Using the Services of Heirs

A brief guide to using the software *Retours of Services of Heirs 1544-1699* and *Decennial Indexes to the Services of Heirs in Scotland 1700-1859* published by the Scottish Genealogy Society.

Contents

****

1.   What are "Services of Heirs"?

Following the death of a person owning *heritable* property in Scotland, that person's heir could not take possession of the property until he or she had been acknowledged as heir to the deceased.

Heritable property includes:

* land, with or without buildings on it

* individual flats within a tenement building

* rights over land, e.g. baronial rights or rights of regality

In Scotland, until 2004, tenure of land was *feudal*; all land was held "of" the crown, either directly, or indirectly through a chain of one or more superiors.   In the case that the deceased held property "of" a feudal superior other than the crown, it was possible for the heir simply to obtain acknowledgment of his right to enter into possession of the property from his superior.   The superior would grant a *precept of clare constat*, which stated that "it clearly appears" to the superior that the person being granted the precept was the heir of the deceased and therefore entitled to inherit the property.

However, it was also possible, when the property was held of a superior, for the heir to bypass the superior and to obtain acknowledgment of his rights to the property from a court.   Where the property was held directly of the crown, recourse to the court was obligatory.   Usually, the court in question would be the local burgh court and, at a session of the court, a jury, consisting not of random people but of the people best qualified to know the facts of the case, would be required to decide whether the claimant was indeed the nearest heir to the deceased.   As other family members were among those best qualified to decide this, one can reasonably expect to find family members on the juries.

> The Services of Heirs are the records of the decisions of these juries.   The services included here include all services down to 1859.   For the index of services after 1860, you will need to visit either Old Register House or West Register House in Edinburgh.

2. Getting started

Insert the CD-ROM that you wish to start with.   One is for the years 1544-1699, the other for 1700-1859.

Acrobat Reader will start and, eventually, whichever of these links you have selected, you should be looking at a page divided into a left-hand panel and a larger area on the right.

The pages of information that will appear in the right-hand area consist of scanned *images*.   It is unfortunately *not* possible to use Acrobat Reader's word-search facility to search for text in these pages.

The software is somewhat quirky, so please follow these instructions carefully!

As you will most likely want to start with the more recent services, they are discussed first.

<div align="center">****************</div>

3.   *Decennial Indexes to the Services of Heirs 1700-1859*

The left-hand panel initially looks like this:

⬜ CONTENTS
+ —⬜ VOLUME I. 1700-1749
+ —⬜ VOLUME II. 1750-1799
+ —⬜ VOLUME III. 1800-1829
+ —⬜ VOLUME IV. 1830-1859

Decide which range of years interests you, and then single-click on the corresponding   +   on the left. (Don't click anywhere else!)

Suppose you chose the years 1800-1829.   You should now have:

⬜ CONTENTS
+ —⬜ VOLUME I. 1700-1749
+ —⬜ VOLUME II. 1750-1799
- —⬜ VOLUME III. 1800-1829
     + —⬜ INDEX 1800-1809
     + —⬜ INDEX 1810-1819
     + —⬜ INDEX 1820-1829
+ —⬜ VOLUME IV. 1830-1859

Select which of the indexes you want to see (1800-1809, 1810-1819 or 1820-1829) by single-clicking on the   +   on the left.   (Don't click anywhere else!)

If, for example, you chose 1810-1819, you should now see:

⬜ CONTENTS
+ —⬜ VOLUME I. 1700-1749
+ —⬜ VOLUME II. 1750-1799
- —⬜ VOLUME III. 1800-1829
     + —⬜ INDEX 1800-1809
     - —⬜ INDEX 1810-1819
          └—⬜ SUPPLEMENT 1810-1819
     + —⬜ INDEX 1820-1829
+ —⬜ VOLUME IV. 1830-1859

We will start with a search in the index of names of heirs, which is in INDEX 1810-1819.

Single-click on the words INDEX 1810-1819.

The first page of the INDEX for the years 1810-19 will then eventually appear in the right-hand panel.

The INDEX

To make the text legible, you will need to enlarge it to a scale of about 150% or 200%.   To do so, click repeatedly on the symbol ⊕ which is immediately above the left-hand panel, on the toolbar.

If you wish, you can hide the left-hand panel while searching the index by clicking on the rightmost button on the toolbar.   (The pop-up message for the button is "Show/Hide Navigation Pane").

To move down through the index to the name you want, use the mouse to drag the slider on the right-hand scroll-bar.   Say you are looking for the surname "Kincaid".   That will be roughly half-way through the index, so drag the slider to about the mid-point of the scroll-bar.   Then, on the keyboard, use the "Page Up" and "Page Down" keys or else the ↑ and ↓ keys to get to the right page and the right place on that page.

