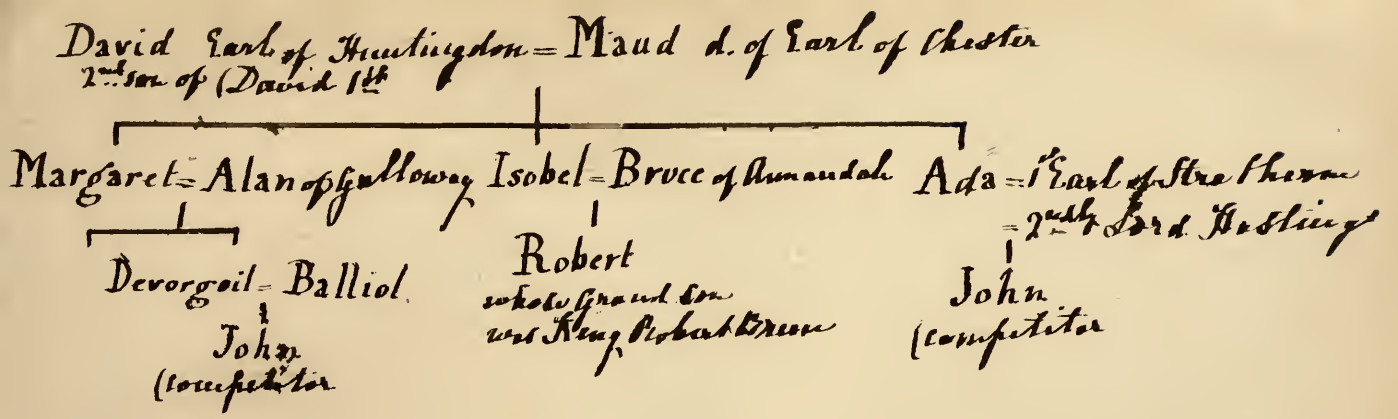
OUR

SEVEN CENTURIES.

William Robert Reid


David Earl of Huntingdon = Maud d. of Earl of Chester
2nd son of David 1st
Margaret = Alan of Galloway
Isobel = Bruce of Annandale
Ada = 1st Earl of Strathern
= 2nd Lord Hastings
Devorgoil = Balliol
John
(competitor
Robert
whose Grand Son
was King Robert Bruce
John
(competitor

OUR

SEVEN CENTURIES,

AN ACCOUNT OF THE

MERCERS

OF

ALDIE AND MEIKLEOUR,

AND THEIR

BRANCHES, FROM A.D. 1200, TO THE PRESENT TIME.

τίη γενεὴν ἐρεείνεις;
Οἵη περ φύλλων γενεὴ, τόιηδε καὶ ἀνδρῶν.
Φύλλα τὰ μέν τ' ἄνεμος χαμαδις χέει, ἄλλα δέθ' ὕλη
Τηλεθόωσα φύει, ἔαρος δ' ἐπιγίγνεται ὥρη
Ὥς ἀνδρῶν γενεὴ, ἡ μὲν φύει, ἡ δ' ἀπολήγει.
Εἰ δ' ἐθέλεις καί ταῦτα δαήμεναι· ὄφρ' εὖ εἰδῆς
Ἡμετέρην γενεὴν, πολλοί δέ μιν ἄνδρες ἴσασιν

Il. Z. 145.

Perth:
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MDCCCLXVIII.

[*For Family circulation only.*]

THESE REMINISCENCES

OF

THOSE WHO HAVE GONE BEFORE,

ARE

Dedicated

TO

THOSE WHO ARE TO FOLLOW,

BY THEIR

FAST-FLITTING-FORE-SHADE,

THE SEANACHIE.

OUR SEVEN CENTURIES.

THE Rev. Mr James Scott, who had for 35 years been one of the ministers of Perth in 1796 published a Statistical account of that town and Parish, in which at p. 57 et seq., he gives some notices of the antiquity of the family of Mercer of Aldie, and Meikleour. Dr William Thomson, minister of the Old Church Parish, drew up the new Statistical account of Perth in 1844, and he also devotes some space at pp. 54, and 71, to the family history, indeed, any history of Perth would be incomplete, did it omit all mention of a family so intimately connected with its earliest reminiscences as to have originated the old saying—"The Mercer's aye are aulder than auld Perth."

At p. 61, Mr Scott gives a copy of an epitaph "written on one of the old representatives of the family, which was, and perhaps is, still to be seen in some part of the burying-vault, it runs thus"—

"Mercer solennem, claudit lapis ista Johannem
Qui, dum vivebat. gratus in urbe fuit
Mille ducentenos, vixit annos octuagenos,"

Which may be thus rudely rendered,—

Grave old John Mercer, lies within this stone,
A pleasant man as e'er in Perth was known,
The thirteenth century, when he left life's stage,
Attained with him, their 80th year of age.

Mr Scott says of this vault—"This very ancient vault has its opening from within the middle church, near to the north side of the north aile, and extends northward, a considerable way, from under the *north* wall."

"The tradition concerning it may be seen in the following old verses, which I received many years ago from a gentleman in Aberdeen, the late Mr David Mercer, who was a descendant of the family. They appear to be a translation from the Latin."—

On the Arms of Aldie.

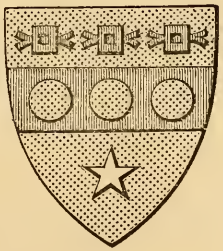
"Behold the arms of the Mercers are
Three mill rynds, three gold balls, with glistering star;
To let the world know that their ancient race
Possess'd three mills, for many ages space,
In pleasant Perth, near situate by Tay;
Which mills Perth keeps unto this present day.
Three balls next shew them potent in each thing;
Therefore they gift these mills unto the King.
Who for their golden gift, and loyal mind,
With arched tomb in church did them provide,
With lands, rents, arms of privilege and fame,
Kept now by Aldie's lairds chief of the name.
Lastly, the star, clear shining as a gem,
Proves their descent out of Moravian stem.
Likewise their will and virtue doth presage
In name and fame to last with shining age.
Therefore men may avow, with justest breath,
Mercers are yea older than old Perth."

"The two concluding verses, in which the Mercers are represented as older than old Perth, refer to the fabulous story of Hector Boece."

"There can be no doubt but that the Mercers obtained the burying vault in the church by a grant from the King. It is a fact which never has been questioned. But if so, it shews the antiquity both of the church, and of the town, for the royal grant must have taken place prior to, and perhaps long before, the year 1126; because in, or about that year, the King had given

away to the abbey of Dunfermling all right that he had to dispose of any part of the parish church."

Mr Scott elsewhere remarks on the lines descriptive of the arms, that he supposes them to be a translation of some Latin verses of Arthur Johnstone; there can be little doubt however, that they were the original composition of Colonel William Mercer, youngest son of Mr John Mercer, minister of Methlick, and afterwards of Slains, in Aberdeenshire, "a soldier," and a "lover of the Muses," as he styles himself, who was born in 1605, and died circiter 1684: the heraldic emblems which he erroneously describes as "mill rynds," were crosses patées, and the golden balls besants; the reason for the adoption of these will be given hereafter; the story of the mills is a creation of the poetical colonel's fertile imagination, the motto, "Crux Christi nostra corona," has a direct reference to the crosses patées, but is altogether inapplicable to the mill rynds. A silver star on a golden shield is heraldically incorrect. The Arms as described in the lines would be thus blazoned—



The more ancient tradition asserts that the Mercer's gave the North and South Inches to the King, (from whom they passed into possession of the town), and that the family in return obtained the burial vault within the cathedral church of St John, in Perth, whence originated the "bon mot," of the witty Harry

Erskine, which has been hitched into the following popular couplet or folk rhyme :—

> " Folk say the Mercers tried the town to cheat,
> When for two Inches they did win six feet.

This same Colonel Mercer had a very exalted idea of the antiquity of the family (with which by the way he claimed, but when put to a judicial test, was unable to prove kinship), as in his " Penman's Apologie," published in 1673, he says—

" They have been Mercers near nyne hundred years."

Could this be relied upon, the family might now claim an antiquity of eleven centuries, but unfortunately for it, and the poet himself, he, in his " News from Parnassus," candidly confesses " I am privileged to lie," an admission fatal to his veracity.

The epitaph carries John Mercer, back to A.D., 1200; the vault is still in possession of his descendants, an existence of seven centuries ought therefore to suffice the genealogical pride of any family out of Jewry. John Mercer died in 1280: of his children records and tradition are alike silent, but a charter is extant, and given further on in extenso, dated 10th February, 1353–4,[1] noticing the grand-father Thomas, his son John, and grandson Andrew, which carries the birth of the first of these back prior to the year, 1280; and Ragman Roll enumerates four of the name showing that more than one scion of the race existed at the period to form the connecting link, between Thomas and Mercer solennis, these are—

Stephen Mercer, burgess of Berwick, who swore fealty to Edward I., on 3rd June, 1291.

Austin Mercer, burgess of Roxburgh, who swore fealty in 1296.

Walter Mercer, burgess of Montrose, who swore fealty in 1396.

And Bernard le Mercier, burgess of Perth who swore fealty

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[1] See page 9.

at Berwick, on the 28th August, 1296; but it is not sufficiently clear whether his surname was Mercier, or whether he was "le Mercier," or chief person of his trade or calling in the town of Perth, at this date: certain it is, that Bernard never occurs as a Christian name in the Aldie, or in any Scottish, family; it may therefore be concluded, that the latter supposition is the more tenable one.

In Aberdeen also, in 1292, Duncan Mercer founds an altarage in the church of St. Nicholas, he appears to have had a son, Thomas, who was Provost of Aberdeen in 1342; it is not improbable that Thomas of Perth, and Duncan of Aberdeen, were brothers, but this cannot be asserted as an ascertained fact, nor can it be authenticated, that the John Mercer mentioned in the Exchequer Rolls, is identical with John Mercer, the first of Aldie; but all the other notices hereafter given have clear and incontrovertible reference to him and his descendants. The notice in the Exchequer Rolls is in an account produced by the Chamberlain of Scotland, of his transactions between 18th March, 1327-8 and 26th June, 1328, wherein he pays to the wife of John Mercer, and certain Flemish merchants the sum of 33s. 4d.[1] 26 June, 1328.

John Mercer, burgess of Perth, witnesses a deed between the Alderman, Bailies, and Community of Perth, on the one part, and William Dispensar, on the other part, by which the former grant, in perpetuity, to the latter the Customs of the Bridge of Perth, and the latter grants to the former £3 annually, out of his lands of Gilgerston (now Kilgraston), in perpetuity, for the building of the Bridge of Perth. 20th June, 1344.[2] 20th June, 1344.

The First Charter connecting the Family with Aldie, is the

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[1] Chamb. Roll, Vol. 1., p. 26. [2] Mag. Sig. Reg., p. 30, No. 100.

following, by which John Mercer gets the Ward of the Lands of his Brother-in-law William Murray of Tolibardyn:—

Perth, Thursday, 31 May, 1352.

Venditio warde et relevii terrarum Willelmi de Moravia de Tolibardyn. (Origin. in archivis Ducatûs de Athol.)

Pateat universis per presentes, nos Johannem de Meneteth vicecomitem de Clacmanane, prorsus et libere vendidisse Johanni Mercer, burgensi de Perth totum jus et clameum quod habumuis, vel habere poterimus, in Wardis seu releviis terrarum domini Willelmi de Morauia domini de Tolibardy datis et concessis nobis per Willelmum comitem de Sotheyrland et dominam Johannam comitissam sponsam suam, comitissam videlicet de Stratheryn, vna cum iure quod habuimus in annuo redditu de Pytver et Aldy per Cristianam More, sponsam quondam Reginaldi More, pro quadam summa pecvnie nobis integraliter persoluta pre manibus. In cuius rei securitate obligamus nos et heredes nostros ad warrantizandum predicto Johanni Mercer et heredibus suis ac assignatis predictam wardam seu releuium contra prefatum comitem de Sotheyrland et comitissam de Stratheryn sponsam suam legitimam. In cujus rei testimonium praesentibus sigillum nostrum est appensum, una cum sigillo Walteri Olifant in evidencius testimonium. Datum apud Perth, die Jovis proximo post festum pentecostes, anno domini millesimo trecentesimo quinquagesimo secundo.[1]

[TRANSLATION.]

Thursday, 31 May. 1352.

Sale, by John of Meneteth, Sheriff of Clackmannan, of the Ward and Relief of the lands of Sir William of Murray, Lord of Tolibardyn, to John Mercer, burgess of Perth. Dated 1352. *(Original in the archives of the Duke of Athol.)*

Be it known to all men by these presents, that we, John de Meneteth, Sheriff of Clackmannan, have entirely and freely sold

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[1] "Liber. Insule Missarum," Appendix. p. xliv.

to John Mercer, burgess of Perth, the whole right and claim which we have or could have in the ward or relief of the lands of sir William of Murray, lord of Tolibardyn, given and granted to us by William, earl of Sutherland, and the lady Joan, countess, his spouse, that is to say countess of Strathern, together with the right which we had in the annual rent of Pytver and Aldy, by Christian More, spouse of the deceased Reginald More, for a certain sum of money honestly paid to us beforehand. In security of which thing we bind us and our heirs to warrant to the foresaid John Mercer, and his heirs and assignees, the foresaid ward or relief, against the foresaid earl of Sutherland, and the countess of Strathern, his lawful spouse. In witness whereof our seal is appended to these presents, together with the seal of Walter Olifant, for the more evident testimony. Given at Perth, on the Thursday next after the feast of Pentecost, in the year of our Lord 1352.

The next Charter connected with the Family is the one above alluded to, in which the three generations are mentioned.

Carta Johannis Mercer de terra in vico Sellatorum de Perth.

Scone, 10 February 1353-4.

Anno ab incarnacione Domini millesimo trecentesimo quinquagesimo tercio, decimo die mensis Februarij, apud Monasterium de Scona, facta fuit hec convencio inter Religiosos viros, Dominos Willelmum Dei gracia abbatem monasterimi de Scona, et eiusdem loci conuentum, ex parte vna; et Johannem Mercer, burgensem de Perth, Andream filium suum, et heredes dicti Andree, ex parte altera: Videlicet, quod dicti abbas et conuentus, ex vnanimi consensu et assensu tocius capituli sui, concesserunt et ad firmam dimiserunt prefato Johanni, Andree filio suo, et herebibus dicti Andree, totam terram suam jacentem in vico Sellatorum de Perth ex parte orientali eiusdem vici, quam de eis tenuit quondam Thomas Mercer pater ejusdem Johannis Mercer, inter

terram domini Regis ex parte australi ex parte vna, et terram quam de eisdem tenuit quondam Robertus Jop, burgensis de Perth, ex parte boreali ex parte altera: primo videlicet anno, pro durabili constructione in eadem terra construenda; Secundo anno, soluendo tres solidos et quatuor denarios sterlingorum; Tertio anno, sex solidos et octo denarios sterlingorum; Quarto anno, decem solidos sterlingorum; Quinto anno, tresdecim solidos et quatuor denarios sterlingorum; Sexto anno, sexdecim solidos et octo denarios sterlingorum; Septimo anno, viginti solidos sterlingorum; Octauo anno, viginti tres solidos et quatuor denarios sterlingorum; Nono anno, viginti sex solidos et octo denarios sterlingorum; et quolibet anno exinde inperpetuum, viginti sex solidos et octo denarios sterlingorum. Et si contingat dictos Johannem, Andream filium suum, et heredes ejusdem Andree, infra nonum annum dictam terram in forma prenotata non edificasse, idem Johannes, Andreas filius suus, et heredes dicti Andree, eis et successoribus suis sex libras sterlingorum bonorum et legalium, nomine pene, sine aliquali remissione decimo anno persoluent. In cujus rei testimonium, parti hujus indenture, penes predictos Johannem Mercer, Andream filium suum, et heredes dicti Andree remanenti, sigillum commune capituli dictorum religiosorum est appensum; parte vero, penes predictos religiosos remanenti, sigillum predicti Johannis Mercer est appensum.[1]

[TRANSLATION.]

Scone, 10 February, 1353-4.

