

## The earliest holders of the lands of Kincaid.

---

The first mention of Kincaid is when a caucate of the lands of Kyncaith were granted with Buthernock to William son of Arthur son of Galbrait on 2 March 1238/9 (i.e. 1238 old calendar year & 1239 modern calendar year). The charter reads as follows (accents added).

Omnibus Christi fidelibus tam clericis quam laicis hoc scriptum visuris vel audituris Maldovenus comes de Levenax salutem. Sciant presentes et futuri, me dedisse, concessisse et hac presenti carta mea confirmasse, **Willielmo filio Arthuri filii Galbrait** tres carucas terre in Levenax, scilicet duas Buthernockis et tertiam carucatam terre que vocatur Kyncaith, cum omnibus pertinentiis suis libertatibus et aysiammentis: Tenendas et habendas de me et heredibus meis ipsi Willielmo et heredibus suis, per earum rectas divisas, libere quiete plenarie integre et honorifice, in bosco et plano, in viis et semitis, in pratis pascuis et pasturis, in moris et maresiis, in aquis stagnis et molendinis, in lacubus et piscariis, et in ecclesiarum advocacionibus, cum omnibus libertatibus suis et aysiammentis ad dictas terras pertinentibus, sine aliquo retinemento: Reddendo inde annuatim ille et heredes suis mihi et heredibus meis dimidiam marcam argenti infra nundinas de Glasgw, et faciendo forinsecum servitium domini Regis cum evenerit quantum pertinet ad tantas terras, pro omni servitio seculari exactione seu demanda. Et ego et heredes mei omnes predictas terras in omnibus ut prescriptum est, predicto Willielmo et heredibus suis in perpetuum, contra omnes homines et feminas warantizabimus acquietabimus et defendemus. Hiis testibus, domino David de Lindsay tunc justitiario Laudonie, domino Willielmo de Lyndsay, domino A. Cummyng, domino David Cummyng, domino Willielmo de Doneglass, domino David de Graham, dominis Auleth Duncan Henrico Gilchrist fratribus meis, Mauricio filio Galbraith, Malcolmo thane de Kalentyr, Absolone, Gilberto persona de Drummane, Mauricio clerico filio decani de Luskyr, et aliis multis. Datum apud Fyntrie, secundo die Martii, anno gratie millesimo ducentesimo tricesimo octavo.<sup>1</sup>

By 1253 three quarters of the lands of Kincaid appear to have been alienated to the patriarch of the Grahams of Montrose. The following charter of confirmation (accents added), dated 27 December 1253, to David of Grahame shows that he got three quarters of the lands of Kincaid; one from William Galbrathe, one from Maurice son of Galbrathe, and one from John Machudri.

Alexander Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue salutem: Sciant presentes et futuri nos concessisse et hac carta nostra confirmasse donacionem illam quam Malcolmus comes de Fyfe fecit **Dauid de Grahame**, de quibusdam terris in baronia de Caledoun, cum pertinentiis suis, et donacionem illam quam Patricius comes de Dumbare fecit eidem Dauid de terra de Dundafe cum pertinentiis suis, et donacionem illam quam Rogerus de Quency comes Wyntonie fecit eidem Dauid de quadam parte terre in territorio de Dalcoue et de Mertoun, cum pertinentiis suis, et donacionem illam quam Maldoueny comes de Leuenax fecit eidem Dauid de terris de Mucraw et de Stratblathane cum earum pertinentiis, et donacionem illam quam Duncanus comes de Carrik fecit eidem

---

<sup>1</sup> Cartularium Comitatus de Levenax: Ab Initio Seculi Decimi Tertii Usque Ad Annum M.CCC.XCVIII. Ed. James Dennistoun Jr. Edinburgh: Maitland Club, 1833. Published in Notices From The Local Records of Dysart. Glasgow: James Hedderwick & Son, 1853. p. 30-31, no. 29.

