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**THE SCOTS PEERAGE**

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FOR

DAVID DOUGLAS

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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

EDITED BY  
**SIR JAMES BALFOUR PAUL, LL.D.**  
LORD LYON KING OF ARMS

WITH ARMORIAL ILLUSTRATIONS



VOLUME VII

**EDINBURGH: DAVID DOUGLAS**

1910

# STANDARD REPORT

OF THE  
COMMISSIONERS OF THE  
LAND OFFICE

FOR THE YEAR ENDING 1885

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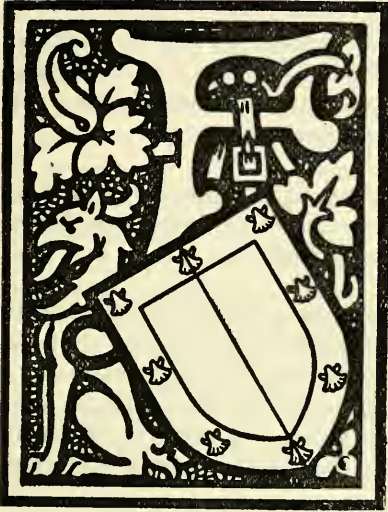
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ERRATUM

Page 176, fifth line from bottom, note 6, *for* also a Christian  
*read* Margaret.

## MAULE, EARL PANMURE



EW families can trace their descent from such ancient and authentic sources as the great house of Maule. Fortunate in its records, it has been no less fortunate in its recorders: the Hon. Harry Maule of Kelly, third son of the second Earl of Panmure, made, with the assistance of his second son James, a collection of the charters relating to the leading families from whom he was de-

scended. This chartulary was completed in 1733, and compares favourably with similar collections made at that period, as the compilers displayed 'a love of historical research with a spirit of critical discrimination rarely combined in the works of their contemporaries.' By the generosity of Fox Maule, Earl of Dalhousie, the collection was printed in 1874 under the able editorship of the late John Stuart, LL.D., as the *Registrum de Panmure*, and most of the information contained in the following article has been got from the pages of that work. But as it was 'framed less for the purpose of tracing out lists of *all* the members of the family and preserving in detail the dates of their births and deaths than of concentrating attention on the main line and illustrating each generation by groups of historical documents, etc.,' it has been necessary to make further search for many of the facts dealt with.

The family of Maule trace their origin to France, and the first on record appears to be

ANSOLD, LORD OF MAULE, who, with Rectrude his wife, made a donation to the Priory of St. Martin des Champs at Paris 1015. The seigneurie of Maule lay about eight leagues from Paris, and a few leagues from St. Germain-en-Laye. Ansold was succeeded by his son,

GUARIN, who is named in a charter by Robert, King of the Franks, before 1032,<sup>1</sup> to William, Abbot of St. Germain. His wife's name, which is also mentioned in the charter, was Hersende. They had a son and successor,

ANSOLD. His patrimony must have been large, and he probably added to it, as he is called by Ordericus Vitalis 'dives Parisiensis.' His son and heir was

PETER, Lord of Maule, who, along with his two immediate successors, is frequently mentioned in the chronicles of the last-named historian. He gave large gifts to the monastery of St. Evroult and lived to a good old age, dying 12 January 1106. He was of a jovial disposition and preferred feasting to fighting.<sup>2</sup> His wife's name was Guindesmoth, and they had issue:—

1. ANSOLD, who carried on the line of the family.
2. *Theobald.*      3. *Guarin.*    4. *William.*    5. *Hubeline.*
6. *Euremburga.*    7. *Odeline.*    8. *Hersende.*

ANSOLD, Lord of Maule, seems to have been of a higher type than his father. He was a brave soldier and saw much service: he was learned, temperate, and exceedingly strict in morals. Shortly after his father's death, and apparently influenced not a little by the appearance of a comet with a long and fiery tail, he made peace with the neighbouring monastery, with which he had had some contention, and confirmed to the monks all that his predecessors had given to them, adding other gifts of his own. Towards the end of his life—it is said he had borne arms for fifty-three years—he entreated the monks of Maule to admit

<sup>1</sup> *Reg. de Panmure*, ii. 8.    <sup>2</sup> *Ibid.*, 16.

him to their brotherhood; and having got the consent of of his wife and his son and heir, he was invested with the religious habit; but he did not long continue to wear it, as he died the third day after his admission to the Order, in the year 1118. He married Adeline, daughter of Ralph, surnamed Malvoisin, and by her had issue:—