Alternatively, to get to the desired page, click on the button ▸ or the button ◂ on the toolbar.   That will always show the top of each new page, which gives the range of surnames on that page.

If you can't see the whole width of the page, position the mouse cursor somewhere within the page, depress the left mouse button and keep it depressed.   Moving the mouse will then move the page around on the screen and let you view the left or right edges of the page.

The INDEX is a complete list of all persons who were served heir to a deceased property owner in the selected ten-year period.   More precisely, it is a list of all services of heirs that were *registered* in the Register of Services of Heirs in that period.   In some cases, the date of the court's decision is in the previous decade, and in a handful of cases, even further back.   The date of service may be soon after the death of the late owner of the property, but need not be.   So if you know roughly when the land-owner of interest to you died, but don't find a service to any heir or heirs in that decade, you should search forwards for several decades from that date.

Married heiresses are indexed under both their maiden and their married surname.   Peers are indexed by their highest title, not their surname, and in block capitals.

The INDEX has 5 columns, though the 5th column on the right is usually empty.

- Column 1 gives the name of the heir.   Names of peers are in capitals.

- Column 2 gives any designation of the heir, the name of the deceased, the relationship of the heir to the deceased, the "type" of heir, and, usually, the date of the service.

- Column 3 gives the date on which the service was recorded in the Register.

- Column 4 gives the sequence number of the service within the Register in the month given in Column 3

- Column 5, if not empty, gives the year of service when that preceded the decade that the INDEX covers.

Let's suppose you are looking to see whether a Cecilia Kincaid was served heir to anybody in the decade 1810-19.   You are in luck; there are two entries for her in the INDEX.   The first entry is:

| Kincaid— Cecilia   (or | Wife of John Kincaid of Kincaid, to her Brother John Lennox of Woodhead, who died 5th May 1811—Heir Portioner Special, in the | 1811, June 26 | 37 | |

Lennox) | Barony of Antermony, etc.—Stirlingshire—dated 19th June 1811 |

What does it mean?

Column 1	The heir is Cecilia Kincaid. Her other surname is "Lennox". (There are also two entries for her in the INDEX under "Lennox".)
Column 2	Cecilia is married to John Kincaid of Kincaid. She has been served heir to her deceased brother, John Lennox of Woodhead. (You can't be served heir to someone who is still alive!) So "Lennox" is her maiden name. The date of the service – i.e. of the jury's decision – was 19 June 1811. The other details in Column 2 are explained below.
Column 3	The service was recorded in the Register on 26 June 1811.
Column 4	The service was the 37th service recorded in the Register in the month of June 1811.

You will need the information in Columns 3 and 4 if you later want to look at the full text of the service in the Register, at West Register House.

To understand, and to exploit to the full, the remaining information in Column 2, some explanation of types of heir is required.

There are two types of service, *general* services and *special* services.

In the case of a *general* service, the heir – who is described as an "heir general" or "heir in general" – is served heir in whatever heritable property the deceased possessed, without the property being mentioned.

In the case of a *special* service, the heir – an "heir special" – is served heir in the property that is explicitly named in the service. From the point of view of anyone researching the family, this is clearly more helpful than a general service. In the INDEX, there is seldom enough space to mention all the lands and other rights. In our example, we have:

the Barony of Antermony, etc.—Stirlingshire

That tells us that Stirlingshire is the only county in which the lands lie, but it also indicates, by the "etc.", that the Barony of Antermony is not the only property in Stirlingshire that is being inherited by Cecilia. To find out exactly what Cecilia inherited, you will need to see the actual Register.

One problem with this abbreviation of the details of the properties inherited is that you may find that exactly the same property is described somewhat differently in an earlier or later service in the INDEX. Again, you will probably need to see the actual Register to check whether the lands are indeed exactly the same.

Finally, Column 2 says that Cecilia was not served "heir special" but "heir portioner special". "Portioner" indicates that she merely inherited a share of the property. There must be at least one other heir portioner of John Lennox of Woodhead. The obvious place to look is under "Lennox" in the INDEX. There we find, in addition to the two entries for Cecilia, three entries for a Margaret Lennox. The second of them has:

Lennox— Margaret	above designed, to her Brother John Lennox of Woodhead, who died 5th May 1811—Heir Portioner Special, in the Barony of Antermony, etc.—Stirlingshire—dated 19th June 1811	1811, June 26	37

This has the same details as the service to Cecilia. The words "above designed" tell us to look at the first entry for this Margaret Lennox, for which Column 2 begins with her designation, "of Woodhead". So Margaret Lennox of Woodhead is another heir portioner of John Lennox of Woodhead in the Barony of Antermony. Nobody else is listed under "Lennox" in the INDEX. Does that mean there were only two heirs portioners? How can we decide? We need to turn from the INDEX to the SUPPLEMENT.

