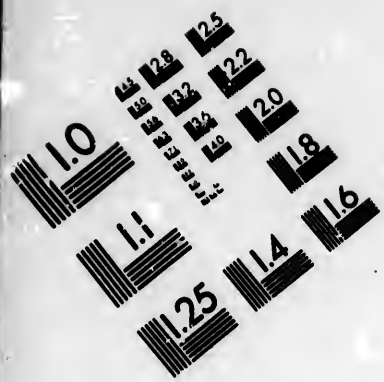

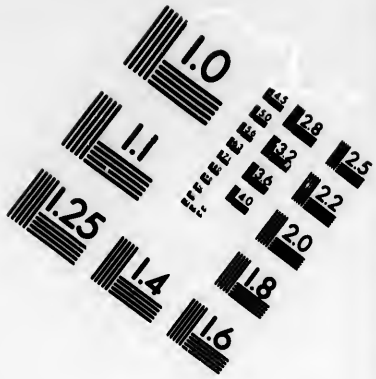

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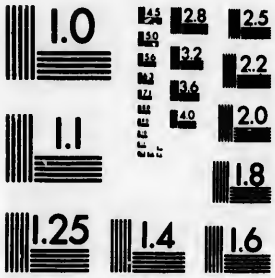

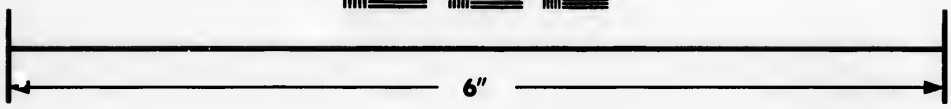

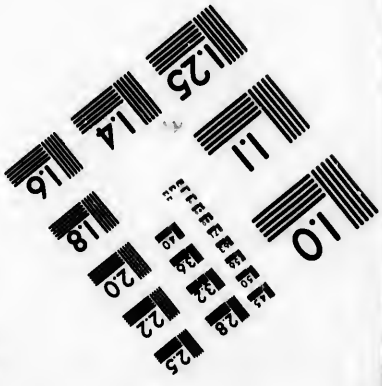

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2

THE CASE

OF

ALEXANDER, EARL AND VISCOUNT OF STIRLING,

VISCOUNT CANADA, LORD ALEXANDER OF TULLIBODIE,

PREMIER BARONET OF NOVA-SCOTIA,

&c. &c. &c.

T. Eaton, Printer,
Worcester.

PREFATORY OBSERVATION.

SINCE this Case was printed, the EARL OF STIRLING has been admitted to take his place among the Peers of Scotland, (with the perfect precedency of his Ancestors) on the 2nd of June, 1825, on which occasion his claim to vote was presented (and received) in the following terms, viz.

"I, ALEXANDER HUMPHRYS ALEXANDER, EARL OF STIRLING, claim "to vote as such, being heir male of the body of Hannah, Countess of "Stirling, (lineally descended from William, first Earl of Stirling) "who died on the 12th of September, 1814;—and thereby, under the "destination of a Royal Charter, or Letters Patent of *Novo Damus*, "under the great seal of Scotland, dated 7th December, 1639, granted "by his Majesty, King Charles the First, in favour of William, Earl "of Stirling, entitled to the honours and dignity of the Earl of "Stirling.

"*Holyrood House, 2nd June*, 1825."

It is rather remarkable, that at this Election, the EARL OF STIRLING was the premier Peer present; and that including him, with the signed lists and proxies, there were but twenty peers, the number prescribed by law; so that without him, there would not have been sufficient peers to have proceeded to an Election. The Viscount Strathallan was chosen the representative peer, in the room of the Earl of Balcarres, deceased. The election is thus certified by the Clerks of Session to the Court of Chancery, viz.

"*At Holyrood House*, in Edinburgh, the second day of June, one "thousand eight hundred and twenty-five years, *In Obedience* to His "Majesty's Royal Proclamation of the date at Carlton House the twen-"tieth day of April last, commanding all the Peers of Scotland to as-"semble and meet at this place this day, between the hours of twelve "and two in the afternoon, to nominate and choose a Peer of Scotland, "to sit and vote in the House of Peers of this present Parliament of the "United Kingdom of Great Britain and Ireland, in the room of Alex-"ander, Earl of Balcarres, deceased,—WE, Sir Walter Scott, Baronet, "and Colin Mackenzie, Esquire, two of the principal Clerks of Session, "by virtue of a Commission granted to us the said Sir Walter Scott, "and Colin Mackenzie, or in case of absence, any other two of the said "principal Clerks of Session, by the Right Honourable William Dun-"das, Lord Clerk Register of Scotland, dated the twenty-first, and "registered in the Books of Session the twenty-fourth days of May "last, Appointing us to officiate in his name at the said meeting of the "Peers, Do hereby Certify and Attest, that after the Oaths and Decla-"rations required by law to be taken by the Peers present, were ad-

" ministered to them, and their votes with those of the proxies and
" signed lists of the absent Peers collected and examined, James, Vis-
" count of Strathallan was elected and chosen to sit and vote in the
" House of Peers of this present Parliament of the United Kingdom
" of Great Britain and Ireland, in the room of the said Alexander,
" Earl of Balcarres, deceased, In Witness whereof, We have Signed
" and Sealed these Presents with our hands, in presence of the Peers
" Electors, place and time above mentioned.