Dauid de quadam terra in territorio de Inuirgarvane cum pertinenciis suis, et donacionem illam quam Alexander Senescallus fecit eidem Dauid de quadam terra in Stratgrife que vocatur Spangok cum pertinenciis suis, et donacionem illam quam Roger de Mubray fecit eidem Dauid de quibusdam terris in Cuninghame cum pertinenciis suis, et donacionem illam quam Malcolmus filius comitis de Leuenax fecit eidem Dauid de terra de Stratblathane in Leuenax cum pertinenciis suis, et donacionem illam quam Henricus de Grahame fecit eidem Dauid de villa de Cliftun cum pertinenciis suis, et donacionem illam quam Willelmus Galbrathe fecit eidem Dauid de quadam parte terre in territorio de Kyncathe cum pertinenciis suis, et donacionem illam quam Henricus de Haschirche fecit eidem Dauid de quadam terra in baronia Castri Oliueri que vocatur Minnane, cum pertinenciis suis, et donacionem illam quam Alewinus de Kalentyre fecit eidem Dauid de quadam parte terre in territorio Varie Capelle cum pertinenciis suis, et donacionem illam quam Johannes de Carrik fecit eidem Dauid de duabus denariatis terre in Carrik cum pertinenciis suis, et donacionem illam quam Adam de Poulwrthe fecit eidem Dauid de terra de Cattisclithe cum pertinenciis suis, et donacionem illam quam Mauricius filius Galbrathe fecit eidem Dauid de quadam terra in territorio de Kincathe cum pertinenciis suis, et donacionem illam quam Ricardus frater Galfredi fecit eidem Dauid de quadam terra in Hyliuistoun cum pertinenciis suis, et donacionem illam quam Philippus de Hyliuistoun fecit eidem Dauid de quadam terra in territorio de Hyliuistoun cum pertinenciis suis, et donacionem illam quam Galfridus frater Ricardi fecit eidem Dauid de quadam parte terre in Hyliuistoun cum pertinenciis suis, et donacionem illam quam Johannes Machudri fecit eidem Dauid de quadam terra in territorio de Kincathe cum pertinenciis suis: Tenendis et habendis eidem Dauid et heredibus suis uel suis assignatis de predictis infeudatoribus et eorum heredibus in feodo et hereditate per suas rectas diuisas et cum omnibus iustis pertinenciis suis, in bosco et plano, in terris et aquis, in pratis et pascuis, in moris et maresiis, in stagnis et molendinis, et cum omnibus aliis ad dictas terras iuste pertinentibus ita libere, quiete, plenarie et honorifice sicut carte predictorum infeudatorum predicto Dauid exinde confecte plenius iuste testantur; saluo seruicio nostro. Testibus venerabili patre C[lemente] episcopo Dumblanensi, W[altero] Cumyne comite de Menteth, Alexandro Cumyne comite de Buchane, iusticiario Scocie, W[illelmo] comite de Marre, camerario, Roberto de Ros, Nicholao de Soulis, Thoma filio Ranulphi, Dauid de Louthore et Johanne Blundo: Apud Sanctum Andream xxviii. die Decembris anno regni nostri quinto.<sup>2</sup>

There is not enough information in this charter to determine how three quarters of Kincaid ended up with William Galbrathe, Maurice son of Galbrathe and John Machudri. People assume that the William Galbrathe was the William son of Arthur son of Galbrait in the 1239 charter. There is no proof of this as there are clearly documents missing. We also can't be certain that the three quarters related to the same lands granted in the 1239 charter as they were all designated as being in the territory of Kincaid. Even assuming that this pertained to the lands granted in 1239, William Galbrathe could have gotten his portion from William son of Arthur son of Galbrait just as Maurice son of Galbrathe and John Machudri did.

Next we have reference to a charter by William Galbraith to Sir Patrick of Graham of the mill of Kincade as well as a quitclaim of 2½ merks that was payable annually from the lands of Kincade that Patrick held of William.<sup>3</sup> The witnesses were Hugh of Dalziel, Sheriff of Lanark, Arthur Galbraith, and John le Blunte. The charter is undated but the abstractor suggests about the year 1285. It is understood that Sir Patrick of Graham was the son and heir of the 1253 David de Grahame and that he was the Patrick of Graham who

<sup>2</sup> Fraser, William. *The Lennox*. 2 vols. Edinburgh: n.p., 1874. 2 (Muniments): p. 13-15, no. 12.