The **SUPPLEMENT**

Unlike the INDEX, which indexes the heirs, the SUPPLEMENT indexes the persons served to, i.e. the deceased property owners. However, it only lists those deceased owners for whom there are heirs with some other surname.

To get to the SUPPLEMENT:

1. Reopen (if necessary) the left-hand panel by clicking on the rightmost icon on the toolbar at the top of the page.

2. Repeat the instructions on Page 3 until you can see the words SUPPLEMENT 1810-1819.

3. Single-click on the words SUPPLEMENT 1810-1819.

The first page of the SUPPLEMENT for the years 1810-19 will then eventually appear in the right-hand panel.

There are only two columns in the SUPPLEMENT. The first column names the deceased person and the second names any heirs of that person who have a different surname.

In our example, the SUPPLEMENT has no entry for John Lennox of Woodhead, so we can conclude that Cecilia and Margaret were John's only heirs portioners in the Barony of Antermony, each therefore receiving a half share. We can also conclude that Margaret was the elder of John's sisters, because it is she who is now designed "of Woodhead". Moreover, we can conclude that John had had no brothers who were themselves alive on 19 June 1811 or who had descendants who were alive on that date, since in that case his sisters Margaret and Cecilia would not have been his heirs. Further, John had no other sisters who were themselves alive or who had living descendants on 19 June 1811, as they would also have been heirs portioners to John.

Further down on the same page of the SUPPLEMENT is listed, in Column 1, "William Malcolm, Innkeeper, Kirriemuir". Column 2 shows that a Jean Boath was served heir of provision general to him. You would not have discovered William Malcolm by looking under "Malcolm" in the INDEX.

More on the **INDEX**

To find out more about Jean Boath, return to the **INDEX** by using the instructions on Page 3, and look under "Boath":

| Boath--Jean | Daughter of David Boath, Forfar, to William Malcolm, Innkeeper, Kirriemuir—Heir of Provision General—7th Feb. 1812 | 1812, Mar. 5 | 5 | |

So, on 7 Feb. 1812, Jean Boath was served heir of provision general to William Malcolm, Innkeeper, Kirriemuir.   An "heir of provision" is a single heir by right of a settlement or a will.   William Malcolm either made provision for Jean by drawing up a Deed of Settlement before his death, or through his Will.   If there had been two or more people provided for by William Malcolm, each of them would have been described as a "co-heir of provision", and there would have been entries for the others in the **INDEX**, and also in the **SUPPLEMENT** if their surname was not "Malcolm".

Let's now take another look under "Lennox" in the **INDEX**.   We find that Margaret and Cecilia were also served heirs portioners special in "New Grange and Friock, in the Parishes of St Vigeans and Idvie—Forfarshire" but on a different date, 17 Nov. 1812, because of course it would require another court, sitting in Angus, to decide their right to inherit lands in Angus.   This service was registered on 1 Dec. 1812, and was the first service entered in the Register in that month.

There remains one more entry for Margaret Lennox:

| Lennox--Margaret | of Woodhead, to her Brother John Lennox of Woodhead, who died 5th May 1811—Heir of Taillie and Provision Special, in Birbinstoun, Balcorrach, Innerlodie, and Mansion House of Woodhead—Stirlingshire—dated 19th June 1811 | 1811, June 26 | 36 | |

This service has the same date as the other Stirlingshire service.   It confirms our statement above that Margaret was the elder sister, as it shows that it was she who inherited the Mansion House of Woodhead.   She was an "heir of taillie" to her brother.   That tells us that the property of Woodhead was subject to a "taillie" or "entail", which specified exactly who was to inherit the property.   The taillie may have drawn up long before 1811 and may have determined the succession of heirs to Woodhead for several generations.   To find out more, you will need to see the actual text of the service in the Register.   You will also want to search in the *Index to the Register of Taillies* at Register House to locate the taillie and then examine it, as it may contain a great deal of genealogical information.

Here's another example, this time from the **INDEX** for 1840-1849.   Go to "Gray" in the **INDEX** by following the instructions on Page 3, but choosing 1840-1849 instead of 1810-1819.   You will find these two entries for John William Gray:

| Gray—John William | at Tuchahoe, U.S.A., to his Uncle William Gray, Merchant in Leith —Heir of Line and Conqt. Genl.—29th Mar. 1847 | 1847, April 8 | 13 | |
| Gray—John William | above designed, to his Father Andrew Gray, Tuchahoe, U.S.A.— Heir of Line and Conquest General—29th Mar. 1847 | 1847, April 8 | 14 | |

Here are two new terms: "heir of line" and "heir of conquest".