" WALTER SCOTT. (L. S.)
" COLIN MACKENZIE. (L. S.)"

The Viscount Strathallan took his place and seat accordingly in the House of Lords, as one of the sixteen representative Peers of Scotland.

CASE,

&c. &c.

Sir William Alexander, of Menstrie, knight, Master of Requests to king James the 6th of Scotland (1st of England) was in 1625, created premier Baronet of Nova Scotia, on the first institution of that Order, to hold the said degree of honour to him and his heirs whatsoever. In 1630 he was created Lord Alexander of Tullibodie and Viscount of Stirling, to him and his heirs male bearing the name and arms of Alexander.

Baronet of Nova Scotia to Heirs General.

Baron and Viscount to Heirs Male General. not so

In 1633 he was further advanced to the dignity of Earl of Stirling and Viscount Canada, with the same limitation to his heirs male bearing the name and arms of Alexander.

Earl of Stirling, &c. to Heirs Male General. not so

After this, the Earl having become extremely dejected by the death of three of his sons, and witnessing the declining state of health of two of the survivors, was afraid that his Titles and Estates, as well those he had by ancestral inheritance, as those he held by grant from the Crown, by failure of issue male of his own body, might pass to some collateral branch of his family; for these, and other, considerations, he was

all afection this —

induced to make a resignation of his Titles and Estates, aforesaid, to the King (according to the custom and prevailing law of Scotland). Whereupon, His Majesty, by his royal Charter, or Letters Patent of Novo-Damus, under the Great Seal of Scotland, dated 7th December, 1639, was pleased to re-grant them (i. e. Titles and Estates) to the Earl, and to "*the heirs male of his bodye, which failing, to the eldest heirs female without division, of the last of such heirs male hereafter succeeding to the titles, honours, and dignities aforesaid; and to the heirs male to be procreated of the bodys of such heirs female respectively bearing the sirname and armes of ye familye of Alexander, which they shall be holden and obliged to assume: which all failing, to the nearest legitimate heirs whatsoever of the said William Earl of Stirling, with precedency from the 14th June,* 1633.

Charter of Creation de Novo-Damus, with special limitations.

q/B proof of this alleged Charter & when recorded

Vide Pedigree.

The Earl did not long survive this new grant, and re-limitation of his Family Titles, &c. but died in February, 1640. He had issue seven Sons, named in the Pedigree, whereof William, Viscount Canada, the eldest, died before him in March 1638, having left an only son, William, and three daughters, which

William, 2d Earl.

William, 2nd Earl of Stirling, having succeeded his grandfather, survived him but a short time, deceasing about May 1640, when, dying unmarried, the titles devolved upon his Uncle Henry, who was his father's next surviving brother, and heir male. This

q/B the proof of this allegation?

Henry, 3d Earl.

Henry, 3d Earl of Stirling, died about 1644, having had issue an only son, Henry, who succeeded to his honors: the said

Son of whom & q/B the filiation of the alleged Father

Henry, 4th Earl.

Henry, 4th Earl of Stirling, died in 1690, having had four sons,

whereof William, Robert, and Peter, the three youngest, died without issue before 1730, and the eldest,

Henry, 5th Earl.

Henry, became the 5th Earl. He died the 4th December, 1739, without issue; by which event, the whole of the male line of the three eldest sons of William, 1st Earl of Stirling having failed, the course of succession became vested in the Rev. John Alexander, grandson and heir male of John Alexander, the 4th son of William the 1st Earl of Stirling, which John had gone to Ireland, and was for some time settled in the county of Londonderry.

Vide Pedigree, annexed.

Q? the proof of this allegation?

John, 6th Earl, de jure.

The Rev. John Alexander, second cousin and heir male to Henry the preceding Earl, was born in the north of Ireland in 1686, and at the period of becoming heir male representative of his noble family, was Minister of the Scotch Presbyterian Church in Plunket Street, Dublin, having been brought up in the religion of his Scottish ancestors; his income hence arising, added to his private fortune, was, without being considerable, sufficient to enable him to live in a genteel and respectable manner, and even to be occasionally the benefactor to the poor. But when the right of succession to the family honors fell upon him, he found that the Estates in Scotland, which by the Charter of Novo-Damus were limited to the same course of heirs, produced too inconsiderable a revenue to enable him to support his high Dignity, and that the Property acquired in England by the marriage of Henry the 3d Earl with the heiress of Sir Peter Vanlore, and which he ought also to have inherited under a Deed of Settlement (hereafter cited) had been taken possession of by the families into which the sisters of his cousin, the deceased Earl Henry, had intermarried; he, therefore, chose, instead of immediately and publicly