Indenture between Sir William, Abbot of the monastery of Scone, and John Mercer, burgess of Perth, and his son Andrew, relative to land belonging to the said monastery, in the street Sellatorum, of Perth. Dated, 10th February, 1353-4.

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[1] "Liber, Ecclesie. de Scone," p. 127.

In the year from the incarnation of our Lord, 1353, on the 10th day of the month of February, at the monastery of Scone, this agreement was made between the religious men, Sir William, by the grace of God, Abbot of the monastery of Scone, and the Convent of the same place, on the one part, and John Mercer, burgess of Perth, Andrew his son, and the heirs of the said Andrew on the other part,—that is to say, that the said Abbot and Convent, with the unanimous consent and assent of their whole chapter, have granted, and let in farm to the foresaid John, Andrew his son, and the heirs of the said Andrew, their whole land lying in the street Sellatorum, of Perth, on the East side of the same street, which the deceased Thomas Mercer, father of the same John Mercer, held of them between the land of our Lord the King, on the South side, on the one hand, and the land which the deceased Robert Jopp, burgess of Perth, held of the same, on the North side, on the other hand—that is to say, in the first year, for a durable building to be erected on the same land; in the second year for paying 3s. 4d., sterling; in the third year, 6s. 8d., sterling; in the fourth year 10s. sterling; in the fifth year 13s. 4d., sterling; in the sixth year, 16s. 8d., sterling; in the seventh year, one pound, sterling; in the eighth year, one pound, 3s. 4d., sterling; in the ninth year, one pound 6s. 8d., sterling; and every year after that to perpetuity, one pound, 6s. 8d., sterling. And if it happen that the said John, Andrew his son, and the heirs of the said Andrew, should not build on the said land before the ninth year in the manner before denoted, the same John, Andrew his son, and the heirs of the said Andrew, should pay to them, and to their successors in the tenth year, six pounds of good and lawful sterling money by way of fine, without any remission. In testimony of which thing, to the part of this agreement remaining with the

foresaid John Mercer, Andrew his son, and the heirs of the said Audrew, the common seal of the chapter of the said religious men is appended; but to the part remaining with the foresaid religious men, the seal of the foresaid John Mercer is appended.

Note.—In this document we have the name of the father Thomas his son John, and grandson Andrew, and may conclude that Thomas was born prior to 1280, beyond this, from the want of documentary evidence, the history of the family cannot be traced with any confidence, the Original Charter is at present in the Register Office, having been given *over to public custody* after the publication of the Liber de Scone, in 1843.

From this Thomas the families of Countess Flahault, Robert Mercer of Scotsbank, W. D. Mercer, of Huntingtower, and the Mercers of Gorthie, can be traced in unbroken descent, to the present time, 1868.

26 September, 1356. On the 26th September, 1356, the procurators of the towns and burghs of Scotland, assembled at Edinburgh, to deliberate on the liberation of David II. (who had been a prisoner in England since the battle of Durham, 17th October, 1346,) appointed the following persons to represent them.

1, EDINBURGH.

Alexander Gylyot (Provost), Adam Core, John Goldsmith.

2, PERTH.

John Mercer (Provost), John Gill, Robert Gatmilke.

3, ABERDEEN.

Laurence Garnok (Provost), William de Leth, John Crabb.

4, DUNDEE.

Mr John de Somerville (Provost), Robert Kydd.

Giving them full power to come to concord, with the Council of the King of England, on the ransom of David. The Clergy, Nobles, and Burgesses finally agreed on the matter, on 26th

September, 1357, and on the 3d October, 1357,[1] the matter was concluded at Berwick-on-Tweed, and David was released on 1st November.[2] 3 October, 1357.

Norman Leslie acting Chamberlain, enters as paid to John Mercer, burgess of Perth, between 29th September, 1357, and 16th March, 1357-8, the sum of £3, 6s. 8d., on account of the King's debt.[3] 9th April, 1359.

Note.—From this and similar entries it appears that John Mercer, was not only a merchant, but also a banker, and in the latter capacity supplied the King with money in his necessity.

Next follows an Indenture between William, abbot of the Monastery of Scone, and Convent thereof, and John Mercer, burgess of Perth, relative to the land of Kyncarrouchy, Dated, 22nd April, 1358.

Indentura Johannis Mercer de terra de Kyncarrouchy. Scone, 22April, 1358.

Hec Indentura testatur, quod vicesimo secundo die mensis, Aprilis, anno ab incarnacione Christi millesimo trecentesimo quinquagesimo octavo, apud Sconam, inter Religiosos viros, dominum Willelmum Dei gracia abbatem monasterii de Scona, et ejusdem loci Conventum, ex parte una; et Johannem Mercer, burgensem de Perth, ex parte altera, facta fuit hec convencio: Videlicet, quod dicti abbas et conventus dederunt et concessrunt ex unanimi assensu et concensu capituli sui, predicto Johanni Mercer, et uni heredi suo legitimo, totam terram suam de Kyncarrouchy, cum omnibus rectis metis et diuisis suis; commoditatibus et aysiamentis, et ceteris pertinencijs, ad predictam terram spectantibus, seu spectare valentibus, molendino excepto, cum quatuor acris dicto molendino annexis, et pastura pro quatuor vaccis: Primis videlicet decem annis, pro fideli servicio suo,

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[1] Scots. Acts Vol. 1, p. 157. [2] Rymers Faedera, Vol. iii., p. 1. p, 132.
[3] Chamb Rolls, Vol. 1, p. 351.

consilio, auxilio et labore, predictis religiosis, tempore impetracionis ecclesie de Blare, factis; et pro construccione edificiorum in dicta terra construenda, et post lapsum dictorum decem annorum, quolibet anno pro toto tempore vite predicti Johannis et heredis sui supradicti, pro quinquaginta tribus solidis et quatuor denarijs bonorum sterlingorum, predictis religiosis et eorum successoribus, ad festa Pentecostes et Sancti martini in yeme, per equales porciones persolvendis. Et predictus Johannes, et heres suus, addeo libere molent blada sua propria ad predictum molendinum de Kyncarrouchy, sicut dictus dominus abbas ibidem molere consueuit; et tenentes eorum, si fuerint, molent blada sua ibidem, ad vicesimum quartum vas. Et predictus Johannes, et heres suus, facient tres sectas, aut nomine suo fieri facient Curijs dictorum Religiosorum infra Goury sub ylef tenendis; tantum pro omni alio seculari servicio, exaccione, et demanda, duplicacione firme, et omnibus alijs oneribus, que de dicta terra exigi poterunt, vel requiri. Sed non licebit dicto Johanni, seu ejus heredi, dictam terram de Kyncarrouchy alicui alteri se potenciori assedare; nisi de consensu dictorum abbatis, et conventus. Et supradicti Johannes, et heres suus, obligant se supradictis religiosis in eorum consilio, auxilio, et labore quociens fuerint requisiti. Et praedicti dominus abbas, et conventus, totam praedictam terram de Kyncarrouchy cum pertinenciis prenominato Johanni, et heredi suo, pro toto tempore vite eorundem, pro predicta firma tantum exsoluenda contra omnes homines, et feminas, warantizabunt ac quietabunt et defendent. In cujus rei testimonium, parti hujus indenture, penes predictum Johannem remanenti, sigillum commune dictorum religiosorum est appensum; parti vero penes dictos religiosos remanenti, sigillum predicti Johannis est appensum.[1]

[1] "Liber Ecclesie de Scone," p. 134.

[Translation.]

Indenture between William, abbot of the Monastery of Scone, and Convent thereof, and John Mercer, burgess of Perth relative to the land of Kyncarrouchy, Dated, 22d April, 1358.

This Indenture bears witness that on the 22d day of the month of April, in the year from the incarnation of Christ, 1358, at Scone, this agreement was made between the religious men, Sir William, by the grace of God, abbot of the monastery of Scone, and the convent of the same place, on the one part, and John Mercer, burgess of Perth on the other part—that is to say, that the said abbot and convent, have given and granted with the unanimous assent and consent of their chapter, to the foresaid John Mercer, and one, his lawful heir, their whole land of Kyncarrouchy, with all its right measures and divisions, commodities and easements, and other pertinents belonging to the foresaid land, or which shall belong thereto, the mill excepted, with four acres annexed to the said mill, and pasture for four cows: To wit, for the first ten years, for his faithful service, counsel, assistance, and labour rendered to the foresaid religious men, at the time of the obtaining of the church of Blare, and for the erection of the edifices to be built on the said land, and after the lapse of the said ten years, for the whole period of the life of the foresaid John, and his heir above-mentioned for 53s. 4d., of good sterling money, to be paid every year to the foresaid religious men, and their successors at the feasts of Pentecost and St. Martin, in winter, by equal portions. And the foresaid John and his heir, shall grind their own corn at the aforesaid mill of Kincarrouchy as freely as the said lord abbot has been accustomed to grind his (corn), and their tenants if any there shall be, shall grind their corn there to the extent of 24 vessels. And the foresaid John, and his heir shall cause, or cause in his name three suits to be made at the courts

Scone, Saturday, 22 April, 1358.

of the said religious men, to be held within Gowry in ylef only for all other secular service, exaction and demand, doubling of farm, and all other burdens, which can be exacted or required from the said land. But it shall not be lawful for the said John or his heir to set in tack, the said land of Kyncarrouchy to any other person more powerful than himself, unless with the consent of the said abbot and convent. And the above-mentioned John and his heir bind themselves to give to the above-mentioned religious men their counsel, assistance, and labour, as often as they shall be required. And the foresaid Lord Abbot and Convent shall warrant, acquit and defend, the whole foresaid land of Kyncarrouchy, with its pertinents to the forementioned John and his heir, for the whole period of their life, for the payment of only the foresaid farm, against all men and women. In witness whereof the common seal of the said religious men is appended to the part of this Indenture remaining in the hands of the foresaid John, but the seal of the foresaid John is appended to the part remaining in the hands of the said religious men.

Note.—From this it may be inferred that John Mercer, had other children besides Andrew, it is probable that they were Robert (1374), Mr Thomas, Archdeacon of Glasgow, 1379, and Mr John, Master of Arts, 1382.

23 December, 1359.

An acquittance by King Edward III, to his beloved merchant, John Walwayn, for a portion of the ransom of David II., amounting to 2500 marks Sterling, paid at Bruges in Flanders, by the hands of John Mercer, burgess of Perth, and Roger Hogg, burgess of Edinburgh.[1]

20 February, 1359-60.

A more full acquittance for the above sum, acknowledging that it was paid on the 24th June, 1359, according to the terms

[1] Rymer Fœd. Vol. iii., part i., p. 191.

of the treaty; it is said to be 2,500 merks out of 10,000 which were payable on the feast of St. John the Baptist, 1359, of the ransom of 100,000 merks, the money was paid at Bruges in Flanders, by John Mercer, and Roger Hog, burgesses of Perth and Edinburgh.[1]

Sir Walter de Byger, chamberlain, renders his accounts from 13th April, 1359, to date, and charges himself with £27, received from John Mercer, as the sum paid by the Sheriffdom of Perth, towards the second contribution for the King's ransom, and enters payment of £673, of the ransom to Roger de Bosville, for the purpose of being remitted to John Mercer in Flanders. He also brings to account a payment of £21, 14s, to John Mercer, burgess of Perth, for wine for the King's use, and of £12, 7s. 7d. for the expenses of the King at Perth, and also of £4, 15s. 7d. for expenses incurred by the King on the 1st of April.[2] 2 May, 1360.

Note.—According to some authorities the sums paid for wine and Royal Expenses in the above account, would at the present value of money have amounted to £1550.

Sir Walter de Byger, chamberlain of Scotland, renders his accounts from the 2nd May, 1360, up to date, and enters payment to John Mercer, burgess of Perth, in Flanders, of the sum of £333, 6s. 8d. in supplement of the 5000 merks paid for the ransom of the King; Also paid to John Mercer £27, for the King's debt; also paid to John Mercer, burgess of Perth, £9, for his extra expenses.[3] 2--, June, 1361.

Note.—This £27, by M'Pherson's calculation would be equal to £710, if the other sum of £9 for the King's extra expenses, equal to £270, be added it makes in all £980, or in the space of two years, £2530. N.B.—£333, 6s. 8d.—500 merks.

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[1] Rot. Scotiæ, Vol. 1., p. 846. [2] Chamb. Rolls, Vol. I., p. 360, [3] Ch. Rolls, Vol. I. pp. 376, 377-9.

21 January, 1361-2. Safe conduct to John Mercer, burgess of Perth, with four companions, to visit England, or any part of his Majesty's dominions, by land or sea, for the purposes of trade. To be in force for one year.[1]

14 August, 1362. Sir Walter de Byger, chamberlain of Scotland, renders his accounts at Perth, from the 5th June, 1361, up to date, and enters a payment made to John Mercer, burgess of Perth, of £14, 6s. 8d. for different sums received for the use of our lord the King, as vouched for by the letters of the King himself.[2]

Note.—This £14, 6s. 8d. is equivalent to £430.

27 September, 1362 Charter by David II. to John Mercer, "our burgess of Perth," of that particle of land falling to us of that land lying in Vico Sellatorum, in the burgh of Perth, between the lands of the Hospital of the Blessed Mary Magdalene and Bridge of Perth, on the north, and the lands of the said John, on the south. Dated at Perth, 27th September, in the 34th year of our reign.[3]

27 September, 1362 Original charter of confirmation by Maurice de Drummond to John Mercer, burgess of Perth, his heirs and assigns, of the Barony of Meiklour, with its appurtenances in the Stormont which belonged to Allan of Kimbucke. Dated at Perth, on Wednesday next after the feast of St Matthew, 1362.[4]

Note.—This is one of the charters in the statement given to Mr James Scott by David Mercer of Aberdeen, as having been found among the papers of the grandfather of David Mercer. This grandfather was James Mercer of Aberdeen, who died 1702; the list was probably made hurriedly when the Aldie charter-chest was searched after the death of Sir James Mercer of Aldie, on the male heir instituting proceedings against Sir James's heirs-female in 1672, and being full of mistakes is not worthy of much

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[1] Rot. Scot. Vol. I. p. 859. [2] Ch. Rolls, Vol. 1., p. 397.
[3] Mag. Sig., p. 33, No. 78. [4] Meiklour Charters.

reliance—it led Mr Scott into many errors. In Mr David's paper the granter of this charter is called Maurice de Cromod, palpably a mistake made by one unacquainted with the writing of the 14th century, when the word would have been written in its contracted form of Drōmōd. This is the first reference to Meikleour in connection with the Mercer family: it is now in the possession of the female representative of the house, as is Aldie; it has, however, for nearly two centuries supplanted the latter as the family residence. There is among the Meiklour charters one granted by Robert the Bruce at Roseneath, dated 7th February, in the 12th year of his reign —that is 1318, confirming a donation made by Malise, Earl of Strathearn, to Malcolm of Innerpeffray, of the tenement of Meikleour. This document in a manner connects the families of Innerpeffray and Meikleour, and gives a colouring to the supposition that Robert Mercer, son of John, obtained the lands of Innerpeffray either by purchase or by marriage with the heiress of the Innerpeffray family. This Maurice Drummond was probably of the house of Cargill; on the 17th December, 1363, he witnesses a Charter by Robert Stewart of Scotland, dated from the Abbey of Inchaffray, as his signature follows that of John Mercer, it may be concluded that John was the more important personage. The Abbey of Inchaffray and Innerpeffray are both on the right bank of the Pow, the latter at its confluence with the Earn, and the former nine miles higher up the stream.

Charter by David II. confirming the above charter of Maurice Drummond to John Mercer, of the Barony of Meikleour. Dated at Edinburgh, 17th February, in the 33rd year of our reign.[1] 17 February, 1362-3.

Charter from Alexander Abercrombie of Murthly, to John 12 May, 1363.

[1] Meikleour Charters.