"Heir of line" means exactly the same as "heir" without further qualification.

An "Heir of conquest" is the heir to property that has been acquired by the deceased during his lifetime by means other than inheritance. If a property owner dies without lawful issue, his immediately younger brother is his "heir" and inherits the property that the deceased had inherited, but his immediately elder brother is his "heir of conquest" and inherits any property that had been acquired by the deceased by purchase, by excambion (exchange of lands) or other means than by inheritance.

In the case of John William Gray, he is heir of line of both his father and his uncle William. But he is also an heir of conquest to both of them, which implies that his father and his uncle must themselves have inherited property by conquest. So clearly there are further services to be found for this family. There are none in the INDEX for 1840-1849, so we look at the INDEX for the previous decade, 1830-1839, and find three relevant entries, all of the same date:

Gray—Andrew	to his Sister Ross, Daughter to Thomas Gray, Farmer, Gorgie Muir—Heir of Conquest General—28th November 1836	1836, Dec. 7	11

and

Gray—William	Merchant, Leith, to his Sister Lilias, Daughter of Thomas Gray, Farmer, Gorgie Muir—Hr. of Conqt. Gl.—28th November 1836	1836, Dec. 7	9	
Gray—William	above designed, to his Sister Elizabeth, Daughter of Thomas Gray, Farmer, Gorgie Muir—Hr. of Conqt. Gl.—28th November 1836	1836, Dec. 7	10	

So Andrew Gray was the immediately elder brother of Ross Gray, and their brother William was the immediately elder brother of both Lilias and Elizabeth Grays. Ross, Lilias and Elizabeth all died before 28 Nov. 1836, and, from the services we'd already found for John William Gray, we can conclude that Andrew and William both died between 28 Nov. 1836 and 29 Mar. 1847. Their father was Thomas Gray, a farmer at Gorgie Muir, also deceased by 28 Nov. 1836. All this without looking at the OPR index! We don't even know yet where Gorgie Muir is.

Let's try going back further. We find this in the INDEX for 1800-1809:

Gray—William	Skinner in Edinburgh, to his Father Thomas Gray, Farmer at Gorgie Muir—Heir of Line General—dated 1st August 1796	1800 March 25	24	1796

Here we have an entry in Column 5, drawing our attention to the fact that the service was in 1796, four years before it was recorded. William was his father's heir of line, so we can now conclude that William was the elder or eldest son and Andrew a younger son of Thomas Gray.

Can we get further back? Yes, but we need a little information from other sources first. From the OPR Index of Births for Midlothian, we find William, John, Lilias, Elizabeth, Andrew, Barbara, Katharine, Euphemia and Ross, born, in that order, to Thomas Gray and Elizabeth Brand in the parish of St Cuthberts. The actual entries for the younger children in the OPR show that their father was "Mr Thomas Gray, farmer at Gorgiemuir". A bit more digging, and we find a tombstone, in Liberton Kirkyard, with the following inscription that has two small gaps and an uncertain '4' at the end:

Lilias Peacock, farmer at Gorg...muir, relict of William Gray, late farmer at Cairn... died 5 January 1790. Thomas Gray, farmer at Gorgiemuir, buried 24 March 1794.

We go back to the INDEX, and find, eventually, the following (separated by some other entries):

Gray—Alexander	to his Father William Gray Tenant in Cairntows—Co-heir of Provision General—dated 10th March 1739	1739 12	July	13	
Gray—Euphemia	to her Father William Gray Tenant in Cairntows—Co-heir of Provision General—dated 10th March 1739	1739 12	July	13	
Gray—Isobel	to her Father William Gray Tenant in Cairntows—Co-heir of Provision General—dated 10th March 1739	1739 12	July	13	
Gray—Margaret	to her Father William Gray Tenant in Cairntows—Co-heir of Provision General—dated 10th March 1739	1739 12	July	13	
Gray—Thomas	to his Father William Gray Tenant in Cairntows—Co-heir of Provision General—dated 10th March 1739	1739 12	July	13	

The last of these is the Thomas who became a farmer at Gorgiemuir.   There is nothing more to be found in the services of heirs for the Grays, but from the OPRs, the marriage record of William Gray & Lilias Peacock., unusually, identifies both their fathers:

