devise unto the said Provost, Bailiffs, Ministers, and Council, and their successors for ever, for the time being, all these my messuages, lands, tenements, and hereditaments, with their appurtenances whatsoever, situate, lying and being within the foresaid town of

Edinburgh, and the liberties thereof, or either of them, to the only end, intent, and purpose, that the said Hospital be immediately gone in hand withal, founded, and erected, upon part thereof, and all the rest to belong thereunto for the better maintenance of the same; provided that my mother-in-law shall hold and possess, during her life, the benefit and rent of that house wherein she dwelleth, and of the two shops adjoining near thereto, or that she have satisfaction, or content otherwise, in that behalf.

And my will and mind is that the said Hospital shall be there erected and governed; and the said fatherless children ordered, taught, and guided, by such institutions, ordinances, and directions, and in such manner and form, as shall be digested, limited, appointed, or set down, in a certain book or writing, framed and ordained, for that purpose, either by myself in my life-time, and signed with my hand, or by the said Doctor Balcanquel after my death, and signed with his hand, and given or delivered unto the said Provost, Bailiffs, Ministers, and

Council of the aforesaid town of Edinburgh, for the time being, who are named and appointed as feoffees of trust in this behalf; and I do ordain and appoint by this my last Will, the said Provost, Bailiffs, Ministers, and Council, and their successors, as feoffees, to be governors of the lands, possessions, revenues, and goods, of the said Hospital.

Item. My will is, that my said executors shall within six months next after my decease, give and deliver a true inventory and just account unto the said Provost, Bailiffs, Ministers, and Council, of all and singular the means and estate that I shall die possessed of, to the end that it may the better appear what means and surplusage shall or ought to come for the founding of the said Hospital, purchasing of lands, and performing the other things before-mentioned; and that my said executors shall and will pay and deliver unto them, also, all the said surplusage, sum and sums of money whatsoever, so soon as the same possibly can be done and performed, and that faithfully, and truly, in and by all things; which surplusage or residue of my

estate, together with the former surplusage of the debts or moneys that are in Scotland, contained in the forementioned deed, writing, or assignment, I esteem, in the whole, will be about the sum of as partly appeareth by an inventory thereof, by me made and subscribed with my name.

And my will and meaning furtler is, that whatsoever legacy or gift herein-mentioned shall fall due unto my executors, or otherwise, by reason of the death of the parties, or any of them, to whom I have given the same, and not mentioned or directed to whom, in such case, the same should go or be payable; that all such shall go and redound, wholly and absolutely, unto and for the founding of the said Hospital and purchasing of land, to belong unto the same, according to my true meaning before expressed.

And my will and earnest desire is, that the Lord Chancellor of Scotland, the two Lords Archbishops, the Lord President of the College of Justice, and the Lord Advocate there, for the time being, or any three of them, upon any

complaint made unto them, or any of them, upon probable report of corruption in the Provoſt, Bailiffs, Miniſters, and Council aforeſaid, or any of them, touching or concerning the premiſes, ſhall carefully and punctually examine the ſame, and thereupon redreſs and reform it, in ſuch ſort and manner as to their wiſdom and diſcretion ſhall ſeem meet.

And my farther will, mind, and ſpecial proviſion is, to the end that things may, from time to time, be carried and diſpoſed of in a clear, legal, and honeſt manner, in all points concerning the premiſes, according to my true intent and meaning, that in caſe the ſaid Provoſt, Bailiffs, Miniſters, and Council, ſhall fail in performance of any fundamental point of this foundation, then all the ſaid means and lands ſo appointed and limited for the ſaid Hoſpital or this foundation, ſhall be abſolutely and wholly appropriated, and for the maintenance of ſo many poor ſcholars in the University of St. Andrews, in Scotland, as ſhall be nominated and appointed by the Rector and Profeſſors of that University. To the which Rector and Pro-

fessors I do hereby give and devise, as whole and absolute power, right, and authority, in and by all things concerning the premises, as is before in this Will given or limited unto the said Provost, Bailiffs, Ministers, and Council, of the said town, any thing to the contrary notwithstanding.

Lastly, my will and mind is, and I do so order and provide, that if any person or persons whatsoever, to whom I have given or bequeathed any legacy or legacies, gifts or bequests, shall, by any means whatsoever, either directly or indirectly, endeavour, attempt to go about, or impeach, hinder, alter, or overthrow, this my Will or Testament, or any part or particular thereof, contrary to my aforesaid true intent and meaning, that then, every such person and persons whatsoever, so attempting and endeavouring, or offending, shall for ever lose all and every such legacy and legacies, gifts, benefits, and bequests whatsoever, in this my Will to him, her, or them, given or bequeathed, any thing to the contrary notwithstanding; and the said Provost, Bailiffs, Minis-

ters, and Council, to the end and purposes aforesaid, to have and enjoy the said part, portion, legacy, and bequest, of him, her, or them, and of every of them, that shall so offend in the premises, contrary to my true intent and meaning aforesaid.

And also my will and mind is, that for the said legacies or sums so given or bequeathed by me, unto my said mother-in-law, and my four half-sisters before named, and their children, amounting to the sum of one thousand six hundred threescore and six pounds thirteen shillings and four-pence, sterling, shall be paid and satisfied by my executors aforesaid, within six months next after my decease, into the hands of James Primrose, clerk of the council, in Scotland, Gilbert Kirkwood, goldsmith, in Edinburgh, and Alexander Ramsay, merchant, there; whom I most heartily desire to take care for the best employment and just payment thereof, unto them severally and respectively, according to my true meaning, declaration, and direction expressed in this my Will.

And I give and bequeath unto my said ap-

proved and kind friend, Robert Johnston, one white bason and cover of silver, being the biggest of my two; and my will is, that my executors shall allow and pay unto my said half-brother, Thomas Heriot, the rent, use, and profit, of his said two thousand pounds legacy, from the time of six months next after my decease, until he shall accomplish the said age of twenty and five years.

In witness whereof I have to this my last Will and Testament, written in these fifteen sheets of paper, with this latter part, set my hand and seal, in the presence of those whose names are subscribed, by me specially entreated to witness the same the day and year abovesaid.

GEORGE HERIOT.

*Signed, sealed, published, and pronounced, as
his last Will and Testament, in presence of*

DAVID MUNNEY,
P. ABERCROMBIE,
THO. FOULES,
ANDREW ROBERTSON,
WILLIAM ADAMSON, and
THO. POWEL, Not. Pub.

The Codicil or Schedule, written the one and twentieth day of January, anno 1623-4.

Reg. R. Jacobi, &c. vicesimo primo.

Be it known. That whereas I, George Heriot, made my last Will and Testament in writing, dated the tenth day of December last past; that now I being of good and perfect memory (praise be to God) do make this addition thereunto, and do, by this my present codicil, confirm and ratify my said last Will.

And first, I do most earnestly intreat and desire that Master Dr. Balcanquel, formerly named in my said last Will, shall and will, with all the convenience he can, after my decease, repair to the town of Edinburgh, giving unto him absolute power to treat and conclude with the Provost, Bailiffs, Ministers, and Council, of the said town of Edinburgh, touching and concerning the intended Hospital, and other the premises in my said Will specified, and to direct and order the same, and also to solicit the business in such manner, that all things

may be done and performed in every respect according to my intent and true meaning, in my said Will expressed; and towards his charges and pains therein, from time to time, to be taken in and about the accomplishing and finishing thereof, being a work of charity, I give and bequeath unto him, the said Master Doctor Balcanquel, over and above the legacy bequeathed to him in my said Will, the sum of one hundred pounds sterling; to be paid by my said executors as followeth, viz. the one-half thereof within three months next after my decease, and the other half when the said intended Hospital is fully and absolutely finished and accomplished, in and by all things.

And also, I desire Joseph Marjoribanks, merchant, Mr. Robert Balcanquel, minister of Tranent, Nicol Udward, merchant, Gilbert Kirkwood, goldsmith, Alexander Heriot, Alexander Ramsay, and John Houston, merchants, all of the said town of Edinburgh, or any four of them, in the absence of the said Master Dr Balcanquel, to be earnest solicitors in the same business, and to endeavour the effecting thereof.

And my will and desire is, that the said Master Doctor Balcanquel shall require the said Provost, Bailiffs, Ministers, and Council, in the said Will named, that out of the rents, issues, and profits of the means and estate, so by me given as in my aforesaid Will is limited and declared, they shall keep and maintain ten Bursars in the College of Edinburgh for ever; allowing yearly five pounds sterling unto each of them; the election of them to be as shall be ordered or directed by the book of statutes, ordinances, or writings, to be digested, framed, and delivered, as in my said Will is mentioned.

And I do remit and forgive unto my honoured friend, Mrs. Elizabeth Maxwel, wife of Mr. James Maxwel, the debt due to me for goldworkmanship, and furnishing of certain diamonds to a chain, made by me to her, entreating her to deliver up a note of my hand, given for receipt of certain diamonds put into the same; and I give unto her, the said Mrs. Maxwel, over and above that, my yellow-pointed diamond-ring, cut with faucettes, which I was accustomed to wear, desiring her to continue her favour and friendship

for my friends to her husband, in my affairs at court.

Item. I give unto my god-child, the daughter of Herman Broscard, twenty pounds sterling; and to my god-child, John Trumuld's daughter, twenty marks sterling.

Item. I give and bequeath unto such of the children of my late half-brother David Heriot, as shall be unmarried at the time of my decease, one hundred pounds sterling, to be equally divided amongst them.

Item. I give and bequeath unto my kingswoman Katherine Baird, the sum of fifty marks sterling.

Item. I give unto my servant William Adamson, as recompence for his service, one hundred pounds sterling, he being found a faithful servant and accomptant, which I charge him to be and to perform unto my said executors.

Item. I give unto my servants Katherine de Jardin and Elizabeth Banington, over and above their wages, twenty pounds sterling a-piece.

Item. I give unto Mrs. Delaune, wife of the aforesaid Gideon Delaune, (named for one of

my executors in my said Will,) one gilt bason and ewer, which I had formerly from her said husband, if her husband accept of the execution of my said Will, in regard of his care and pains to be taken therein.

Item. I give unto Mrs. Terry, the sum of fifty marks sterling, to make her a gown withal, if her husband, whom I have also named an executor, accept of the execution thereof, in respect of the pains to be also taken in that behalf.

Item. I do freely remit unto my kind friend Mr. Gib, of his Majesty's bed-chamber, the debt which he oweth unto me; and I give unto the poor of Rohampton, three pounds to be divided amongst them, at my executors discretion.

Item. I give unto Captain Turner, of King James's Hospital, in London, founded by Mr. Sutton, five pounds; and unto an old woman named Kersey, fifty shillings; and to an old woman named Alison Heriot, fifty shillings.

Item. I give unto John Anderson, and to an poor man named Jamesome, forty shil-

lings; and unto Goodman Jack and his wife, that keep my house in Rohampton, three pounds.

Item. I give unto the poor prisoners lying for debt, in the said town of Edinburgh, ten pounds sterling.

Item. I give and bequeath unto Andrew Robinson, he being found to have faithfully discharged himself of those employments that he lately had from me unto Spain, over and above his charges, fifty pounds sterling.

Item. I give unto Master George Kirk, of the Prince's Highness bed-chamber, as a token of my love, a piece of plate, or a diamond, (at his choice,) of fifty marks sterling.

Item. I do remit unto John de St. John, the debt which he oweth me, and I give him over and above, ten pounds sterling.

Item. I give and bequeath unto my said half-brother James Heriot, in my said last Will named, the sum of five hundred pounds sterling, over and above the legacy given to him by my said Will, which five hundred pounds I will shall be delivered to him in jewels, according to a reasonable true value.

And my will is that this Codicil be and be adjudged, and taken to be parcel of my said last Will, and to bear force by the right of Codicil, or by any other right in the best manner that may be, to be faithfully performed according, in my true meaning, as if the same were declared and set down in my last Will and Testament, in witness whereof to this, my present Codicil, I have subscribed my name, and set to my seal, this day and year above-said.

STATUTES

OF

GEORGE HERIOT'S HOSPITAL,

COMPILED BY

WALTER BALCANQUEL,

'DEAN OF ROCHESTER,

Anno Dom. 1627.

APPENDIX IV.

Honour the LORD with thy substance, and with the first-fruits of thine increase. So shall thy barns be filled with plenty. Prov. iii. 9, 10.

But to do good, and to communicate, forget not, for with such sacrifices God is well pleased. Heb. xiii. 16.

STATUTES

OF

GEORGE HERIOT'S HOSPITAL.

PREAMBLE.

To the Honour of ALMIGHTY GOD, to the Edification of his Holy Church, and to the Example of all others.—Here begin the Statutes and Ordinances of the Hospital, founded, builded, and erected, upon the only charges of the Right Worshipful GEORGE HERIOT, of pious memory, sometime Burgess and Goldsmith of the City of Edinburgh, and late Jeweller to the two renowned Princes, KING JAMES of

happy memory, and KING CHARLES now reigning; compiled by WALTER BALCANQUEL, Dean of Rochester; after consultation, advice, and mature deliberation, had thereanent with the Provost, Bailies, Ministers, and Council of Edinburgh, conform to the power given to him in the Testament of the said unquhile GEORGE HERIOT, and Codicil annexed thereto, and true meaning of the same.

CAP. I.

De Nomine Hospitalis.

FIRST, This foundation and Hospital shall, for all time to come, perpetually and unchangeably be called by the name of *George Heriot his Hospital*; and in all leases let from the said Hospital to any tenant, and in all bargains, evidents, writings, or any other writings whatsoever, wherein the Hospital is interested, it shall be called by that name, and none else; and shall be erected, builded, and finished, with all diligence, in the bounds thereto designed by the Provost, Bailies, Ministers, and Council of Edinburgh, with consent of the said Dean of Rochester, contained in the act of Council made thereaunt, of the date the 22d day of June, 1627, and that conform to the pattern given by him to them, to that effect.

C A P. II.

De Fundatore Hospitalis.

LEST the memory of so pious a work should perish, and for the provocation of others to the like piety, but above all, for the testifying of thankfulness of the poor here to be maintained, unto Almighty God, he who readeth prayers every evening and morning in the Chapel of the Hospital, shall, amongst other blessings, give thanks unto God, in express words, for the bountiful maintenance, which they, living there, receive from the charity of their pious Founder. The like mention shall be made in every grace which shall be said after meals; but especially upon the first Monday of June, every year, shall be kept a solemn commemoration and thanksgiving unto God, in this form which followeth. In the morning, about eight of the clock of that day, the Lord Provost, all the Ministers, Magistrates, and Ordinary Council of the city of Edin-

burgh, shall assemble themselves in the Committee-chamber of the said Hospital; from thence, all the scholars and officers of the said Hospital going before them two by two, they shall go, with all the solemnity that may be, to the Gray-Friars church of the said city, where they shall hear a sermon preached by one of the said Ministers, every one yearly in their courses, according to the antiquity of their ministry in the said city. The principal argument of the sermon shall be to these purposes: To give God thanks for the charitable maintenance which the poor maintained in the Hospital received by the bounty of the said Founder, of whom shall be made honourable mention: To exhort all men of ability, according to their means, to follow his example: To urge the necessity of good works, according to men's power, for the testimony of their faith: And to clear the doctrine of our church from all the calumnies of our adversaries, who give us out to be the impugnors of good works. After the sermon ended, all above named shall return to the Hospital, with the same solem-

nity and order they came from it, where shall be paid to the Minister who preached to buy him books, by the Treasurer of the Hospital for the time being, out of the Treasury or Rents of the Hospital, the sum of

C A P. III.