1. PETER.

2. *Ralph.*

There seems little doubt that some of the younger branches of the family accompanied William, Duke of Normandy, in his invasion of England. Crawford says<sup>1</sup> that the ancestor of the Maules in Scotland was a son of Peter, the first Lord of Maule of that name, and that he was one of the companions of William. It is certain that the name Maule occurs in the lists of those who came over from Normandy at that time.<sup>2</sup> The Christian name or names are not given, but in the reign of Henry I., Robert and Stephen de Maule are mentioned as giving a benefaction to the restored Abbey of St. Hilda, Whitby, of the church of Hatun in Cleveland, with its pertinents the chapel of Newton of Thorpe, and Hatun Parva.<sup>3</sup> Whether these Maules were sons of Peter, Lord of Maule, has not been ascertained; they do not occur among the names of his children mentioned by Ordericus. But Robert is believed to have come to Scotland with the other Normans who accompanied David I. there. His name is mentioned in a charter by Henry, Earl of Northumberland, David's eldest son, granting lands in Northumberland to Eustace Fitzjohn.<sup>4</sup> It is more likely that he was the grandson and not the son of Peter, Lord of Maule. He is believed to have had at least two sons:—

1. WILLIAM.

2. ROGER.

WILLIAM DE MAULE. Under the designation of William Masculus he witnessed, about 1141, the confirmation of a charter by Earl Henry to the church of St. Mary of Haddington,<sup>5</sup> and in that year he was also witness, at

<sup>1</sup> *Lives of the Officers of State*, 259. <sup>2</sup> *Grafton's Chronicle*, ii. 3; *Holinshed*, ii. 294. <sup>3</sup> *Monast. Aug.*, i. 410. <sup>4</sup> *Bodleian mss.*, lxxiv. 27; *Reg. de Panmure*, ii. 67. <sup>5</sup> *Reg. Prior. S. Andree*, 191.

Jedburgh, to a grant by the same Earl to the church of the Holy Trinity of Tiron in France,<sup>1</sup> as well as to another, granted after 1147, to the church of St. John in the Castle of Roxburgh, dated at Traquair.<sup>2</sup> He is said to have accompanied David I. to the battle of the Standard in 1138. He is found in possession of the lands of Foulis, and, between 1162 and 1186, granted to his nephew, Thomas the cleric, the church and church lands of Foulis, by a charter which is witnessed by another nephew, Richard, and also by Michael Maule.<sup>3</sup> William de Maule had two daughters but left no male issue:—

1. *Christian*, married to Roger de Mortimer, who got grants from King William the Lion of the lands of Foulis, which formerly belonged to his father-in-law, and two tofts in Selkirk and Clackmannan, which King Malcolm, the King's brother, had granted to William Maule.<sup>4</sup>
2. *Cecilia*, married to Walter de Ruthven. Her grandson, Sir Gilbert de Ruthven, renounced in 1262 all rights in the lands of Foulis competent to him through her.<sup>5</sup>

The elder brother having had only female issue, the line of the family was carried on by his younger brother,

ROGER DE MAULE, regarding whom not much is known. He appears as a witness to a charter by Duncan, Earl of Fife, granting to the Canons of St. Andrews the church of Cupar.<sup>6</sup> Neither the date of his death nor the name of his wife has been ascertained, but he is believed to have had three sons:—

1. RICHARD.
2. *John*, who witnesses two deeds by William, Bishop of St. Andrews, relating to the teinds of the vicarages of Haddington and Linlithgow. He is described as one of 'our clerics,' and must therefore have been in holy orders.<sup>7</sup>
3. *Thomas*, also a cleric, and designed as such in a charter by his uncle William Masculus de Foulis,

<sup>1</sup> *Cal. of Docs. France*, 357. <sup>2</sup> *Reg. Glasguense*, i. 10. <sup>3</sup> *Reg. Prior. S. Andree*, 40. <sup>4</sup> *Ibid.*, 80. <sup>5</sup> *Reg. de Panmure*, 82. <sup>6</sup> *Reg. Prior. S. Andree*, 242. <sup>7</sup> *Ibid.*, 159, 160.



granting him the church and church lands of Foulis.<sup>1</sup>

RICHARD DE MAULE. About him too there is but little information. He is named as a witness to his uncle's grant of the church of Foulis cited above. He is said to have had two sons:—

1. PETER.

2. *William*. As Archdeacon of Lothian, William de Maulia witnessed a deed of Alexander II., ordering the Sheriff of Edinburgh and others to make an extent of the pasture of Lethanhope 28 August 1241. He also witnessed a donation by the same King of the vale of Lethan to the monks of Newbottle.<sup>2</sup>