Mercer of Perth, of a tack of the lands of Obnie for eight years, for the sum of £40 Sterling, for the relief of the Barony of Murthly for the sum to be paid towards the building of the Bridge of Perth.[1]

10 December. 1363. John Mercer, and Maurice Drummond, witness a charter, by Robert the Stewart of Scotland, to Alexander de Blare, of an annual rent of four chalders of oatmeal, and one pound of pepper, out of the lands of Stane and Buretree, dated at the Abbey of Inchaffray, 10th December. 1363.[2]

Note.—This is the charter referred to in note on Meiklour Charter dated, 27th September, 1362.

26 June, 1364. Charter of confirmation by William, Earl of Ross, of a charter granted by Andrew Barclay of Grantully, to John Mercer burgess of Perth, for the lands of Meikle Kinnaird, in the barony of Forgandenny.[3]

Note.—Kinnaird in Forgandenny continued in the family till about 1830; it is now the property of Lord Ruthven. The Barclays of Gairntully, were of the Mather's family. The crosses pateés in the Mercer shield, and the motto are still borne by the Barclay's of Pierston, in Ayrshire, they are said to be of the Mather's, but are probably of the family of Sir David de Barclay, who married the heiress of Brechin, in 1315, and became Lord Brechin, His male line ended with his son David, who left one daughter, Margaret, married to Walter Stewart, second son of Robert II. by Euphemia Ross: he in her right became Earl of Brechin, and subsequently Earl of Athole, and was executed in April, 1437, for the murder of his nephew, James I. Walter Stewart, Lord of Brechin, had the ward and

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[1] Chronicle of Perth, p. 1. [2] Memorials of the Montgomeries, vol. ii. p. 5, [3] Meiklour Charters.

relief of "the umquile" Sir Andrew Mercer from 1390 to 1400, as the next of kin, if he had court interest, usually got the wardship of the heir, it is probable that Walter Stewart and Sir Andrew were connected through their wives being of the Barclay family.

Charter by Walter de Moravia, Lord of Tullybardin, to John Mercer and Ada his spouse, of the lands of Aldie, in the Earldom of Strathearn.[1]

Note.—This charter is without date but is said to be about the same date as the charter for Meikle Kinnaird, *i.e.* 26th June, 1364. The lands are still in the possession of Marchioness of Landsdown, some portion of the Castle of Aldie still remains, but Meiklour has long supplanted it as the family residence. Ada Murray was daughter of Sir Andrew Murray, executed in 1332, after the Battle of Dupplin. She was great-great-great-grand-daughter of Ada, fourth daughter of David, Earl of Huntingdon, whose Second [redacted]t husband was Henry de Hastings—their [redacted]-son competed grandson is correct. for the crown with Baliol and Bruce as her representative; she married First [redacted]y, Malis, Seneschal of Strathearn, and brother of Gilbert, Earl of Strathearn, founder of the Abbey of Inchaffray.

Sir Walter de Byger, late chamberlain, renders his accounts at Stirling, from 14th August, 1362, to 25th March, 1363, and enters a payment of £16, 9s. 10d., made to John Mercer, burgess of Perth, for divers receipts for the use of the King, and of £10, to John Mercer by command of the King.[2] 10 December, 1364.

John Mercer burgess of Perth witnesses a foundation Charter by Robert, Stewart of Scotland, and Earl of Strathearn, dated at Perth, 12th January, 1364–5. 13 January, 1364-5.

Note.—His signature is affixed after those of the knights, and immediately before John de Ross and John de Tayt, "our

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[1] Meiklour Charters. [2] Chamb. Rolls, Vol. I p. 410.

esquires:" this status was probably granted him as Member of Parliament for the Royal Burgh of Perth.[1]

13 January, 1364–5. John Mercer, burgess of Perth is a member of the Parliament assembled at Perth, this day, in the House of the Predicant Friars, to receive the report of the Ambassadors sent to treat of a peace between England and Scotland, and of the King's ransom.[1]

26 October, 1365. Safe conduct to John Mercer, merchant of Scotland, to proceed to England, with six companions for the purposes of trade, to remain there, and to return to Scotland, to remain in force one year.[2]

16 October, 1366. *Salvus conductus pro Andrea Mercer, e Flandvia, per Calesiam et Angliam, ad Scotiam transituro.*

Andreas Mercer, mercator de Scotia, habet literas Regis de conductu veniendo partibus Flandriae, per villam Regis Calesiæ, ac alia loca in dominio Regis ibidem in regnum Angliæ tam per terram quam per mare cum quinque equitibus de comitiva sua in eisdem dominio et regno morando et mercandisando ac exinde ad propria transeundo vsque ad festum Nativitatis Domini proximum futurum duraturas. (25th December, 1366.)

Teste Rege apud Westmonasterum, xvj. die Octoboris.

Per consilium.[3]

[TRANSLATION.]

16 October, 1366. *Safe conduct for Andrew Mercer, who is about to pass from Flanders by Calais and England to Scotland.*

Andrew Mercer, merchant from Scotland, has the King's letters of conduct for coming from the parts of Flanders, by the King's town of Calais, and other places, in the King's seigniory, in the same country, into the kingdom of England, both by land and sea, with 5 horsemen of his company, for staying and making merchandise in the same seigniory and kingdom, and for passing

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[1] Scots Acts, vol .i. p. 137. [2] Rotuli Scotiæ, Vol. i. p. 897.
[3] Rotuli Scotiæ, Vol. i. p. 906.

from thence at such time as he may think fit. These letters to remain in force till the Feast of the Nativity of the Lord next to come.

In presence of the King, at Westminster, the 16th day of October. By the Council.

Sir Walter de Byger, chamberlain, renders his accounts at Perth, from 21st January, 1365-6, up to this date, and enters payment made to Sir John de Lyle and John Mercer of £106, for their expenses as ambassadors sent to Flanders on certain matters.[1] 20 January, 1366–7.

Note.—This is the first notice of John Mercer as au ambassador, his son Andrew was probably the active partner and permitted the father to turn his attention more particularly to his public duties, as member of Parliament, Financier, Ambassador, Provost of Perth, etc.

Circiter 18 January, 1367.

Charter to John Mercer, of the lands of Pettland of Strathurd by the Earl of Douglas.[2]

Note.—In the Introduction to Robertson's Index, page xliii., this charter is said to be one of several granted by David II. during the last nine years of his reign—that is, from the 33d year of his reign, or 1362, to the 41st, 1370; these charters are supposed to be in the Register Office, but cannot at present be found, this one is evidently a charter confirming that of Earl Douglas, and as King David was at Strathurd on the 18th of January, 1367, and granted the charter, No. 181, page 58, of the Register of the Great Seal on that day, it is a fair conclusion that this charter was also there and then granted. John Mercer held these lands under the Earl as his suzerain, and was in the

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[1] Chamb. Rolls, Vol. I., p. 462. [2] Robertson's Index, p. 63, No. 43.

language of the time styled the "homo" or "homme" man or vassal of Earl Douglas, and this accounts for the epithet, "mon homme," applied to him by the Earl in his letter of the 16th November, 1376, as will be seen further on. Strathurd was contiguous to Tullybeagles acquired by John Mercer, in 1369-70, and not very distant from Meiklour.

20 January, 1368-9.

Sir Walter de Byger, chamberlain of Scotland, renders his accounts at Perth, from the 24th January, 1367-8, up to date, and enters a sum of 53 shillings due to John Mercer, for skins and hides received at Perth, for which he will cause a vessel to be purchased in Flanders, for the use of the King.[1]

Note.—We see from this that even Kings in these days had their speculations: indeed, from the scarcity of money, trading or bartering in goods and in kind was universal. There are several safe conducts to nobility and gentry to travel about with merchandize.

18 February, 1369-70.

John Mercer was a Member of Parliament as a freeholder, representing the burgesses or 3d estate, in the Parliament held at Perth on this day, and was appointed one of the Committee to deliberate on Judicial affairs. [2]

From 17 September, 1370, to 22 February, 1370-1.

Charter of confirmation by Robert Stewart of Scotland, Earl of Strathearn, and Baron of Methven, of a charter by Isabella, Countess of Fife, to Allan of Erskine, Lord of Inchmartin, of the whole lands of Tullybeagles, in the barony of Methven, and shire of Perth: and a charter by the said Allan to John Mercer, of the same lands.[3]

Note.—This charter is without date, but Robert Stewart of Scotland, was made Baron of Methven, 17th September, 1370, and became King on the 22nd February, 1370-1, so that this

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[1] Chamb. Rolls, Vol. I. p. 493. [2] Scot's Acts, Vol. I., p. 150.
[3] Meiklour Charters.

charter of confirmation must have been within these dates. Tullybeagles, though in the barony and parish of Methven by annexation, is really in the parish of Logybride, now united with Auchtergaven.

Charter by Robert Stewart of Scotland, in favour of John Mercer, and Ada his spouse, their heirs and assigns, of an annual rent of 30 Shillings, forth of the lands of Lednoch, in the barony of Methven.[1]

Note.—This charter is also without date, but it must have been prior to 1371. Lednoch is now called Lyndoch.

John Mercer witnesses a charter by Euphame Stewart, Countess of Moray and Strathearn, confirming a grant by Robert Stewart, her husband, to Sir James Douglas, knight, Lord of Dalkeith, of the lands of Keillor, which belonged formerly to Sir Roger de Mekfen. At Perth, the last day of February, 1369-70.[2] 28 February, 1369–70.

Note.—The witnesses to this charter are "our dear son, John Stewart, Earl of Carrick," afterwards Robert III., Robert Stewart, Lord of Monteth, Alexander Stewart, Sir John Stewart, knight, John de Ross, Hugo de Ross, and John Mercer, burgess of Perth. All these, except John Mercer, were members of the royal family—this shows the status of John Mercer at the time, and prepares us for Walsingham's statement that he was held in high esteem by the King of France, Charles V. (Le Sage.)

John Mercer, burgess of Perth, witnesses a charter of Alexander de Moravia, de Drumsargarth.[3] 13 August, 1371.

In the Meiklour charter chest there is a charter by David Stewart, Count Palatine of Strathearn, and Earl of Caithness,

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[1] Meiklour Charters. [2] Book of the Honors of Morton, Vol. II. p. 86.
[3] Abercairney Charters.

granting to Andrew Mercer, "*his cousin*," the lands of Dalkaith, in the Sheriffdom of Strathearn.

Note.—Dalkaith is in the parish of Fossoway, and County of Perth. This charter being inaccessible, a more particular account of it cannot be given. David Stewart was the eldest son of Robert II., by his second wife Euphemia Ross, he was created, Count Palatine of Strathearn, on 13th June, 1371, and died in 1383, this charter must therefore have been granted between 1371 and 1383. There is an MS. copy at Gask, of the chartulary of Glasgow, in which the date of this charter is given as 1st July, 1371; the charter is in extenso in the Meiklour charter chest, the peculiarity in it is that Andrew should be styled *cousin*, this is the more remarkable as he is also styled *their cousin* in the charter granted him in 1381, by Walter Leslie, and his spouse Euphemia Ross—Euphemia having been daughter to William, Earl of Ross, the brother of Euphemia, wife of Robert II., and mother of David Stewart, Earl of Strathearn. David and Euphemia were consequently 1st cousins, but it is difficult to account for the cousinship between them and Andrew Mercer.

1372. The chamberlain paid to John Mercer, by order of the King 54s. 4d.[1]

18 February, 1373–4. Sir Walter de Byger, chamberlain, renders accounts at Perth from 17th February, 1372-3, to date, and enters £266, 13s. 4d. paid to John Mercer, to serve as a deposit towards the ransom of the late King David, at the term of St. John the Baptist next ensuing (24th June, 1374), after this payment a balance of 36,000 merks will remain due, John Mercer's receipt for this sum in gold remains with John Lyon, keeper of the Privy Seal.[2]

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[1] Chamb. Rolls, Vol. II. p. 10. [2] Chamb. Rolls, Vol. II. pp. 19–26.

Thomas Benachtyne, clerk of the King's household, renders his accounts at Perth, from 18th February, 1372-3, to date, and enters as given to John Mercer, by the King's command 2 lasts, 10 dakers, and 1 skin.[1] 21 February, 1373-4.

Note.—Ten hides made a daker, and twenty dakers a last.

In Cant's History of Perth, there is the following notice of the Magistracy of Perth, in A.D., 1374.[2]

"Proper records before the year, 1465, are mislaid only in 1374."

"John Mercer, Provost of Perth; Andrew Mercer his son, John Scot, Thomas Rhynd, Baillies." 2 September, 1374.

Carta Johannis Mercer.

Robertus [Dei gratia, Rex Scotorum,] omnibus [probis hominibus totius terre sue, clericis et laicis,] Salutem. Sciatis nos dedisse, concessisse, [et, hac presenti carta nostra, confirmasse] dilecto et fideli nostro Johanni Mercer tresdecim particatas terre, quas mensurari fecimus, ex parte boreali pontis de Le Castelgayll, infra burgum de Perth, usque ad viam, qua itur versus Le Starmonth, prope murum [h]orti Fratrum predicatorum de Perth: Tenendas et habendas dicto Johanni, heredibus, et assignatis suis, de nobis, et heredibus nostris; in feodo et hereditate libere et quiete; per omnes rectas metas et divisas suas, cum omnibus et singulis libertatibus, commoditatibus, aisiamentis et justis pertinentiis suis quibuscunque. Reddendo inde annuatim nobis de qualibet particata dictarum particatarum unum denarium argenti. In cujus rei testimonium [presenti carte nostre nostrum precepimus apponi sigillum.] Testibus, ut supra Apud Perth, decimo septimo die Octobris, anno regni nostri quarto.[3] Wednesday, Perth, 17th October, 1374.

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[1] Cham. Rolls, Vol. II. p. l. 37. [2] Vol. II. p. 60.

[3] "Regis. Mag. Sig. Reg. Scot.," p. 136, No. 52; and p. 158, No. 21.

[TRANSLATION.]

Perth, 17 October, 1374.

Robert (by the grace of God, king of the Scots), to all (upright men of his whole dominions, clergy and laity), Greeting: Be it known that we have given, granted (and by this our present charter, have confirmed) to our beloved and faithful John Mercer, thirteen particates of land, which we have caused to be measured from the north part of the bridge of the Castelgayle, within the burgh of Perth, to the road which goeth towards the Starmonth, near the wall of the garden of the preaching friars of Perth. To be held and possessed by the said John, his heirs and assignees, of us and our heirs in feu and heritage, freely and quietly, by all their right measures and divisions, with all and sundry their liberties, commodoties, easements, and just pertinents whatsoever: For rendering therefrom yearly to us one silver penny, for each particate of the said particates. In witness whereof we have commanded our seal to be appended to our present charter. Witnesses as above. At Perth, on the 17th day of October, in the fourth year of our reign.

LVIII.

Compotum Camerarii Scocie.[1]

MCCCLXXIV,

Perth, 17 February, 1374-5.

Compotum domini Walteri de Byger, Rectoris Ecclesie de Erole camerarii Scocie redditum apud Perth decimo Septimo die Februarij, anno domini, millesimo cccmo Septuagesimo quarto coram venerabilibus et discretis viris dominis Johanne de Carryk canonnico Glasguensi, Cancellario Scocie, Jacobo de Lyndesay, domino de Crawford Hugone de Eglyntonia Magistro Willelmo de Dalgarnok Canonico Brechinensi Johanne Lyvne custode secreti sigilli domini nostri Regis, et Johanne

[1] Rot. Compt. Scotiæ, Vol. II. pp. 46-50.

Gray clerico Rotulorum et Registro compotorum auditoribus ad hoc specialiter deputatis de omnibus receptis suis et expensis a decimo octauo die Februarij anno Domini etc., lxxiij°, vsque in diem huius compoti. From 18 February, 1373–4.

Expense ejusdem. In primis computat in liberacione facta Johanni Mercer ad seruandum in deposito pro solucione redempcionis quondam domini Regis David ad terminum Sancti Johannis Baptiste proximum post hoc compotum facienda vt patetur per literas Regis de precepto et ipsius Johannis de recepto ostensas sur compotum MM. vi^c. lxvi.^lib xiij^s. iiij^d. Et sic deficiunt de integra solucione facienda pro dicta redempcione post factam solucionem predictam triginta duomillia marcarum, et litera Johannis Mercer de recepto ipsius summe in auro ostensa super compotum remanet cum Magistro Willelmo de Dalgarnok. 24 June, 1375.