Conteracted William Gray son to Alexander Gray Tenant in Niddry and Lilias Peacock daughter to Thomas Peacock Tenent in Nether Libbertoun   Cautioners that they shall Solemnize their Marriage for the Bridgroom the said Alexander & for Bride The said Thomas

A sasine of 1741 refers to Alexander Gray, eldest son & heir of deceased William Gray, eldest son & heir of deceased Alexander Gray, farmer in Niddry, & his (i.e. the younger Alexander's) tutor, George Peacock, farmer in Nether Liberton.   Moreover, there are two testaments for Alexander Gray, farmer in Niddry, and a very informative pillar-stone at Liberton for the Peacock family that can be used to prove that Lilias was born at Liberton in 1705, daughter to Thomas Peacock (ca. 1659 – 1745) & Margaret Lauder (ca. 1666 – 1736).

So, starting from a John William Gray in Tuchahoe (which should probably be "Tuckahoe"), somewhere in the U.S.A., in 1847, we are back, thanks to the services of heirs, to a couple born about 1660.

4. *Retours of Services of Heirs 1544-1699*

Now that we've dealt with the services of heirs from 1700, we turn to the earlier services.   There is absolutely no difference between the form of a service recorded in the Register of Services of Heirs in 1699 and a service recorded in 1700.   However, the index of services down to 1699 was published earlier than the decennial indexes from 1700, in three huge volumes, and the arrangement of the index differs from what we discussed above.   It is actually rather easier using the books than using the software, apart from the weight of the books and the fact that they are not readily available.   Ask for them in the Historical Search Room at Old Register House and you may get a blank look, though they are held there.   [Are they?]   They can also be seen at the Scottish Genealogy Society's premises in Edinburgh and at Midlothian Local Studies Library at Loanhead.   [Anywhere else nearer Dundee?]

In the index for 1544-1699:

- General and special services are indexed separately.

- The special services are arranged by county.   Instead of a one line summary of the lands, there is an abridgment of the text of the service, listing all the lands, baronies and other property, and the value of each of these.   Most of these abridgments of the special services are in Latin.

- For the special services in each county there is an index of names of people and an index of names of places.

- The indexes of names of people include the heirs, the deceased and anybody else mentioned in the abridgment.

In addition to the services of heirs, the records for 1544-1699 include some further abridged records, not discussed here:

- Records of Tutors and Curators*

- Records of Forfeited Estates

- Records of Extents, i.e. of the value of lands

* For an index of appointments of tutors and curators from 1700, you will need to visit Old Register House [check!] or West Register House.

We will start by looking at the General Services.

GENERAL SERVICES

After selecting the Services of Heirs for 1544-1699, the left-hand panel will show:

+ —🗋 VOLUME I
+ —🗋 VOLUME II
+ —🗋 VOLUME III

The general services are in VOLUME III, so start by single-clicking on the corresponding + to the left of VOLUME III. (Don't click anywhere else!) You will now have:

+ —🗋 VOLUME I
+ —🗋 VOLUME II
 - —🗋 VOLUME III
    I—-🗋 FRONTISPIECE
    + —🗋 INDICES
    + —🗋 INQ. GENERALES.
    + —🗋 INQ. DE TUTELA.
    + —🗋 INQ. VALORUM.
    + —🗋 POSS QUINQUENNALI.

Next, single-click on the + to the left of INQ. GENERALES. (Don't click anywhere else!) You will now have:

+ —🗋 VOLUME I
+ —🗋 VOLUME II
 - —🗋 VOLUME III
    I—-🗋 FRONTISPIECE
    + —🗋 INDICES
     - —🗋 INQ. GENERALES.
      ⌐—🗋 INDEX NOMINUM.
    + —🗋 INQ. DE TUTELA.
    + —🗋 INQ. VALORUM.
    + —🗋 POSS QUINQUENNALI.

Now single-click on the words INDEX NOMINUM and the index of names will appear in the right-hand panel.

Use the scroll-bar, toolbar and keyboard as described on Page 4 to reach the surname of interest.

You can also "grab" any page and move it about by depressing the left mouse button and keeping it depressed, *but only if you first place the mouse cursor over the **edge** of the page*, not on the page itself.

Let's suppose you are interested in the surname "Hepburn", in particular in Patrick Hepburn of Smeaton.   Under HEPBURN, you will find a list of Latin given names, each followed by one or more numbers.

Adamus, de Humbie, 6821.
---------- --- ----------- miles, 4416.
---------- de Trabroun, 4453.
Agnes, 4018, 4019, 6821.
Alexander, 820.
------------ de Banglaw, 443.
Alisone, 4018, 4019.
Andreas, 2366.
etc.