Son of whom & Q? the filiation of the alledged Father

poor man — totally unconscious of such a Charter which has recently been discovered in America by McBride

assuming his rank, to allow it for the present to remain dormant, though among his friends and intimate acquaintance, he was well known and reputed as 6th Earl of Stirling. The very short time he superlived the last Earl, (only three years and eleven months) was not long enough to enable him to prosecute with effect those legal proceedings which were necessary to be adopted to obtain possession of his ancestral Estates in Scotland, or of the settled ones in England. His exertions, however, were unabated, and about the middle of the year 1743, having collected every proof, with the evidence of Royal Charters, Wills, and other Documents, adequate to establish the clearness of his Right, he was preparing openly to avow his Rank, when illness, and death, deprived his Family of their Protector, and cast all his Affairs into confusion. He died the 1st of November, 1743. At this crisis, his Children, two sons and two daughters, were all in minority, the eldest son not eight years old. The widow thus left with four infants and only a small fortune, determined to leave Ireland, and retire to her native country, England: and being a woman of good sense, but destitute of ambition, she hastily gave directions to stay all proceedings for recovery of the Estates, that she might not incur any more legal expenses, which, under existing circumstances, could not be afforded out of a limited income. Still, though she was regardless of family honours, she generously made every possible pecuniary sacrifice, to give her children the advantages of education; the private causes, however, which have hitherto prevailed to continue dormant the various Rights of this Family, would be too prolix to recite, and, as it is the descent which is principally under consideration, it may be expedient to proceed therewith.

humbug

John, 7th Earl, de jure.

John, eldest son and heir of the Rev. John Alexander, the 6th Earl *de*

jure, like his father, was a learned and distinguished Presbyterian Clergyman, but died suddenly, unmarried, the 29th of December, 1765, being then only in the 30th year of his age.

Benjamin, 8th Earl, de jure.

Benjamin Alexander, the 2d son, by the death of his elder brother without issue, was his heir, and consequently the next Earl, *de jure,* of his family. He was rising into eminence as a Physician, and, had he lived a few years longer, would most likely have taken up the honors which had descended to him: but, from over exertion in study, he was taken ill, and died the 18th of April, 1768, two years and four months only after his elder brother. Being unmarried, with him terminated the whole of the male issue descended of the body of William the 1st Earl of Stirling, and thereupon his two sisters were his co-heirs: but as, under the Charter of Novo-Damus, the special limitation of the descent of the honors was "*To the eldest heirs female, without division of the last* "*of such heirs male hereafter succeeding to the Titles, &c.*" the right of succession to the Earldom, &c. devolved entire upon Mary Alexander, the eldest of the aforesaid two sisters.

of B proof of this Novo Damus wch is not of record

Mary, Countess of Stirling, *de jure.*

Mary Countess of Stirling, *de jure,* died unmarried in April 1794, when her only and surviving sister, Hannah, the wife of William Humphrys, of the Larches in the County of Warwick, Esquire, became her heir, and sole heir general to her Brothers John and Benjamin, the two last heirs male in succession to the title and dignity of Earl of Stirling; the said

Hannah, Countess of Stirling, *de jure.*

Hannah Countess of Stirling, *de jure,* died 12th Sept. 1814, leaving

Alexander Humphrys, Esquire, by courtesy Viscount Canada, her only son and heir, who, in consequence of his descent, and by reason

of the restrictive clause contained in the Charter of the Earldom *de Novo-damus*, viz. " *To the heirs male to be procreated of the bodys of* " *such heirs female respectively, bearing the sirname and armes of ye fami-* " *lye of Alexander, which they shall be holden and obliged to assume,*" &c. has taken the sirname of Alexander, under his Majesty's Royal Licence, dated from the Court at Carlton-House the 8th March, 1824, which has been duly registered in the College of Arms, and Gazetted accordingly, and in conformity thereto.

The limitations, therefore, of the aforesaid Charter, under which the family Honors are restricted to descend, having all concentrated in the same person, it is considered that he is the heir of nomination and designation, and as such entitled to be Earl of Stirling, &c., with all the rank, rights, &c. &c. &c. appertaining to the said peerage, name, and dignity.

Alexander, 9th Earl, *de jure.*

It may not be here irrelevant to observe, that, in consequence of the title not having been assumed by the family to which it had (as before stated) most unequivocally descended, one William Alexander, an officer in the British Army, claimed the same, and presented a petition to his Majesty, setting forth the Patent of the 14th of June, 1633, by which William the first Earl was so created, with limitation to his heirs male general; and representing that, by the failure of issue male of the body of the said Earl, (which he assumed to be the case from the dormancy of the right heir, namely, John the seventh Earl *de jure*). He was the heir male of succession, being descended from John Alexander, the Uncle of William the first Earl. This petition was referred to the Lords on the 2d of May, 1760; and a second petition in the same words, was referred again to the Lords the 14th April, 1761:

but, in March 1762, the Lords' committees rejected his pretensions. He afterwards retired to America, where he was one of the generals of Congress against the British arms. He died at Albany in North America in 1783. This claim is the more noticeable, because the claimant feigned ignorance of the Charter of Novo-Damus (before cited), at the same time that he had, by some raordinary chicanery, possessed himself of a copy of it, with many important documents, evidences, and vouchers, belonging to the Rev. John Alexander (the sixth Earl *de jure)*, all which had been in the custody of that Earl's widow after her return to England. These important papers have lately been discovered in America, and are now restored to their just and lawful owner, the grandson and heir of the said Rev. John Alexander, the sixth Earl, as aforesaid.