De Gubernatoribus Hospitalis.

THE perpetual Governors of the said Hospital shall be, the Lord Provost, Bailies, Ministers, and Ordinary Council of Edinburgh for the time being, and their successors, for whose prosperity and happiness, by the name of Governors, the reader of divine service in the chapel, and the scholars, in all graces after meals, shall pray, in express words. Likewise, the said Hospital, and whole estate thereof, shall be guided and governed by the Provost, Bailies, Ministers, and Council for the time. And, according to the plurality of the voices of the said Provost, Bailies, Ministers, and

ordinary Council of the said burgh for the time, the whole estate of the said Hospital, both for the rents and treasury, and all things which may depend thereupon: As also the election of all officers, scholars, and bursars, thereunto any way belonging, shall be wholly ordered, governed, and ruled: These cautions being provided, which are hereafter in any part of these Statutes mentioned: But no member of the said Council of Edinburgh, nor any of the said Ministers, shall ever have any voice or interest in any business which may any ways concern the said Hospital, either for rents or elections, or any other thing, until such time as he or they shall, in the presence of the Council and Ministers of Edinburgh, take a corporal oath, laying his hand upon some part of the Holy Gospel, in these words:—‘ I, A. B., do
 ‘ faithfully swear and promise before God, that,
 ‘ to the best of my knowledge and power, I
 ‘ shall carry and demean myself, in all matters,
 ‘ which concern the rents, the election of
 ‘ officers, or scholars, or any thing else, be-
 ‘ longing to George Heriot’s Hospital: And

‘ if I know any going about, at any time, to
 ‘ defraud or defeat the intention of the said
 ‘ pious Founder, I shall reveal it to this As-
 ‘ sembly, or their Successors. So help me God,
 ‘ and the contents of the Bible.’ Before which
 oath, personally taken, no person above men-
 tioned shall intermeddle with any thing belong-
 ing to the said Hospital; and if any one shall
 give his voice, before the said oath administered
 and taken, all conclusions or elections, re-
 solved upon at that meeting, shall be utterly
 void, and of none effect, to all purposes what-
 soever.

C A P. IV.

*De iis, quæ generaliter Electiones, et
 Hospitalis Negotia spectant.*

THERE shall be no election of scholars, or
 any officers any ways belonging to the Hos-
 pital, nor any transaction which concerns any
 way the estate, or any other thing belonging
 to the Hospital, be made or done, but in the

Committee-Chamber of the said Hospital, or in some other place within the buildings of the said Hospital, whensoever there shall be any election of officers or scholars. *First*, The eldest Minister of the town, then present, shall distinctly read unto the whole Electors, the ensuing Statute concerning the Election of the scholars, or the officer or officers which are to be chosen; after which he shall briefly desire them, in the fear of God, and according to their oath, which they have formerly taken for their fidelity to the Hospital, to give their suffrages, according to the true meaning and intention of that Statute presently read unto them, and then immediately, and not before, they shall proceed to the elections.

And, because it is fit that the Master of the Hospital should be well regarded in his place, to breed the greater respect unto him in all elections and other business which any way concerns the Hospital, he shall have a single suffrage and voice, as well as any of the rest of the Electors of the said Hospital.

The compiler of these Statutes, Walter Bal-

canquel, Dean of Rochester, during his natural life, shall have a single suffrage in all elections and business concerning the Hospital, whensoever he shall be in the city of Edinburgh.

It is ordained, that in all things belonging to the Hospital, either elections, rents, or government, or any other thing whatsoever, all these, who by the Statutes have a voice, shall be warned by the officer of the Hospital, who shall be elected by the Governors to that effect, and they being warned, what shall, by manyest voices of these who compear, be concluded, shall stand in force and effect.

CAP. V.

De Electione et Officio Thesaurarii.

UPON the first Monday after the Election of the Magistrates of this burgh yearly, there shall be chosen, by the said Governors and Master of the Hospital, an sufficient able man to be Treasurer of the said Hospital for an

year thereafter, whose office shall be, to receive all the Hospital rents; to keep all stock and monies belonging to the Hospital; to pay all wages and allowances due to the officers and scholars, or any other belonging to the Hospital; to look diligently to the reparation of the building of the Hospital; to deliver weekly, to the Master of the Hospital, so much money as to provide the diet of the whole Hospital: And every Friday, at night, to take the Master and the Caterer's accounts, how they have disbursed the said monies, whose particular accounts he shall keep by him on a file, subscribed by the said Master and Caterer's hands; and it shall be in the said Treasurer his power, to control or allow of the said accounts; which weekly accounts, both for the diet of the Hospital, and all other charges incident to the same any way he shall, upon the last day of every month, if it be not on Sunday, and, in that case, upon the next day following, deliver up, to the four Auditors of the Hospital, these weekly accounts of all charges belonging to the Hospital.

He shall be elected by the plurality of suffrages of the ordinary Council and Ministers of Edinburgh, the Master of the Hospital, and Doctor Balcanquel, if he be there present; after which Election, the Clerk shall administer to him this oath, in presence of the Governors, upon some part of the Holy Gospel, viz. ‘ I, ‘ A. B., elect Treasurer of *George Heriot* his ‘ Hospital, do swear and faithfully promise, ‘ with my best skill and power, to discharge all ‘ that is required of me by the Statutes of the ‘ said Hospital. So help me God, and by the ‘ contents of this book.’

He shall yearly make his accounts; and, at his removing from his office, shall deliver to the succeeding Treasurer all accounts and papers which any ways belong to his office, and may give all insight for the discharge of the same; which papers shall be always kept, and digested in good order in the Treasure-house of the said Hospital.

If the Treasurer shall die, or, by any necessity, be removed, the Governors, within ten days of his death or removal, shall proceed to

the election of an new one, observing, in his election, all things before mentioned.

CAP. VI.

De Electione et Officio Auditorum.

ON the same day of the Election of the Treasurer, there shall be chosen yearly, four Auditors of his and all other accounts belonging to the said Hospital, viz. one of the Bailies of the said burgh, one of the Ministers of the same, one of the Merchants, and one of the Craftsmen of the Council of the said burgh, who shall ilk last day of every month, if it be not Sunday, and then the next day following, hear and perfect the Treasurer his accounts for the month last past, and shall have power to control or allow them; and whatsoever monthly accounts shall be perfected, and subscribed by the said hands of the Treasurer, and any two of the said Auditors, shall be taken for a good monthly account, and not otherwise; reserving always, to the whole body of the Governors, that power, to con-

troul all the hails accounts which shall hereafter be declared.

The day after the end of every three months, or, at the farthest, within four days after, the said Treasurer and Auditors shall deliver up, unto the whole body of the Governors assembled in the Committee-Chamber, their accounts for the three months last past, fairly written in a book; they shall be read publicly, and there either controlled or allowed; the allowance shall be under the hand of the Register of the Hospital, with these words, *EX JUSSU DOMINORUM GUBERNATORUM HOSPITALIS*; which book of accounts for three months, so allowed, for the space of eight days after, shall lie open upon the table in the Committee-Chamber, so that if any one of the Governors (but none else), have a mind to peruse them, they may; and if they shall find any oversight or fault in them, they are charged, by virtue of their oath of fidelity to the Hospital, taken at the first, to reveal it to the rest of the Governors, who shall take order to correct and amend it.

The Auditors and Treasurer, within four days of the last month of every year, shall deliver up the whole last year's accounts to the whole body of the Governors assembled in the Committee-Chamber, where they shall be allowed or controlled, every way as is expressed in the quarterly accounts.

The Election of the Auditors shall be by plurality of suffrages, and, in all respects, as is expressed in the Election of the Treasurer.

After the Election, the Auditors shall give their oaths in presence foresaid, as is taken by the Treasurer, *mutatis mutandis*.

The Auditors shall be yearly chosen, as the Treasurer is; and, if any of them shall happen to decease, the Governors shall proceed to the Election of one in his place, within the time prefixed, in case of removal or death of the Treasurer.

It is to be observed, that the monthly, quarterly, and yearly accounts of the Treasurer and Auditors accounts, shall comprehend all manner of layings out for the Hospital's diet, wages, clothes, prentice-fees, reparations, and

all things else: As also all manner of comings in, whether rents or stock in the Treasure-house; so that, upon the sitting of every monthly, quarterly, and yearly accounts, there may clearly appear what rent remaineth in the Treasurer his hands, and what stock in the Treasure-house; and if, at any time, the charges to be laid out shall come to be more than the rents received, because of the late coming in of the rents sometimes, the Treasurer shall borrow so much of the stock of the Treasure-house, with the allowance of any two of the Auditors, who shall see it presently repaid again to the Treasure-house, upon the coming in of the rents.

CAP. VII.

De Electione et Officio Registrarii.

THERE shall be chosen by plurality of voices, of all them who have voices in the Election of the Treasurer, a Register or Clerk of the Hospital, who shall hold the same office during his

natural life, unless, for his misdemeanor, he shall be removed by them, whom, in one of the ensuing Statutes, shall have power so to do. His office shall be, fairly and faithfully to keep order, and digest all the evidents, and all other papers whatsoever belonging to the said Hospital; as also, as Clerk, to sit with the Governors of the Hospital at all their meetings; and there, in word of form, to enact all orders and resolutions made by the said Governors. Likewise, he shall have the sole benefit of drawing and engrossing all manner of evidents, securities, and writings, which are made betwixt the Hospital and any party; and shall receive therefor no greater fee than is usually paid to other writers to the signet, or to the clerk of the town of Edinburgh, in such cases. After his election, and before his admission into the place, he shall receive the oath in the same form as is before expressed in the oath of the Treasurer, *mutatis mutandis*. Upon his death or removal, the Governors of the Hospital shall proceed, within ten days, to the election of a new one, in the same form and manner as is

before expressed. The Register shall have quarterly paid him, by the Treasurer of the Hospital, And the
 said Register shall receive, as a fee, from him or them to whose use any thing is sealed,
and no more.

CAP. VIII.

De Sigillo Hospitalis.

THERE shall be one common seal for the said Hospital, engraven with this device, *Sigillum Hospitalis Georgii Heriot*, about the circle; and in the middle, the pattern of the Hospital. No security, or evident, nor deed, shall be reputed to be a security, evident, or deed of the Hospital, unless it be sealed and confirmed with the said seal. The keeping of the said seal shall be after this manner. It shall be kept in a chest, which shall have four several locks, of four several works, so that one key can but open one lock. On the 24th day of June, in every year, if it be not Sunday, and, in that case, the

next day following, the Governors of the Hospi-
 tal shall cause to be delivered one of the keys
 of the said chest, to the Dean of Guild of the
 said burgh, for the time being; at which time
 also, by plurality of voices, they shall choose
 three more of their own number to keep the
 other three keys; of which, the one shall be one
 of the Ministers of the town, the other a Mer-
 chant of the body of the council, the third one
 of the Deacons of the craft. Three several keys
 shall be delivered to them accordingly, but not
 without this oath first ministered unto them by
 the Clerk, in presence of the Provost, or one of
 the Bailies of the said burgh, and remanent Go-
 vernors. ‘ I, A. B., do faithfully swear and
 ‘ promise to carry myself, to my best skill and
 ‘ power, in the keeping of the seal of *George*
 ‘ *Heriot* his Hospital, and that I shall never
 ‘ suffer (so far as lieth in my power to hinder)
 ‘ the seal of the said Hospital to be put to any
 ‘ security, evident, or writing whatsoever, unless
 ‘ it be first so decreed and resolved upon by the
 ‘ suffrages of the major part of the Governors of
 ‘ the said Hospital. So help me God, and the

‘ contents of this holy book.’ Their office shall continue only for one whole year; and this to have beginning, so soon as the Hospital shall be finished, builded, and perfected.

CAP. IX.

De Electione Magistri.

BECAUSE no body can be well governed without a head, there shall be one of good respect chosen Master of the Hospital, who shall have power to govern all the scholars and officers who live within the same. His principal care shall be to see that the scholars be brought up in the fear of Almighty God; and therefore he shall, in the chapel of the college, (should be Hospital) every Tuesday, Thursday, and Sundays, some part of the afternoon, catechise, and instruct the scholars in the common grounds and principles of faith and Christian religion, and shall not offer to meddle farther with any points of divinity than the doctrine of the catechism; and he shall expone no other catechism

unto them, but such as shall either be made, or appointed and approved, by the ministers of Edinburgh for the time being. After the end of every catechism he shall read a prayer, and not conceive one of his own. The prayer shall be delivered him by the ministers of Edinburgh, in which there shall be express thanks to God for the raising up their Founder, and an express petition for the prosperity and happiness of the council and ministers. *Next*, He shall have a special care that the scholars and inferior officers of the house be brought up in good manners; and, therefore, that in all cases of misdemeanour, as swearing, fighting, lying, spoiling of their clothes or chambers, or the like, they receive due correction and chastisement. *Thirdly*, His care shall be, as is above expressed, that every week, once, he take the butler's, baker's, brewer's, cook's, and all other officers weekly accounts, and shall deliver them to the Treasurer: And, therefore, the Governors shall have a special care that the Master, to be elected at all times, have these qualities; that he be a man fearing God; of honest life and

conversation; of so much learning as he be fit to teach the catechism; a man of that discretion, as he may be fit to govern and correct all that live within the house; and a man of that care and providence, that he may be fit to take the accounts of the same; a man of that worth and respect, as he may be fit to be an assessor with the Governors, having a suffrage given unto him in all businesses concerning the Hospital, by the fourth chapter of these Statutes. He shall be an unmarried man, otherwise let him be altogether incapable of being master. His election shall be by the plurality of suffrages of all those who (by the Statutes before mentioned in the fourth chapter) have voices in elections. And we charge the consciences of the Governors, in the Lord, that, in the election of him, all particular and personal respect laid aside, they only look unto the fitness of the man, and observe the true meaning and intention of this Statute.

CAP. X.

De sequentibus Electionem Magistri.

AFTER his election, and before his admission, the clerk, in presence of the Governors there present, shall require him first to take the oath of allegiance; and afterward, the party elected, laying his hand upon some part of the gospel, shall swear farther thus: 'I, A. B. elected Master of *George Heriot* his Hospital, do swear and faithfully promise, before God, that, to my best power, I shall discharge all which the Statutes of the Hospital require from me, and shall do my best to see all the Statutes of the said Hospital observed by others, whom they do concern; and I do promise all faith and obedience to the Lord Provost, Bailies, Ministers, and Council of Edinburgh, now present, and to their successors. So help me God, and the contents of this holy book.' After which oath taken, he shall have, by some of the Governors of the Hospital, possession of the

Master's lodgings delivered unto him; and there publicly, in the hall of the said Hospital, all the scholars, and all officers living in the house, shall be assembled together, and some one of the Governors, whom they shall think fittest, shall declare unto them, that this is he whom they have chosen to be Master and Governor over them; and, therefore, do command them to yield unto him all respectful obedience, in all things that he shall command them, upon pain of being expelled from the said Hospital. The Master of the Hospital, within the precincts of the same, shall never go without his gown. In the hall he shall have his diet, he and the Schoolmaster, in the upper end, at a little table by themselves. He shall have a care to see the committee-chamber, and garden, with all the walks, kept fair and clean, without spoiling; But especially, that the chapel, the hall, and all the office-houses, be kept sweet and clean, as likewise the scholars chambers. He shall have given yearly unto him a new gown, and quarterly, for his wages

CAP. XI.