When we reach "Patricius" for "Patrick", we have:

Patricius, 5526, 7951.
---------- de Ricardtoun, 820.
---------- de Smeitoun, 4437.
etc.

"Patricius Hepburn de Smeitoun" is the man you want.   The numbers are the numbers of the services, so take a note of "4437".   Next, single-click somewhere near the middle of the page and the first pages of the general services will appear.   Zoom in on these pages, optionally hide the left-hand panel and scroll down until you reach service number 4437:

(4437)   Apr. 21. 1659.
PATRICK HEPBURNE of Smeitoun, *heir* of Mr. John Hepburne of Smetoun, *his father*. xxv. 210

Although the index gave his first name in Latin, the entry is in English.   However, this is because it is dated between 1652 and 1659, the years of the English military occupation of Scotland.   Before 1652 and from 1660, the entries are in Latin.

The date is the date of service, not the date of registration [check!].   The Latin numeral "xxv" after the text is the Volume number of the Register in which the service is recorded.   The Arabic numeral after it is the Folio number within that Volume.

"Smeaton" may be spelt in two different ways, but you should not imagine that there are any superfluous details.   The "Mr." in front of Patrick's father's name is not just a courtesy title; it indicates that he was a university graduate.   Don't overlook it, as it identifies him uniquely.

Suppose we now look for what there is for the first Hepburn in the index, Adam Hepburn of Humbie.

To get back to the index:

1. Reopen (if necessary) the left-hand panel by clicking on the rightmost icon on the toolbar at the top of the page.

2. Single-click on the + to the left of VOLUME III

3. Single-click on the + to the left of INQ. GENERALES

4. Single-click on the words INDEX NOMINUM.

According to the index, Adam Hepburn of Humbie appears in service number 6821. Once again, click on the index page and, when the pages of the services appear, zoom in and scroll down to service number 6821:

(6821)   Mar. 31. 1687.
JANETA HEPBURNE sponsa Patricii Murray de Livingstone, *hæres provisionis* Agnetæ Hepburne filiæ Adami Hepburne de Humbie, *sororis germanæ*.   xxxix. 395.

To make sense of this, note that the order in which the details are given is always the same:

- Name of heir, in BLOCK capitals
- Designation of heir
- Type of heir, in *italic* script
- Name of the deceased
- Designation of the deceased
- Relationship of the deceased to the heir (in that order!) in *italic* script

In this example, Janet Hepburn, spouse of Patrick Murray of Livingstone, is served *heir of provision* of Agnes Hepburn, daughter of Adam Hepburn of Humbie, *her sister german*.

Here are some more examples from the top of the same column on that page, numbers 6814-6820:

| Latin	English
FRANCISCUS OGILVIE de Craig, *hæres* Issabellæ Andersone relictæ Gilberti Ogilvie de Craig, *matris*.	Francis Ogilvie of Craig, *heir* of Isabel Andersone, widow of Gilbert Ogilvie of Craig, *his mother*.
JEANA LOWRIE, *hæres* Elizabethæ Spence sponsæ Jacobi Lowrie in Mentchine, *matris*.	Jean Lowrie, *heir* of Elizabeth Spence, spouse of James Lowrie in Mentchine, *her mother*.
JEANNA LAWRIE, *hæres* Jeannæ Spence sororis germanæ Joannis Spence portionarii de Aullistoun, *amitae*.	Jean Lawrie, *heir* of Jean Spence, sister german of John Spence portioner of Aullistoun, *her aunt*.
JACOBUS SINCLAR, *hæres* Jacobi Sinclar de Rossling, *patris*.	James Sinclar, *heir* of James Sinclar of Rossling, *his father*.
MAGISTER GULIELMUS RUTHERFOORD filius quondam Gulielmi Rutherfoord portionarii de North Balquhandie, *hæres conquestus* Jacobi Rutherfoord portionarii de North Balquhandie, *patrui*.	Mr William Rutherfoord, son of the deceased William Rutherfoord portioner of North Balquhandie, *heir of conquest* of James Rutherfoord portioner of North Balquhandie, *his uncle*.
MAGISTER JOANNES KENNEDIE, *hæres* Thomæ Kennedie fratris germani Hugonis Kennedie de Gairiehorne, *patris*.	Mr John Kennedie, *heir* of Thomas Kennedie, brother german of Hugh Kennedie of Gairiehorne, *his father*.

A list of useful Latin words to know is at the end of these instructions.