<sup>3</sup> National Archives of Scotland, Edinburgh, UK. GD 220/1/A1/4/4. & "Duke of Montrose." *Second Report of the Royal Commission on Historical Manuscripts*. London: H.M.'s Stationery Office, 1874. Appendix, p. 166, no. 15.

died at the battle of Dunbar on 27 April 1296.<sup>4</sup> If so, the charter would have been before that battle. Regardless, the key witness is Hugh of Dalryel, Sheriff of Lanark. He is on record as being sheriff of Lanark at least between 1288 and 12 April 1290.<sup>5</sup> A charter date around this period is certainly appropriate.

An interesting note with the document is that the annual rents related to lands that Sir Patrick Graham held of William Galbraith. This means that either David of Grahame only got tenandry rights or that this relates to other Kincaid lands not conveyed to David of Grahame. Since the mill was not noted in the grant to David of Grahame, it was likely part of lands of Kincaid not conveyed to him. There is nothing in the abstract to indicate whether or not William Galbraith retained superiority of the the mill.

The next reference to the Kincaid lands are when the three quarters of Kincaid granted to David of Grahame were later granted by charter to Patrick Galbraith along with the quarter lands of Balquharrage. The charter reads as follows (accents added).

Omnibus hoc scriptum visuris vel auditoris Malcomus comes de Levenax salutem in Domino sempiternam. Noveritis, nos dedisse concessisse et hoc presenti scripto confirmasse, **Patricio Galbraith**, illas tres quartarias terre que fuerunt quondam domini David de Grame, cum illa quartaria terre que vocatur Balecarrage que fuit dicti domini David in tenemento de Kynkaid, per omnes rectas divisas suas et cum omnibus justis pertinentiis suis: Tenendas et habendas predicto Patricio et heredibus suis et assignatis, pro homagio et servitio suo, de nobis et heredibus nostris, in feodo et hereditate in perpetuum, libere quiete honorifice, cum omnibus libertatibus commoditatibus aysiammentis nominatis et non nominatis, ad easdem terras spectantibus seu quovismodo jure spectare valentibus: Faciendo inde nobis et heredibus nostris, in communi exercitu domini Regis, quantum pertinet ad unam carucatum terre in Levenax, et tres sectas curie annuatim ad tria placita capitalia nostra de Levenax et heredum nostrorum, pro omni alio servitio seculari exactione et demanda. Et si contingat quod dictus Patricius seu heredes sui et assignati non valeant gaudere dicta carucata terre, nos et heredes nostri, predictum Patricium hereditarie de tanta terra [in comitatu nostro de Levenax, seu] de quacunque terra quam de cetero poterimus impetrare, secundum tenorem presentis scripti per cartam infeodabimus. In cujus rei testimonium huic scripto sigillum nostrum fecimus apponi. Hiis testibus, dominis Willielmo Keth, et Willielmo Levystone militibus, Gilberto de Drummond, Patricio de Lindsay, Malcom de Luss, Mauritio Galbraith, Duncano filio Murdaci, et aliis.<sup>6</sup>

---

<sup>4</sup> *John of Fordun's Chronicle of the Scottish Nation*. 2 vols. Ed. William F. Skene. Edinburgh: Edmonston and Douglas, 1872. Volume 2: p. 318, XCII. & Stevenson, Rev. Joseph. *Documents illustrative of the history of Scotland from the death of king Alexander the third to the accession of Robert Bruce MCCLXXXVI-MCCCVI from originals and authentic copies in London, Paris, Brussels, Lille, and Ghent*. 2 vols. Edinburgh: H.M. General Register House, 1870. Volume II: p. 92, CCCLXXXV. & *The Scots Peerage founded on Wood's Edition of Sir Robert Douglas's Peerage of Scotland containing an historical and genealogical account of the nobility of that kingdom*. Ed. Sir James Balfour Paul. Edinburgh: David Douglas, 1909. Volume VI; p. 207. He cites Hailes, *Annals*, i. 289. One could question whether this was Sir Patrick Graham as the Fordun and Stevenson entries do not indicate that the Patrick of Graham who died at the Battle of Dunbar was a knight.