De Amotione aut Castigatione Magistri, ubi opus fit.

IF, at any time, the Master shall marry, his place, *ipso facto*, shall be void. If, at any time, he shall be convicted, before the Governors of the said Hospital, as a fornicator, adulterer, drunkard, or notorious swearer and blasphemer, he shall, *ipso facto*, be deposed. If, at any time, he shall be found remiss or negligent in his place, let him be publicly admonished by the Governors of the Hospital; which admonition shall be registrate in the Hospital-book. If he offend, in the like kind, again, let him receive a second public admonition which also shall be registred. After which, if he shall offend in the same kind the third timè, let him receive a third public peremptory admonition, which is likewise to be registred. After which three registrate admonitions, if ever he offend again in the premises, let him be irrevocably

deposed by the Governors. In which case, they are presently to proceed to the election of a new master.

If, at any time, the Master of the Hospital shall lie a whole night out of the Hospital (except in cases of violent detention) without leave of the Lord Provost of Edinburgh for the time, or, in his absence, one of the Ministers of the said burgh, he shall receive a public admonition from the Governors, and forfeit a whole quarter's wages; which, in no case, shall be pardoned. If he do so the second time, he shall receive a second public admonition, and forfeit two quarters wages; in no case to be remitted to him. After which, if he shall offend again, in that kind, the third time, and shall be thereof sufficiently convicted, before the Governors of the Hospital, he shall be absolutely deposed.

Whensoever the Master's place of the Hospital shall be void, either by death, voluntary cession, deprivation, or any other way, the Governors shall, within forty days, elect and admit another into his place, in form and manner above-mentioned, else it shall be absolutely in

the power of the Lord Chancellor of Scotland, for the time being, to nominate, present, and admit into the said place whomsoever he shall please, being qualified according to the Statute before written, but still to be admonished, mulcted, and deposed by the Electors according to his offences mentioned in this Statute.

C A P. XII.

De Electione et Officio Didascali.

AND, because that the scholars shall be brought up in letters, there shall be a Schoolmaster, whose office shall be to teach the scholars to read and write Scots distinctly, to cypher, and cast all manner of accounts: As also, to teach them the Latin rudiments, but no farther. He shall be careful to see the scholars keep their chambers clean, their clothes handsome; to keep good order in the chapel, and in the hall, and elsewhere. He shall correct them for all their faults. For his qualities of life, good report, &c. for the manner of his election, admission,

admonition, mulcting, deposition, and the election of a new one in his place, it shall be in all points observed, as is expressed in the Statutes which concern the Master. He must be unmarried. He shall yearly have a gown given him; without which he must never go within the precincts of the Hospital. He shall receive quarterly, from the Treasurer of the Hospital, for his stipend,

CAP. XIII.

De Electione Discipulorum.

THERE shall be chosen and admitted into the Hospital, at the first, so many poor scholars as the revenue of the Hospital shall be able to maintain, *deductis deducendis*, who shall all be children of burgesses and freemen of the said burgh; and, amongst these, the kinsmen of the said umquhilé *George Heriot* to be preferred; all others, indifferently, to be admitted, without any respect, but according as the plurality of voices shall fall. We do charge the consciences

of the electors, in the Lord, that they choose no burgess's children into these places, if their parents be well, and sufficiently able to maintain them, since the intention of the Founder is only to relieve the poor. All these scholars, when they are admitted, must not be under seven years of age complete; and they shall not stay in the Hospital after they are of the age of sixteen years complete; at which time, if it be found by their Masters, that they are like to prove hopeful scholars, the Hospital, out of the treasure-house, shall allow them, for the space of four years, to bring them up in the college of Edinburgh, the yearly allowance of _____ and their regent shall be bound to take nothing for teaching them. If, by their Masters, they shall be thought not fit to be scholars, then they shall be bound out apprentices to some such trade as, by the Governors, shall be thought fit, the treasure-house of the Hospital paying for their apprentice-fee _____ and no more; and the Governors taking good security of their Masters, for performing of covenants with the apprentices so bound. But, after the scholars

have learned to read and write Scots distinctly, and the Latin rudiments, they shall be put out to the free grammar-school of Edinburgh, there to be taught, until such time as they be either fit for the college, or to be apprentices. They shall all come to, and go from the school together, at all times of the meeting or scaling of the grammar-school, orderly, and in their gowns. The Master of the grammar-school shall yearly receive from the Treasurer of the Hospital, for teaching of these scholars,

The election of them shall be thus. At two times in the year, that is to say, upon the second Monday of October, after the election of the Magistrates, yearly, and, upon the third Monday of April thereafter ensuing, yearly, the Governors shall assemble themselves in the Committee-house, and shall there carefully examine, how many places of scholars have been voided since the last six months, either by death, putting to the College, being made apprentices, or or any other way whatsoever: As also, they shall examine the revenue and estate of the Hospital, whether it be able to maintain any

more; then, according to the number of the places voided, and according to what they find, after both these searches and examinations, we do charge their consciences, in the Lord, that they do presently elect and admit so many scholars, qualified as is before expressed; which scholars, besides their bedding, lodging, washing, common fires, shall be allowed, from the Treasurer of the Hospital yearly, for their diet, and for their clothes,

The election of them shall be by plurality of suffrages, as is expressed in other elections.

They shall be comely and decently apparelled as becometh, both in their linens and clothes; and their apparel shall be of sad russet-cloth, doublets, breeches, and stockings or hose, and gowns of the same colour, with black hats and strings, which they shall be bound to wear during their abode in the said Hospital, and no other.

CAP. XIV.

De Electione et Officio Promi.

THERE shall be chosen a butler, by plurality of voices, to continue in that office during his

natural life. He shall not marry without the consent of the Governors asked and obtained. His care shall be to take charge of all the bread and drink, and laying the table-cloths, at the times of meals, in the hall. He shall be, in all things, obedient to the Master of the Hospital. And if he shall be convicted, before the Electors, of fornication, adultery, of being a drunkard, a common swearer, or of wilful and often disobedience to the Master of the Hospital, he shall be presently expelled the Hospital. For his wages, he shall quarterly receive, for himself, and for his boy,

The butler shall be charged with the keeping of all the silver-plate that belongs to the Hospital; as also with all other spoons, salts, stoups, cups to drink in, and candlesticks, which belong to the hall-service.

C A P. XV.

De Electione et Officio Coqui.

THERE shall be chosen a man, of good and honest report, to be cook of the Hospital, whose election, admission, licence to marry, punish-

ment, and expulsion, shall be observed, in all points, as is expressed in the former chapter, in the case of the butler. He shall be charged, besides the clean dressing of the Hospital's diet, with the keeping of all the utensils belonging to the kitchen. He shall receive, quarterly, wages for himself,

for his boy,

He shall deliver up his accounts for bread, drink, candle, and other things belonging to his charge, to the Master, so often in the week as he shall require.

CAP. XVI.

De Electione et Officio Opsonatoris.

THERE shall be chosen a man, of good and honest report, to be caterer, whose office shall be, faithfully, and at the best rates, to buy good and wholesome meat for the diet of the Hospital; as also to deliver up his daily accounts (clean and fairly written) to the Master of the Hospital, so often in the week as he shall require them from him. His election, admis-

sion, licence to marry, his punishment or expulsion, in all points to be observed as is expressed in the two former Statutes, concerning the butler and cook. He shall receive quarterly, for his wages,

CAP. XVII.

De Electione et Officio Janitoris.

THERE shall be chosen a man, unmarried, of honest report, to be porter of the Hospital. He shall be a man of good strength, able to keep out all sturdy beggars, and vagrant persons. He shall lock the gates at all times of prayers and meals; every night he shall lock up the gates, and bring the keys of them up to the Master, at seven of the clock in winter, and at nine in summer. He shall keep the court very clean; he shall sweep clean the chapel every day, and the hall after every meal; he shall see the walks kept clean and fair, and make all the public fires in the hall; and if, at any time, he dispose himself to marry, he shall demit his

place, or else be deprived of the same. His election, admission, punishment, or expulsion, shall be in all points observed, as is expressed in the Statutes which concern the three former officers. He shall have, for his quarterly wages,

and every year a
gown, which he must wear continually at
the gate.

These four officers, viz. the butler, cook, caterer, and porter, shall have their diet in the hall, immediately after the Master has dined, and the scholars risen from the table, with whom likewise the Master's man shall be allowed his diet.

CAP. XVIII.

De Electione et Officio Hortulani.

THERE shall be provided for the Hospital, a good and sufficient gardener, whose care shall be, to look well to the committee-garden, whereof the Master is to have the use ; to the

kitchen-garden, and to all the walks and hedges belonging to the Hospital. The Governors to elect, place, and displace the gardener at their pleasure. He shall receive quarterly, for his wages,

CAP. XIX.

De Electione et Officio Fæminarum.

THERE shall be chosen six women, of good and honest report, unmarried, and who must never marry. They shall be of the age of forty-five years at the least; their charge shall be, diligently to wash all the linens that belongeth either in general to the Hospital, or, in particular, to any scholar; and to make all the scholars' beds and sweep their chambers, and to attend such of them as shall be sick. Their election, admission, punishment, or expulsion, is in all points to be observed, as in the case of the Hospital-butler, is expressed in the 14th Chapter. They are to have their diet in some room by themselves; they are to be charged

with, and answerable for, all the public linens of the Hospital, and the particuler linens of the scholars. They shall receive, quarterly, for their wages, every one of them,

All these officers before-mentioned, in case of misdemeanor, shall be punished by the Master of the Hospital; and, therefore, there shall be a pair of stocks placed at the end of the hall in the Hospital, in which the Master shall command to be laid any officer, for any such offence, as, in his discretion, shall seem to deserve it; and the Master likewise shall have authority to lay in the same stocks any vagrant stranger of mean quality, who, within the precincts of the Hospital, shall commit any such offence as may deserve it. The officer for executing the Master's command, in this point of justice, shall be the porter of the Hospital.

All these under-officers, viz. caterer, butler, cook, porter, women, and gardener, shall find sufficient security for their intrusions, and discharge of their duties in their offices.

CAP. XX.

De Electione et Officio Medici, Pharmacopolæ, et Tonsoris, seu Chirurgi.

THERE shall be appointed one Doctor of Physic, who, for visiting and looking to all the sick in the Hospital, shall receive yearly from the Treasurer,
 one Apothecary, who shall be paid for all his bills of drugs, if they be subscribed with the Doctor of Physic his hand; one Chirurgeon-barber, who shall cut and poll the hair of all the scholars in the Hospital; as also look to the cure of all those within the Hospital, who any way shall stand in need of his art, and shall receive for his wages yearly,

CAP. XXI.

De iss, quæ generaliter Hospitalem spectant.

FIRST, for the service of Almighty God, there shall be in the Chapel of the Hospital, every

day, in the morning, betwixt seven and eight of the clock, divine service read by the Master of the school, in this order. First, Shall be read the ordinary confession of sins. Next, Some one or more of the Psalms in prose. After that, one Chapter of the Old Testament; and, after that, one of the New Testament: both of them, in order, as the Ministers of Edinburgh shall direct. After which shall be said the Creed; after that, a Prayer shall be said, in which thanks shall be given to God for all his spiritual and temporal blessings; amongst his temporal blessings, for the present maintenance which they receive from God, by the hands of their bountiful Founder. Moreover, they shall pray for the life and happy reign of our Sovereign Lord the King, the Queen, and all of the Royal Progeny, for the Lords of his most honourable Privy Council, and more especially for the Provost, Bailies, Ministers, and Council of Edinburgh, their most religious and honoured Governors; beseeching God to raise up unto them such Benefactors as may, by the testimony of their

good works, bear witness to the holiness of our profession and religion. This prayer is not to be conceived by the Schoólmáster, but to be read by him every day, as it shall be delivered unto him, penned by the Ministers of Edinburgh.

At every meal, before meat, Grace shall be said in the midst of the hall, by one of the scholars, and it shall be a set form of grace, pronounced in the midst of the hall, after the said scholar hath first read one of the Psalms, After dinner, the same scholar shall say the grace, giving God thanks, amongst other things, for their Founder, and praying for their Governors. This grace, likewise, is to be in a set form, and is to be delivered unto them by the Ministers.

Every Sunday, the Master, the Schoolmaster, and all the scholars, in order, two and two, shall go solemnly, in order, in their gowns, and all the officers of the House that can be spared, going after them, to the Gray-Friar's church, both to the forenoon and afternoon sermon; and there shall sit in such a

place as shall be appointed for them; and, in that decent order, return back again from the church to the said Hospital. All the scholars, in the chapel, hall, church, and all other places whatsoever, shall take place, according to that rank and order in which they are elected, and admitted to be scholars of the Hospital, and no otherwise.

There shall ever be kept in the Treasure-house of the Hospital so great a stock of money as, in all probability, is able to defray the charges of those scholars who are maintained in the Hospital, and pay the apprentice-fees of all such as are to be bound out apprentices; and pay the charges of reparations, and all other common charges whatsoever belonging to the Hospital.

Twice every year, that is to say, upon the second Monday of October, after the election of the Magistrates yearly, and upon the third Monday of April thereafter ensuing, yearly, being six months distant one from another, the Electors shall visit the said Hospital, hear and determine all complaints that can be made,

either against the Master, Schoolmaster, or officers; shall reform all abuses which they find in the same; see that all parts of the Hospital be tight, and in good reparation, and inquire whether the scholars' diet be good and wholesome, their clothes honest and seemly, their beds and chambers sweet and cleanly, according to the allowances bestowed upon them, and set straight all other things which need to be amended.

All the monies which, by debts, rents, or any other way, shall belong to the Hospital, besides that which shall come in to the stock of the Treasure-house, shall be bestowed upon land, and no otherwise, for all time to come whatsoever.

CAP. XXII.

De Reservatis.

THE compiler of these Statutes, Doctor Balcanquel, doth reserve unto himself full power for the filling up of all blanks in these Statutes,

and all the power which he now hath, for the determining of the stipends, or wages of all persons, to whom, by these Statutes, wages or stipends are to be allowed, until such time as, after the building and erecting of the said Hospital, and a perfect examination of the clear probable revenue of the said Hospital, after the perfecting and clearing of all manner of accounts and deductions, either in his own presence, or by the information of the Lord Provost, Bailies, Ministers, and Council of Edinburgh, it may appear unto him, what wages the revenue of the Hospital is able to allow to all such, as, by the Statutes before-mentioned, are to receive wages and allowances: As also, he doth reserve unto himself, all the power which is given unto him, by the last Will of the pious Founder, or the Codicil thereunto annexed, for the ordering and settling of the ten bursars' places therein mentioned, until such time as the building of the said Hospital shall be finished

And if it shall please God, that the said Walter Balcanquel (before the times above-mentioned) depart this life, he doth, by these

presents, transmit the whole power now resident in him, concerning these two points, of determining stipends and wages, and ordering and settling of the ten bursars, to the Lord Provost, Bailies, Ministers, and Council of Edinburgh, for the time being, whom he doth earnestly beseech, in the Lord, to take all faithful and possible pains, that these two points be conscionably settled, according as they shall find the revenue of the Hospital will give leave.