Stuff 4
Banks

Having thus recited the descent of the Earldom, it remains to remark,

1st, Upon the Scotch property, which was made descendable with the entailed honors: this comprehended, among other lands, the ancient patrimonial Barony of Menstrie, of which the first Earl of Stirling was the eighth Baron by descent; and this property was augmented by divers charters of grants from King Charles the First, of the Baronies of Largis, Tullibodie, Tullicultrie, Gartmore, Stirling, &c. &c., all which were surrendered to the king, and regranted and confirmed by the Charter of *Novo-Damus*, dated 7th December, 1639.

2ndly, With regard to the English estates, they were in the counties of Berks, Bucks, Surrey, and elsewhere; these were after-acquired estates, by the marriage of Henry, third Earl of Stirling, with the daughter and heiress of Sir Peter Vanlore, and were, by a deed of

settlement of the said Earl, thus limited to attend upon the inheritance of his family honors, viz. "*To the heirs male of his body, whom failing* "*to the heirs male of the bodies of his brothers John, Charles, and* "*James, successively, whom all failing, to the eldest surviving heir* "*female of the last of such heirs male on whom the family honors shall* "*have devolved, and to her heirs for ever.*"

By the Pedigree attached, and the preceding statement, it has been shown, that all heirs male of the body of the third Earl failed in the person of Henry the fifth Earl, by whose death S. P. the rights of succession in remainder ought to have passed with the immediate possession of the entailed estates, to the Rev. John Alexander, grandson and heir of John, the first remainder man in the deed of settlement just cited: but the said Rev. John Alexander, as already observed in the former part of this case, was kept out of them by the families into which the sisters of Henry the fifth Earl had intermarried.

Your opinion is therefore requested.

Whether, taking it for granted that the extinction of the issue male of the body of William first Earl of Stirling, and the descent of the present person's own line (as set forth in the pedigree) can be proved, and which he is fully prepared to prove, by the adequate evidence of parochial registers, wills, deeds, and other legal documents and vouchers, he has a right to consider himself entitled to the inheritance of the peerage honors contained in the Charter of Novo-Damus, dated 7th December, 1639?

Copy of Mr. Brougham's Opinion.

" Supposing the Charter of *Novo-Damus* to be produced as herein " set forth, and that there was no subsequent surrender, and that this " pedigree can be proved, I think the claimant is entitled to the honours, " as heir male of the body of the heir female of the first grantee's last " surviving heir male of his body.

" H. Brougham,

" Lincoln's-Inn.

" *April* 16, 1825."

Copy of Mr. Bolland's Opinion.

" If the extinction of the issue male of the body of William first " Earl of Stirling, and the descent of the present claimant's own line, " as set forth in the pedigree, can be proved, I am of opinion he is " entitled to the inheritance of the peerage honors contained in the " Charter of *Novo-Damus* of the 7th of December, 1639.

" William Bolland,

" Inner Temple.

" *April* 28, 1825."

PEDIGREE.

SIR WILLIAM ALEXANDER, FIRST EARL OF STIRLING, &c. &c. &c.
By Charter of Novo-damus, 7 Dec. 1639, limited "to hold to himself and the heirs male of his body, which failing, to the "eldest heirs female, without division of the last of such heirs male hereafter succeeding to the Titles, Honors, and Dignities, "aforesaid, and to the heirs male to be procreated of the bodys of such heirs female respectively, bearing the sirname and "armes of Alexander, which they shall be holden and obliged to assume, &c." Ob. Feb. 1640. Bur. at Stirling.

1. WILLIAM, Viscount Canada, ob. vitâ patris, March 1638. Bur. at Stirling.
   - WILLIAM, 2nd Earl, succeeded his Grandfather, ob. Cœlebs circ. May 1640.
     - HENRY, 5th Earl, ob. 4 Dec. 1759, S. P.
     - WILLIAM, ROBERT, PETER, omnes ob. S. P. ante 1730.
   - FEMALE ISSUE.

2. SIR ANTHONY ALEXANDER, Knt. ob. vi pat. Aug. 1637. Bur. at Stirling.

3. HENRY, 3rd Earl, succeeded his Nep. William; ob. ante 16 Aug. 1644. = MARY, Daughter of Sir Peter Vanlore, Knt.
   - HENRY, 4th Earl, ob. 1690.
     - MARY, m. —— Phillips, of Binfield, co. Berks, Esq. (A)
     - JUDITH, mar. Sir William Trumbull, Knt. (B)