<sup>5</sup> *Rotuli scaccarii regum Scotorum: The Exchequer Rolls of Scotland*. Ed. John Stuart & George Burnett. Edinburgh: H.M. General Register House, 1878. Vol. I. A.D. 1264-1359: p. 40. & Stevenson, Rev. Joseph. *Documents illustrative of the history of Scotland from the death of king Alexander the third to the accession of Robert Bruce MCCLXXXVI-MCCCVI from originals and authentic copies in London, Paris, Brussels, Lille, and Ghent*. 2 vols. Edinburgh: H.M. General Register House, 1870. Volume I: p. 81. & *Registrum Episcopatus Glasguensis: Munimenta ecclesie metropolitan Glasguensis a sede restaurata seculo ineunte XII ad reformatam religionem I*. Ed. Cosmo Nelson Innes. Edinburgh: Bannatyne Club, 1843. Volume 2: p. 620, no. 547.

<sup>6</sup> *Cartularium Comitatus de Levenax: Ab Initio Seculi Decimi Tertii Usque Ad Annum M.CCC.XCVIII*. Ed. James Dennistoun Jr. Edinburgh: Maitland Club, 1833. Published in *Notices From The Local Records of Dysart*. Glasgow: James Hedderwick & Son, 1853. p. 32-33, no. 31.

It is important to first note that Patrick Galbraith held direct of the Earl of Lennox for three suits of court and the service due the King that is judged to be the share apportioned to these lands being a carucate of lands in the Lennox. Patrick has no superior other than the Earl of Lennox. These were clearly the three quarters of Kincaid that were granted to David of Grahame in 1253. This shows that the grant to David of Grahame in 1253 was an alienation. This also means that the quit claim of the 2½ merks and the grant of the mill of Kincaid related to other lands still held by the Galbraiths.

Based on this record, it can't be said that Patrick Galbraith was a descendant of the William son of Arthur son of Galbrait in the 1239 charter. This is because the lands were held by David of Grahame between the time William son of Arthur son of Galbrait held them and Patrick Galbraith acquired them. He may have been the heir and was redeeming lands that were wadset to the Grahams or he may have not been a descendant. All that can be said is that Patrick Galbraith was the only one in the end with clear rights to these three quarters of Kincaid and the lands of Balquharrage.

The date of the charter to Patrick Galbraith is critical. Most are led astray by a comment by John Cameron in his *Parish of Campsie*. He states that another family acquired the Kincaid lands about 1280 and took their name from the lands. The only other charter located relating to the lands of Kincaid in this period was the one to Patrick Galbraith. It certainly appears to be the lands that descended to the Kincaids as they also held Balquharrage in the 1460s.<sup>7</sup> Thus, it was assumed that this is the Kincaid founder John Cameron referred to and the charter would be the so called 1280 charter. The problem is that the charter is undated. One can only estimate the date based on the names of the witnesses; namely "dominis Willielmo Keth, et Willielmo Levystone militibus, Gilberto de Drummond, Patricio de Lindsay, Malcomo de Luss, Mauricio Galbraith, Duncan filio Murdaci."

Sir William Keith is likely Sir William Keith of Galston as he is the only Sir William Keith with ties to the Lennox.<sup>8</sup> He was killed at the siege of Stirling in April-May 1337.<sup>9</sup> The "Willielmo Levystone militibus" would be Sir William Livingston of Drumry (in Dunbartonshire), Gorgyn and Craigmillar who flourished about 1328.<sup>10</sup> Gilbert of Drummond was also a witness with his brother Malcolm to a charter by Murdoch, Earl of Menteith to Sir Walter of Menteith of the lands of Thom in the earldom of Menteith. This charter is clearly placed between 1317 and 1332.<sup>11</sup> A key witness is also "Malcolmo de Luss." Three of the witnesses to the Kincaid/Balquharrage charter were also witnesses to a charter of the lands of Glyne to Malcolm of Luss.<sup>12</sup>; namely Gilbert of Drummond, Patrick of Lindsay and Maurice Galbraith. Two of the Kincaid/Balquharrage charter witnesses, Gilbert of Drummond and Duncan son of Murdoch, were also

---

<sup>7</sup> Glasgow City Archives, Glasgow, UK. Lennox of Woodhead Papers, T-LX 1/12/2.