To prevent all corruptions in after-times, there shall never be made, by the Electors, any pre-election of any place whatsoever belonging to the Hospital; nor shall the pre-election, or election of any officer or scholar before the place unto which he is pre-elected, or elected, be actually void, stand good, but it shall be void *ipso facto*. And, therefore, before the Hospital building be finished, and fit to receive those who are appointed to inhabit in it, there shall be made no election, nor pre-election of any officer or scholar belonging to the Hospital, excepting only such as must of necessity attend the fabric of the said building, or the present

revenue, monies, or estate, presently belonging or intended for the said Hospital; and these, after the building is finished, or before, to leave their places, unless they be then again, *de novo*, chosen by the electors; but, after the House is fitted for the receiving of those who are to live in it, then all elections shall go as is expressed in the Statutes before-mentioned.

The compiler of these Statutes, Walter Balcanquel, Dean of Rochester, doth reserve unto himself, during his own natural life, all power for adding unto, or diminishing from, or altering of these present Statutes, accordingly as, upon emergent occasions, he shall be thereunto induced by his own conscience, or consultations with the Lord Provost, Magistrates, Ministry, and Council of Edinburgh; or by the advice of those who are learned in the laws of the realm of Scotland. Otherwise, if, from the said Dean of Rochester in his life-time, these Statutes shall receive no addition, diminution, nor alteration, then these Statutes, being subscribed with his hand, and sealed with his seal, at any time be-

fore his death, shall have the strength, validity, and force, to all purposes whatsoever, of the Statutes mentioned in the Will of the Founder, by which, and no otherwise, the said Hospital shall be *perpetually governed, ordered, and directed, forever hereafter, unto the end of the world.*

And if there shall arise any controversy concerning the interpretation of the said Statutes, or of any part, sentence, or word in the same, it is ordained, that those five mentioned in the Founder's Will, viz. the Lord Chancellor, the two Archbishops, the Lord President of the College of Justice, and the Lord Advocate to his Majesty of this realm of Scotland, for the time being, shall have sole and whole power to interpret the same, and to determine all controversies arising about the interpretation of the same. So that, whatsoever any three of these five met together, and all parties interested being convened, shall judicially, or extrajudicially declare, in their consciences, to come nearest the true meaning of these Statutes, That, and

nothing but That, shall be taken for the true meaning of the same, and in all points, without farther scruple, be observed and followed.

And, that these Statutes may never be concealed, there shall be one true copy of them for ever kept and registrated in the Books of Session, one in the Register of the Council of Edinburgh, one in the Register-Office of the said Hospital, and more in other places needful, if any shall be thought upon, that so any party interested in them may have open and free recourse unto them.

C A P. XXIII.

Conclusio.

AND now, finally, I, the unworthy servant of God, Walter Balcanquel, the composer of these Statutes, do onerate and charge the consciences of you the Lord Provost, the Magistrates, and Ministry, and Council of the City of Edinburgh, and of all those who shall be your successors, unto the second coming of the Son of God; and that, by the bowels of our Lord Jesus

Christ, who one day will come to judge the quick and the dead, and take a particular account of every one of you, for this particular stewardship, wherewith you are trusted; by the zeal and honour of our reformed religion, which, by this pious work of the Founder, is illustrated and vindicated from the calumnies of the adversaries to our holy profession, by that pious respect which you, his fellow-citizens, ought to carry to the pious memory and last Will of the religious Founder, your worthy citizen, *George Heriot*. And, lastly, for the clearing of your own consciences, and your own particular accounts in that great day of the Lord, let none of you who read these presents, nor your successors, who in after-ages shall come to read them, offer to frustrate the pious Founder of his holy intention, either by taking, directly or indirectly, from this Hospital, any thing which he, in his piety, hath doted unto it, or by altering of it, or bestowing it upon any other use, though you shall conceive it to be far more pious or profitable; or to go about to alter any of these Statutes and Ordinances, after they

shall be once delivered up unto you, completely subscribed and sealed, as you will answer the contrary, at the uttermost of your perils, in the day of the Lord Jesus: To whom, (being fully assured of your godly care and zealous conscience in those particulars) with his Father, and the Holy Ghost, three Persons, but one undivided Essence of the Godhead, as for all other their blessings, so in particular for the great charity of this most pious and religious Founder, be ascribed, as is most due, all praise, honour, and glory, from age to age. Amen.

EGO GUALTERUS BALCANQUEL, S. S. Theologiae Doctor, Ecclesiae Cathedralis Roffensis Decanus, civis Edinburgenus natus et juratus, pietissimi viri Gualteri Balcanquel, civitatis Edinburgenae circiter quadraginta tres annos pastoris vigilantissimi, filius; potestate ad id mihi facta ex Testamento et Codicillo clarissimi optimique viri *Georgii Heriot*, gemmarii Regii, trado clarissimis, reverendissimis, spectatissimis viris, D. D. Praefecto, Balivis, Pastoribus, re-

liquisque Senatoribus Edinburgenis ordinariis, Statuta hæc, viginti tribus capitibus comprehensa, observanda, habendaque in perpetuum, pro Statutis seu Ordinationibus illis in Testamento et Codicillo *Georgii Heriot* commemoratis; reservatis mihi et semper cunctis et singulis, quæ per Statuta hæc reservantur. Ita est, quod singrapha et sigillo meo ratum esse jubeo.

GUALTERUS BALCANQUEL.

Edinburgi, decimo tertio die *Julii*,
 anno post incarnatum Redemptorem, millesimo sexcentesimo
 vigesimo septimo, annoque regni Domini nostri *Caroli Primi*,
 tertio. } *Locus Sigilli.*

RECOMMENDATION

IN FAVOURS OF

HERIOT'S HOSPITAL.

1695.

APPENDIX V.

[The text on this page is extremely faint and illegible due to low contrast and blurring. It appears to be a standard page of text with several paragraphs.]

RECOMMENDATION

IN FAVOURS OF

HERIOT'S HOSPITAL.

AT Edinburgh, the fifteenth day of July, one thousand six hundred and nynty-five years, Anent the Memorial given in and presented to his Majesties high commissioner, and the Estates of Parliament, by the administrators of Heriot's Hospital, in behalf of the poor thereof, mentioning that it was notourly known how large and rich a dotation George Heriot made for founding and entertaining of the said Hospital, which yet, through the various accidents and misfortunes, was for a time so improsperous, that in the year one thousand six hundred and fifty-eight, when it was brought to a settlement, it was only able to maintain sixty poor children. That since that time, through the care of the

Magistrates and Ministers of Edinburgh, its administrators, the revenew thereof hath been so well improven, that, at present, it entertained one hundred and thirty children, and is still on the growing hand, whereby it was become a most profitable foundation, as well as an ornament to the Nation, and seeing in all Nations for the encouragement of such pious Works, Hospitals were freed of all impositions: And that it would be a singular advantage, though in itself a small matter, to the poor of Heriot's Hospital, to be free of all excise, and other impositions laid on or to be laid on, on drinking Beer and Ale consumed by the poor within the said Hospital. The present annexed excise of the liquors consumed therein not exceeding ten pounds sterling per annum, Therefore humbly craving that that high and honourable Court would grant to the said Hospital, and poor thereof, an exemption from the said excise and imposition laid on or to be laid on, and to ordain the same to be insert in any act that should be made for thereafter about the same, as the said Memorial bears, which being upon

the twelvth instant remitted to the committee for security of the kingdom, they were of opinion that an exemption from the within excise and imposition laid on, or to be laid on, should be granted to the Petitioners, and that the same should be insert in any Act that should be made for p^r after thereanent; which being heard by his Majesties high Commissioner and the said Estates of Parliament, They recommended, and hereby recommends Heriot's Hospital, and the poor thereof, to the Lords of his Maj. Thesaury, for their exemption from the within excise and imposition laid on, or to be laid on, drinking bear and ale. [*Acta Parl.* 1695. p. 449.]

The first part of the report deals with the general situation of the profession in the United States. It points out that the number of physicians has increased steadily since 1900, and that this increase has been particularly marked in the rural areas. It also notes that the average age of the practicing physician is increasing, and that this may have a bearing on the quality of medical care.

The second part of the report discusses the various factors which influence the distribution of physicians. It points out that the concentration of physicians in certain areas is due to a number of reasons, including the availability of medical schools, the presence of hospitals, and the general health of the community. It also notes that the distribution of physicians is not uniform, and that there are still many areas where medical care is lacking.

The third part of the report deals with the various methods of medical education. It points out that the traditional method of apprenticeship is still in vogue in many parts of the world, but that in the United States the majority of physicians receive their education in medical schools. It also notes that the curriculum of medical schools is becoming more and more scientific, and that this is a good thing.

The fourth part of the report discusses the various methods of medical practice. It points out that the majority of physicians in the United States are in private practice, but that there is a growing trend toward hospital medicine. It also notes that the methods of medical practice are becoming more and more scientific, and that this is a good thing.

The fifth part of the report deals with the various methods of medical research. It points out that the majority of medical research is done in the United States, and that this is a good thing. It also notes that the methods of medical research are becoming more and more scientific, and that this is a good thing.

The sixth part of the report discusses the various methods of medical administration. It points out that the majority of medical institutions are run by boards of trustees, but that there is a growing trend toward hospital administration. It also notes that the methods of medical administration are becoming more and more scientific, and that this is a good thing.

LAST WILL AND TESTAMENT

OF

ROBERT JOHNSTONE, LL. D.

APPENDIX VI.

M

It has been deemed expedient to insert in this Appendix the Will of Dr Robert Johnstone, not only on account of the executorial powers assigned to him by his friend George Heriot, but because the document itself contains many interesting particulars. The following notice respecting him occurs in Crawford's History of the University of Edinburgh :

“ Not long before this time, (January 1640,) Mr Robert Johnstone, Doctor of Laws, (son of an honest citizen of Edinburgh, who had liv'd in England, at London, many years,) beside many great legacies left for public uses in Scotland, mortified to the Coll. of Edin: (wherein he had been bred) L.1000 Ster. being 18,000 Merks, to be put in the hands of the Council of Edin., and bestow'd upon land, for an yearly revenue of 1000 Merks for the maintenance of 8 bursars, for the which yearly rent the Council, in October 1641, gave infestment in Boniton Mills.”

LAST WILL AND TESTAMENT

OF

ROBERT JOHNSTONE, LL.D.

E. Registro Curiae Prerogative Cant. Extract.

IN Dei Nomine, Amen.—The thirtieth day of September, anno Dom. 1639, and in the 15th year of the reigne of our Sovereign Lord Charles, by the grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. I, Robert Johnstone, of the parish of St Anne, Blackfryers, London, Esquire, being at present in perfect health and sound memory, praise be given to Almighty God for the same, do make, ordain, and declare this my last will and testament, in manner and form fol-

lowing: That is to say, First, and principally, I do recommend my soul unto the hands of the Almighty God, my Creator, and his dear Son, Jesus Christ, my Saviour and Redeemer, trusting to be saved and made partaker of everlasting glory, by God's grace and Christ's merit, and by no human help at all, and my body to be interred in Christian burial, privately before night, for I will not be ambitious in my funeral, thinking that charge better bestowed upon the poor; and touching that tallant of worldly goods and estate which God hath lent unto me, I give, devise, and bequeath the same as followeth: viz.—

Imprimis, I give unto the poor prisoners of Ludgate fourty shillings, and other fourty shillings to the poor prisoners in the King's Bench, and three pounds to the poor of the parish of St Anne's, Blackfryers, London, to be distributed by the Church-wardens of the said parish.

Item, I give and bequeath unto my Honourable Chief,* the Lord Johnstone, the sum of five

* James Johnston of Johnston—created Lord Johnston of Lochwood 1633, and Earl of Hartfell 1643. He was a decided

hundred pounds, of lawful money of England,
to be paid within six months after my decease,

Royalist, and so much involved in the troubles of undefined prerogative and hypocritical rebellion, that he seems to have been rendered incapable of executing the wishes of the testator, as to a bridge over the river Annan—which was not constructed till towards the middle of the last century. The vulgar tradition went, that Lord Hartfell appropriated the money to his own use. Among the Wodrow MSS. is an account of the drunken frolics of Sir John Dayzell of Glennae and his associates, which concludes with this passage: “They went to the Lord Annandale’s house at Newbigging, (i. e. Newby,) to paye him a visite, beginning with their old pranks, burning their shirts and their other linens. A little after that the house was all burned; and it was reported of my lord himselfe, he knew the house would never doe good, for it was builded with the thing that should have builded the bridge over Annan water.” Part of it, however, was much older, as the remains of a square tower, blown down by a high wind about twenty years ago, sufficiently proved. It is said that the servants, in Lord Annandale’s absence, were amusing themselves with swilling burnt brandy, and his coach driving suddenly to the door, they thrust the flaming spirits under a bed, which caused the conflagration. The blaze was so prodigious, that the chambermaids in Sir John Douglas’s house of Kelhead, about three miles distant, could prepare the bed-rooms without the help of candles. In the year 1605 the Place of Newby was besieged by the Maxwells, which occasioned a criminal process, to be found in the Justiciary Records.

for the erecting and building of a bridge over the river of Annan, of stone, within the kingdom of Scotland, not doubting of the concurrence and assistance of the Right Honourable the Earls of Nithsdale and Annandale* in a public work. *Item*, I give and bequeath unto the Provost and Bailiffs and Common Council, for the time being, of the city of Edinburgh, in the said kingdom of Scotland, one thousand pounds Sterling, to be employed in stock, to set the poor of the said city at work; and do appoint the increase of the stock to be distributed among the said poor of the said city year-

* Robert Maxwell, first Earl of Nithsdale—also a distinguished Royalist—after being overwhelmed by the Covenanters, who possessed themselves of his Castle of Caerlaverock, and oppressed his vassals in the most arbitrary manner, showing no Christian mercy to the followers of a *prelatick* Papist, who had married a niece of the Duke of Buckingham, and dared to discharge his ordnance at the very nose of the Holy League, he retired to the Isle of Man, where he died in the year 1647. John Murray of Coekpool, first Earl of Annandale, was so created 1624. He died at London September 1640, and on the 13th of October was buried at Hoddam, in Annandale.—*Pccrage of Scotland, and Balfour's Annals, MS.*

ly ; and my will is, that this sune be paid within one year after my decease, upon security to be given by the said Provost, and Bailiffs, and Common Council, unto my executors hereafter named, for employing and distributing the increase accordingly. *Item*, I give and bequeath unto the said Provost, Bailiffs, and Common Council for the time being, another thousand pounds Sterling, to be employed in stock, or otherwise, to be put out for profit, to buy gowns, stockings, shoes, shirts, and cloaths, unto the poor children of Mr Heriot's Hospital, * which sum I appoint to be paid for the maintainance of the said poor, when they are placed in the said Hospital orderly, according to the intention of the founder, and not before the said Provost,

* From Durie's Decisions, it appears that David Heriot, half-brother to George, was married to one Margaret King; for she is mentioned, (13th July 1627,) as reliet of David Heriot, goldsmith, in her pursuit against George Ker, taylor in Edinburgh, " For refounding to the pursuer of certain sums paid by her to the said George in tocher with the pursuer's daughter, married upon the said George, seeing that her daughter died within the year after their marriage without children."