[TRANSLATION.]

Account of Sir Walter de Byger, Rector of the Church of Errol, chamberlain of Scotland, rendered at Perth, on the 17th day of February, in the year of our Lord, 1374, before the venerable and discreet men, Lord John of Carryk, canon of Glasgow, chancellor of Scotland; James de Lyndesay, Lord of Crawford; Hugo Eglynton; Mr William de Dalgarnock, canon of Brechin; John Lyvne, keeper of our Lord the King's Privy Seal, and John Gray, clerk of the Rolls and of the Register, auditors of accounts specially appointed for this, of all his receipts and expenses from the 18th day of February, in the year of our Lord, 1373, to the day of this account. 17 February, 1374–5. From 18 February, 1373–4.

Expenses of the same. In the first place he includes the money given to John Mercer, to keep in hand for the payment of the redemption of our late Lord King David, to be made at the term of St. John the Baptist next, after this account, as 24 June, 1735.

appears by the King's letters of precept, and the same John's letters of receipt shown on the account, £2666, 13s. 4d. And thus there is deficient of the entire payment to be made for the said redemption, after the foresaid payment made, 32,000 merks, and John Mercer's letter of receipt of that sum in gold, shown on the account, remains with Mr William de Dalgarnock.

LX.

Perth, 13 March, 1375–6.

Compotum Camerarii Scocie.[1]

MCCCLXXV.

Compotum domini Walteri de Byger, rectoris ecclesie de Erole Camerarij Scocie redditum apud Perth, xiij^to^ die Marcij anno Domini Millesimo ccc^mo^ septuagesimo *quinto* coram venerabilis et discretis, viris dominis Johanne de Carryk, canonico Glasguensi Cancellario, Jacobo de Lyndesay, domino de Cravford, Hugone de Eglyngtonia, Magistro Willelmo de Dalgarnok, prepositu Sancti Andree Domino David Bell Archidiacono Dumblanensi clerico probacionis domus domini nostri Regis, Johanne Lyovne, custode Secreti Sigilli domini nostri Regis et Johanne Gray, clerico Rotulorum et Registri compotorum auditoribus ad hoc specialiter deputatis de omnibus Receptis suis et expensis a decimo septimo die Februarij anno etc lxxiiij^to^ vsque in diem huius compoti.

From 17 February, 1374–5.

Expense ejusdem . . . . . Item Idem computat in liberacione facta Johanni Mercer, burgensi de Perth, de mandato Regis ad seruandum in deposito pro parte solucionis redempcionis quondam domini nostri Regis David ad terminum beati Johannis Baptiste proximum post hoc compotum faciende vt patetur per literas ipsius Johannis de recepto ostensas super compotum MM, iiij^c^ lxvj^lib^. xiij^s^. iiij^d^. in auro. Et sic restant

[1] Rot. Compt. Scot. Vol. II. pp. 75–83.

de quatuor mille marcis ad dictum terminum persolvendis ducentæ libræ in auro de quibus soluendis Camerario in festo Pentecostes proximo post hoc compotum apud Edynburgh. Adam Forrester et Willelmus de Lawedre custumarii de Edynburgh, svnt super scaccarium et eciam per suas literas obligati, et que summa ducentarum librarum extat ipsis custamariis in suo compoto nuper reddito allocata, et litera predicta Johannis Mercer, de recepto remanet penes Magistrum Willelmum de Dalgarnok seruanda. Et sic deficiunt de integra solucione dicte redempcionis facienda post factam solutiomnem predictam viginti octo mille marce. Et in expensis illorum qui transierunt versus Berwicum pro solucione dicte redempcionis facienda ad terminum Sancti Johannis Baptiste vltimum preteritum iiij^{lib}. iij^{s}.

1 June, 1376.

24 June, 1375.

[TRANSLATION.]

Account of Sir Walter de Byger, Rector of the Church of Errol, Chamberlain of Scotland, rendered at Perth, on the 14th day of March, in the year of our Lord 1375, before the venerable and discreet men, Lord John of Carric, canon of Glasgow, chancellor, James de Lyndesay Lord of Cravford; Hugo de Eglynton, Mr William de Dalgarnock, provost of St. Andrews; Sir David Bell, archdeacon of Dunblane, clerk of our Lord the King's household; John Lyovne, keeper of our Lord the King's Privy Seal; and John Gray, clerk of the Rolls and of the Register, auditors of accounts specially appointed for this, of all his receipts and expenses from the 17th day of February, in the year 1374–5, to the day of this account.

14 March, 1375–6.

From 17 February, 1374-5.

Expenses of the same . . . . . Also the chamberlain includes the money given to John Mercer, burgess of Perth, by the King's command, to keep in hand for part of the payment of the redemption of our deceased Lord King David, to be made at the

24 June, 1376. term of the blessed John the Baptist next after this account, as appears by the same John's letters of receipt, shown on the account £2,466, 13s. 4d. in gold. And thus there remain of the 4000 merks to be paid at the said term 200^{lib} in gold, for the paying of which to the chamberlain, at the feast of Pentecost next, after this account at Edinburgh, Adam Forrester, and William Lawdere, collectors of the customs of Edinburgh, are upon the Exchequer, and are also bound by their letters, and which sum of 200^{lib} stands allocated by the same collectors of customs in their account lately rendered, and the said John Mercer's letter of receipt remains for preservation in the hands of Mr William de Dalgarnock. And thus there is deficient of the entire payment of the said redemption to be made after the payment made foresaid, 28,000 merks. And for the expenses of those who have gone to Berwick for the payment to be made of the said redemption at the term of St. John the Baptist by past, 4^{lib} 3^{s}.

1 June, 1376.

24 June, 1375.

This is the last account given in by Sir Walter de Byger. He appears from the two following Safe conducts, and the accounts presented by John Mercer, his successor in office, on the 20th October, 1377, to have died within the 82 days which elapsed between the 14th March, 1375-6, and the 4th June 1376. On his death the duties of the office were by John earl of Fife and Menteath (eldest son of Robert, II., and afterwards King, under the title of Robert, III.), entrusted to John Mercer, as Receptor pecuniarum Regis.

From the manner in which the payment is expressed of this sum of £4, 3s., for the expenses of those *who have gone* to Berwick, for the *pagment to be made* of the redemption, *at the term of* St. John the Baptist *by past*, there seems to have been a want of completeness in the mode of this payment, the instalment of the ransom on the 24th June, 1375, was paid to John Mercer, and there are two safe conducts—viz., on the 7th May,

and 4th June, 1375, to Sir Walter, to convey the money to Berwick; but the name of the person by whom the payment was made, is not mentioned in the acquittance, which is dated 26th June, 1375. The repetition of the Safe conduct betrays an uncertainty, which, coupled with the ransom having been deposited in the hands of John Mercer, and the death of Sir Walter early in 1376, leads to the inference that in consequence of Sir Walter's failing health, he was unable to travel, John Mercer therefore went in his stead, paid over the ransom at Berwick, and went from thence to France on his private affairs, and had not returned to Scotland at the date of the auditing of this account.

From John Mercer's own accounts it appears that Andrew his son transacted the duties of the office conjointly with him, whence it may be inferred that the name of the father is entered in these public accounts as being the head of the firm, but that the duties were in the absence and during the imprisonment of the father, conducted by Andrew Mercer his son. If the supposition be correct, that John Mercer went to France in June, 1375, and on on his return in the tempestuous winter season of 1375–6, having been shipwrecked off Northumberland, was seized and imprisoned in Scarborough—it would account for the expression used by Earl Douglas in his letter of the 16th November 1376 (after to be quoted), "estee *par grant temps* trebuleez."

The amount of the ransom paid annually, was 4000 merks, equivalent to £2,666, 13s. 4d.: of this a receipt for the sum of £2,466, 13s. 4d., is given, leaving a balance of £200, to be made by Forrester and Lawder on the 1st June, 1376. This sum may possibly be in some manner connected with the £189, 13s 4d., out of which Andrew had paid the £166, 13s. 4d., which is brought to account by his father.

50 Ed. III. A.D., 1376, Memb. 3, Westmr. 4 June.

Salvus conductus pro Waltero de Bygar, camerario Scotiæ, vel substito pro eo.[1]

Rex universis et singulis admirallis etc., ad quos etc.—Salutem; Sciatis quod suscepimus in protectionem et defensionem nostram, necnon in salvum et securum conductum nostrum, Walterum de Bygar, camerarium Scotie, vel alium seu alios, ex parte nobilis principis Roberti consanguinei nostri Scotie, loco dicti camerarii mittendos veniendo usque villam nostram Berwici super Twedum, et dictam villam ingrediendo cum sexaginta hominibus equitibus de comitiva sua, cujuscumque status seu conditionis fuerint, ac eorum garcionibus, hernesiis bonis pecunia et aliis rebus suis quibuscumque, ibidem morando et exinde ad propria redeundo. Et ideo vobis mandamus quod ipsum Walterum vel alium seu alios ex parte predicti consanguinei nostri mittendos, veniendo versus villam nostram Berewici, ingrediendo et ibidem morando, et exinde ad propria redeundo etc. In cujus etc., usque ad festum Sancti Petri ad vincula proximum futurum duraturas.

1 August, 1376.

Teste Rege, apud Westm' quarto die Junij (1376.)

[TRANSLATION.]

Safe conduct for Walter de Bygar, Chamberlain of Scotland, or his Substitute.

4 June, 1376.

The King, to all and sundry admirals, etc., to whom these letters may come—Greeting:—Know ye that we have taken into our protection and defence, and also our safe and secure conduct, Walter de Bygar, chamberlain of Scotland, or one or more sent in the place of the said chamberlain, on behalf of the noble prince Robert, our cousin of Scotland, for coming as far as our town of Berwick-on-Tweed, and entering the said town,

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[1] Rot. Scot. Vol. I. p. 976.

with sixty horsemen of his own company, of whatever rank or condition they may be, with their grooms, equipages, goods, money, and other things whatsoever, there to remain, and thence to return into their own country. And therefore we command you, that the said Walter, or one or others sent on behalf of our foresaid cousin, for coming towards our said town of Berwick, entering, and there abiding, and thence returning to their own country, etc. In witness whereof, etc. [these letters], to be of force until the feast of St. Peter *ad vincula* next ensuing. 1 August, 1376.

In presence of the King at Westminster, the fourth day of June.

Salvus conductus pro Waltero de Bygar, camerario Scotiæ, vel substito suo. 51 Ed. III. A.D. 1377, Memb. 2 Westm, 4th June.

Rex universis et singulis etc., Salutem. Sciatis quod suscepimus in protectionem et defensionem nostram necnon in salvum et securum conductum nostrum, Walterum de Bygar, camerarium Scotiæ, vel alium seu alios ex parte nobilis principis, Roberti consanguinei nostri Scotiæ, loco dicti camerarii, mettendos etc., *prout in similibus.* In cujus etc., usque ad festum, Sancti Petri ad vincula proximum futurum duraturas. 1 August, 1377.

Teste Rege apud Westm' quarto die Junij (1377.)

[TRANSLATION.]

Safe conduct for Walter de Bygar, chamberlain of Scotland, or his Substitute.

The King, to all and sundry, etc.—Greeting—Know ye that we have taken into our protection and defence, as well as into our safe and sure conduct, Walter de Bygar, chamberlain of Scotland, or one or more in place of the said chamberlain, on behalf of the noble prince, Robert, our cousin of Scotland, etc., *prout in similibus.* In witness whereof, etc. [these letters], to have force until the Feast of St. Peter, *ad vincula*, next ensuing. 4 June, 1377. 1 August, 1377.

In presence of the King at Westminster, the fourth day of June.

LXI.

Receptoris Pecunearum Regis.[1]

MCCCLXXVII.

Compotum Johannis Mercer, burgensis de Perth, receptoris pecunearum Regis vacanti officio Camerarii, Redditum . . . . . dominj Millesimo Tricentesimo Septuagesimo Septimo, Coram domino Comite de ffyf et de Mentetht,[2] domino Jacobo de . . . Johanne Lyovn Camerario Scocie, et alijs auditoribus compotorum, per Regem specialiter deputatis, de Omnibus receptis et exspensis, ... anni et cætera Septuagesimj Sexti vsquo in diem huius compoti.

20 October, 1377.

From 1376.

Idem onerat se Imprimis de M. iij^{c}. xxxvij^{lib}. xj^{s}. iiij^{d}., per arreragia vltimi compoti sui tanquam deputati per dictum Comitem de ffife ad Recipiendas pecunias Regis quæ Remancerint tempore mortis quondam dominj Walteri de Byger. Camerarii: Et de vij^{lib}. xvj^{s}. x^{d}. j^{ob}., Receptis per arreragia compoti balliuorum burgi de Perth, Anni huius Compoti: et de viij^{s}. iij^{d}. per arreragia Compoti sui Redditi de officio balliui de Kynkleuyne, et de C. xxj^{lib}. in auro recepto per Custumarios de Lythcow eiusdem anni: Et de xlvij^{lib}. vj^{s}. viij^{d}. receptis per custumarios de Hadyngtonia: . . . . Et de xx^{lib}. receptis per customarios de Dunbarro eiusdem annj; Et de C. lxvj^{lib}. xiij^{s}. iiij^{d}. receptis per Andream Mercer, filium suum, de summa centum Octaginta et novem librarum sex solidorum et octo denariorum, quam idem Andreas Mercer recepit ab Andrea Bet, depositario apud Edinburghum in auro; Et sic idem Andreas Mercer restat onerandus de Sexaginta Septem nobilibus dicte Summe Recepte: Et de iiij^{xx}^{lib}. receptis per custumarios de Dunde eiusdem anni quj

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[1] Rotuli Compoturm a Magnis Camerariis Scotiæ, &c., Vol. II. pp. 87–89.

[2] Robert, Earl of Fife and Monteath, 2nd son of Robert II. by his 1st wife.

nondum comparuerunt: Et de xxiiij$^{lib.}$. vij$_{s}$. receptis per custumarios de Inuernis et de Fores et Elgyne nondum comparuerunt eiusdem annj: Et de C. xxxij$^{lib.}$. receptis per custumarios de Aberden eiusdem annj: Et de x$^{lib.}$. receptis per custumarios Sanctiandree eiusdem anni nondum comparuerunt: Et de v$^{lib.}$. receptis per ballivum de Drumfres eiusdem annj nondum comparuerunt.

Summa huius oneracionis M. ix^{c}. lij$^{lib.}$. iij^{s}. v^{d}. et ob.

Expense eiusdem in primis: Computat in Solucione facta Regi Anglie in Complementum Solucionis quatuor mille marcarum ad festum natiuitatis Sancti [Johannis] Baptiste, vltimo preteritu, pro redempcione quondam domini Regis Dauid, M. iij^{c}. xxxiij$^{lib.}$. vj^{s}. viij^{d}., et non plus in presenti Compoto, quia residuum solucionis dicti termini, viz., duo millia marcarum, allocatum fuit pro bonis mercatorum amissorum per Naufragium in Anglia, que Anglici abstulerunt; et sic restant Soluenda de dicta redempcione, post istam Solucionem factam, viginti quatuor millia marcarum: Et liberatione domino nostro Regi ad proprios vsus suos ut patet per tria paria literarum ipsius Regis auditoribus directa sub Sigillo Secreto, C. liij$^{lib.}$. vj^{s}. viij^{d}. : Et domino Alano de Largys, tunc clerico liberacione domus dominj Regis ad Expensas eiusdem domus, ut patet per quinque paria literarum ipsius clerici, de Receptis onerosis super Compotum, C. xxvij$^{lib.}$. xij^{s}. j^{d}. ob., de quibus rendit: Et Johanni de Dispensa, clerico liberacione domus dominj nostri Regis ad expensas eiusdem domus, ut patet per duodecim literas ipsius clerici de receptis onerosis super Compotum, CC. xlj$^{lib.}$. iiij^{s}. j^{d}. ob., de quibus Rendit: Et domino Dauid Bello, clerico Gardrobe domini nostri Regis, pro diversis receptis in dictam Gardrobam, ut patet per quindecim paria literarum ipsius clerici de Receptis onerosis super Compotum, C. xl$^{lib.}$. xix^{s}. ix^{d}., de quibus Rendebit: Et

24 June, 1377.

pro locacione domorum pro dicta Gardroba, iij^{lib}. vj^{s}. viij^{d}.: Et pro locacione domorum Monetarij, x^{lib}.

