

dormant since his decease. In 1834 the late Mr. Barclay Allardice claimed the Dignity of Earl of Airth as heir of line to William, on whom the Honour was conferred, contending that the word Heirs in the Letters Patent of 1633 must be read as Heirs of the body of the Earl. The Lord Advocate opposed the claim, and insisted that the word Heirs is flexible and is to be controlled and governed by the context of the instrument in which it is found, and that the Letters Patent only annexed the new Dignity of Earl of Airth to the ancient one of Earl of Monteith, and that no person could be Earl of Airth who was not also Earl of Monteith. The case was heard on several occasions before the Lords Committees in 1839, and on the 15th of August in that year Counsel for Mr. Barclay Allardice prayed the Committee to adjourn the case to the next Session to enable the Claimant to adduce further evidence. No further evidence was adduced, and no further proceedings were had upon Mr. Barclay Allardice's claim; but in 1840 he presented a petition to the Queen claiming the additional Honours of Earl of Strathern and Monteith. No steps were taken upon that claim and Mr. Barclay Allardice died in 1854. In 1870 Mrs. Barclay Allardice, the only surviving child of the former Claimant, claimed the Dignity of Countess of Airth on the same grounds as those relied upon by her father in support of his claim. Her claim was opposed by William Cunninghame Bontine of Ardoch and Gartmore, who had assumed the surname of Bontine instead of that of Graham, and who claimed to be the heir male of the body of the first Earl of Monteith through Sir John Graham of Kilbryde, his second son. Mrs. Barclay Allardice's claim was heard before the Lords Committees during the Sessions of 1870 and 1871, and

Counsel for Mr. Bontine, in opposition to the claim, relied upon grounds similar to those on which the then Lord Advocate had opposed the claim of the late Mr. Barclay Allardice in 1839. The case was further heard on the 21st of July 1871, since which time no further proceedings have been taken, save in so far as that Mrs. Barclay Allardice in 1874 presented a petition praying the House of Lords to direct the late Duke of Montrose to produce certain muniments, an application to which the House refused to accede. Mr. Bontine, who opposed the claim of the heir of line claiming to be the heir male of the Earls of Monteith, claimed descent from a younger son of the first Earl; but Walter, the second son of Alexander the second Earl, was ancestor of the Grahams of Gartur; and if any of Walter's descendants in the male line be in existence, they would have a preferable claim to the Gartmore branch of the family. The Gartur family appears to have been numerous in the earlier part of the last century, but it may since that time have become extinct.

THE TITLE OF LORD MORDINGTON.

Sir James Douglas, a younger son of William the tenth Earl of Angus, married Anne the daughter and heir of Lawrence the fifth Lord Oliphant. Lord Oliphant being apprehensive, as there was no known Writ making a destination of his Peerage, that it might descend to his heir at law, executed a Procuratory of Resignation of his estate and Dignity in favour of his

next heir in the male line of Resignation was claimed. The claim came supposed to the descent House of Lords in 1633, that Charles I. had annulled an entail, the Procuratory that that Procurator King, destroyed all the Honour was confer it upon the Duke of fact, confirm the heir male however, or James Douglas Mordington, and he and his successors should held by Lord Oliphant. Lord Parliament, but his son died the 1st of July and he sat in Oliphant and Letters Patent were not en