Bailiffs, and Council, giving security, unto my said executors, for the imploying the same accordingly. *Item*, I give and bequeath unto the said Right Honourable the Lord Johnstone, the sum of one thousand pounds Sterling, to be imployed in purchasing of lands, for the maintenance of a grammar-school in Moffat, in Annandale, * and do appoint out of the same, unto the master, yearly, five hundred merks usual money of the realme of Scotland; unto the usher, or hypodidascalus, two hundred merks of like money, yearly; and to an able man, to teach the scholars of the said school arithmetic and writing, one hundred and fifty merks of like money of Scotland, yearly; and the surplusage of the rent I do appoint to be distributed amongst the poor of

* The Editor is uncertain as to the time at which Moffat School was founded; but in the year 1699 it was the scene of a foul murder committed by the master, one Carmichael, who, understanding that Mr Douglas of Dornock was about to remove his son to another seminary, beat the poor boy so unmercifully, that he died upon the spot. Strange to relate, this villain was only scourged, and banished the kingdom.—*Criminal Record*.

the parish of Moffat aforesaid, and towards the reparation of the said school. And my mind is, that the said master, usher, or arithmetician, be choscable and sufficient men, by the Provost, Bailiffs, and Ministers of Edinburgh, and also altered by them upon the information of the said Lord Johnstone * and his heirs, and the Minister of Moffat, for the time being, of their insufficiency and neglect in the instruction of the youth there, and others to be elected in place of them that have been careless and negligent ; and my will and mind is, that fifty pounds Sterling,

* “ Generous and wealthy men have left sums of money for endowing schools. The most liberal of these donations, in this county, were for the schools at Moffat, Closeburn, and Caerlaverock. The school at Closeburn has become opulent by the actual purchase of lands ; and that of Caerlaverock has derived great advantage from the same source, the whole, however, not being allotted for the school alone : but at Moffat, if the sum of L.1000, bequeathed in 1639, was ever laid out in land by Lord Johnstone, as directed by the generous donor, it has not been ascertained ; and this point constitutes a question betwixt the heir of Lord Johnstone and the executors, in relation to the Annandale estate.”—*Singer’s Dumfries-shire*. Edinburgh, 1812.

yearly, be paid unto the said Lord Johnstone, towards the building of the said school at Moffat, the foresaid principal sum, six months after my decease, that the building may be perfected out of the use of the said sum, before the purchasing of the said lands for the maintenance of the said school. *Item*, I give and bequeath unto the said Provoſt, Bailiffs, and Common Council of Edinburgh, for the time being, another thousand pounds Sterling, for the purchasing of land heritable, with the advice of the said Lord Johnstone, towards the maintenance of eight poor scholars in the College of Edinburgh, allowing them, out of the rents of the said lands, yearly, one hundred merks of usual money of Scotland, a-piece, and the residue of the rents, which I esteem to be two hundred merks of the like money, to be equally divided, yearly, amongst them, in supplying them with gowns and books; and my meaning is, that four of the said poor scholars be elected out of the said school of Moffat, bearing the surname of Johnstone; and the other four of the grammar-school of Edinburgh,

yearly, being of the same name. And if there be not sufficient number of the said name to supply the places, that then the Provost, Bailiffes, and Ministers of Edinburgh aforesaid, may elect some able scholars, out of the aforesaid Mr Heriot's Hospital, to supply the number, but at the avoidance of any of them, my intention is, that the said Provost, Bailiffes, and Ministers of Edinburgh, provide, at the next election, some of the name of Johnstone, upon the nomination of the said Lord Johnstone and Minister of Moffat for the time being, and upon their recommendation; and my will is, that this thousand pounds Sterling be paid unto the said Provost, Bailiffes of Edinburgh, a year after my decease, they giving security to my executors for the true performance thereof, as aforesaid. *Item*, I give and bequeath unto the said Provost, Bailiffes, and Ministers of Edinburgh, one hundred pounds Sterling for releasing poor prisoners out of the prisons of Edinburgh, whose debts doth not exceed one hundred pounds Scots money; and my mind is,

that they release soe many as the said sum will extend unto, and redeem their liberty. *Item,* I give and bequeath unto the said Provost, Bailiffs, and Common Council of Edinburgh, one other hundred pounds Sterling, towards the maintenance of an able Schoolmaster in the said Mr Heriot's Hospital, which I appoint to be paid at the election of the Schoolmaster, to be employed upon land for a rent, charge, or annuity, yearly, of eight pounds Sterling. Now I declare my intent and meaning touching the said pious legacies, that if, within the space of one year after the payment made, the Provost, Bailiffs, and Common Councel of Edinburgh aforesaid, do not imploy the several legacies to the use before limited and set down, that then it shall be lawful to the said Right Honourable the Lord Johnstone and his heirs to claim, eviet, and recover all the said legacies from them, or any of the said legacies which shall not be employed to the uses before and above limited, specified, and exprest, to employ them according to my true meaning and intention aforesaid, wherein I

rely upon his Lordship's honour and conscience. *Item*, I give and bequeath unto Sir Hendry Pinkering, alias Newton, * Knight and Baronett, the sum of three hundred pounds due unto me by Orieh Sir, bond by Barr and his ; also two hundred pounds due unto me by two several bonds of the Lord Castle Stewart † and his securities, with a lease of three town lands in the kingdom of Ireland, made in trust unto my servant, Hendry Heron, for further security for payment of one hundred and fifty pounds of the foresaid sum ; and my mind is, that the said three bonds and lease shall be for full satisfaction and payment of five hundred pounds Sterling promised by me to be paid, at my decease, unto his wife, the now Lady Elizabeth Pinkering, alias Newton. *Item*, I give and bequeath unto Robert Inglis of London, merchant, one of the executors of this my last will,

* Thomas Pinkering of Weston, in Hertfordshire, was created a Baronet in 1612. The title was extinct before 1670.

† Andrew, second Lord Castle Stewart, succeeded his father in 1632, and died 1639.

the sum of five hundred pounds Sterling, to purchase an office or an annuity unto my nephew, Robert Spence, for his maintenance, and do appoint the said Robert Inglis to pay fourty pounds per annum unto the said Robert Spence out of the profit of the said sum, unto an office or annuity to be purchased unto him in lieu and for full satisfaction of all right, title, clayme, and demand whatsoever, which he hath, may, shall, or can make unto my heritable estate, goods, or chattels, in any way, or unto every or any part or parcell of the same; and upon this condition, that the said Robert Spence make such lawful sufficient release and discharge unto my executors hereafter named, touching and concerning the premisses as in that behalf shall be, by council learned, devised and required. *Item,* I give and bequeath unto my sister, Agnes Johnstone, if she shall be living at the time of my decease, the sum of five hundred merks, usual money of the realme of Scotland, yearly, to be paid unto her, during her natural life, by the Provost, Bailiffs, and Common Council of

Edinburgh aforesaid, forth of the profits of five hundred pounds Sterling which they are indebted to me; upon this condition, that my said sister, Agnes Johnstone, release and discharge unto my executors hereafter named, and debtors, all clayme and demande, title, right, and interest, which she may have or can make unto any heritable obligations, or other my goods and chattels, or to any of them whatsoever.

Item, I give and bequeath unto Helen Spence, her daughter, one thousand merks, usual money of Scotland, if she be living at the time of my decease, to be paid unto her within a year after my death. *Item*, I give and bequeath unto her other two daughters, Nancie and Mary Spence, one thousand merks of like money of Scotland, to be equally divided betwixt them two, if they be alive at the time of my decease.

Item, I give and bequeath unto Mr James Carmure, if he be living at the time of my decease, the sum of four hundred merks, usual money of the realme of Scotland. *Item*, I give and bequeath unto John Jossy, merchant in Edin-

burgh, the other of my executors hereafter named, the sum of two hundred pounds of lawful money of England, to be distributed among twenty servant-maids at their days of marriage, ten pounds Sterling per piece, which have served seven years together in merchants' or artificers' houses in Edinburgh aforesaid, faithfully, modestly, and honestly. I give and bequeath unto the Earl of Lindsay, Lord High Chamberlain of England, a medal of gold, weighing about four ounces, made in the memory of the siege of Ostend, in token of my love and respect unto his honour. * *Item*, I give and bequeath to the Right Honourable the Earl of Sterline a medal of gold, made in memory of the delivery of Leyden. † *Item*, I give and bequeath to his Lord-

* Robert Bertie, first Earl of Lindsay, mortally wounded at the battle of Edgehill. Though his Lordship was then sixty years of age, family tradition reports, that, in his dying agonies, "upon a little straw in a poor house, where they had laid him in his blood," he had his head borne up by a fair young page, whose male attire but ill concealed the sex of a wandering damsel, devoted to the Lord Chamberlain's fortunes.

† Sir William Alexander, first Earl of Stirling, the poet.

ship's son, Mr Henry Alexander, as a token to his son, whom I pray God to bless, a silver bason and ewer, weighing about ninety ounces. *Item*, I give and bequeath unto my noble friend, Mrs Jane Murray, my great Castilian piece of gold, for a token of my love and duty. *Item*, I give and bequeath unto Sir David Cunningham of Robertland,* in memory of my love, a Portingale ducate, and to his lady's daughter, by Mr Herryot, my little pointed diamond ring. *Item*, I give and bequeath unto Mrs Hamilton of Brumhill,† a medal of gold, representing Jonas in the whale's belly. *Item*, I give and bequeath

His third son Henry, afterwards Earl of Stirling, married a daughter of Sir Peter Vanlore, Knight, Alderman of London, with whom he got a considerable fortune.—*Peerage of Scotland*.

* David Cunningham of Robertland was created a Baronet of Nova Scotia 1630. He married Elizabeth, daughter of Robert Joyce, keeper of the robes to King Charles the First, and widow of James Heriot, his Majesty's jeweller.

† This Mrs Hamilton was probably Margaret, natural daughter of James, second Marquis of Hamilton. She married Sir John Hamilton of Broomhill, created Lord Belhaven and Stenton 15th December 1647.

unto my very loving friends; Mr George Bruce of Carnokie, * in the kingdom of Scotland, in memory of his favour, a Portingale ducate, and to Mr Thomas Dyell of Byn, † a piece of gold coined in the time of the Earl of Mortayne's regaine, weighing little less than a Portingale ducate. *Item*, I give and bequeath unto my good-daughter, Mary Johnston, daughter to my couzin Johu Johnston, merchant, the sum of twenty pounds Sterling, and to himself a Portingale ducate. *Item*, I give and bequeath unto David Moorhead, my godson son, unto David Moorhead, merchant, twenty pounds Sterling. *Item*, I give and bequeath unto my godson, Alexander Dunsire, ten pounds Sterling. *Item*, I give and bequeath unto my god-daughter, Barbarie Black, twenty pounds Sterling, to be paid unto her out of the threttie pounds Sterling which her mother, Mrs Black, doth owe unto me. And my will is, that the said Mrs Black

* Father of the first Earl of Kincardine.

† Afterwards the celebrated General. His legacy must have been a coin struck during the Regency of Lord Morton.

pay unto Simeon Mason's son, which I christened, five pounds more of the said sum. *Item*, I give and bequeath unto my godchild, William Morehead's son, ten pounds Sterling, and unto himself a piece of medale, with the picture of Antonius; also I give to the said David Muirhead, merchant, a Portingale ducate. *Item*, I give and bequeath unto Mr John Young two double pistolls of Fouer; and unto Mr Thomson, merchant, two other pistolls of Fouer. *Item*, I give and bequeath unto my friend Mr Pearse, beaver-maker, my watch. *Item*, I give unto my couzin James Johnstone, for a token, one doubele pistoll of Fouer. *Item*, I give and bequeath unto Sir James Galloway, Knight,* a double ducate of eight for a token. *Item*, I give and bequeath unto Thomas Johnstone, taylor, five pounds Sterling. I give and bequeath unto my foresaid nephew, Robert Spence, and my servant, Hendry Heron, all my household stuffs and apparel, equally to be divided

* Sir James Galloway of Carnbee, created Lord Dunkeld, 16th May 1645.

betwixt them, except such as I shall privately give away myself; as for my books, I do appoint the books of Humanity, Thesaurus, Linguae Latinæ, and Lexicon Groecum, to be sent unto Moffat in Annandale, when the aforesaid school is erected, with the Latin Poets and Commentaries; as for the Italian, French, and Spanish books, I would have them changed for books of philosophy, to be sent unto the College of Edinburgh; for my civil law books and books of history I give also to the said College of Edinburgh, and my English books I give unto my said servant Hendry Heron. *Item*, I give and bequeath unto my said servant, Hendry Heron, for his former service, and future hope of his diligence in gathering in my estate, the sum of two hundred pounds of lawful money of England, to be paid within a year after my decease. *Item*, I will, God willing, give unto my kind friend, Captain John Wood,* some old

* Of the ancient family of Wood of Largo, died at London in the early part of the year 1661. From a copy of his last will

coins of gold, as a token of remembrance of my love and kindness towards him. *Item*, I give and bequeath unto my worthy friend, William Langley, Esq. two double pistolles of Fouer, as a token of my love to him. *Item*, I give unto his son, Roger Langley, a double ducate. *Item*, I give and bequeath unto my couzin James Johnstone's daughter, my embroidering. *Item*, I do nominate, ordain, and appoint my very lov-

and testament, made at Edinburgh, 10th April 1660, in the editor's possession, he appears to have possessed considerable sums of money; the greater part of which he left to trustees for founding an hospital at Largo, for the maintenance of old people. He also endowed a school at Dremeldrie, in that neighbourhood. We extract the following notice of this benevolent individual from LAMONT'S *Chronicle of Fife*:

“1661, March 20.—Johne Wood's corps were landed in the Ellie, which were brought downe from London by John Whyte, skipper there. He was a cadent of the house of Largo; and it was he that caused build the stone-dyke about the church of Largo, and built the school-house at Remeldrie. They were interred in Largo iylle the 22d July 1661, being Moneday, in the day tyme. He appointed also a hospitall to be built at Largo for honest persons that decayed in ther substance.”—*Chronicle of Fife*, p. 167.

ing friend the aforesaid Robert Inglis and John Jossy, merchant, to be executors of this my last will and testament. And I give and bequeath unto the said Robert Inglis my table diamond ring, of value twenty pounds Sterling or thereabouts; and unto the said John Jossy my rose diamond ring, of the value of threttie pounds Sterling or thereabouts, for their pains to be taken in this my last will, in all things according to my true meaning. And I do nominate and ordain my noble and worthy friend, Sir David Cunninghame, Knight and Barronett, within the realm of Scotland, Receiver of the Principality of Wales, to be supervisor and overseer of this my last will, intreating him to do his true and best endeavours to see it performed in all points according to my intent and true meaning, for the benefit of the poor herein exprest, and in respect of his love, care, and industry to be taken therein, I do give unto the said Sir David Cunningham my great Arabian piece of gold, weighing five ounces or thereabouts; also, I charge my faithful servant, Hendry Heron,

to use his faithful care and diligence in collecting in my estates, debts, and credits, and to acquaint the said Sir David Cunningham with the sums of money which my said executors shall receive, that the same may be employed according to my true intent and meaning herein exprest ; and my will and mind farther is, that whatsoever gift or legacy herein mentioned unto my executors, or otherwise, by reason of the death of the parties, or any of them, to whom I have given the same, and not mentioned and directed to whom in such case the same should go, or be payable, that all such shall go and redound wholly and absolutely unto the aforesaid stock, to set the poor of the aforesaid city of Edinburgh at work, according to my true meaning before exprest ; and immediately after my debts and legacies are paid and deducted, and funeral discharged, I do absolutely give and bequeath all the same superplusage, rest, and residue of my estate, good and chattels, real and personal sum and sums of money whatsoever, in manner and form following : That is to say,