4. JOHN ALEXANDER, settled in the North of Ireland. Ob. 1666. (C)
   - JOHN ALEXANDER, ob. April 1712.
     - (D) THE REV. JOHN ALEXANDER, 6th Earl de jure. Born at Antrim in 1686; died 1 Nov. 1743. Bur. at Dublin. = HANNAH, Daughter of the Rev. John Higgs, Married at Hartlebury, co. Worcester, 8 August, 1732. Died 5 Oct. 1768.
       - JOHN, 7th Earl de jure. Born at Dublin, 26 January, 1735—6. Died unm. 29 Dec. 1765. Bur. at Birmingham.
       - BENJAMIN, 8th Earl de jure. Born at Dublin, 1736. D. unm. 18 April, 1768. Bur. in London.
       - MARY, Countess of Stirling, de jure. Died unm. 28th April, 1794. Bur. at Birmingham.
       - HANNAH, Countess of Stirling, de jure. Died 12 Sept. 1814. Bur. at Worcester. = WM. HUMPHRYS, Esq. Ob. 1 May, 1807. Buried at Verdun in France.
         - ALEXANDER HUMPHRYS ALEXANDER, only son and heir. Took the name of Alexander by His Majesty's royal licence, March 1824. (9th Earl of Stirling de jure.)

5. CHARLES.
   - CHARLES, ob. S. P.

6. LODOWICK, ob. vitâ patris, S. P.

7. JAMES, ob. S. P. M.

(A and B.) These ladies were sisters, and coheirs at common law to their brother Henry, the fifth Earl. They both had issue, which, upon the death of the Earl, their uncle, took his estates, and kept them against the heir male of entail, the Rev. John Alexander, the next succeeding Earl de jure.

(C.) This John Alexander was first remainder man in the settlement of his brother Henry, the third Earl.

(D.) Upon the failure of issue male in the person of Henry, the fifth Earl, this John was not only the immediate heir to the Earldom, but was the first and next heir male to the remainder mentioned in the Deed of Settlement, by which his great uncle Henry, the third Earl, entailed his English estates to attend upon the inheritance of his honours.

N. B. The proofs of the Baptisms, Marriages, and Burials, of the above persons, though not here particularized, are all collected, and forthcoming when wanted.

LY OF ALEXANDER, EARLS OF STIRLING.

SOMERLED, KING of the ISLES, and Thane of Argyll. Temp. Malcolm IV. Killed in battle, in 1164. == EFFRICA, daughter of OLAVUS, the swarthy KING of MAN, and Grand Daughter of Harald Harfager, King of Denmark.

- 2 NALD, KING of MAN, and the ISLES. Ob. circa 1221. == FONIA, Daughter of .....
  - 2 ALD, or DONALD, KING of the ISLES. Ob. circa 1270. ==
    - 2 NDER MACDONALD, led the tribes or Clans of lister of Loup, in Ar- ire, and of Alexander of trie; obtained the lands of trie, in the County of mannan, in feu from the of Argyll, and there- his descendants took the e of Alexander. Ob. 296. From him proceed- ineal descent
      - = de YLE, or ALEXANDER.
      - = c YLE, or ALEXANDER.
      - = ... ALEXANDER.
      - = ... ALEXANDER, Baron of Menstrie.
      - = ... ALEXANDER, Baron of Menstrie.
      - = MAS ALEXANDER, Baron of Menstrie.
      - = REW ALEXANDER, Baron of Menstrie. == Catharine Graham.
  - Roderick
- 3 Angus
- 4 Olaus
- 1st daughter = Wimund, Earl of Moray.
- 2nd daughter

Particulars of Patents, Deeds, Charters, &c.

The Patent of Baronet of Nova Scotia, bearing date 21st May, 1625, contains a grant of that title "*to Sir "William Alexander, and his heirs male whatsoever, with "an extension on failure of the same to the issue of heir- "esses.*"—By the Charter of the Lands and Lordship of Nova Scotia, dated 12th July, 1625, the grant is "*to "Sir William Alexander, and his heirs whatsoever, with "precedency before all other Baronets.*"

The Patent to the Viscounty of Stirling, and Barony of Alexander of Tulliebodie, dated 4th September, 1630, contains a grant of those titles "*to Sir William A. and "his heirs male, bearing the name and arms of Alexan- "der.*"

The Patent to the Viscounty of Canada, and Earldom of Stirling, dated 14th June, 1633, from the Palace of Dalkeith, grants the titles "*to him and his heirs male "for ever, bearing the name and arms of Alexander.*"

The 1st Earl having resigned his titles and estates into the hands of King Charles I. his Majesty, by Charter under the Great Seal, bearing date 7th December, 1639, was graciously pleased to grant them de novo, "*to William, Earl "of Stirling, and the heirs male of his bodye, which failing, "to the eldest heirs female without division, of the last of "such heirs male hereafter succeeding to the Titles, Ho- "nours, and Dignities aforesaid, and to the heirs male to*

..... ALEXANDER,
Baron of Menstrie.
=
..... ALEXANDER,
Baron of Menstrie.
=
MAS ALEXANDER,
Baron of Menstrie.
=
REW ALEXANDER, == Catharine Graham.
Baron of Menstrie.

nter of Sir Ro-
of Lochleven.

2
Andrew Alexander.

2
WILLIAM ALEXANDER, had charters of the lands of Clow, in the Barony of Glencoy, Perthshire, 4th October, 1539, and 28th May, 1542. == Janet Marshall.

Isabel, Wife of James Muschet, of Torrie.

3
James Alexander.

Isabel.