<sup>8</sup> Fraser, William. *The Stirlings of Keir: and their Family Papers*. Edinburgh, 1858. p. 205-206, no. 9. Fraser, William. *The Lennox*. 2 vols. Edinburgh: n.p., 1874. Volume 2 (Muniments): p. 25-26, no. 25. *Cartularium Comitatus de Levenax: Ab Initio Seculi Decimi Tertii Usque Ad Annum M.CCC.XCVIII*. Ed. James Dennistoun Jr. Edinburgh: Maitland Club, 1833. Published in *Notices From The Local Records of Dysart*. Glasgow: James Hedderwick & Son, 1853. p. 77, no. 74.

<sup>9</sup> *John of Fordun's Chronicle of the Scottish Nation*. 2 vols. Ed. William F. Skene. Edinburgh: Edmonston and Douglas, 1872. Volume 2: p. 354, CLVII.

<sup>10</sup> *Registrum S. Marie de Neubotle: Abbatie Cisterciensis Beate Virginis De Neubotle Chartarium Vetus: Accedit appendix cartarum originalium 1140-1528*. Edinburgh: Bannatyne Club, 1849. p. 34-35, no. 44. & National Archives of Scotland, Edinburgh, UK. AD1/12.

<sup>11</sup> National Archives of Scotland, Edinburgh, UK. GD198/38.

<sup>12</sup> *Cartularium Comitatus de Levenax: Ab Initio Seculi Decimi Tertii Usque Ad Annum M.CCC.XCVIII*. Ed. James Dennistoun Jr. Edinburgh: Maitland Club, 1833. Published in *Notices From The Local Records of Dysart*. Glasgow: James Hedderwick & Son, 1853. p. 24, no. 21.

witnesses to a charter of the lands of Luss to Malcolm of Luss.<sup>13</sup> From the charter of the lands of Glyne and the charter of the lands of Luss we see the Malcolm of Luss was the son and heir of Sir John of Luss. John of Luss was alive in 1316<sup>14</sup> so Malcolm only succeeded to these lands after this point. However, Malcolm Earl of Lennox died at the Battle of Halidon Hill in 1333<sup>15</sup> so the charter had to be before then. Thus, the Kincaid & Balquharrage charter seems to be in the reign of Robert the Bruce sometime between 1316 and 1333.

Some have assumed that Kincaid lands passed out of the Galbraith family through one of the four daughters and heirs of the William, son of Sir William Galbraith, referred to in an inquisition of 30 December 1303 relating to the lands of Dalserf.<sup>16</sup> Clearly this is not the case considering that Patrick Galbraith had them at least 13 years later.

The next document to be found relating the lands of Kincaid is the following charter (accents added), dated 10 October 1381, from William of Galbrath, Laird of Katconvall, to his son James of Galbrath of half of East Buthernock and half of West Buthernock together with one fourth of a carucate of land being "the fourth part of Kyncade, viz., that fourth part lying nearer Kelvyne on the west part, with the half of the mill of Kyncade."

The four daughters of William Galbraith son of Sir William of Galbraith had no rights and surely do not factor in Patrick Galbraith's tenure. The charter dates after William Galbraith's death and it clearly states that these were the lands formerly held by Sir David of Graham.

Omnibus hanc cartam visuris vel auditoris, Willelmus de Galbrath dominus de Katconvall, Salutem in Domino sempiternam: Sciatis me dedisse, concessisse, et hac presenti carta mea confirmasse, carissimo filio meo, Jacobo de Galbrath, vnam caracatam terre, et quartam partem vnus carucate terre, scilicet, dimidietatem de Estyrbothernokis, videlicet, illam dimidietatem que iacet propinquior Kelvyne, et dimidietatem de Westyrbothernokis, videlicet, illam dimidietatem que iacet propinquior la More, et quartam partem de Kyncade, videlicet, illam quartam partem que iacet propinquior Kelvyne in occidentali parte, cum dimidietate molendini de Kyncade, cum pertinenciis, in comitatu de Levynnx, infra vicecomitatum de Strivelyne; pro auxilio et consilio suo michi impenso et impendendo: Tenendas et habendas dicto Jacobo de Galbrath et heredibus suis de corpore suo legitime procreandis, de me et heredibus meis, in feodo et hereditate, per omnes rectas metas et diuisas suas, in boscis, planis, moris, marraseis, pratis, pascuis et pasturis, viis, semitis, aquis, stagnis, molendinis, et multuris, et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, et eorem sequelis, cum tenandiis et seruiciis liberetenencium, cum curiis, curiarum exitibus, et eschaetis, necnon cum omnibus aliis et singulis libertatibus, commoditatibus, aysiamentis, et iustis pertinenciis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, ad predictas terras cum pertinenciis spectantibus, seu quouismodo spectare valentibus, in futurum, adeo libere, quiete, plenarie, integre, et honorifice, in omnibus et per omnia, sicut ego predictus Willelmus predictas terras cum pertinenciis ante confectionem presentium tenui vel possedi, seu aliquis predecessorum meorum liberius tenuit seu possedit: [Quibus]