I give and bequeath unto the said Provost, Bailiffs, and Common Council of Edinburgh, one thousand pounds Sterling more, they putting in sufficient securities unto my said executors and supervisor, to employ the said sum in a stock on mortgage of lands, towards the relief of the poor people of the said city of Edinburgh in perpetuitie. Also, I give and bequeath unto the Provost and Bailiffs of Aberdine, in the said realme of Scotland, six hundred pounds Sterling, upon the putting in sufficient securities unto my said executors and overseer, to imploy the said sum in a stock to remain in perpetuitie for ever, that the poor people of the said city of Aberdine may be set at work in lawful trades and manufactures for the benefit of the commonwealth, whereby the aged, blind, lame, and impotent people of the said city of Aberdine may be relieved yearly out of the profit and increase of the said stock. *Item,* I give and bequeath unto the Provost and Bailiffs of Dumfries, within the said realme of Scotland, upon their putting in sufficient security unto my said executors and overseers, six hundred pounds

Sterling, to be employed in stock or wadset of lands for the perpetual yearly maintenance of the aged, blind, lame, and impotent of the said town of Dumfries ; and for their default in bestowing and imploying the said sume accordingly, I give the said sume unto the Lord Johnstone, and his heirs, to be employed as his Lordship or his heirs shall think fitt. *Item*, I give and bequeath unto the Provost and Bailiffes of Dundee, in the said realme of Scotland, upon their putting in sufficient security unto my said executors and supervisors for the sum of one thousand pounds of lawful money of England, to be employed in stock or wadset of lands in perpetuitie, for the yearly maintenance of the aged and impotent people of the said town of Dundee. *Item*, I give and bequeath unto the Provost, Bailiffes, and Common Council of the City of Glasgow, within the said realme of Scotland, upon their putting in sufficient security unto my said executors and overseer, the sum of six hundred pounds Sterling, to be employed in a stock, to remain in a perpetuitie for ever, that

the poor people of the said city of Glasgow may be set at work in lawful trades and manufactures, for the benefite of the commonwealth, whereby the aged, blind, lame, and impotent people of the said city of Glasgow, may have yearly relief and maintenance off the profits and increase of the said stock. *Item*, I give and bequeath unto the Provost and Bailiffes of the town of Kirkcudbright, in said kingdom of Scotland, upon their putting in good security unto my said executors and supervisor, the sum of five hundred pounds Sterling, to be employed in stock, to remain in perpetuities for ever, that the poor people of the said town of Kirkcudbright may be set at work at lawful trades, whereby the aged and impotent people of the said town may have yearly relief and maintenance out of the profit and increase of the said stock. *Item*, I give and bequeath unto Robert Johnstone, son unto my couzen John Johnstone of London, merchant, the sum of twenty pounds Sterling; to his sone William Johnstone, other twenty pounds Sterling. *Item*, I give and bequeath unto

my couzen, John Johnstone of Vicarland, in An-
 nandale, twelve pounds Sterling, to buy him a
 gelding. *Item*, I give and bequeath unto my
 couzen, Robert Johnstone of Newton, in An-
 nandale, other twelve pounds Sterling. *Item*,
 I give and bequeath unto my said couzen, James
 Johnstone's daughter, ten pounds Sterling. *Item*,
 I give and bequeath unto my said couzen Ro-
 bert Johnstone of Bounsterhills in Cumberland,
 his two sons, to each one of them, ten pounds
 Sterling. *Item*, I give and bequeath ten pounds
 Sterling towards the reparation of the Cathedral
 Church of St Paul's, London. *Item*, I give and
 bequeath unto my said executor, one hundred
 pounds Sterling, to purchase a rent charge in
 perpetuitie, which rent I desire to be distributed
 ratably every Sunday, and given amongst the
 poor in Gray Fryers' Church or parish, in bread,
 unto the halt, lame, blind, sick, and such other
 as be most comfortless and not able to labour.
Item, I give and bequeath unto Sir John Hay,
 Knight, Clerk-Register,* two double pair ryalls,

* Sir John Hay, made Clerk-Register in 1632. He was town-

in token of my love. And my mind is, that all these legacies before mentioned, appointed to be paid out of the surplusage of my estate, be paid, (the conditions being performed after my decease;) and I do hereby revoke and disannull all former and other wills and testaments heretofore by me made. In witness whereof, I, the said Robert Johnstone, have, to this my last will and testament, written in four sheets of paper, with this latter part of one sheet, subscribed my name to every one of the said sheets, and to this last sheet set my hand and seal, in presence of whose names are subscribed, by me specially entreated to witness the same, the day and year first above written.

(Signed) ROBERT JOHNSTONE.

clerk of Edinburgh in 1617, when King James visited his ancient kingdom. See A Speech delivered to the King's Most Excellent Majestie, at his Entrie into his Good-Towne of Edinburgh, upon the 16th of May anno Domini 1617, in the Name of the Magistrates and Citizens of the saide Towne, by Master John Hay, thier Clerke-Depute. Printed at Edinburgh by Andro Hart, 1617, 4to, with a wood-cut of James VI. This is a tract of extreme rarity.

Sealed, published, and pronounced as his last will and testament, in presence of

(Signed) THOS. TOWNSEND.

HENRY PIM.

GEORGE WORLEY.

HENDRY PAINTER.

A codocill, or schedule, written the twelfth day of October 1639, anno Regis Caroli decimo quinto. Be it known, that whereas I, Robert Johnstone, made my last will and testament in writing, dated the thirtieth day of September last past: That now I, being of perfect and good memory, praise be to God, doth make this addition thereunto, and do, by this, my present codocill, confirm and ratify my said last will, and I give and bequeath unto Mrs Anne Murray, daughter unto Mr James Murray of Barkshamstead, a diamond ring, of the value of twenty pounds Sterling. *Item*, I give and bequeath unto Mrs Anne Moorhead, wife unto Mr David Moorhead of Blackfriars, London, the like value of twenty pounds Sterling. *Item*, I give and be-

queath unto Robert Jossy, son unto my executor, John Jossy, the sum of twenty pounds Sterling. *Item*, I do give and bequeath three thousand pounds Sterling, to be bestowed and employed upon some good, godly, and pious work in the realme of Scotland, for the relief of the poor, as the Right Honourable the Lord Johnstone and Sir David Cunningham, Knight and Barronett, supervisors of my last will and testament, shall, in their wisdom, think good. And, *lastly*, my mind, will, and express meaning is, that when my debts, legacies, funeral charges, are discharged and satisfied, the remainder and rest of my estate I give and bequeath unto my poor kindred, as the said Right Honourable the Lord Johnstone, and my said supervisor, Sir David Cunningham, shall distribute the same among my poor kindred. In witness whereoff, to this, my present codicill, I have subscribed the same with my name, and set to my seál, the day and year above written, before these witnesses,

(Signed) ROBT. JOHNSTONE.

Sealed and delivered in the presence of

(Signed) JOHN YOUNG,
JAMES JOHNSTONE,
ALEX. CUNNINGHAM.

Probatum fuit testamentum supra scriptum, cum codicillo, apud London, coram venerabili viro, Willmo Byrd, Legum Doctoris, surrogato venerabilis viri Domini Henrici Martin, militis legum, etiam Doctoris Curiae Prerogativæ Cantuariensis, Magistri custodis sive commissarij legitime constituti, decimo octavo die mensis Octobris, anno Domini millesimo sexcentesimo tricesimo nono, juramento Roberti Inglis, mercatoris, unius executorum in hujus modo testamento nominat' cui comissa fuit administratio omnium et singulorum bonorum jurium et creditorum ejusdem defuncti, de bene et fideliter administrando eadem, ad Sancta Dei Evangelia jurat' reservata potestate similem commissionem faciendi Johanni Jossy, alteri executori in eodem testamento, etiam nominat' cum venerit et eadem petitur.

Probatum fuit testamentum suprascriptum, cum codicillo, apud London, coram venerabili viro Carolo Tooker, Legum Doctori, surrogato venerabilis viri Domini Henrici Martin, Militis, Legum etiam Doctoris, Curiae Prerogativae Cant. Magistri custodis, sive commissarij legitime constituti, quarto mensis Novembris, anno Domini millesimo sexcentesimo tricesimo nono, juramento Johannis Jossy, executoris etiam in eodem testamento nominat' cui commissa fuit administratio omnium et singulorum bonorum jurium, et creditorum ejusdem defuncti, de bene et fideliter administrando eadem ad Sancta Dei Evangelia jurat'

(Signed)

P. HEND. FARRANT,
Regist. Deputat.

F R M A . R

Sir Thomas Kenat. We desire you to deliver
to master Herriot our Jewellers the summe of
myne hundredth and twenty poundis. And
resane his acquittance uponne the same
At hamptone Court the sixt day of
October. 1606.

EXTRACTS
FROM
ACCOUNTS AND VOUCHERS
RELATIVE TO
JEWELS
FURNISHED BY GEORGE HERIOT
TO
ANNE OF DENMARK,
QUEEN OF KING JAMES VI.
1605-1615.

APPENDIX VII.

SINCE printing the pages containing a Sketch of the Life of GEORGE HERIOT, the Editor has been favoured with the use of a volume of original papers, consisting of the accounts and vouchers of Jewels furnished by him to Anne of Denmark, from the year 1605 to 1615; from which the following extracts have been made, as illustrating not only the transactions of Heriot with the English Court, but as curious and authentic documents regarding the costly decorations of her Majesty, and the fashions of Royalty in her time.

The Editor has to express his obligations to Richard Gray, Esq. for the liberal communication of these interesting papers. A list of the whole is subjoined; and it may be proper to notice in this place, that, from these documents, it would appear the total of Heriot's accounts, in little more than ten years, amounted to nearly forty thousand pounds,—certainly a large sum at that period.

ACCOUNTS and VOUCHERS relative to the QUEEN'S
JEWELS, 1605 to 1615.

Contents of the Volume from which the following Extracts are made.

I. Lord Chief Justice Coke's Warrant to Mr Auditor Povey, for taking the Accounts of Lord Knyvet and Mr Heriot; likewise of certain others to whom money had been issued upon General Warrants, 16th February 1616.

II. A Brief of the Account of George Heriot, from 31st December 1605 to the 18th January 1614; and rough copy thereof, with the Auditor's Memorandum respecting the Balance.

III. A like Account, from 30th January 1611 to the 10th February 1615; with the Auditor's Memorandum, that L. 500 of the balance of L. 10,948, 15s. 3d. is claimed as a gift from her Majesty.

IV. Mr Heriot's Account of the debts due to him from the Queen, on the 10th February 1615, amounting to L. 10,948, 14s. 3d., besides L. 3498 for the redemption of the jewels pawned on the 1st May 1609, and 24th April 1613, with three accounts relative to the said jewels pawned, annexed.

V. Vouchers to the charge of Mr Heriot's Accounts, numbered 1, 2, 3, 4, 5, 6, 7, viz.—

No. 1.—Account of jewels delivered to her Majesty, from

- the 31st December 1605 to 20th September 1606, with a bill of particulars annexed.
- No. 2.—Like account from 10th April 1607 to 10th November 1609, with bills of particulars fairly written, signed by the Queen herself, with her acknowledgment of the balance thereon.
- No. 3.—Like account from 1st December 1609 to December 1611, with a bill of particulars annexed.
- No. 4.—Like account from 20th January 1611 to 1st March 1612, with a fair bill of particulars, but the Queen's signature decayed.
- No. 5.—Like account from 2d March 1612 to 10th February 1615, with a bill of particulars annexed.
- No. 6.—Like account from 1st January 1614 to 4th January 1615; with like bill annexed.
- No. 7.—Extracts from Lord Knyvet's account of jewels paid for with ready money, between 5th April 1611 and 20th June 1614.
- VI. Vouchers to the discharge of Lord Knyvet's account of money paid to Mr Heriot before the 10th February, 9 Jac.; with the several orders and receipts annexed.
- VII. Like account, between 5th April 1611 and 20th June 1614.
- VIII. An abstract of Privy Seals to George Heriot, for Jewels, from his Majesty's accession to 20th February 1615, with copies thereof annexed.
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EXTRACTS, &c.

A Note of the Jewells received by Mr Georg Herriott, at the handis of the Queene's most excellent Matie., to be impawned, viz.*

The first of May 1609,

One gold ring sett with a lairg thick table diamond, and set round about with small table diamoundis.

A rose jewell opening for a picture, sett on both the sides with diamoundis.

A crosse of gold, sett with 7 diamoundis and 2 rocke rubies.

November 1609,

A jewell in fashion of a bay leafe, opening for a picture, sett with diamoundis.

All which jewellis were, as he affirmeth, by her Mat^s. commandement, impawned for the soume of mcccv li. xv s.

The interest whereof, from the first of May 1609 to the first of March 1615, being six

* The orthography is here preserved as in the original accounts—the money is all Sterling.

yeires and x moneths, amt. vnto the somes of
mecxxxvij li.

xxvijth of April 1613,

A jewell in fashion of a rose, set on the one
side with diamoundis, laid to pawne for the
soume of - - - vijc li.

The interest from the xxijth
of Aprill 1613 to the xxiiijth
of Febr. 1616, being two yeares
and x moneths, is - - - ecxxij li. xs.

ix c. xxij li. x s.

[A Breef of the Jewellis Mr Heriott pawned
for her Matie., delivered to my Lo. Cooke.]

For a diamond, to be paid upon bond, 1200 li.

A bound deated the xxixth of Mereh 1613,
off twelff hundreth punds, for which is pawned
a ffayre round jewell, from George Abercromy
vnto the Lady Rommeny, dwelling in ffisch-
munger layne.

Since the daett abouewrettin, there is one
halff yeares enterest payed.

MR HERIOTTIS bill of 1420 *li.* 13 *s.* 4 *d.* to give satisfaction for the receipt of ix *c.* xx *li.* of the Lord Knyvett.

Bought and receaved from our jeweller, George Heriote, theis jewells and other things underwritten, furnished by him vnto us, from the xxxist of December 1605 to the xx of September 1606, extendinge in all to the some of one thowssand fflower hundred and twentie pownds, 13*s.* 4*d.* Sterlinge.

Janewarie 1605.

Imprimis, on the xxxith of December, one ring, set all about with diamonds, with one diamond in the toppe, cut in forme of a rosse, at the pryce of - - - - jcx*x li.*

Item, one other ring, set all about with diamondis, at - - - - lx *li.*

Item, one rocke ring, set with xj diamondis, at - - - - xxxviiij *li.*

<i>Item</i> , a ring, set with ix diamondis, at	xxxiiij li.
<i>Item</i> , a ring, set with 7 diamondis, at	xviiij li.
<i>Item</i> , a ring, set about with diamondis, at	- - - - xx li.
<i>Item</i> , a ring, set with 5 diamondis, at	ix li.
<i>Item</i> , two rings, with a rubie and 2 diamondis in eatch, at vj li. the peice, <i>inde</i>	- - - - xij li.
<i>Item</i> , a ring, set with a table diamond, at	- - - - v li.
<i>Item</i> , two ringis, with two handis, a hert, with a diamond in eatch, at iij li. the peice,	- - - - vj li.
<i>Item</i> , a diamond, set in an open clawe ring, at	- - - - xv li.
<i>Item</i> , a ring, set with vij diamondis, at	xij li.
<i>Item</i> , a diamond ring, in forme of a hert, at	- - - - iiij li.
<i>Item</i> , two other hand and hert ringis, with a diamond in eatch, at iij li. xs. the peice,	- - - - vij li.
<i>Item</i> , a ring, set with a lairge diamond, at	- - - - lxxv li.