Alexander Alexander. ==

1
Alexander. Male issue extinct.

2
David. ==

3
Patrick. Issue extinct.

1
William, Ob. S. P.

2
James, Married Mary, Daughter of John Sprott, of Wigton. ==

1 Janet
2 Christian

4
JOHN, Settled in the North of Ireland, between 1643, and 1662. Ob. 1666. = Agnes, Daughter of Sir John Graham, of Gartmore, Bart.

5
CHARLES, Got a grant of the Barony of Tulliebodie, in 1642. =

6
LUDOVICK, Died without issue.

7
JAMES, Married Grisel Hay. =

1 JANE { 1st=Hugh Viet Montgomery, (Married 1620, or 1623. died 1642.) 2nd=Major General Munroe.
2 MARY,=Sir William Murray, Bart.
3 ELIZABETH, died unmarried about 1642.

Jane, Living in 1683, Died before 1739.

JOHN, Died, April, 1712. = Mary, Daughter of ..... Hamilton. Died.

Janet, only Daughter.

CHARLES, Died without issue.

Margaret, Born 23d June, 1669. Ob. S. P.

dom of Stirling, dated 14th June, 1633, from the Palace of Dalkeith, grants the titles "*to him and his heirs male "for ever, bearing the name and arms of Alexander.*"

The 1st Earl having resigned his titles and estates into the hands of King Charles I. his Majesty, by Charter under the Great Seal, bearing date 7th December, 1639, was graciously pleased to grant them de novo, "*to William, Earl "of Stirling, and the heirs male of his bodye, which failing, "to the eldest heirs female without division, of the last of "such heirs male hereafter succeeding to the Titles, Ho-"nours, and Dignities aforesaid, and to the heirs male to "be procreated of the bodys of such heirs female respec-"tively, bearing the sirname and arms of ye familye of "Alexander, which they shall be holden and obliged to as-"sume; which all failing, to the nearest legitimate heirs "whatsoever, of the said William, Earl of Stirling,— "with precedency from 14th June, 1633.*"

Copied from the Excerpt of the Charter, belonging to Mr. James Hay, of Allen, in January, 1723; and certified a faithful and exact translation of the limitations in the ORIGINAL CHARTER, by Thomas Conyers, Esq. of Carlow, in whose hands that document was found, in June, 1723. Originals restored to the present Earl, 1825.

By a Deed of Settlement, the English estates of Henry, 3rd Earl, were limited to attend upon the inheritance of his family honours, viz. "*to the heirs male of his body, "whom failing, to the heirs male of the bodies of his bro-"thers John, Charles, and James, successively; whom all "failing, to the eldest surviving daughter of the last of "such heirs male, on whom the family honours shall have de-"volved, and to her heirs for ever,*" &c.

Family Papers.

1739. | ton. Died.

of Sir Ro-
Lochleven.

Andrew Alexander.

Copied from the Excerpt of the Charter, belonging to Mr. James Hay, of Allen, in January, 1723; and certified a faithful and exact translation of the limitations in the ORIGINAL CHARTER, by Thomas Conyers, Esq. of Curlow, in whose hands that document was found, in June, 1728. Originals restored to the present Earl, 1825.

2 WILLIAM ALEXANDER, had charters of the lands of Clow, in the Barony of Glencoy, Perthshire, 4th October, 1539, and 28th May, 1542. == Janet Marshall.

Isabel, Wife of James Muschet, of Torrie.

By a Deed of Settlement, the English estates of Henry, 3rd Earl, were limited to attend upon the inheritance of his family honours, viz. "*to the heirs male of his body, "whom failing, to the heirs male of the bodies of his bre-"thers John, Charles, and James, successively; whom all "failing, to the eldest surviving daughter of the last of "such heirs male, on whom the family honours shall have de-"volved, and to her heirs for ever,*" &c.

Family Papers.

3 James Alexander.

Isabel.

Alexander Alexander. ==

1 Alexander. Male issue extinct.

2 David. ==

3 Patrick. Issue extinct.

1 William, Ob. S. P.

2 James, Married Mary, Daughter of John Sprott, of Wigton. ==

1 Janet
2 Christian

JOHN, 4 = Agnes, Daughter of Sir John Graham, of Gartmore, Bart. Settled in the North of Ireland, between 1643, and 1662. Ob. 1666.

CHARLES, 5 Got a grant of the Barony of Tulliebodie, in 1642.

LUDOVICK, 6 Died without issue.

JAMES, Married Grisel Hay. =

1 JANE { 1st=Hugh Viet Montgomery. (Married 1620, or 1623. died 1642.) 2nd=Major General Munroe.

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Jane, Living in 1683, Died before 1739.

JOHN, Died, April, 1712. = Mary, Daughter of ..... Hamilton. Died, June 1st, 1724, Aged 63.

Janet, only Daughter.

CHARLES, Died without issue.

Margaret, Born 23d June, 1669. Ob. S. P.

..... Philips, Esq, of Binfield, Co. Berks.

JOHN, 6th EARL of = HANNAH, Daughter of

1 ..... A..... Died without issue.
2 Elizabeth,=John Mce. Skinner, Esq.

Jane, Living in 1683, Died before 1739.