Summa Huius Expense, MM. ix^{lib}. xvj.: Et sic superexpenditum, lvij^{lib}. xij^{s}. vj^{d}. ob.

[TRANSLATION.]

LXI

Account of the Receiver of the King's Moneys.

MCCCLXXVII,

20 October, 1377.

The account of John Mercer, Burgess of Perth, receiver of the King's moneys during the vacancy of the office of Chamberlain, given in . . . . . in the year of our Lord, 1377, of all moneys received and disbursed, from . . . . of the year 1376, to the day of this account, before Lord Earl of Fife and Menteth, Lord James de . . . . John Lyon, Chamberlain of Scotland, and other auditors of accounts, specially appointed by the King.

From 1376.

The same is charged, in the first place, with £1337, 11s. 4d., by arrears of the last account he gave in, as appointed by the said Earl of Fife, for receiving the King's moneys which remained at the time of the death of the late Sir Walter de Byger, Chamberlain: and with £7, 16s. 10½d., received by arrears of the account of the Bailiffs of the Burgh of Perth, the account being of this year: and with 8s. 3d. by arrears of the account given in by him of the office of Bailiff of Kinclaven: and with £121, in gold, received by the collectors of customs of Linlithgow of the same year: and with £47, 6s. 8d., received by the collectors of customs of Haddington: . . . . . and with £20 received by the collectors of customs of Dunbar of the same year: and with £166, 13s. 4d. received by Andrew Mercer, his son, of the sum of £189, 6s. 8d., which the same Andrew Mercer received from Andrew Bet, banker at Edinburgh, in gold; and thus the same Andrew Mercer has to account for sixty-seven nobles of the said received sum:

and with £80 received by the collectors of customs of Dundee of the same year, which have not yet come to hand: and with £24, 7s. received by the collectors of customs of Inverness and of Forres and Elgin of the same year, which have not yet come to hand: and with £132 received by the collectors of customs of Aberdeen of the same year: and with £10 received by the collectors of customs of St. Andrews of the same year, which have not yet come to hand: and with £5 received by the Bailiff of Dumfries of the same year, which have not yet come to hand.

The sum of the moneys to be accounted for, £1952, 3s. 5½d.

The expenditure embraces the following particulars:—In the first place, For the payment made to the King of England, in fulfilment of the annual instalment of four thousand marks at the feast of the nativity of Saint [John] the Baptist by-past, for the ransom of the late Lord King David, £1333, 6s. 8d., and no more in the present account, as the remainder of the payment at the said term, namely 2000 marks, was allotted for the goods of the merchants who were cast away by shipwreck in England, which the English carried away; and thus there remain to be paid of the said ransom, after that payment made, 24,000 merks: And by delivery to our Lord the King for his own private uses, as appears by three letters of the King himself, addressed to the auditors under the Privy Seal, £153, 6s. 8d.: And to Sir Allan of Largys, then Secretary of the royal household, for the expenses of the King's house, as appears by five letters of that Secretary in acknowledgment of the receipts chargeable upon the account, £127, 12s. 1½d.: And to John de Dispensa, Secretary of the royal Household, for the expenses of the King's house, as appears by twelve letters of that Secretary in acknowledgment of the receipts chargeable upon the account, £241, 4s. 1½d.

24 June, 1377.

And to Sir David Bell, Secretary of the wardrobe of our Lord the King, for divers things received into the said wardrobe, as appears by fifteen letters of that Secretary in acknowledgment of the receipts chargeable upon the account, £140, 19s. 9d.: And for rent of houses for the said wardrobe, £3, 6s. 8d.: And for the rent of the houses of the minter, £10.

The sum of this expenditure is £2009, 16s.; and thus the super-expenditure is £57, 12s. 6½d.

John Mercer, in the above account, deducts 2000 merks to reimburse himself for the loss he suffered when shipwrecked off the coast of Northumberland. This shipwreck and its consequences are thus related by Walsingham, who after narrating the death of Pope Gregory XI., which occurred on the 27th March, 1378, states as follows:—

[1]Circa tempus illud filius Johannis Mercer, natione Scotus, collecta non parva manu Gallicorum, atque Scotorum, ac etiam Hispanorum, dum adhuc dux Lancastriae Johannes in terris ageret, aggressus et naves quasdam apud Scarburgh, quas incautas levi negotio cepit, et secum ad mare deduxit, occisis prius quibusdam, qui navibus illis prae erant, quibusdam vinculis mancipatis. Et ideo quam maxime nostratibus irrogaverat in ultionem opprobrii patris sui, qui antea ab Anglis captus fuerat et in castello de Scarburgh mandato regio custoditus. Est autem pater ejus aeque Scotus tam gente quam patria et Regi Franciae propter divitias multas praedilectus, nam erat mercenarius et vir satis vafer et consilio providus, cujus non immerito oris decreta in his quae Angliam contingebant ipse rex et omnes Gallici sequebantur. Hunc casu interceptum cum qui-

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[1]Chronica Thomae Walsingham quondam monachi S. Albani, contained in Camden's Anglica Normanica, etc. Francof 1602, p. 211.

busdam navibus, Northumbrenses eorum comiti praesentarunt Qui ut diximus in eodem castello custodiae deputatus, cito post deliberatus fuerat ad magnum damnum totius regni et omnium incolarum. Nam si redemptus fuisset captivorum more, regem et regnum inaestimabili pecunia divites effecisset.

Hujus filius ut praelibavimus, postquam damna nostratibus apud Scarburgh intulisset, gloriabatur de arridente sibi fortuna et majora Angliae damna non solum meditabatur, sed etiam publice minabatur, sed ejus conatus ipse impedivit, qui superbos humiliat et exaltat humiles. Tum vero suscitavit Deus contra eum unum ex civibus Trinovantum, qui eum humiliavit, et a timore ejus regnum Angliae liberavit, ut patebit inferius volentibus intueri. Johannes Philpot, civis Londoniensis, vir et ingenio præditus, et potentissimus opibus, ducis Lancastriae, et ceterorum dominorum defectum, ne dicam falsitatem, qui regnum defendisse debuerant, attente considerans, et oppressionibus condolens incolarum de propria pecunia conduxit mille armatos, qui et praedicto Johanni Mercer, eriperent naves et bona, quae latrocinando ceperat, et regnum Angliae a talibus incursibus tuerentur. Et factum est, omnipotens, qui semper assistit piis votis, sibi et suis successus prosperos ministravit, ita ut in brevi ejusdem Johannis Merceri filium jure bellico, sui conductitii caperent, cum omnibus quae apud Scarburgh ipse violenter abduxerat, et aliis quindecem navibus Hispanorum, onustis multis divitiis, quæ sibi auxilio fuerant eodem tempore infausta hora. Fit ergo in plebe universa tripudium, omnibus laudantibus et admirantibus, tandem ipsius viri erga regem benevolentiam et charitatem, jamque solus Johannes Philpot ore omnium laudabatur, et admirationi habebatur, de nostris vero proceribus et militia quæ dudum conducta fuerat, dicebantur probrosa verba, aspera et invectiva, prout commune vulgus

solet inferre vario motu suo. Londonienses præcipue obloquebantur, dicentes, jam per paucorum procerum corda fore cum rege, eos solos sibi fideles esse, quorum rex, licet ironice, vocabatur a nonnullis proceribus, eo quod, ipsi multum juvissent eum in coronatione sua.

[TRANSLATION.]

About this time, the son of John Mercer, a Scot, having collected a considerable band of Gauls, and Scots, and also Spaniards, during the government of John Duke of Lancaster, attacked certain ships in Scarborough, and as they were badly watched he took them without much trouble, and carried them off to sea, having first killed some of those who had charge of them, and put others in fetters. He had done all the mischief he could to our countrymen, in revenge of an injury done to his father, who had before this been seized by the English, and lodged in Scarborough Castle by royal mandate. His father was also a Scot by birth, and of Scottish extraction, and was in great favour with the King of France (Charles V.), on account of his immense wealth, for he was skilful in matters relating to commerce, and fertile in expedient and prudent in counsel, so that his opinion with regard to English affairs had, not without reason, great weight with the King and nation of France. The people of Northumberland had accidentally intercepted him with certain ships, and made him over to their earl. Having been put in safe keeping in the aforesaid castle, as we have mentioned, he had soon after been released, to the great loss of the whole realm and people; for had he been held to ransom in the usual manner of prisoners of war, he would have enriched both the King and kingdom by his vast wealth.

After inflicting upon our countrymen at Scarborough the losses we have described, the son was much elated by the good

turn fortune had done him, and not only meditated, but openly threatened still further mischief to England. His career was checked, however, by Him who bringeth down the proud, and exalteth the humble; for God put it into the heart of a Londoner to deliver England, and to overthrow her enemy, as will appear to those who will read what we are about to relate. John Philpot, an able and wealthy citizen of London, having pondered much over the gross neglect, not to say treachery, of the Duke of Lancaster, and other nobles, whose duty it was to protect the kingdom, and sympathising warmly with the distress of his oppressed countrymen, raised, at his own expense, a band of a thousand men, with the intention of taking from the aforesaid John Mercer, the ships and property he had piratically carried off, and preventing the recurrence of similar attempts for the future. The Almighty, who ever furthers pious purposes, crowned with success the undertaking, so that in a short time John Philpot's men encountered and seized John Mercer's son, and took everything he had carried off from Scarborough, along with fifteen Spanish ships, richly laden, which, unluckily for them, had joined him in his piratical proceedings. This success caused great exultation among the people, every one praising and admiring the good will and loyal affection which Philpot had shown towards the King: all mouths praised only him, all men admired him; but against the chief nobles, and the soldiery previously raised, opprobrious words and harsh invectives were uttered, such as the common people are wont to use under the influence of every new excitement. The Londoners were especially abusive, saying that now the hearts of very few of the nobles were with the King, and that, although it was in irony that certain of the nobles called him King of those who had aided him in his coronation, it was nevertheless the fact that those men only remained faithful.

Macpherson in his Annals of Commerce,[1] remarks on this historical incident, as follows:—

John Mercer, a merchant of Scotland,[2] who used to trade to France, and was in great favour with the King of that country, on account of his prudence and good services, when returning home to Scotland in the year 1377, was driven by stress of weather upon the coast of England, seized, and confined in the castle of Scarborough, till an order from Court effected his discharge.[3] His son, to revenge the injury, cruised before Scarborough, with a fleet composed of French, Scots, and Spaniards, and took several *vessels*. John Philpot, an opulent citizen of London, thereupon took upon himself the protection of the trade of the kingdom, neglected by the Duke of Lancaster, who, without the name of regent, governed the kingdom, in the minority of his nephew, and having hired a thousand armed men, sent them to sea in search of Mercer, whom they took, together with his prizes and fifteen Spanish vessels, his consorts, all richly loaded.[4]

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[1] Vol. I. pp. 586-7 London, 1805.

[2] He seems to have been a burgess of Perth, apparently the chief port of Scotland after the loss of Berwick, till the royal residence, permanently fixed at Edinburgh, gave Leith a superiority over the other ports of the kingdom. He obtained charters for several tenements in and near Perth; and he also held lands of the Earl of Douglas, who calls him his vassal, in a letter sent to King Richard, remonstrating upon the injustice of the seizure.—(Robertson's Index, pp. 66, 74, 120, 129; original letter in Bib. Cott. Vesp. F. vii. f. 34.)

[3] Walsingham says, If he had been released as a captive for a ransom, the King and the whole kingdom would have got *inestimable* riches by it, and he regrets the loss of it. This is surely overrating the opulence of Mercer at a prodigious rate. The narrow-minded monk, blinded with what he supposed, patriotic zeal, did not see any injustice in detaining a man a prisoner in time of peace.

[4] By this enterprise Philpot got much envy and ill-will among the nobles and military men; but much applause among his fellow-citizens, who chose him for their mayor at the next election (1378.)

Hinderwell gives the following account of the Capture of Scarborough, by Andrew Mercer, in 1377.[1]

A.D. 1377, first of Richard II.—A daring Scotch freebooter of the name of Mercer, having been taken by some northern ships, was committed prisoner, by the earl of Northumberland, to Scarborough Castle. His son, in revenge for his father's imprisonment, formed a desperate enterprise, and entering the harbour of Scarborough, with some Scottish, French, and Spanish ships, carried away several merchant-vessels which were lying in that port. Encouraged by this success, he for a long time cruised in these seas, and took considerable prizes. The damage which the merchants sustained by Mercer's depredations, occasioned great complaints against the government. Alderman Philpot, an opulent citizen of London, of a noble and patriotic spirit, resenting so great a national indignity, equipped a fleet of armed ships and sailed in pursuit of the Scottish pirate. He had the good fortune to encounter Mercer's fleet, and obtained a glorious victory. All the vessels taken from Scarborough were recovered, and fifteen Spanish ships laden with rich merchandise were captured, together with Mercer and the whole of his navy. The gallant alderman returned with his prizes in triumph to London. This action which gained him the general applause of the people, displeased the government, who looked upon it of dangerous consequence to suffer a private man to engage in such an important affair without their permission; but he gave such good reasons, and in so modest a manner, in justification of his enterprize, that he was honourably acquitted, and ever after lived in great esteem and reputation. Alderman Philpot was elected Mayor of London, in the second year of the reign of Richard II, and

[1] History and Antiquities of Scarborough, p. 44. Scarborough, 1832.

October, 1378.

was knighted in the field by the king in 1382. * * * * * Sir John Philpot also maintained a thousand soldiers at his own charge, for the defence of the kingdom against the French, who sorely infested the southern coasts.[1]

[2]Pinkerton thus alludes to the seizure of John Mercer, and the attack on Scarborough, by his son Andrew, and gives the letter from William Earl of Douglas, Warden of the Scottish Marches; which follows:—

The revenge of an individual contributed still further to destroy any remaining harmony between the two nations. Mercer, a Scotchman, commanding a small fleet of Scottish French, and Spanish vessels, suddenly displayed his motley squadron before Scarborough, and captured some valuable English ships of merchandise, because that his father, a wealthy merchant, residing in France, had been taken at sea, by some Northumbrians, and imprisoned at that place. The father was a man of importance at the French Court, esteemed by Charles the Wise, and his advice followed in many points detrimental to the English, and advantageous to the French commerce. Walsingham expresses unaffected concern that the Earl of Northumberland had executed justice in soon delivering him without ransom; for, adds he, "if he had been ransomed by the common rules, he might have enriched the King, and kingdom, with inestimable wealth."[3] But, though the elder Mercer had been delivered, it would appear that his ships and cargo were

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[1]Froissart, Vol. II c. 115. Baker, p. 137. Speed, 730. Weever, 64. Ed.

[2]Pinkerton's History of Scotland, pp. 15-17.

[3]It was apparently on this occasion that a letter was written to the English King by the Earl of Douglas and Mar. It terms John Mercer, "mon homme," and says he was detained, though cast on shore, contrary to the great truce. "Mr Thomas Mercer, mon clerk," is also mentioned as captured.—See it in that treasure of original pieces, Vesp. F. vii., f. 34.

not, and that retaliation conspired with revenge to excite his son to this enterprise. The young man, boasting of the exploits continued to keep the sea, as defying the maritime power of England; till John Philpot, a wealthy and ingenuous merchant of London, stung with the disgrace offered to the commerce of his country, fitted out ships of force, provided with one thousand men, raised at his own expense, who assaulted and took Mercer, his newly-acquired prey, and fifteen Spanish ships which assisted him. The Duke of Lancaster, who swayed the councils of the young English monarch, rather checked than applauded the spirit of Philpot; and commissioners were appointed to treat with those of Scotland concerning peace.

Letter from the Earl of Douglas and Mar, to the King of England, 16*th November* (1376.)