SPECIAL SERVICES

We now look at the Special Services.   Make sure the left-hand panel is visible:

+ —🗋 VOLUME I
+ —🗋 VOLUME II
+ —🗋 VOLUME III

The indexes for the special services are in VOLUME III, so single-click on the   +   to the left
VOLUME III.   (Don't click anywhere else!)   You will now have:

+ —🗋 VOLUME I
+ —🗋 VOLUME II
‐ —🗋 VOLUME III
     I—‐🗋 FRONTISPIECE
     + —🗋 INDICES
     + —🗋 INQ. GENERALES.
     + —🗋 INQ. DE TUTELA.
     + —🗋 INQ. VALORUM.
     + —🗋 POSS QUINQUENNALI.

Next, single-click on the   +   to the left of INDICES.   (Don't click anywhere else!)   You will now
have:

+ —🗋 VOLUME I
+ —🗋 VOLUME II
‐ —🗋 VOLUME III
     I—‐🗋 FRONTISPIECE
     ‐ —🗋 INDICES
        + —🗋 ABERDEEN
   + —🗋 ARGYLL
        + —🗋 AYR
        ...
        + —🗋 FIFE
        + —🗋 FORFAR
        ...
        + —🗋 SUTHERLAND
        + —🗋 WIGTON
     + —🗋 INQ. GENERALES.
     + —🗋 INQ. DE TUTELA.
     + —🗋 INQ. VALORUM.
     + —🗋 POSS QUINQUENNALI.

Suppose that you are interested in services in FIFE.   Single-click on the   +   to the left of FIFE.
(Don't click anywhere else!)

You will now have:

The **INDEX NOMINUM** is the index of surnames for Fife, while the **INDEX LOCORUM** is the index of places in Fife.   Click on the words **INDEX NOMINUM**.   This index has exactly the same format as the index of surnames for the general services.   Locate the person of interest – say Grisel Boyter (Grissilis Boyter, service no. 604) – as described previously, and then click somewhere on the index page to open the pages of abridgments of the special services for Fife.   Zoom in and scroll down to service 604.   The abridgment is quite short:

(604)   Feb. 5. 1641.
GRISSILIS BOYTER, *hæres* Andreæ Boytar burgensis de Dundie, *avi*,--in tenemento in Pittenweim in dominio ejusdem.—E. 18*d*.   xviii. 2.

It is dated 5 Feb. 1641 and recorded in Volume 18 of the register, beginning on Folio 2.   Grisel Boyter is served *heir* of Andrew Boytar burgess of Dundee, *her grandfather*, in a tenement in Pittenweem in the lordship thereof.   The valuation of the property (E = Extentus) is 18d.

Look again at the index.   There is another entry for Grisel, service no. 640.   Again, click on the index page, zoom in and scroll to service 640:

(640)   Feb. 15. 1643.
GRISSILLIS BOYTER sponsa Patricii Guthry burgensis de Dundie, *hæres* Andreæ Boytar burgensis de Dundie, *avi*,--in terris de Bodomcraig extendentibus ad 5 acras cum pastura, in dominio de Balmerinoche.—E. 38*s*. 4*d*. &c.   xvii. 146.

i.e. Grisel Boyter, spouse of Patrick Guthry burgess of Dundee, is served *heir* of Andrew Boytar burgess of Dundee, *her grandfather*, in the lands of Bodomcraig extending to 5 acres with pasture, in the lordship of Balmerino.   The "extent" is 38s/4d.   The "&c" probably relates to the amount of feu duty due on the property. [eh?]

Can we find out any more about the ownership of Bodomcraig?   Go back to the left-hand panel and this time select not the index of names for Fife but the index of places for Fife, **INDEX LOCORUM**.

On scrolling down, you will find:

Bodomcraig, Boddincraige, 78, 640, 657, 668, 703, 704, 1133.

Click on the page and then scroll down through the services until you find number 78:

(78)   Dec. 12. 1599.
GULIELMUS RAMSAY, *hæres* Davidis Ramsay burgensis de Dundy, *patris*, in 5 acris terræ de Bodumcraig, in baronia de Balmerinoche.—E. 38*s*. 4*d*. &c.   ii. 15.

William Ramsay, *heir* of David Ramsay burgess of Dundee, *his father*, in 5 acres of the land of Bodumcraig, in the barony of Balmerino, valued at 38s/4d.

This may be the same 5 acres as the Boyters later owned, or just a neighbouring piece of ground of the same value.   To find out, we look at another entry for Bodomcraig, service no. 657:

(657)   Jul. 8. 1643.
GRISSELIS RAMSAY sponsa Jacobi Ramsay burgensis de Dundie, *hæres* Gulielmi Ramsay burgensis de Dundie, *patris*, in 5 acris arabilium de Bodomcraig, in baronia et dominio de Balmerinoch.—E. 1*l*. 11*s*. 8*d*.   xvii. 80.