JOHN, Died, April, 1712. = Mary, Daughter of ..... Hamilton. Died, June 1st, 1724, Aged 63.

Janet, only Daughter.

CHARLES, Died without issue.

Margaret, Born 23d June, 1669. Ob. S. P.

..... Philips, Esq, of Binfield, Co. Berks.
William Trumbull, Knt.
Ob. 1716.
S. P.

JOHN, 6th EARL of STIRLING, Succeeded his Cousin, Henry, 5th Earl, 4th of December 1739, Born in the north of Ireland, 1686. Died at Dublin, 1st November, 1743. = HANNAH, Daughter of the Rev. John Higgs, of Chadwick, Co. Worcester, Great grand-daughter of Dr. Griffith Higgs, Dean of Lichfield. Temp. Car. I. Born 1705, Died 5th Oct. 1768.

1 ..... A..... Died without issue.
2 Elizabeth, = John Mce. Skinner, Esq.

er,
TESS of
G,
Oct. 1st,
arried at
il 28th,

HANNAH, 2nd Daughter, and at length Heiress, Properly COUNTESS of STIRLING, Born at Dublin, January 8th, 1740-1. Died at her house in the College Green, Worcester, September 12, 1814. == WILLIAM HUMPHRYS, of the Larches, Co. of Warwick, Esquire. Died at Verdun, in France, 1st May, 1807.

WILLIAM, who (presuming upon the extinction of the heirs male of the body, or wishing to take advantage of the dormancy and non-assumption of the honours by the 6th Earl's family), claimed the Earldom, in 1760; but his claim was rejected by the House of Lords, March 10th, 1762. He married Sarah, Daughter of Philip Livingstone, Esquire. Died at Albany, in New England, 12th January, 1783. ==

Mary, = Peter V. Livingstone, of New York, Esq.
Elizabeth, = John Stevens, of Perth Amboy, Esq.
Catherine, = Major Walter Rutherford.
Susanna.

HANNAH H. Wife of William Horsley, Esq. =

ela.

1 William H.
2 Alexander H.
3 Charles H.
4 George H.
5 Frederick H.

Eliza.
Caroline.
Louisa.

ELIZA H. Wife of Charles Pountney, Esq. =

Charles P.
Henry P.

Eliza.
Mary-Anne.
Sophia.
Caroline

Mary, = John Robertson, of Stralochy, Esq.
Catharine.

PEDIGREE OF THE FAMILY OF ALEXA

SOMERLED, King of the Isles, and Thane of Argyll. Temp. Malcolm IV. Killed in battle, in 1164. == EFFRICA, daughter the swarthy King Grand Daughter Harfager, King of

- 1 Gillecolane, Slain with his Father, 1164.
- 2 REGINALD, King of Man, and the Isles. Ob. circa 1221. == FONIA, Daughter of.....
  - 1 OLAVUS, King of Man and the Isles. Ob. S. P.
  - 2 DOVENALD, or DONALD, King of the Isles. Ob. circa 1270. ==
    - 1 ANGUS, Lord of the Isles, the first of his race who acknowledged himself a subject of the Kings of Scotland. He was the ancestor of the Earls of Ross, Lords of the Isles, Lords Macdonald, Earls of Antrim, &c. &c. &c. Ob. circa 1235. ==
      - ,
      - ,
      - ,
    - 2 ALEXANDER MACDONALD, founded the tribes or Clans of Macalister of Loup, in Argyllshire, and of Alexander of Menstrie; obtained the lands of Menstrie, in the County of Clackmannan, in feu from the family of Argyll, and thereafter his descendants took the sirname of Alexander. Ob. circa 1296. From him proceeded in lineal descent
      - =
      - Duncan de Yle, or Alexander.
      - =
      - John de Yle, or Alexander.
      - =
      - ..... Alexander.
      - =
      - ..... Alexander, 1st Baron of Menstrie.
      - =
      - ..... Alexander, 2nd Baron of Menstrie.
      - =
      - Thomas Alexander, 3rd Baron of Menstrie.
      - =

..... ALEXANDER.

=

..... ALEXANDER, 1st Baron of Menstrie.

=

..... ALEXANDER, 2nd Baron of Menstrie.

=

THOMAS ALEXANDER, 3rd Baron of Menstrie.

=

ANDREW ALEXANDER, 4th Baron of Menstrie. == Catherine Graham

1 ALEXANDER ALEXANDER, 5th Baron of Menstrie, Ob. 1545. == Elizabeth, daughter of Sir Robert Douglas, of Lochleven.

1 ANDREW ALEXANDER, 6th Baron of Menstrie. ==

2 WILLIAM ALEXANDER, had charters of the lands of Clow, in the Barony of Glencoy, Perthshire, 4th October, 1539, and 28th May, 1542. == Janet Marsh

1 ALEXANDER ALEXANDER, 7th Baron of Menstrie. Ob. 1594. ==

2 John Alexander. ==

3 James Alexander.

SIR WILLIAM ALEXANDER, of Menstrie, Knt., Master of Requests to King James VI. Born 1580, Knighted 1614. == JANET, Daughter and Heir of Sir William Erskine, Knt. Bishop of Glasgow, and cousin german of John, 6th Earl of Mar, Regent of Scotland.