Tres noble et peussant Prince, jeo monstre par voi de compleinte, a vous, Seigneur, et a votre bonne Consaile, par cestes mes lettres, comment que John Mercer mon homme ore ad estee par grant temps tribuleez, et annoieez torcenousement, deinz votre roialme, contre la vertue de noz grantz trews, comunement tailliez et accordez perentre les roialms: parla ou ile reinz ne mespristes, mes que ile es ses loials marchandises retournant en sa payse, par force de meer et tempeste feut dejettuz au terre, et arrestez par vos subgitz; et uncore par le Conte de Northumbreland detenuz en prison. Au quoi, tres noble Prince, vous pleas avoir regarde et consideration; et par voz lettres au dit Conte faire commander expressement, que le dit John, mon homme, soit delivrez franchement, sanz lui plus travailler et ryot faire. Kar au proscheine joer de marche, si ceo vous pourra pleer, ile sera present, pour y demonstrer devant voz deputeez, que ile ny ad rien trespassee ne mesprise en celle part, si Dieu pleast. Oultre ceo, tres noble Prince, touch-

antz Meistre Thomas Mercer, mon clerk, pour qui jeo escrava au votre noblesse devant celle temps, et monstre humblement a vous, Seigneur, et a votre dit Consaille, les damages, costages, et perdes, qile ad sustenue et fait durant sa arreste forpris; ses tribulations, annoys, et tortz, qui amontent au deux centz marcs de sterl., et oultre; des queux vous please luy faire avoir redresse et restorance en due maniere; ou aultrement celuy ou ceux, qui luy arrestient, commander pour comparer personalement au dite joer de marche, pour le charge soubtzaler devant voz deputeez susditz, ou le dit mon clerk sera prest pour respondre et receiver semblabable maniere, selont les usages des joers des marches, par voi de reson, si Dieu pleast. Tres noble Prince, ceo qui vous pleira de commander, pour estre fait cellendroit, me deignetz lesser savoir par vos lettres, oe le portour du cestes. Que luy toute peussant Dieu, par sa tressantisme grace votre noblesce veulle demesner au vie perdurable. Esc. le xvime joer de Novembre.

Le Conte de Douglas et de Marre.

(D*irected*), Au tresnoble et peussant Prince le roy d'Engletere.[1]

[translation.]

Most noble and mighty Prince, my object by these letters is to show, by way of complaint to you, Soverign Lord, and to your good Council, how that John Mercer, my vassal, has been for a long time subjected to trouble, and wrongfully distressed within your kingdom, in violation of our great truce mutually formed and agreed to between the two kingdoms; for when he had committed no fault, but was returning by sea into his own country, in the course of his lawful business, hav-

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[1] Pinkerton's "History of Scotland," Edit. London, 1797, Vol. I., Appendix, No. 1, p. 441.

ing been cast upon land by the tempestuous violence of the waves, he was arrested by your subjects, and is still held a prisoner by the Count of Northumberland. May it please you, most noble Prince, to extend to this matter your considerate attention, and by your letters to the said Count expressly to command that the said John, my vassal, be freely set at liberty, without putting him to further trouble, and raising any dispute about it. For at the next day of the marches, should this be your pleasure, he will be present to prove before your deputies, that he has transgressed in nothing, nor committed any fault in that particular, if so it please God. Besides most noble Prince, in regard to Mr Thomas Mercer, my clerk, on whose behalf I wrote before to your Excellence, and humbly showed to you, Soverign Lord, and to your said Council, the damages, expenses, and losses, which he has incurred and sustained during the time of his detention as a prisoner; his troubles, distresses, and wrongs, which amount to 200 merks sterling, and upwards, may it please you to cause him to obtain adequate redress and restoration thereof, or otherwise to command the party or parties by whom he was arrested to compear personally, on the said day of the marches, to substantiate the charge before your above-mentioned deputies, or my said clerk will be prepared to answer by way of proof, and to hear, in like manner, what may be said against him, according to the customs of the day of marches, if so it please God. Most noble Prince, what you shall be pleased to command to be done in that respect, condescend to let me know by your letters, or by the bearer of these. May Almighty God, by His most holy grace, vouchsafe to conduct your Excellence to everlasting life. Written the 16th day of November.

The Count of Douglas and of Marr.

(Addressed), To the most noble and mighty Prince the King of England.

Note.—In explanation of the term "mon homme," it should be understood that a person holding land not *in capite*, but of a vassal, was by the superior or suzerain, styled his "homo," and by courtesy "bonus homo," whence the title of gudeman formerly common in Scotland. In Robertson's Index,[1] we have evidence that John Mercer was the homo or vassal of the Earl of Douglas in the confirmation by King David the II. to John Mercer of the grant made to him by the Earl of the lands of Pettland, in Strathurd. This Charter is without date; but as we find from the Great Seal,[2] that the King was at Strathurd on the 18th January, 1368, it was probably on that day that this grant was confirmed.

The date of the year of the Earl's letter is omitted; but from the expression "Que luy toute peussant Dieu, par sa tressantisme grace, votre noblesce veulle desmesner au vie perdurable," it could not have been addressed to Richard II., who was a child of only eleven years of age at this time; it was, however, a most appropriate wish as regarded Edward III., who died within eight months after, at the age of sixty-five, broken down by disease, the loss of his renowned son the Black Prince, and the total discomfiture of the designs and schemes of a long reign of fifty years.

Mr Thomas Mercer, "mon clerk," does not appear to have been released on this remonstrance, as we find a royal mandate[3] to Thomas Cornwallis, Sheriff of London, dated 20th June, 1379, directing that the prisoner Thomas Mercer of Scotland, be detained in custody, but without chains; and he gets a safe conduct[4] dated 18th October, 1379, permitting "Mr Thomas Mercer,

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[1] Charter No. 43, p. 63.
[2] Reg. Mag. Sig. p. 58, ch. No. 181.
[3] Rot. Scot., Vol. II. p. 16.
[4] Rot. Scot. Vol. II. p. 18.

Archdeacon of Glasgow," detained in England, to return to Scotland. He was probably a younger son of John Mercer, "mon homme," as also perhaps was "John Mercer of Scotland, Master of Arts," who gets a safe conduct,[1] dated 21st May, 1382, to proceed to Oxford, with servants, books, horses, equipages, and all other his personal property, "causa studendi."

Stowe thus refers to the exploit of John Philpot, in his Survey of London.[2]

"Richard II. began his reign on the the 21st June, 1377. Sheriffs of London, Nicolas Twiford, Andrew Pikeman; Mayor, Sir Nicholas Brembar.

John Philpot, a citizen of London, sent ships to the sea, and scoured it of pirates, taking many of them prisoners. He was a bold and worthy Member of Parliament at or about this time, and when a Bill was brought in, in the the name of the King, by means of the offended Duke of Lancaster, that the city of London should be no more governed by a Mayor, but by a Custos as in time before; and that the Marshall of England, who was then Lord Percie should have all the power of making arrests within the city, with other petitions tending to the like derogation of the liberty of the city he stood up and said such a matter was never heard before, and that the Mayor of London would never suffer any such arrest to be brought into the city—with more such words of the like stoutness."

The correct date of the accession of Richard II., was the 22d June, 1377. At this period the election of the Mayor of London took place on the Feast of St. Simon and St, Jude, 28th October. Sir Nicholas Brembar was therefore Mayor from the 28th October, 1377, to 28th October, 1378, when he was succeeded by Philpot, on whom the title of Chief Magistrate was conferred, in honour of his defeating and capturing Andrew Mercer, whose attack on

[1]Rot. Scot. Vol. II. p. 43. [2]Book V. p. 76.

Scarborongh had taken place in the summer of 1377, and as Andrew Mercer was evidently not in Scotland, when his father presented his accounts for audit, on the 20th October, 1377, it may reasonably be inferred that he was captured about that time, and prior to the 31st December, 1377, as we learn from the following safe conduct, that Andrew Mercer was released on the 1st January, 1377-8. We also learn from it that he was sent home honourably, which would not have been the case had he been "the pirate," it is the fashion with English writers to style him. In all likelioood "the offended Duke of Lancaster," as Stowe calls him, thus honourably released the captive in order to show his contempt of John Philpot, and his strennous supporters, the citizens of London, whose hatred carried them so far as to induce them to attempt to assasinate "old John of Gaunt, time honoured Lancaster."

Andrew Mercer is styled a royal esquire in this safe conduct, which shows he had been raised from the humble position of "Mercator Scotiae," for his gallantry.[1]

Salvus conductus pro Andrea Mercer.[2]

1 January, 1377-8.

Rex per literas suas patentes ad festum Purificationis Beate Marie proximum futurum duraturas, suscepit in salvum et securum conductum Regis ac in protectionem et defensionem Regis speciales Andream Mercer armigerum carissimi consanguinei Regis Scotie necnon quatuor personas equites in comitiva sua eundo versus partes Scotie et super itinere suo morando ac equos hernesia bona et res sua quecumque Teste Rege apud Westmonasterium primo die Januarii. Per consilium.

To 2 February, 1377-8.

[TRANSLATION.]

Safe conduct for Andrew Mercer.

The King by his letters patent to continue in force to the

[1]See Safe Conduct of 15th October, 1366, at p. 22. [2]Rot. Scotiae, Vol. II. p.5.

Feast of the Purification of the Blessed Mary next to come, has taken under his Majesty's safe conduct and security, and into the especial protection and defence of his Majesty, Andrew Mercer, the Esquire of our well-beloved cousin the King of Scotland, together with four persons on horseback forming his company, while travelling to Scotland, and halting on their journey, with the equipment of their horses, and their goods and property of every description. 2 February, 1377-8.

Witness the King on the first day of January. By the Council. 1 January, 1377-8.

MCCCLXXVII.

Account of John Lyon, Lord of Glammys.[1] 18 March, 1377-8.

Compotum Johannis Lyovne domini de Glammys Camerarii Scocie redditum apud Dunde, xviij. die Marcij Anno dominj Millesimo Tricentesimo Septuagesimo Septimo de omnibus receptis suis et expensis per officium Camerarii in Camera Regis a tempore introitus sui in dicto officio—viz., a vicesimo die Octobris anno dominj Millesimo Tricentesimo Septuagesimo. Septimo vsque in diem hujus Compoti. From 20 October, 1377.

Among other items of expenditure:—

Et Domino Patricio de Graham, domino Symoni de Ketnys et Johanni Mercer, nuncijs missis in Angliam C^lib^.

[TRANSLATION.]

Account of John Lyon, Lord of Glammys, Chamberlain of Scotland, rendered at Dundee, 18th March, in the year of our Lord, 1377-8, of all his receipts and expenditure in his capacity of Chamberlain of the King's Chamber, from the time of his entrance upon the said office—viz., from the 20th day of October, in the year of our Lord, 1377, up to the day of this account. Among the items:— 18 March, 1377-8. 20 October, 1377.

[1] Compota Camerariorum Scotiae, Vol. II. pp. 991–94.

To Sir Patrick de Graham, Sir Simon de Caithness, and John Mercer, ambassadors sent to England, one hundred pounds.

Salvus conductûs pro nunciis Scoticis, ad Regem Ricardum accessuris.

From 25 March, 1378, to 1 March, 1378-9.

Rex per literas suas patentes usque ad primum diem Martii proximum futurum duraturas suscepit in protectionem et defensionem suam necnon in salvum et securum conductum suum Patricium de Græme militem Magistrum Simonem de Cettnes clericum, et Johannem Mercer de villa Sancti Johannis de Scotia veniendo in regnum nostrum Anglie ad nos et consilium nostrum ad tractandum de quibusdam negotiis nos et regnum nostrum et ipsos de Scotia tangentibus ibidem morando et exinde in Scotiam redeundo.

Datum apud Westmonasterium xxv. die Martii. Per ipsum regem et Consilium.[1]

[TRANSLATION.]

Safe conduct for the Scottish Envoys coming to King Richard.

From 25 March, 1378. to 1 March, 1378-9.

The King by his letters patent, to have force up to the first day of March next ensuing, has taken under his special protection and defence, and under his safe and secure conduct, Patrick de Graeme, knight, Mr Simon of Cettness, clerk, and John Mercer of St. Johnston, in Scotland, for coming into our kingdom of England to us and our Council, to treat of certain matters affecting us and our kingdom and the people of Scotland themselves, for remaining in this kingdom, and for returning thence into Scotland.

Given at Westminster the 25th day of March, by the King and Council.

As the year commenced at this period, on the 25th March, this

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[1] Rot. Scotiæ, Vol. II. p. 7, b.

safe conduct was granted on the first day of the year 1378, continuing in force one year all but 24 days; the persons mentioned in it and in the Chamberlain's accounts are the Commisioners referred to by Pinkerton.[1]

The accounts enable us to fix the date of the presentation of the accounts of John Mercer, to have been the 20th October, 1377. In the accounts of Sir Walter de Byger, of 1375-6, John Lyon holds the office of keeper of the Privy Seal, in John Mercer's he is styled chamberlain, and in this capacity took over charge of his office, John Mercer, in the Safe conduct, is called of St. John's Town—the ancient name of Perth, which was also called Bertha; this is the last notice we have of him, he probably died before his son's marriage in 1379.

The following Charter shows that Andrew Mercer received a more substantial reward for his services to his King and country, than the honorary title of esquire, by obtaining a grant of the lands of Ballayach, now called Balladoes, and Balleve, in Kinross-shire, situated not very far from his paternal lands of Aldie.

The grant appears to have been conferred on the occasion of the marriage of Andrew Mercer, with "Joneta his spouse." Unfortunately the sirname of the lady is not given, it is however, believed to have been Barclay, and she is supposed to have been a relative of Margaret de Barclay, the wife of Walter, Lord of Brechin, youngest son of Robert II. It was usual for the nearest relative, or connection who had sufficient court influence to obtain the wardship of a deceased proprietor, accordingly Walter Stewart gets the wardship of the umquhile Sir Andrew Mercer, in 1390, and continues to hold the office till 1400, when Michael Mercer, Sir Andrew's son, comes of age. Walter Stewart had in 1396,

[1] See page 47.

when both parties were in their minority, contracted Michael Mercer to his relative Elizabeth, eldest daughter of Robert Stewart, of Rosyth. They were married 12th June, 1402.

Edinburgh, 6 March, 1378-9.

Charter by King Robert the Second to Andrew Mercer and Jonet, his spouse, of Ballayach and Balleve, in the shire of Kinross.[1]

Robertus, Dei gratia, Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, Salutem. Sciatis nos dedisse, concessisse, et hac presenti carta nostra, confirmasse Andree Mercer, delecto et fideli nostro, terras de Ballayach et Balleve cum pertinentiis infra vicecomitatum de Kynros: Tenendas et habendas eidem Andree, et Jonete, sponse sue, et eorum alteri, diucius viventi, necnon heredibus inter ipsos legitime procreatis, seu procreandis, de nobis et heredibus nostris, in feodo et hereditate, per omnes rectas metas et divisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis, et justis pertinentiis suis quibuscunque, ad dictas terras spectantibus, seu quoquo modo juste spectare valentibus in futurum; libere, quiete, plenarie, integre, honorifice, bene, et in pace: Reddendo inde nobis, et heredibus nostris, annuatim ipsi Andreas et Joneta, sponsa sua, et eorum alter diucius vivens, necnon eorum heredes unum denarium argenti, nomine albe firme tantum, ad festum pentecostes, apud Ballachach. In cujus rei testimonium, presenti carte nostre nostrum precepimus apponi sigillum. Testibus venerabili in Christo, patre Willelmo, Episcopo Sanctiandree, Johanne, primogenito nostro de Carric, senescallo Scocie, Roberto de Fyff et de Menteth, filio nostro dilecto, Willelmo de Douglas et de Marr, consanguineo nostro, comitibus, venerabili viro magistro Johanne de Peblys archidiocono Sanctiandree cancellario, Jacobo de Lyndesay, nepote nostro karissimo, et Alexandro de

[1] Reg. Mag. Sig. No. 110. p 149,

Lyndesay, militibus. Apud Edinburgum, sexto die mensis Marcij anno regni nostri octauo.