- Item*, one ringe, set all about with
 diamondis, at - - - xxiiij *li*.
- Item*, another herte ring, set with a
 diamond, - - - - - iij *li*. x *s*.
- Item*, a ring, set with a small dia-
 mond, at - - - - - i *li*. x *s*.
- Item*, two pendantis, set with 21 dia-
 mondis, - - - - - xlviiij *li*.
- Item*, a jewell for a hat, set with xxix
 diamondis, - - - - - lxxx *li*.
- Item*, on the xij of Janewarie xxiiij
 gold bottons, with v diamondis in
 each, at v *li*. the peice, *inde* j^cxx *li*.
- Item*, on the xxvj of Janewarie, a
 tablet for two pictures, set with
 diamondis on both the sydes, at
 the pryce of - - - - - iiij^cl *li*.
- Item*, two cristallis to the said tablet, iij *li*.
- Item*, a ring, set with xi diamondis, at xvj *li*.
- Item*, a silver bassone and ewer, at xxij *li*.
- Item*, garnished 80 currall beids,
 weighing in gold xiiij penyweight, ij *li*. ii *s*.

- Item*, for workmanship of euerye one
of them, xij *d.* *Inde* - - - - - iij *li.*
- Item*, for gold, and garnished a pair
of braslitis of great pearles and
saphires - - - - - iij *li.*
- Item*, put to v great diamondis, v
needles, and v scrues of gold,
weighing xvj penyweight, *inde* ij *li.* viij *s.*
- Item*, for making the said needles,
and puting to the said scrues, ij *li.* x *s.*
- Item*, an eare ring with a diamond in
it, - - - - - iij *li.* x *s.*
- Item*, for garnishing of a pearle, - - - - - x *s.*
- Item*, for vj silver needles at ij *s.* the
peice, *inde* - - - - - xij *s.*
- Item*, for making a jewell, set with
diamondis and rubies, - - - - - xvj *li.*
- Item*, the said jewell weighed in gold
one ounce 18 penyweight, v *li.* xiiij *s.*
- Item*, for sundrye mendings of old
jewellis and plate for the tyme
aforesaid, - - - - - iij *li.*
- Item*, on the xth of March one per-

- fuminge pann parcell gilt, for the
making and guildinge thereof, ii *li.* x *s.*
- Item*, furnished to it v ounces two
penyweight of silver, i *li.* vs. vi *d.*
- Item*, on the 14 of March, a ring set
with iiij diamondis, in forme of a
rosse, - - - xxxv *li.*
- Item*, for the garnishing of vj doge
collers, * weighing in silver xix
ounces, - - - iiij *li.* xv *s.*
- Item*, for the workmanshipe of the
said collers, - - - ij *li.* x *s.*
- Item*, boght to the said collers ij
ounces iiij quarters of silver lace, at
v *s.* vj *d.* ounce, - - - xv *s.* i *d.* ob.
-

* The Queen appears to have been very fond of dogs.—There was formerly at Cornbury, alias Blandford Park, a large full length of her, surrounded by these animals, which she held in leashes, and so oddly were they grouped, that at a little distance her Majesty might have been mistaken for Scylla, as she is represented on ancient coins. This picture was said to be a duplicate of one at Kensington Palace.

- Item*, for making wp of the said col-
lers at ij s. the peice, *inde* - xij s.
- Item*, for gold, and makinge of a
clasp for the froge jewell, - x s.
- Item*, on the xv of Aprill 1606, a
jewell set with diamondis, weigh-
ing in gold ij ounces vij peny-
weight, *inde* - - vij li. xj s. iij d.
- Item*, for making of the said jewell, xxx li.
- Item*, a purceland cup, and puting it
on a foote, - - - - - vj s.
- Item*, garnished a coller for a doge,
weighing in silver one ounce and a
half, - - - - - vij s. vj d.
- Item*, for the workmanship of it, - v s.
- Item*, the x of Maye a diamond ring
in forme of a herte, - v li. x s.
- Item*, the xxijth of Maye a ring, set
all about with diamondis, xxij li.
- Item*, for setinge a ring twyce in
plaine gold, and againe in a ring
amellit black, - - - j li.

Item, for mending of the tablet of
the Kinge of Denmarke's picture, j *li.* x s.

Item, on the vijth of September a
ring, set all about with diamondis, xxxij *li.*

Item, a ring, set with ix diamondis, at xxix *li.*

Item, for a glasse of whyte balsome
and a glasse of black balsome, j *li.* x s.

Item, a diamond set in a ring, of a
hert betwixt two handis, - iij *li.* x s.

Summa of the particularis aforesaid is just one
thowssand ffower hundred and twentie pownds
13s. 4d. Sterlinge.

Which was payed as followeth, viz. by Mis-
tris Hartsyde, the some of ffyve hundred powndis,
and by the Lord Knyvett, the some of nyne
hundred and twentie powndis.

GEORGE HERIOTE.

Sould and deliuered to the Queenes most excel-
lent Matie. from the xth of Aprill 1607 to the
xth of February followinge, by George He-
riote, her Highnes' jewellor, these jewells, and

other furnishings vnderwritten, extending in all to the some of One Thowsand, Sixe Hundred, Threescore-one Pounds, Three Shillings Sterlinge.

Imprimis, sould and deliuered to her Matie one tablet for a picture, sett with diamonds on the one side,
price lxvj li.

Item, for fower ounces of fyne musk de Levant, at xxxviij s. the ounce, vij li. xij s.

Item, half an ounce of fine cyuett, ij li. x s.

Item, for a glass of balsome, ij li.

Item, for garnishing of a pendant saphier, - - - - - xx s.

Item, for garnishing of a pendant dyamond, - - - - - xx s.

Item, for one care-ring conteyning xxxiiij diamonds, - - - - - xxij li.

Item, to her Matie, on the xiiij of Maye, one ring, with a table diamond on the head, and sett about the bodie with diamonds, - - - - - xlvj li.

Item, for making of an care-ringe, x s.

Item, made to her Mat^{tie}. a backside
for a tablett, weighing in gold xviiij
pennywaight, extends to - ij li. xiiij s.

Item, for makinge of it, - iij li.

Item, sould and deliuered to her
Mat^{tie}., on the xvijth of June, one
ring, with a great pointed diamond, ic li.

Item, for a casse of crimson vel-
uett, for a tablett, with her Mat^{ties}.
picture, - - - xij s.

Item, the same daic, to her Mat^{tie}.,
a hoop ring grauen, - - xvj s.

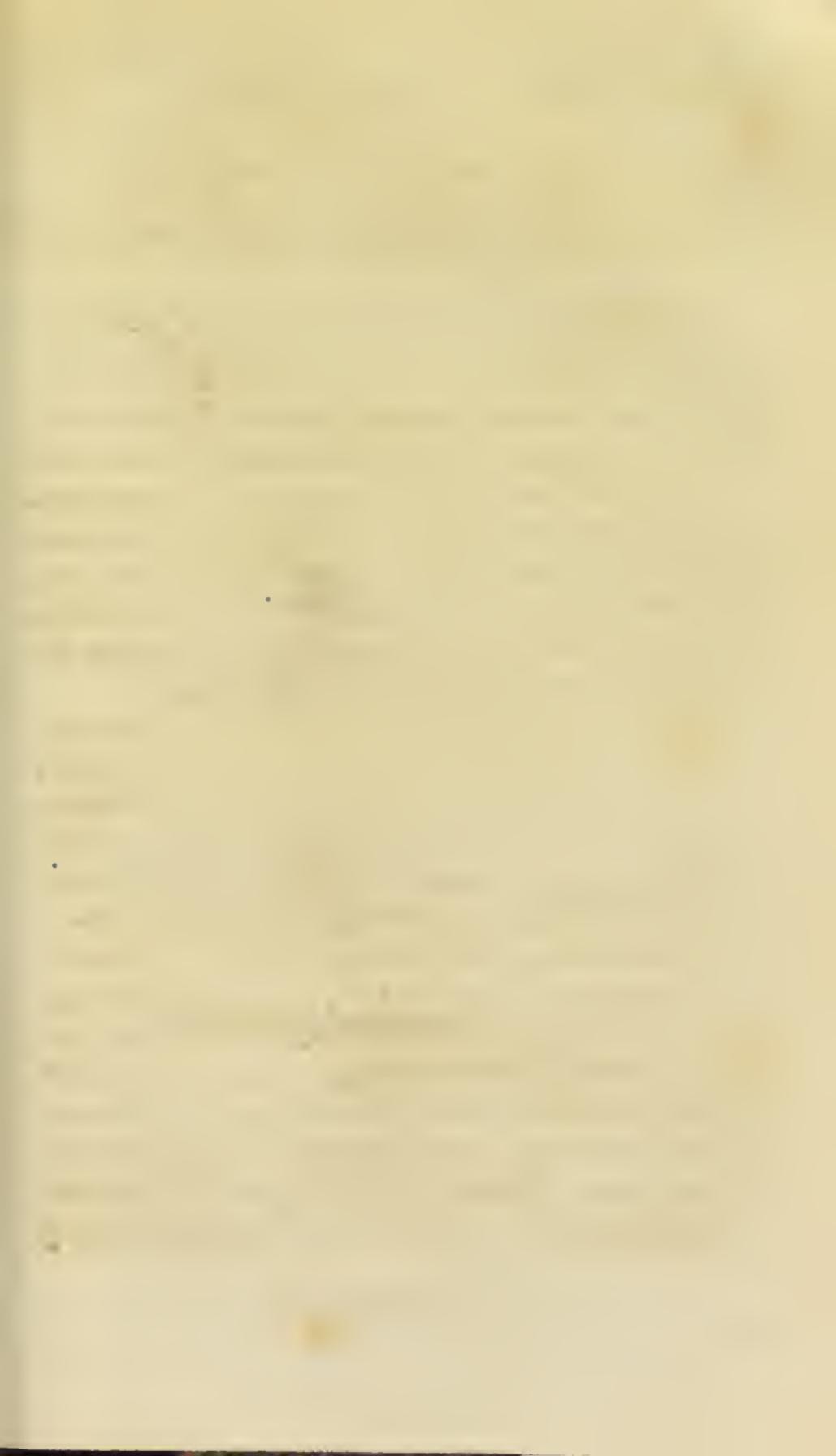
Item, deliuered to Margarett Hart-
syde, * a ring sett all about with dia-

* This gentlewoman was tried in Edinburgh, 31st May 1608, for stealing a pearl, worth L. 110 Sterling, with other pearls, jewels, and goldsmiths' work, pertaining to the Queen's Majesty. She pretended that she retained these jewels to adorn dolls, for the amusement of the royal infants, and believed that the Queen would never demand them; but it appeared that she used "great cunning and deceit in it, and disguised the jewels so as not to be easily known, and offered them to her Majesty in sale." The doom pronounced against her by the King's special warrant was to be declared infamous, to pay L. 400 Sterling, as the value of the jew-

monds, and a table diamond on the
 head, which she gaue me to vnder-
 stand was by her Mat^s. direction,
 price, - - - xxx li.

els abstracted,—to be imprisoned in Blackness Castle till she pay, and to be confined in Orkney during her life.—“ Dec. 1619, compeared the King’s advocate, and produced a letter of rehabilitation and restitution of Margaret Hartsyde to her fame, who was convict of theft in August 1608, as his process instructs.” *MS. Abst. Justiciary Record*. The following letter, written by Mrs Hartsyde, is printed from the original: addressed—“ To the Richt Honorabill my werrie gude friend the Laird of Kilsythe :”—

“ RICH T HONORABILL SIR,—I houpe^r ye will pardone me that hes beine so lang in wreting to you, my advuis will skently give me so mikill lasur as to remember my friendis. I wonderit at your soddene depertar, till I hard from you, that ye was delectit hame in hest; but I houpe ye will be heir shortly, according to your promeis. Hir Matⁱ. askeit for the ionuell efter ye was gone, and sead, sbe wonederet that ye did not delyuer it whan ye was heir. I tauld hir Matⁱ. that ye was myndit to delyuer it to her Matⁱ. yourselfe, but that ye was send hame soneer nor ye locked for, for some perticler aduis; and that hir Matⁱ. neidit not to feir but it was sure enouche. Therefore, if ye come not heir shortly your selfe, I pray you send it with the first sure beirer, that ye can have command, heir,—for I haue no will that her Matⁱ. be angrie for it. Gif there be any more of that porpose, that ye



John Herriot

The account of my furnishing
maid to her ma^{tie} from the xth of
June 1608 to the ix of aprill
1609 extending to the some of
2896^l 6^s money of England

George Herriot


the x of febreuer

Margaret Hartshill

Item, furnished to a tablet made for
to be sent to her Ma^{ts} mother, the
Queene of Denmark, xvj table dia-
monds at xlv s. the peece xxxvj li.

Item, furnished to the said tablett
xxxvj diamonds at xx s. the peece, xxxvj li.

Item, vj diamonds at iij li. the peece, xviiij li.

Item, ij diamonds at v li. the peece, x li.

Item, for the diamond in the midle of
the backside of the said tablet, xxxiiij li.

wret to my husband, let us hear of it; and if we find it for us, there sall none deel more honestly with you nor we sall. But I think there is not ane house upone Libbertone; * but, however it be, if it be to sell, I pray you aduerteis my husband. My hartly commendatiouns to your selfe—commitis you to Godis protec-
sioune, and restis

“ Your loucing freend to my pouere,

“ MARGARET HARTSYDE:

“ *From Whythall,*

“ *the x of Fabreuer.*”

* Libberton, in Lanarkshire, then belonging to the Duke of Lenox and Richmond. Sir William Livingstone of Kilsyth, to whom this letter is addressed, was agent for the Duke in Scotland, one of the Lords of Session, &c.—*Peccage of Scotland.*

- Item*, for making the said tablet, xxxij li.
- Item*, for a case of veluett to it, xij s.
- Item*, to her Matie the xiiijth of September, one ring sett with ix diamonds, price - xxxiiij li.
- Item*, on the ffirst of October, one ring, contayning v diamonds, vii li. x s.
- Item*, to her Matie on the iiijth of October, a litle pendant, in forme of a C, contayning xix diamonds, xx li.
- Item*, to her Matie the viijth of October, a ring of a cross of diamonds, xxv li.
- Item*, for gold and makinge of a bracelet of diamonds, saphiers, and pearle, - - - ij li.
- Item*, on the xxth of October, a ring sett about with diamonds, - xxiiij li.
- Item*, a ring, contayninge v diamonds, viij li.
- Item*, one eare ring, sett with a table diamond, - - - iiij li.
- Item*, for gold and makinge of a foote for the picture of Hercules, - xxx s.

- Item*, for gold and making of a bras-
 lett of rubies and opalls, - iij li. xs.
- Item*, furnished to the said braslett,
 ij rubies, at ij li. xs. the peece, v li.
- Item*, to it one opall, price - xxxvj s.
- Item*, one ring, in forme of a garter,
 of diamonds and rubies, - iiij li. x s.
- Item*, on the iiijth of December, a
 ring, in forme of a pense, sett with
 v diamonds, price - - xxxvj li.
- Item*, on the viijth of December, a
 border of gold, sett with pearle, xx li.
- Item*, garnished xij saphiers, waigh-
 ing in gold xij penywaight, ij li. xiiij s.
- Item*, for making of them, iij li.
- Item*, for pearcing and polishinge of
 ij of the saphiers, - - xx s.
- Item*, for a ring with vij diamonds, ix li.
- Item*, for sundrie mendings in the
 tyme aforesaid, - - iij li.
- The ffirst of January 1607,*
- Item*, delivered to her Matie, one jew-
 ell, in forme of a feather, sett with

diamonds ; one other round jewell,
 also sett with diamonds ; price of
 both two hundreth pownds, ij^c li.