Created:
- 21st May, 1625, *Premier Baronet of Nova Scotia.*
- 4th Sept. 1630, *Lord Alexander of Tullibodie, and Viscount of Stirling.*
- 14th June, 1633, *Viscount of Canada, and Earl of Stirling.*
- 7th Dec. 1639, *Charter of Novo Damus* to the titles above named.

Privy Councillor and Secretary of State, 1626. Keeper of the Signet, November, 1627. A Lord of Session, 23th July, 1631. Died at London, in February, 1640, and buried at Stirling the 12th of April following.

Alexander Alexander. ==

1 Alexander. Male issue extinct.

1 WILLIAM, VISCOUNT CANADA. Died at London, (Vita Patris,) in March, 1638, and was buried at Stirling. = MARGARET, Daughter of William, Marquis of Douglas. Died 1st January, 1660.

2 SIR ANTHONY ALEXANDER Knt. Master of the King's Works in Scotland; married a daughter of Sir Henry Wardlaw, of Pitreavie, Bart. Died at London, in August, 1637. Buried at Stirling. Left no issue. ==

3 HENRY, 3rd Earl of STIRLING. Died between May 1640, and the 16th August, 1644. = MARY, Daughter and co-heir of Sir Peter Vanlore, of Tylehurst, Co. Berks, Bart.

4 JOHN, Settled in the North of Ireland, between 1643, and 1662. Ob. 1666.

Agnes, Daughter of Sir John Graham, of Gartmore, Bart.

5 CHARLES, Got a grant of the Barony of Tullibodie, in 164[illegible]

=

LIN[illegible] Died [illegible] iss[illegible]

WILLIAM,

1 Catharine = Walter, Lord Torpichen.

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5 CHARLES, Got a grant of the Barony of Tullibodie, in 1642. =

WILLIAM, 2nd EARL of STIRLING, died unmarried, in or about May, 1640.

1 Catharine=Walter, Lord Torpichen.
2 Margaret =Sir Robert Sinclair, Bart.
3 Lucy =Edward Harrington, Esq.

Judith, Daughter of Robert Lee, Of Binfield, Co. Berks. 1st Wife. = HENRY, 4th EARL of STIRLING, Ob. 1690. = Priscilla, Daughter of ..... and Widow of Sir Robert Reynolds. 2nd wife.

Jane, Living in 1683, Died before 1739.

JOHN, Died, April, 1712. = Mary, Daughter of ..... Hamilton. Died, June 1st, 1724, Aged 63.

1 HENRY, 5th EARL of = Elizabeth, Daughter of

2 WILLIAM, Ob. S. P.

3 ROBERT, Ob. S. P.

4 PETER, Ob. S. P.

1 Mary, =..... Philips, Esq. of Binfield, Co. Berks.

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JOHN, Died, April, 1712. = Mary, Daughter of ..... Hamilton. Died, June 1st, 1724, Aged 63.

Ja

1 HENRY, 5th EARL of STIRLING, Married about May, 1690, Died without issue, at Ewell Green, Co. of Surrey, 4th of December, 1739. Buried at Binfield. = Elizabeth, Daughter of ..... and Widow of John Hobby, Esq. eldest son of Sir John Hobby, Bart. of Bisham, Berks.

2 WILLIAM, Ob. S. P.

3 ROBERT, Ob. S. P.

4 PETER, Ob. S. P.

1 Mary, = ... Philips, Esq. of Binfield, Co. Berks.
2 Judith, = Sir William Trumbull, Knt. Ob. 1716.
3 Jane. Ob. S. P.

JOHN, 6th EARL STIRLING, Succeeded Cousin, Henr 5th Earl, 4th December 173 Born in t north of Ir land, 1686. Di at Dublin, November, 1743.

1 JOHN, Properly 7th EARL of STIRLING, but did not take up the title. Born at Dublin, Jan. 26, 1735-6. Died unmarried, December 29th, 1765.

2 BENJAMIN, Properly 8th EARL of STIRLING, but did not take up the title. Born at Dublin, March 11th, 1736-7. Died in London, unmarried, April 18th, 1768.

1 MARY, 1st Daughter, Properly COUNTESS of STIRLING, Born at Dublin, Oct. 1st, 1733. Died unmarried at the Larches, April 28th, 1794.

2 HANNAH, 2nd Daughter, and length Heiress, Properly COUNTESS STIRLING, Born at Dublin, Janu 8th, 1740-1. Died at house in the College Gre Worcester, September 1814.

ALEXANDER H. ALEXANDER, Obtained his Majesty's licence to take the name of ALEXANDER. 9th and present EARL of STIRLING. == FORTUNATA, Daughter of Signor Giovanni Bartoletti, of Naples, descended of the noble Milanese family, of the same name.

Alexander, Viscount Canada.

Charles.

Eugene.

Angela.

HANNAH H. Wife of William Horsley, Esq. =

1 William H.
2 Alexander H.
3 Charles H.
4 George H.
5 Frederick H.

Eliza.
Caroli
Louis