TRANSLATION.

Robert, by the grace of God, King of the Scots, to all upright men, clergy and laity, of his whole dominions, Greeting. Be it known that we have given, granted, and by this our present charter have confirmed to our beloved and faithful Andrew Mercer, the lands of Ballayach and Balleve, with their pertinents within the shire of Kinross: To be held and possessed by the same Andrew, and Jonet, his spouse, and the longest liver o them two, and by the heirs lawfully begotten, or to be begotten betwixt them, of us and our heirs in feu and heritage, by all their right measures and divisions, with all and sundry their liberties, commodities, easements, and just pertinents whatsoever, belonging to the said lands, or which shall, in whatever way, justly belong to them in future, freely, quietly, fully, wholly, and honourably, well, and in peace: The said Andrew, and Jonet his spouse, and the longest liver of them two, and their heirs, rendering therefrom to us and our heirs yearly a silver penny, in name of blench farm only, at the feast of Pentecost, at Ballachach. In witness whereof we have commanded our seal to be appended to our present charter. Witnesses, the venerable father in Christ, William, Bishop of St Andrews, John of Carric, our eldest son, Steward of Scotland, Robert of Fife, and of Menteith, our beloved son William of Douglas and of Marr, our cousin, Earls; the venerable man Master John of Peblys, archdeacon of St Andrews, chancellor, James of Lyndesay, our dearest nephew, and Alexander of Lyndesay, knights. At Edinburgh, on the 6th day of the month of March, in the eighth year of our reign.

Edinburgh, 6 March, 1378-9.

Note.—The lands of Ballayach (now called Baladoes), and Baleve, in Kinross-shire, have since the 6th March, 1378-9, been

in the possession of the Mercers of Aldie, and are now the property of the Marchioness of Lansdowne, who succeded to them on the death of Countess Flahault, on the 11th November, 1867. They were probably granted to Andrew as an acknowledgment of his services, and on his marriage with Jonet, whose sirname is supposed to have been Barclay, she is believed to have been a relative of Margaret de Barclay, the wife of Walter Stewart, lord of Brechin, subsequently Earl of Athole, youngest son of Robert the II., who was executed in April, 1437, for the murder of James the 1st, his nephew.

With the knowledge afforded by the preceding recueil of facts, bearing on the history of John Mercer and his son, it is amusing to read the version of the story given by Mons. Michel, who thus *makes history*:—[1]

"Les mers étaient alors infestées de ces aventuriers de toute nation. L'un d'eux, Ecossais d'origine, se rendit particulièrement redoutable à la marine anglaise. C'était un homme d'une grande énergie et fort entreprenant, qui. à la tête d'une escadre de vaisseaux armés in guerre, montés par des *corsaires écossais, français et espagnols, écumait* le détroit et s'enrichissait par de nombreuses prises. Si nous en croyons Walsingham,[2] le père de cet *audacieux bandit*, John Mercer, était un marchand d'une fortune considérable, *qui rèsidait en France* et jouissait d'un grand crédit à la cour. Pendant un de ses voyages, il *avait été pris par des croiseurs du Northumberland* et emmené à Scarborough. *Peu reconnaissant du bon procédé du comte, qui l'avait renvoyé sans rançon, le fils* attaqua ce port de mer et pilla les navires qui s'y trouvaient. Telle était la faiblesse du gouvernement de Richard II, qu'il ne fut pris aucune mésure

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[1] Les Ecossais en France, Vol. I., p. 75. [2] See ante p. 40.

contre l'auteur de ce coup de main; il fallut que Philpot, une riche marchand de Londres, armât à ses frais plusieurs grands vaisseaux de guerre et se mît à la poursuite de *Mercer*. Il le défit complètement, s'empara de sa personne et se rendit maître de toute son escadre, où se trouvaient quinze vaisseaux espagnols et une grande quantité de butin."

In the *Athenæum* for 1856[1] is a review of M'Kie's "Historical Account of Folkestone." With reference to some remarks therein made on the capture of the "fierce Scotch pirate, Mercier," General Alexander Cavalie Mercer contributes, the following criticism and anecdote:—

"Allow me to correct a slight mistake in the *Athenæum* of August last,[2] and to state that the 'fierce Scotch pirate' there mentioned was Mercer, not 'Mercier.' John Mercer, though termed a pirate in the parlance of that day (2 Rich. II.), was, in reality, a gallant and patriotic subject to Scotland's King. At a time when England and Scotland's royal navies were mere figments—when national armaments were got up by contributions from certain sea-ports, corporations, and wealthy individuals—the said John, at his own expense, fitted out a squadron, with which he soon became the terror of England's coast, from the Tweed to the Land's End. So great was his renown as a naval chieftain, that the Kings of France and Spain both sent ships of war to place themselves under his command; and the latter further sent him a commission of Admiral in the Spanish Royal Navy. I only obtrude these remarks as an introduction to the following little anecdote, which may perhaps be thought of sufficient interest to obtain a place in the columns of the *Athenæum*. Somewhere about the

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[1] Page 1314. [2] Page 1010.

beginning of the nineteenth century, a cousin of mine (Lieut.-Colonel Mercer, of the Life Guards, and of Queen Anne Street, West), passing through St. Paul's Churchyard, was surprised at seeing a handsome piece of plate in a shop-window bearing his own family arms. Naturally enough, he went in to enquire whence it came, and was informed that it was one of numerous articles, which from time to time, had been brought for sale by an old woman, who lived somewhere in the neighbourhood—that some only of these bore the arms of Mercer, the greater part being totally different. My cousin purchased the cup (for such it was), and, having ascertained the whereabouts of the person who had sold it, went in search of, and, after some trouble, found her in a miserable garret, in a lane near St. Paul's. The poor creature was on her death-bed, and he only succeeded in eliciting from her, that, to the best of her knowledge, she was the last of the Philpots of Upton Court, East Kent—from a series of misfortunes the family had been reduced to poverty,—and that she had for some time subsisted on the sale of what remained of the family plate, among which was much that had been taken on board the ship of the Scotch pirate Mercer, by her great ancestor the Alderman, Sir John Philpots. It were needless to add, that Colonel Mercer did what he could to alleviate the misery of this last remnant of an ancient family, but in vain; she expired almost immediately afterwards. The beauty of the cup had saved it from the crucible, to which all the other articles had been consigned. In shape it is an urn has two handles, and the cover is attached by a hinge, highly embossed, having on one side the family arms as used at this day. In size it may be about a quart. This story was related to me by Colonel Mercer, himself, very many years ago; and I was somewhat surprised, subsequently to his death, on finding

his son (the late Lieut.-General Douglas Mercer, C.B.), totally ignorant of it until mentioned by me."

This cup is now in the possession of Mr Mercer Henderson, of Fordel, in Fifeshire, the grandson of the late Lieut.-Colonel George Mercer, of the 1st Life Guards. The arms were engraved on the cup after its purchase from the last of the Philpot family. The arms of Andrew Mercer, at the time of his capture were not those now borne; the arms on his seal in 1385, are a chevron between three mullets, the whole surmounted by a helmet bearing for crest a peacock's head, and neck couped, these were the arms of the Murrays of Tullybardine, borne by the Mercers as arms of affection, Andrew's mother having been Ada, daughter of Sir Andrew Murray, 2d of Tullybardine, from whom Andrew Mercer probably acquired his christian name of Andrew.

The following remarks from the Introduction to the Liber Albus,[1] give us an idea of the status and importance of sea captains, about the year 1419, the date at which the Liber Albus was compiled:—

"The only additional remark to be made on this subject relates to the captains or masters of ships. From the terms of a provision made with reference to average contributions in cases of Jattison, we may conclude, these personages were in general men of some opulence, and of very considerable consequence in their own estimation at least. Among the Articles there mentioned as exempted from contribution under such circumstances, and as belonging to them almost as a matter of course are the shipmaster's belt, his neck-chain (monile), his silver drinking cup, and the ring on his finger."

[1]The Liber Albus is the first Volume fo the Munimenta Guildhallæ Londoniensis, Edited by H. T. Riley, Esq., Barrister-at-law, pp. 97 and 23.

The cup was probably the more prized by the Philpot family, as showing the status of the captive. The badge of an admiral was his bauldric or belt: this in heraldry is represented by the fesse; accordingly Andrew Mercer, when he was knighted in 1385, obtained a distinct coat-of-arms, in which his naval rank is designated by the fesse, charged with three besants, denoting the office of Receptor Pecuniarum Regis, held by his father, and probably conjointly by himself. Nesbit, who was ignorant of the family history, sub voce besant, says one of the family was an Admiral, and the besants testify that the acquirer of the escutcheon had been connected with the Royal Treasury.[1]

In proof of the excitement caused by the audacious Scottish bandit among the merchants of England, which was also the cause of Commissioners being sent to King Richard, the following petition and its response, dated 25th April, 1379, to which Hinderwell refers, may be here inserted. It was presented towards the end of 1378, or beginning of 1379, and lays the blame of the injuries done along the north-east coast of England, for the space of two years previously, to the French. As, however, the French could not have ventured to commit ravages at a spot so distant from their own shores as Scarborough, running the gauntlet of the English ships and ports, without the powerful support of the Scots, the latter ought to have been the parties complained of. The pecuniary mulct of £1000, which according to some authorities represents £30,000, of our present money, especially when added to the 2000 merks brought to account as indemnification, to those shipwrecked off Northumberland, in 1376, which at the same rate would represent £26,670, making a total of £56,670, doubtless went far to indemnify John Mercer and his son in fitting out their expedition:—

[1] Nesbit's Heraldry, Vol. 1, p. 217.

PRECIS *of* PETITION *by the* COMMONS *of* ENGLAND, *for the defence of Scarborough against foreign enemies, presented to the Parliament, held at Westminster, on Monday, the quinzieme day of Pasque in the second year, of the reign of Richard II., and reply thereto (25th April,* 1379.*)*

No. xi. 37. Item supplient les Communes, que come les enemys de France avec grandes armes et pluseurs vessealx de guerre ont estee continuelment, et unquores sont, en les parties de North, et nomement devers le couste de Scardeburgh, laquelle Ville est perillousement assis sur la meer overtement as assautes des ditz Enemys; et les gentz du dce Ville par prise et raunceons de dces Enemys q' amonte a Mille livres que ont este paiez deinz ces deux ans darrein passez, ensi destruitz et amesnusez; et plusours des dces gentz en Boloigne et autres lieux de par de la unquores en prisone esteantz; que la dite Ville est en point d' etre ars et destruite et tout le couste environ; et ce en brief temps sinoun que hastive remede soit ent ordeine. Qe plese a notre dit Sieur le Roi et a son tressage Conseil, considerantz les grantz damages et perils que au dite Ville et la Couste environ sont avenuz, et unquores apparantz d'avenir, ordeiner et assigner certeins Vessealx de Guerre sur les dites Coustiers, de les garder encontre la malice et poair des ditz Enemys, et ce durant les Guerres, en salvation du dite Ville, et la Chastel de notre Sieur le Roi illoeques assis, et de tout la pays environ.

2 Rich. II., 25 April, 1379.

Responsio. Ceste matire est en partie touchez as Marchantz des dces Costieres qui sont a cest Parlement, et par lour advis, et d' autres q' ont a passer lours Marchandies en celles Marches par la Meer, remede ent est ordeinez, par maniere come le Conte de Northumbr' et le Mair de Londres, qui furent assignez en Parlement de tretez sur ceste busoigne le sachent pluis au plein declarer.

Ceste l'ordinance et grante par l'advis des Marchaundz de Londres, et des autres Marchaundz vers la North, par assent de touz les Communes de Parlement, par devant le Comte de Northumbr' et le Mair de Londres, pour la garde et tuicion du Meer et Costers de l' Admiralte de North ove deux niefs, deux bargis, et deux balengers armez et arraiez pur la guerre sur les ditz Coustages.[1]

[TRANSLATION.]

2 Rich. II., 25 April, 1379.

In like manner, the Commons petition—Whereas the French Enemies with great arms and several ships of war, have been continually, and still are, in the northern parts; and especially in the direction of the coast of Scarborough, which Town is dangerously situated on the sea, exposed to the assaults of the said enemies; and the people of the said town, through captures and ransoms by the said enemies, amounting to one thousand pounds, which have been payed in these two years last past, are thus destroyed and impoverished; and several of the said people being still in prison in Boulogne and other places more distant, that the said Town is at the point of being burnt and destroyed, and all the coast around, and that in a short time unless speedy remede is ordained. May it please our said Lord the King, and His very wise Council, considering the great damage and peril which have happened to the said Town and the surrounding coast, and are still likely to happen, to order and appoint certain vessels of war upon the said coasts, to guard them against the malice and fear of the said enemies, and that during the wars, for the safety of the said Town, and the Castle of our Lord the King, there situated, and of all the surrounding country.

Answer. This matter partly concerns the merchants of the said coasts who are in this Parliament, and by their advice, and

[1]Rolls of Parliament, Vol. III., No. xl. 37,

that of others who send their merchandise into these markets by the sea, remede is ordained, in manner as the Earl of Northumberland, and Mayor of London, who were assigned in Parliament to treat concerning this affair, know more fully to declare.

This is the ordinance and grant by the advice of the merchants of London, and of other merchants towards the North, with consent of all the Commons of Parliament, in presence of the Earl of Northumberland, and the Mayor of London, for the guard and protection of the sea, and coasts of the Admirality of the North, with two ships, two barges, and two belandres (small ships), armed and equipped for war upon the coasts, etc.

John Philpot was the Mayor of London at the date of this Petition. He had been elected in acknowledgment of the service he had done his country, in revenging the injury inflicted at Scarborough, in 1377.

On the 16th June, subsequent, an order[1] was passed by the King in Council, directing the levying of certain customs to defray the expenses of the war vessels appointed for the protection of Scarborough, and the North-Eastern coast of England.

The next document in chronological order is the Charter by Sir Walter Leslie, Earl of Ross, dated at Elgin on the 18th August, 1381, conferring a grant of the lands of Faithly, in the barony of Kynedward (now King Edward), in Aberdeenshire, the peculiarity of this charter is, that it in like manner with the charter for Dalkaith,[2] is granted to "our well-beloved cousin Andrew Mercer."

This appears to be something more than a mere assumption of the royal style, for Sir Walter's widow in ratifying the charter of her late husband, styles Andrew Mercer her husband's and her own cousin; David Stewart (the son of Euphemia Ross, 2nd wife

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[1] Rymer's Fœdera, Vol. 3, p. 86. [2] See Ante, pp. 25–26.

of Robert II., and aunt of Euphemia, widow of Sir Walter Leslie) the granter of the Dalkaith Charter was indubitably Euphemia's first cousin, and the Charter of 20th June, 1364,[1] by which Andrew Barclay grants and William Earl of Ross confirms the grant of Kinnaird to Andrew Mercer—may point to a family connection between the Rosses and Barclays and Andrew; but it is difficult to account for any connection with Walter Leslie, who was the 2nd son of Sir Andrew Leslie of that Ilk. He married Euphemia Ross before the 13th December, 1365, having run off with her.

Carta Andree Mercer, de terra de Faythley.

Elgin, 18 August, 1381.

Omnibus hanc cartam visuris et audituris Walterus de Lesley dominus de Ross salutem in Domino sempiternam Noueritis nos dedisse concessisse et hac presenti, carta nostra confirmasse dilecto consanguineo nostro Andree Mercer, pro suo fideli seruicio nobis impenso et impendendo totam terram nostram de Faythley, cum pertinenciis in baronia de Kynedward infra vicecomitatum de Abirdene Quamquidem terram cum pertinenciis Johanneta de Mengnes filia et heres quondam Alexandri de Mengnes domina dicte terre . . . in sua pura et legitima viduitate apud Dune in Mentheth quinto die mensis Junij, anno Domini millesimo CCC^{mo} octuagesimo primo nobis . . . simpliciter resignauit Tenendam et habendam eidem Andree heredibus suis et assignatis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . Reddendo inde nobis et heredibus nostris . . . vnum par calcarium deauratorum apud Faythley supradictam in Festo Pentecostes nomine albe firme annuatim tantum si petatur . . . In cujus rei testimoninm presenti carte nostre sigillum nostrum precepimus apponi his testibus venerabilibus in Christo patribus Dominis Alexandro et Alexandro Dei gratia Morauiensis et

At Doune, in Menteith, 5 June, 1381.