<sup>13</sup> *Cartularium Comitatus de Levenax: Ab Initio Seculi Decimi Tertii Usque Ad Annum M.CCC.XCVIII.* Ed. James Dennistoun Jr. Edinburgh: Maitland Club, 1833. Published in *Notices From The Local Records of Dysart.* Glasgow: James Hedderwick & Son, 1853. p. 23-24, no. 20.

<sup>14</sup> *Cartularium Comitatus de Levenax: Ab Initio Seculi Decimi Tertii Usque Ad Annum M.CCC.XCVIII.* Ed. James Dennistoun Jr. Edinburgh: Maitland Club, 1833. p. 21-22, no. 19.

<sup>15</sup> *Cartularium Comitatus de Levenax: Ab Initio Seculi Decimi Tertii Usque Ad Annum M.CCC.XCVIII.* Ed. James Dennistoun Jr. Edinburgh: Maitland Club, 1833. p. XI.

<sup>16</sup> *Calendar of Documents Relating to Scotland Preserved in Her Majesty's Public Record Office, London.* Ed. Joseph Bain. Edinburgh: H.M. General Register House, 1884. Vol II (A.D. 1272-1307): p. 372, no. 1420.

heredibus de corpore dicti Jacobi legitime procreandis forte deficientibus, quod absit; volo quod terre cum pertinentiis michi et heredibus meis imperpetuum [libere] reuertant: Ac etiam volo quod dictus Jacobus et heredes sui de corpore suo legitime procreandi, de predictis terris cum pertinentiis, wardam faciant consuetam domino meo capitali, domino meo de Bothernokis, quumcunque per ipsum Jacobum vel heredes suos predictos contigerit wardam et releuium de dictis terris cum pertinenciis esse faciendam, et tres sectas curie annuatim ad tria placita sua capitalia de Bothernokis: Soluendo etiam eidem domino meo capitali quadraginta denarios argenti annuatim de predictis terris cum pertinentiis ad nundinas de Glasgv; Ac etiam reddendo michi et heredibus meis annuatim dictis Jacobus et heredes sui de corpore suo legitime procreandi, vnum denarium argenti nomine albe ferme, ad festum Pentecostes, apud Katconvall, si petatur tantum, pro omnibus aliis seruiciis secularibus, exactionibus et demandis, que de dictis terris cum pertinentiis exigi poterint vel requiri: Ego vero dictus Willelmus et heredes mei, omnes predictas terras cum pertinentiis, in omnibus et per omnia vt prescriptum est, predicto Jacobo et heredibus suis predictis, contra omnes homines et feminas, Warantizabimus, acquietabimus et imperpetuum defendemus: In cuius rei testimonium sigillum meum presentibus est appensum, apud Katconvall, decimo die mensis Octobris, anno domini millesimo tricentesimo octogesimo primo: Hiis testibus, Roberto de Danielstoun milite domino ejusdem, Andrea de Conynghame, Daud de Hamyltoun domino de Cadegeow, Johanne filio domini Walteri, Roberto de Levngstoun domino de Drumry, Johanne de Parco, armigeris, et multis aliis.<sup>17</sup>

William of Galbrath, Laird of Katconvall was not the superior to these lands as the charter had to be confirmed by David of Hamyltone his wife Jonet of Keth on 11 October 1381. The confirmation reads as follows (accents added).