Item, xxiiij gold buttons, sett with a
 diamond in each of them, at iiij li.

x s. the peece, - - - - - i^c viij li.

Item, a tablet for a picture, sett with
 diamonds, - - - - - lx li.

Item, one great ring, in forme of a
 hart, - - - - - lxxx li.

Item, a ringe, with a table diamond
 on the head, and sett about with
 diamonds, - - - - - xxxij li.

Item, one other ring, sett about with
 xxiiij diamonds, - - - - - xxij li.

Item, a ring, contayning five dia-
 monds, - - - - - vj li.

Item, taken out of a chayné, which I
 shewed vnto her Ma^{tie}, iij rings,
 price of them, - - - - - iij li.

Item, the garnishing of her Ma^{ts} great
 saphier, waying in gold x peny
 waight xij graines, - - - - - xxxij s.

Item, for makinge of the said garnish-

inge, - - - - - ij li. x s.

Item, made a screw and a bodkin for

a jewell, waighing in gold vij peny

waight xij graines, - - - xxij s. vj d.

{ *Item*, for makinge the said screw and

nedle, - - - - - xij s.

Item, for garnishinge two great pen-

dant rubies, - - - - - xx s.

Item, for makinge a ring for a great

diamond, - - - - - xxiiij s.

Item, it waighed in gold iij peny

waight xij graines, - - - x s. vj d.

Item, a ring, contayning vij diamonds, vij li. x s.

Item, delivered to her Matie on the

xxviiijth of January, a ring with ix

diamonds on the head, and sett

about with diamonds, - - - l li.

Item, a feather for a hatt, all sett with

diamonds, - - - - - i^c l li.

Item, on the x of Februarie, a jew-

ell, with an A and two C C, sett

with diamonds, - - - - - iij^c li.

Summa total: of this accompt is,
 one thowsand sixe hundred
 threescore one powndes three
 shillings Sterling.

Rests vnpaid of this accompt, the some of eight
 hundreth fowerscore pounds Sterlinge.

ANNA, R.

(On the back.)

Receaved by the Queene's most excellent
 Mat^s. direction, by me, George Heriote, her
 Highnes jewello^r by the handis of Mr David
 Abercromey, her Mat^s's servant, the soume of
 seauen hundreth fowerscore one powndes, in
 parte of payment of the soume of one thowsand
 sixe hundred threescore one powndis within
 mentioned. In witnes whereof, I have hereto
 subscribed my name the xjth daie of March,
 A^o Dⁿⁱ. 1607.

GEORGE HERIOTE, Your,

The following list is made out from the other Accounts of Jewels, the most curious only of which are here enumerated.

A ring in form of a garter ; a case for a jewel of crimson velvet, laid with gold lace ; for making a brilliant in form of a ship ; for gold, and making of a Valentine ; for 48 nails of gold ; for garnishing 32 great pearls, with needles of gold ; 21 pennyweight of gold to a spoon, and making the same ; for gilting and garnishing a cup of jasper-stone ; for making a claw ring for a pointed diamond ; 40 gold buttons, a diamond in each ; a jewel, in form of an A, set with diamonds ; for setting of a great diamond in a ring, which her Majestie had taken out of the ring herself ; making a tablet for a picture, and a crystall to the said tablet ; * a ringe sett with 5 little Turkis stones ; for making and gilting of 4 great clasps for two great books ; a ring

* The crystal for pictures was very expensive.

in form of a rock ; a ring with a heart and a serpent, all set about with diamonds ; a ring in form of a flower-de-luce of diamonds ; a pendant all set with diamonds ; for 14 great buttons, and 14 Scotis diamondis sett in them ; for gold, and making a skrew and a bodkin for a great rubye ; for silver, and making of 13 dozen of buckles, whereof 4 dozen were gilt ; a ring, set with 5 diamonds, in form of a rose ; a coronet of pearls and diamonds ; a cross of diamonds ; two pendants made like Moores' heads, and all sett with diamonds ; a ring with a single diamond set in a heart betwixt two hands ; 9 diamonds furnished to the bay leaf ; for gold, and making of a muske million, wherein there stood a great rubye ; furnished to the said muske million 21 diamonds ; a great ring, in forme of a pence, sett in the head and about with diamonds ; two flies with diamonds ; a great ring, in the forme of a perssed eye and a perssed heart, all sett with diamonds ; a ring, in forme of a dart, sett with diamonds ; 64 ounces of small seed pearle ; received from Patrick Simpson, servant to our

said jeweller; one great ring, in forme of a frog, all sett with diamonds, price two hundreth poundis. *Item*, from the said Patrick, a jewell in forme of a butterfly; a jewell, in forme of a lillye, sett of diamonds; a pendant, sett with diamonds, in forme of the letter C; a broach for a hatt set with diamonds; a ring, set with diamonds, in forme of a St Andrew's Crosse; for a pearl pendant, and crystall to a tablet; an anker set with diamonds; a lock of a braslet set with 9 diamonds. *Item*, for a diamond was hung to a pendant of a Moore's head; 5 ounces and a half of fyne civett, at *li.* 4 the ounce; a braslite set with diamonds, emerodes, Turkois, and rubies; a racket of gold set with 38 table diamonds; for making of 30 pieces of a collar of roses, set with great diamonds; garnished 60 muske beads, and two muske pendants; for gold, and making of a needle and a skrew for the King of Denmark's picture. The embrotherer 28 ounces of pearl; to Matthew Harestenes, by her Maj. directions, a ring set with 13 table diamondis; for twyce making of a

gold needle sett with 60 diamondis; for making of the said needle the third tyme; for making a casse for a picture on the backside of a rose and diamondis; a jewel in forme of a honey-suckle; a pair of pendants, made lyke two drums, set with diamondis; to the goldsmith's officer for warning of her Majestie's diamond, which was lost at Salisburie, 6s. 8d.; the Prince's cypher sett with 38 table diamonds. March 1611; for a christall to the infanteis picture, and mending of the tablet, 1611; a ring, in fashion of a dart, sett about with diamonds; a ring, sett with a diamond, in forme of a hart, and a diamond in forme of an eye; a ring with a table diamond enamelled black; a ring enamelled blew, sett with an harte diamond; a ring with a harte and two handis sett with a diamond; two gold chaines; a jewel, in forme of a jolly flower, sett with diamonds; a diamond cut with fawcette, sett in an open clawe ring; a table buike sett on both the sides with diamonds; a jewell, in forme of a horne of abundance, set with 6 rose diamondis, and 12 table

diamondis; due unto him more for jewelles retained into her Maj. owne handis, to be carried on her first and second jorneyes to the Bathe, viz. in April 1613, and August following, mmmv^cxlvi *li. x s.*; for 12 ounces of fair round curallae; a ring of a blacke hert, with a table diamond; for peircinge 12 rocke rubies; furnished to the said braslete of rubies 11 diamondis; owing by the Lady Sutch fower score and one powndis, which she affirmes her Maj. is pleased to paye; a pair of peer pendants sett with diamondis; a ring of a burning heart set with diamondis; a jewell, in forme of a starre, set with diamondis; two pendants of diamonds like the letter A; a little pendant diamond was hunge at a heart of a turquois; for gold, and making a nidle for the hair; for a crystall to the tablet wherein is the Infant of Spain's pictur; *i li. 10 sh.*; a ring, in forme of a scallope shell, set with a table diamond, and opening on the head; a cross ring set in lossen fashione; a hert ring sett all about with diamondis, and opening with a cross of diamondis within the head of it;

a pair of pendentis of two handis, and two serpents hanging at them; a parrate of diamondis; a pendant, made like a corslete, set with diamonds; a ring of a love trophe set with diamondis; two rings, lyke black flowers with a table diamond in each; a pendant of a coronet herte; a ringe, like a froge, set with diamonds, opening on the head; a ring like the letter A set with diamonds; for mending the King of Denmark's cipher, and making a nidle and a huike to it; a tablet, with a ciper A and C, set on the one syde with diamonds; for setting of a great table diamond, and a longe pendant diamond in a jewell a joure; an S ring sett with diamondis; a ring of a Jerusalem cross of diamonds; a leaf ring of diamonds; a daissie ring sett with a table diamond; a jewell in fashiione of a bay leaf, opening for a pictur, and set with diamondis on the one syde; a pair of lizard pendentis set with diamondis; a starre pendant set with diamonds; a pendant set with diamonds in leafe fashion; a ring in forme of a pierced hart; a jewell for a hatt, in forme of a

bay leafe, all set with diamonds; for a little watch set all over with diamonds, sold the 12th Sept. 1611, 170 *L.*; for a ryng sett all over with diamondis, made in fashion of a lizard, the same day, 120 *L.*; a crosse, with 6 table diamondis and three pendantis; two globe pendantis set with 48 diamondis; two peare pendantis set with diamondis; a ring set with 3 diamondis in forme of a flieing hart; a cupp of gold, with a cover to it, and a say-taste of gold, both graven and enamellit, 26 *L.*; a ring set with 9 diamonds, and opening on the head, with the King's picture in that.*

* Her Majesty's collection of rings appears to have been numerous and expensive. There is a notice in Pennant's *Tour* of the destination of one of them. In describing the pictures at Taymouth, the seat of the Earl of Breadalbane, Mr Pennant mentions the last Sir Duncan Campbell, a favourite of James VI. and not less so of Anne of Denmark, who, after the accession, often by letter solicited his presence at her new court, and sent him, as a mark of "innocent esteem, a ring set with diamonds, and ornamented with a pair of doves."—We doubt not this ring was bought from Mr Heriot, though we have not found it in any of his accounts.

WARRANT of Privy Seal for Payment to
George Heriot of Seven Hundred and
Fifty Pounds, 18th October 1605.

JAMES, by the grace of God, Kinge of England, Scotland, France, and Ireland, Defender of the Faith, to the Treasurer and Chamberlains of our Exchequer, greeting.—Whereas, at the departing from hence of the Conte Villa Mediana, late ambassadour here from our good brother, the Kinge of Spaine, there was bought of George Heriott, goldsmith, by the Queene, our most deere wife, a cheine of stone, and pearle of the value of fower hundred and fiftie pounds, and a tablet, with a picture therein of our said wife, the Queene, ammounting to the soume of three hundred pounds, which tablett was given to the said ambassadour himself, and the cheine to the ladie, his wife; we will, and command you, out of our treasure, in the receipt of our Exchequer, to cause to be delivered and paid to the said Georg Herriott, or to his assigne, both

the above said soumes, ammounting in the whole to seaven hundred and fiftie pounds ; and theis our letters shalbe your sufficient warrant and discharge in this behalf. Given under our privie seale, at our Pallace of Westminster, the eighteenth daie of October, in the third yeare of our raigne of England, France, and Ireland, and of Scotland the nyne and thirtith.

WARRANT of Privy Seal for Payment to
George Heriot and Others, of various
Sums of Money, 22d January 1606.

JAMES, &c.—To the Treasurer and Chamberlains of our Exchequer, greeting.—Where wee have caused a collection to be made of divers and sondrie soumes of money due to divers creditours of our deerest wife the Queene, for sondrie commodities had of them, and works done for hir from the Feast of th' Anunciation of the blessed Virgin Mary, in the yeare of our Lord God 1604 vntill the Feast of St Michaell, th' Archangell, in this present yeare 1605, which wee are pleased to see discharged, as the same convenientlie may bee, with respect to the payment of our ordinarie necessarie and important affaires of our realme, whereof wee finde by the said collection the severall soumes ensuing to be due to the persons hereafter named; that is to saie, to S^r William Stone, Knight, of London, mercer, aswell the soume of five thowsand

fortie-twoe pounds fowreteene shillings sixe pence; as alsoe, the soume of five hundred fowerscore seaventeene pounds to George Herriott, goldsmith; four thowsand pounds to Thomas Henshaw, silkman; five thowsand twoe hundred threescore eighteene pounds sixe shillings eleaueu pence to Elias Filliar, of London, linnen draper; one thowsand five hundred fiftie-sixe pounds seauen shillings sixe pence; and to diuers artificers four thowsand five hundred threescore twelve pounds sixe shillings eight pence, appering by a schedule, subscribed by the Auditor Generall of our said wife the Queene, amounting, in the whole, to the soume of twentie-one thowsand forty-sixe pounds fifteen shillings and seauen pence. Wee will and command you, of such our treasure as now, or hereafter shalbe in the receipt of our Exchequer, to deliver and paie, or cause to be delivered and paid, to our trusty and welbeloved the Lord Carew, Baron of Cloperton, Vicechamberlain and Receivour-Generall to our said wife, or to his sufficient assigne, the said soume of xxj m.

xlvj *li.* xv *s.* vij *d.*, to be paid over to the said creditours, in full satisfaction and discharge of soe much owing to them for diuers jewells and other commodities, had and required of them, for the vse of our most deere wife the Queen, from the Feast of th' Anunciacion of the blessed Virgin Mary 1604; which abovesaid soume of xxj *m.* xlvj *li.* xv *s.* vij *d.*, our will and pleasure is, shalbe delivered and paid to the said Lord Carew, or his sufficient assigne, without imprest or other charge to be imposed upon him, his heires, executours, administratours, or assignes, in our Exchequer, for the said soume, or for anie part or percell thereof, or of anie accompt to be made thereof, before anie the Auditours of our Exchequer, but onelie before the Auditors-Generall of our said wife the Queene; for soe is our expresse pleasure, that hee shalbe accomptable for the same, and not elsewhere; the said Auditour having a due charge thereof, by certificate from the Receipt of our Exchequer. And theis our letters, with the acquittance or acquittancis of the said Lord Carew, or of his sufficient

assigne, testifying the receipt thereof, shalbe your discharge herein. Given vnder our privie seale, at our Pallace of Westminster, the twoe and twentieth daie of January, in the third yeare of our raigne of England, France, and Ireland, and of Scotland the nyne and thirtieth.—

Mr HERIOTT'S Acquittance for 500*l.* pay'd to him by her Majestie's speciall direction, 24th July 1609.

MY LORD,—It is her Majestie's pleasure that your Lordship deliuer to George Heriot, her Majtie's jeweller, the summe of fyfve hunder pound money, as part paiement of greater summes due to him. JANE DRUMOND.*

* This lady was third daughter of Patriek, third Lord Drummond, married Robert, second Earl of Roxburghe, and was mother of Hary, Lord Ker. She possessed distinguished abilities, was governess to the royal children, an office which she executed with much applause, and was one of the ladies of her Majesty's bedchamber, and for her long and faithful service, was rewarded with a free and princely gift of L. 3,000. In the Gentleman's Magazine for February 1799, there is a fac-simile of the signature of Jane, Countess of Roxburghe, to a receipt for L. 500, part of this sum, dated 10th May 1616.

The Countess of Roxburghe died 7th October 1643, and was buried in the family vault, in the Chapel Royal, Holyrood House.

Received of ye Lord Knyvett, the xxiiii day of July 1609, accordinge to her Matie's expres commandement, signified by Mrs Jane Drumond, the somme of fyve hundreth pounds of lawfull money of England. Witnessse my hand, the day and yeare above written, I say recd.

G. HERIOTE.

The occasion of her funeral was fixed by the Royalists as a convenient rendezvous for a massacre of the leading Covenanters, but, as recorded by Mr Laing, their numbers proved too inconsiderable for the attempt.—(*Vide Hist. of Scot.* Vol. III. p. 260.)—The vault in which the remains of this distinguished woman were deposited was long open to public view. The Editor remembers seeing her coffin and remains 30 years ago, shortly after which period it is believed the vault was closed.

PLATES TO THIS WORK.

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