[1] See Ante page 20.

Rossensis ecclesiarum episcopis Dominis Alexandro et Willelmo de Lindisa fratribus nostris carissimis Dominis Waltero Senescallo Roberto de Innes, et Ricardo Comyn militibus, Magistris Willelmo de Dyngvale et Alexandro Man decano et archidiacono ecclesie Rossensis Adam de Vrchart Alexandro de Cheeshelm Hugone de Monro, Roberto Burnen', et multis aliis apud Elgyne decimo octauo die mensis Augusti anno supradicto.[1]

[TRANSLATION.]

Charter to Andrew Mercer for the Lands of Faythley, in the Shire of Aberdeen. Given at Elgin, 18*th August,* 1381.

Elgin, 18 August, 1381.

To all who shall see and hear this Charter, Walter of Lesley, Lord of Ross, wishes eternal salvation in the Lord: Know ye that we have given, granted, and by this our present Charter, have confirmed to our beloved cousin Andrew Mercer, for his faithful service rendered, and to be rendered to us, our whole land of Faythley, with the pertinents in the barony of Kynedward and county of Aberdeen, the which land with the pertinents, Janet of Menzies, daughter and heiress of the late Alexander of Menzies, lady of the said land, . . . in her pure and lawful widowhood, resigned simply to us . . . . . at Doune in Menteith, on the fifth day of the month of June, in the year of the Lord one thousand three hundred and eighty-one: To be held by the same Andrew, his heirs and assignees, of us and our heirs in feu and heritage for ever. For payment thence to us and our heirs of one pair of gilt spurs annually, at the feast of Pentecost, at Faythley aforesaid, in name of blench farm if asked only. . . . In testimony of which thing we have commanded our seal to be set to our present Charter, in presence of these witnesses, the venerable fathers in Christ, the Lords Alexander, and

At Doune, in Menteith, 5 June, 1381.

[1] Antiquities of the Shires of Aberdeen and Banff, Vol. IV. p. 83. Abridged from the original in the Charter room at Philorth.

Alexander by the grace of God, bishops of the churches of Moray and Ross, Sir Alexander and William de Lindsay, brothers, our well-beloved Sir Walter Steward, Sir Robert of Innes, and Sir Richard Comyn, knights; Masters William of Dingwall, and Alexander Man, dean and archdean of the church of Ross, Adam of Urquhart, Alexander of Chisholm, Hugh of Munro, Robert Burnen', and many others. At Elgin, the eighteenth day of the month of August, and year aforesaid.

Although the charters have not yet been discovered, yet from the two following Ratifications it is evident that Andrew Mercer did obtain grants from Walter Leslie, and his wife Euphemia Ross, for the lands of Tyry, also in the barony of Kynedward, and annual rents out of the lands of Finletter, Netherdale, Pittendreich, and Culbreny, in the shire of Banff. Robert II. confirms or ratifies the conjoint grants by Walter and Euphemia, of the lands of Faithley and Tyry, on the 14th February, 1382, thus—

Ratificatio Regis[1]

Methven, 14 February, 1381-2.

Robertus Dei gratia Rex Scottorum Omnibus probis hominibus totius terre sue clericis et laycis salutem Sciatis nos approbasse ratificasse et hac presenti carta nostra confirmasse donacionem illam et concessionem quas dilectus consanguinens noster Walterus de Lesley, de Ross, et dilecta consanguinea nostra Euphemia, sponsa sua ex vnanimi consensu et assensu facerunt et concesserunt dilecto et fideli nostro Andree Mercer, de terra de Faythley cum pertinentiis in baronia de Kynedward, infra vicecomitatum de Abirdene. Et de terra de Tiry cum pertinentiis in eadem baronia infra eundem vicecomitatum Tenendis . . . dicto Andree heredibus et assignatis suis . . .

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[1]Antiquities of the Shires of Aberdeen and Banff, Vol. IV. p. 81. From the Original in the Charter-Room at Philorth.

saluo seruicio nostro in cujus rei testimonium presenti carte nostre confirmationis nostrum precepimus apponi sigillum Testibus, venerabilibus in Christo patribus Willelmo et Johanne cancellario nostro Sancti Andree et Dunkeldensis ecclesiarum episcopis Johanne primogenito nostro de Carrik, senescallo Scocie, Robertus de Fyff, et de Menteth filio nostro dilecto Willelmo de Douglas et de Marr, consanguineo nostro comitibus Jacobo de Lyndesay, nepote nostro harissimo et Roberto de Erskyne, consanguineo nostro militibus apud Methfen quarto decimo die Februarii anno regni nostri vndecimo.[1]

Translation of Charter of Confirmation by King Robert II., ratifying the precediny charter and others to Andrew Mercer, of the lands of Faythley, etc. Given at Methven, 14*th February,* 1381--2.

Robert, by the grace of God, King of Scots: To all good men, lay and clerical, of his whole land—Greeting: Know ye that we have approved, ratified, and by this our present charter have confirmed that gift and grant, which our beloved cousin Walter of Lesley, of Ross, and our beloved cousin Euphemia, his spouse, with unanimous consent and assent, have made and granted to our beloved and faithful Andrew Mercer, of the land of Faythley with the pertinents, in the barony of Kynedward, within the county of Aberdeen. And of the land of Tiry with the pertinents in the same barony, within the same county. To be held . . . by the said Andrew, his heirs and assignees, . . . reserving our service. In witness of which thing we have commanded our seal to be set to our present charter of confirmation, the witnesses being, the venerable fathers in Christ, William and John our Chancellor, bishops of the churches of St. Andrews and Dunkeld, John our first born, of Carrick, Steward of Scotland, Robert of Fyff, and of Menteith,

Methven, 14 February, 1381-2.

our beloved son, William of Douglas and of Marr, our cousin, Earls; James of Lindsay, our beloved nephew, and Robert of Erskine, our cousin, knights. At Methven, the fourteenth day of February in the eleventh year of our reign.

Within 24 days after this, viz., on the 9th March, 1381-2, Euphemia Ross in her widowhood gives the following Ratification of the several grants conferred by her husband and herself on their "cousin Andrew Mercer:"—

Ratificatio per Eufamiam dominam de Rosse terrarum de Faythley, etc.[1]

Omnibus hanc cartam visuris vel audituris, Eufamea domina de Rosse filia et heres Willelmi quondam comitis de Rosse, eternam in Domino salutem. Cum Joneta de Meyness filia et heres quondam Alexandri de Meyness domini de Forthyrgill [etc], sua mera et spontanea voluntate in legittima sua viduitate existens, omnes et singulas terras de Faythley cum pertinentiis in baronia de Kynedward infra vicecomitatum de Aberden que fuerunt dicte Joneta, karissimo domino nostro domino Waltero de Lesley quondam sponso nostro et domino de Rosse, per fustum et baculum sursum reddidit pureque et simpliciter resignavit. Et post modum dictus Dominus Walterus quondam sponsus noster cum consensu et assensu nostro et ex maturo avisamento et distincta deliberatione concilij sui et nostri predictas terras de Faythley, cum pertinentijs dilecto consanguineo suo et nostro Andree Mercer, ac heredibus suis et assignatis pro servitio suo sibi et nobis impenso et in futurum impendendo pro uno pare calcariorum deauratorum nomine albefirme heredibus dicti Domini Walteri sponsi nostri et nostris inter nos procreatis vel in post-

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[1] Antiquities of the Shires of Aberdeen and Banff, Vol. II. p. 389. From a collection of Scottish MS. Charters in the library at Panmure.

erum procreandis nobis, annuatim per predictum Andream heredes suos et assignatos tantum persolvendo. Ac etiam dictus Dominus Walterus quondam maritus noster nostro etiam consensu et assensu predicto Andree heredibus ejus et assignatis novem libras sterlingorum de Fynleter Natyrdale et de Petyndreych, proportionaliter ac annuatim debitas et viginti quatuor solidos de Culbreny annnatim debitos infra vicecomitatum de Banff, pro uno pare calcariorum deauratorum domino nostro Regi nomine albefirme annuatim tantum persolvendo per eundem Andream et heredes suos et asssignatos ac terras de Tyre cum pertineutiis in baronia de Kynedward infra vicecomitatum de Aberdeen, pro uno denario sterlingorum nomine albefirme per supradictum Andream heredes suos et assignatos nobis et heredibus nostris ut supra tunc annuatim persolvendo si petantur [*etc*], in perpetuum concessit. Nos vero tandem nunc in nostra pura et legitima viduitate existens predictas donationes [*etc*], dicti Domini Walteri quondam sponsi nostri de predictis terris de Faythley et Tyry, et annuis redditibus de Finleter Natherdale, Petyndreych, et de Culbreny, cum pertinenciis suis et assignatis factas prout carte dicti Domini Walteri quondam sponsi nostri sibi inde facte plenius continent et testantur in omnibus et per omnia [*etc*], et in perpetuum ratificamus [*etc.*] In cujus rej testimonium sigillum nostrum presenti carte est appensum apud castrum nostrum de Dyngvale nono die mensis Martij anno Domini millesimo trecentesimo octuagesimo primo. His testibus venerabili in Christo patre domino Alexandro Dei gratia episcopo Rossensi magistro Willelmo de Dingvale decano Rossensi Waltero Senescallo Ricardo Cumyne militibus. Adam de Urchard vicecomite de Crombachy Hugone de Munro et multis aliis.

[TRANSLATION.]

Ratification by Eufemia, Lady of Ross of the lands of Faythley

and Tyry in Aberdeen; and annual Rents out of Finlater, Netherdale, Pittendreich, and Culbreny, in Banff.

To all who shall see and hear of this Charter, Euphemia, Lady of Rosse, daughter and heiress of William, late Earl of Rosse, Greeting in the Lord everlasting. Seeing that Jonet of Meyness, daughter and heiress of the late Alexander of Meyness. Lord of Forthyrgill, *etc.*, in the plenitude of her spontaneous goodwill, living in her lawful state of widowhood, gave up *per fustum et baculum*, and purely and simply resigned to our dearest Lord, Lord Walter of Lesley, formerly our husband and lord of Rosse, all and each of the lands of Faythley, with appurtenances, in the barony of Kynedward, within the Sheriffdom of Aberdeen, which belonged to the said Jonet: And seeing that afterwards the said Lord Walter formerly our husband, with our consent and assent, and on mature advice and after distinct deliberation with his and our council, granted in perpetuity the foresaid lands of Faythley, with appurtenances to his and our beloved cousin Andrew Mercer, and his heirs and assignees, for his service to him and to us rendered, and to be rendered in future, for a pair of gilt spurs *in nomine albefirme*, to be paid annually by the foresaid Andrew, his heirs and assignees, to the heirs of the said Lord Walter our husband, and to ours procreated betwixt us, or in future to be procreated by ourself: And seeing also that the said Lord Walter formerly our husband, likewise with our consent and assent, granted in perpetuity, to the foresaid Andrew, his heirs and assignees, nine pounds sterling, proportionally and annually due from Fynleter Natyrdale, and Petyndreych, and twenty-four shillings annually due from Culbreny, within the Sheriffdom of Banff, for a pair of gilt spurs to be paid to our Lord the King, *in nomine albefirme* only annually, by the same Andrew, his heirs and assignees, and the lands of Tyre with appurtenances in

the barony of Kynedward within the Sheriffdom of Aberdeen, for one penny sterling, to be paid annually *in nomine albefirme* to us and our heirs as above, by the before-mentioned Andrew, hisheirs and assignees, only if demanded. We truly, now at length, abiding in our pure and lawful viduity, ratify in perpetuity the aforesaid donations, etc., of the said Lord Walter, formerly our hnsband, of the foresaid lands of Faythley and Tiry, and the annual rents forth of Findleter Nathyrdale, Petndreych, and of Culbreny, with their pertinents, made with our consent and assent to the aforesaid Andrew, his heirs and assigns, as the charters of the said Lord Walter, formerly our husband, made by himself thereanent more fully contain and testify, etc. In witness whereof our seal is set to the present charter at our camp of Dingwall, on the ninth day of the month of March, in the year of the Lord, one thousand three hundred and eighty-one, in presence of these witnesses, the venerable father in Christ, Lord Alexander, by the grace of God, Bishop of Ross, Master William de Dingwale, deacon of Ross, Walter Stewart, Richard Comyne, Knights; Adam de Urchard, Sheriff of Crombachy, Hugh de Munro, and many others.[1]

Dingwall, 9 March, 1381-2.

Walter Leslie appears to have died between the dates of the two preceding charters. His widow married, prior to the 25th July, 1382, probably on compulsion, Alexander, fourth son of Robert II.: he is better known as the Wolf of Badenoch. He treated her most cruelly, and died on 24th July, 1394, and is buried in Dunkeld Cathedral; she died about the same time.

The next charter grants 40 merks out of the Customs of Perth to Andrew Mercer: this forms the connecting link with Andrew Mercer, Esquire, and the "umquhile Sir Andrew Mercer" mentioned in the Exchequer Rolls some years subsequent.

[1] Antiquities of the Shires of Aberdeen and Banff, Vol. II., p. 389. From a collection of Scottish M.S. Charters., in the Library at Panmure.

Charter by King Robert the Second to Andrew Mercer, of forty merks sterling, out of the customs of the burgh of Perth Dated, 28th April, 1383.

Cumbrae, 28 April, 1383.

Robertus, Dei gratia, Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, Salutem. Sciatis nos dedisse, concessisse, et hac presenti carta, confirmâsse delecto et fideli nostro Andree Mercer, pro homagio et seruicio suo nobis, et heredibus nostris, impenso, et impendendo, quadraginta marcas sterlingorum, annuatim et hereditarie, de custuma nostra de Perth, vel firma eiusdem burgi, percipiendas per manus Camerarii nostri, qui pro tempore fuerit: Tenendas, et habendas, et percipiendas eidem Andree, et heredibus suis, de nobis, et heredibus nostris, in feodo et hereditate, quousque nos, vel heredes nostri eidem Andree, vel heredibus suis quadraginta marcatas terre fecerimus in loco competenti. Quare Camerario nostro, qui pro tempore fuerit, damus tenore presencium firmiter in mandatis quatinus eidem Andree, et heredibus suis, de dictis quadraignta marcis de custuma, vel firma dicti burgi faciat singulis annis integre deseruiri; quas sibi, in compotis suis annuis, visis ipsius Andree vel heredum suorum literis de recepto, volumus et per precipimus, per presentes, plenius allocari. In cujus rei testimonium, presenti carte nostre nostrum precepimus apponi sigillum. Testibus, etc.: Apud Cumbray, vicesimo octauo die Aprilis, anno regni nostri tercio decimo.† [A.D. 1383.]

TRANSLATION.

Cumbrae, 28 April, 1383.

Robert, by the grace of God, King of the Scots, to all upright men, clergy and laity, of his whole dominions, Greeting: Be it known that we have given, granted, and by this present charter have confirmed, to our beloved and faithful Andrew Mercer, for his homage and service rendered, and to be rendered to us and to our heirs, 40 merks Sterling, yearly and heritably, of the customs of

Perth, or farm of the same burgh, to be received by the hands of our Chamberlain who shall be for the time: To be held, and possessed, and received by the same Andrew and his heirs, of us and our heirs, in fee and heritage, until we or our heirs shall have procured for the same Andrew or his heirs 40 merks of land, in a suitable place. Wherefore we, by the tenor of these presents firmly give orders to our Chamberlain who shall be for the time, to cause to be fully paid every year to the same Andrew and his heirs, the said 40 merks of the custom or farm of the said burgh; which we will and command by these presents to be distinctly set down in his annual accounts upon sight of the letters of receipt of the said Andrew, or those of his heirs. In testimony whereof we have commanded our seal to be appended to our present charter. Witnesses, etc. At Cumbray, on the 28th day of April, in the 13th year of our reign.