Omnibus hanc cartam visuris vel audituris, Daud de Hamyltone, et Joneta de Keth, sponsa sua, Salutem in Domino sempiternam: Sciatis nos quandam cartam Willelmi de Galbrath, domini de Katconvall, non rasam, non abolitam, non suspectam, nee in aliqua parte sui viciatam, sed omni vicio et suspicione carentem, vidisse, et diligenter inspexisse, in hec verba: Omnibus [*etc. ut in Carta No. 6*]: Quamquidem cartam nos Daud et Joneta predicti, in omnibus punctis, articulis, modis, et circumstanciis quibuscunque, forma pariter et effectum, in omnibus et per omnia vt predictum est, ratificamus, approbamus, et pro nobis et heredibus nostris imperpetuum confirmamus: In cuius rei testimonium presenti carte confirmacionis nostre sigilla nostra sunt appensa, apud manerium nostrum de Dalserfe, vndecimo die mensis Octobris, anno Domini millesimo tricentesimo octogesimo primo: Hiis testibus, Domino Roberto de Danielstone milite domino ejusdem, Andrea de Conynghame, Johanne filio Domini Walteri, Roberto de Levngstone, domino de Drumry, Johanne de Hamyltone, filio nostro et herede, Johanne de Parco, Roberto de Sympyll, armigeris; Domino Johanne Wyschard, Canonico Glasguensi, et multis aliis.<sup>18</sup>

William of Galbrath of Katconvall was granting to his son James a subinfeudation of the lands. James was to hold of William who was to hold from the superior, David of Hamilton and his wife Jonet of Keth. This tells us two things. First of all, the lands of Buthernock formerly granted to William son of Arthur son of Galbrait in 1238/9 were split up into two by this date. These are not quarter shares of portions which would have resulted if the lands descended to four co-heirs of the William, son of Sir William of Galbrath. Two had to have had no descendants to pass their share on to. Secondly, there is nothing to prove that

<sup>17</sup> Fraser, William. *The Stirlings of Keir: And Their Family Papers*. Edinburgh, 1858. p. 202, no. 6.

<sup>18</sup> Fraser, William. *The Stirlings of Keir: And Their Family Papers*. Edinburgh, 1858. p. 203, no.7.

David of Hamilton or his wife, Jonet of Keth, were superiors of all of the Kincaid lands. It can only be stated with certainty that they had at some point acquired a quarter of the Kincaid lands lying closest to the Kelvin River on the west part. Since Jonet Keth is named in the charter one does suspect that the lands conveyed here had been part of her inheritance.

An important part of this charter is that the quarter lands of Kincaid being granted included half the mill of Kincaid. This indicates that these lands included what Sir Patrick Graham got. This quarter was the south west part of the lands of Kincaid as they are stated as being next to the Kelvin river. Thus, these lands would have to have been in the vicinity of Springfield and Hayston and must have been the £5 lands of Hawinston (i.e. Hayston) that descended to Thomas Galbraith of Balkindrocht.<sup>19</sup> Therefore, this does not include the mill of Kincaid that was at Milton of Campsie and the lands do not relate to the holdings that would descend to the Kincaids of that ilk.

In summary, the evidence indicated that the lands that the Kincaids held were part of the lands acquired by Patrick Galbraith sometime between 1316 and 1333. These were lands previously held by William son of Arthur son of Galbraith and then by David of Grahame and his heirs. The Galbraiths of Gartconnel held another quarter of the lands of Kincaid that contained a mill and were situated closest to the Kelvin river. These were the £5 lands of Hayston that descended to the Galbraiths of Balkindrocht. The Kincaids of that ilk were the successors of Patrick Galbraith and the Galbraiths of Balkindrocht were the successors of James Galbraith son of William Galbraith of Gartconnel.

---

©Peter A. Kincaid. All rights reserved.  
70 Royal Road  
Fredericton, NB  
Canada  
E3A 4V2  
[7kincaid@nb.sympatico.ca](mailto:7kincaid@nb.sympatico.ca)

27 June 2014.

---

<sup>19</sup> Fraser, William. *The Stirlings of Keir: And Their Family Papers*. Edinburgh, 1858. p. 325-327, no 113. This document made in the year 1526 dealt with the lands of the deceased Thomas Galbraith of Balkindrocht. Hayston appears as Hawston on Joan Bleau map of A.D. 1654 called *Levinia Vicecomitatus, [or], The Province of Lennox called the Shyre of Dun-Britton / Auct. Timoth. Pont.* (available online at the National Library of Scotland website <http://maps.nls.uk/atlas/blaeu/>).