Grisel Ramsay, spouse of James Ramsay burgess of Dundee, is served *heir* of William Ramsay burgess of Dundee, *her father*, in 5 acres of arable of Bodomcraig, in the barony and lordship of Balmerino, valued at £1/11s/8d.

This is clearly the same family as in no. 78, but the valuation is different, so it is not the same piece of land as in 78.   The valuation did not change over time.

To find what happened to the Boyter's property, we can look at each of the other entries for Bodomcraig.   No. 1133 is the one of interest:

(1133)   Jul. 7. 1674
ANDREAS GRAY filius Joannis Gray mercatoris burgensis de Dundie, *hæres* Grissillidis Boyter, *aviæ maternæ*,--in terris de Boddincraige extendentibus ad 5 acras, cum pastura, infra dominium de Balmerinoch.—E. 38*s*. 4*d*. *feudifirmæ*.   xxxii. 33.

Andrew Gray, son of John Gray merchant burgess of Dundee, is served heir of Grisel Boyter, *his maternal grandmother*, in the lands of Boddincraige extending to 5 acres, with pasture, within the lordship of Balmerino, the valuation being 38s/4d, as before, of feu duty. [eh?]

5. What Next?

Once you have found some services of heirs of interest to you from these indexes and abridgments, you may wish to follow them up.   To see the Register of Services of Heirs, you will need to visit West Register House, Charlotte Square, Edinburgh.

The services are part of the Chancery Records, and the Index to these records, on the open shelves at West Register House, contains a list of all the volumes of the register and the dates covered by each volume.   You don't need to look at this Index if you are only interested in services before 1700, as you will already have found the volume and folio numbers for the services you want to see.   However, for the services from 1700, you need to look in the Index under C22.

Bear in mind that the volumes of the register contain *copies* of the original documents that the courts had produced and returned to Chancery, and there is scope for errors in these volumes.   If you find that there are contradictions between the information in two services for the same family, you may want to look at the original documents, which are in C21 [check the number].   However, another possible source of error is that the jury members in the later case simply did not remember the exact relationships, or whether someone was an eldest son or a second son.   The more closely the heir is related to the deceased, the more likely the information is to be correct, but the less genealogical information there will be.   If the records of the burgh or other court are extant, you may be able to find another copy of the service in them.

Unless you can read Latin and old handwriting with ease, you'll probably want to order photocopies of the services of interest to you in the Register so that you can study them at leisure.

The format of the records is unvarying.   The information in a service is in the following order:

Court in which the service was given

Date of the session of the court

Name(s) of the person(s) acting as judge (after the word *coram*)

Names of the jurors – 15 or more men

Decision of the jury (after the words *Qui jurati dicunt*).   This always begins with the name of the deceased, followed by the relationship of the deceased to the heir, followed by the name of the heir.

Latin Word List

amita	aunt
apud	at
avia	grandmother
avunculus	grand-uncle
avus	grandfather
ballivus	baillie
baronia	barony
burgum, burgi	burgh
burgensis	burgess
comes, comitis	earl
comitissa	countess
demortuus	deceased
Domina	Dame *or* lady (see foot of page)
dominium	lordship
Dominus	Sir *or* lord (see foot of page)
dux	duke
ex parte matris	maternal
ex parte patris	paternal
faber	smith
feudifirma	feu duty
filia, filiæ	daughter
filius, filii	son
frater	brother
germanus	german, i.e. full (of a brother, etc.)
hæredes	heirs
hæres	heir
hæres conquestus	heir of conquest
hæres lineæ	heir of line
hæres provisionis	heir of provision
hæres talliæ	heir of taillie
incola	indweller (i.e. resident)
legitimus	lawful
magister	Mr
marchio	marquis
mater, matris	mother
mercator	merchant
miles, militis	knight
miles baronettus	knight baronet
minister verbi Dei	minister of the gospel
nuper	formerly, sometime
parochia	parish
pater, patris	father
patruus, patrui	uncle
præpositus	provost
proavus	great-grandfather
quondam	deceased
regalitas	regality
relicta	relict, widow
scriba	writer (i.e. lawyer)
scriba Signeto Regio	Writer to the Signet
soror	sister
sponsa	spouse
terra	land
unicus, unica	only
vicecomes	sheriff *or* viscount
vicecomitissa	viscountess
vicecomitatus	sheriffdom
vidua	widow

Anna Domina Sempill = Ann lady Sempill Domina Margareta Lindsay = Dame Margaret Lindsay
Franciscus Dominus Sempill = Francis lord Sempill Dominus Jacobus Richardsone = Sir James Richardsone