PETER DE MAULE, the eldest son, is the first member of the family from whom the descent of his successors can be clearly proved by existing documents. The previous generations, from want of fuller evidence, can be stated only with a certain amount of inference and conjecture. Of his actual life indeed not much is known, the most important fact in it being that he married, before 1215, Christian de Valoniis, daughter by Loretta, daughter of Saher de Quincy, Earl of Winchester, and heiress of William de Valoniis, Chamberlain of Scotland, who died at Kelso in 1219.<sup>3</sup> She brought to her husband the large baronies of Panmure and Bervie, which had been originally granted to her grandfather, Philip de Valoniis, by William the Lion about 1180.<sup>4</sup> She also succeeded, along with her co-heirs Lora, wife of Sir Henry Baliol, and Isobel de Valoniis, the daughter of Roger de Valoniis, Lord of Kilbride, and wife of Sir David Cumin, to the English estates which belonged to Christian Fitzwalter, Countess of Essex, who was the daughter of Gunnora de Valoniis, wife of Robert Fitzwalter, and cousin of William de Valoniis above mentioned. The names of Peter and his wife occur in a deed of 1254, relating to the settlement of a dispute between them and the abbot and convent of Arbroath, concerning the bounds of certain lands belonging to the

<sup>1</sup> *Reg. Prior. S. Andree*, 40, 46. <sup>2</sup> *Reg. de Newbottle*, 90. <sup>3</sup> *Chron. de Mailros*, 187. <sup>4</sup> *Reg. de Panmure*, i. p. xix.

respective parties.<sup>1</sup> Peter de Maule is said to have died in 1254. There is a charter, without date, by Christian de Valoniis, 'in pura viduitate,' by which she granted to John de Lydel her lands of Balbanein and Panlathyn which she and her late husband Peter de Maule had granted to Thomas de Lydel the father of John. By his wife Peter de Maule left issue :—

1. WILLIAM, who succeeded.
2. *Thomas*, who is said to have been killed in 1303 while defending the Castle of Brechin, of which he was governor, against the English.<sup>2</sup>

WILLIAM DE MAULE of Panmure granted, in 1293, to Radulph of Dundee, a charter of the lands of Banavie and Balrotheri, with the advowson of the church of the same. Little is known about him, but he was dead before 1312, when his son is found granting deeds to the son of Radulph of Dundee. He married Ethana de Vallibus, daughter of John Vaux or de Vallibus, Lord of Dirleton.<sup>3</sup> By her he had a son,

HENRY DE MAULE of Panmure, who granted, as above stated, in 1312, an acquittance to John de Glasreth, son and heir of Sir Radulph of Dundee, for ten merks, part of the sum due for the confirmation of the charter by William of Maule previously referred to. In the final agreement between the parties about the lands mentioned, which is dated 26 May 1325, in connection with certain disputes between them, he is styled Sir Henry of Maule, Knight of Panmure. He is said to have married Margaret, daughter of Sir William Hay of Locherworth, by whom he had issue :—

1. WALTER, who succeeded.
2. *William*.
3. *Peter*.
4. *Christina*, married to Alexander, son and heir of John of Strathechin, with whom she got a charter from her father of the lands of Carmyle and others, confirmed by King David II. 27 August 1347, and by King Robert II. 4 February 1382.

<sup>1</sup> *Reg. de Aberbrothoc*, i. 322. <sup>2</sup> *Flores Hist.*, Mat. Westminster, 446.  
<sup>3</sup> *Reg. de Panmure*, i. p. xx.

WALTER MAULE of Panmure, on 31 December 1346, granted a charter to his nephew, Henry of Strathechin, and Ysoca, his wife, of three parts of the lands of Muncur in the barony of Panmure; and another of the lands of Carnegie to John, son and heir of John, son of Christin, son of John of Balnahard.<sup>1</sup> He was present at a Justiciar's Court held at Forfar 17 July 1348.<sup>2</sup> He made a grant to the Bishop of Brechin of the chaplaincy of Both and was dead before August 1348, when the Bishop confirmed it.<sup>3</sup> The name of his wife has not been ascertained, but he left two sons:—

1. WILLIAM, who succeeded.
2. *Henry*, who got a charter of the lands of Glasletyr from his brother 1 May 1389.

WILLIAM MAULE of Panmure granted, in 1361, a tack of the lands of Skryne to Alexander Strathechin of Carmyle. He was dead before 12 August 1407 when Alexander, Earl of Crawford resigned to the heirs of William Maule of Panmure the lands of Kekisflat. He married Marion, daughter of Sir David Fleming of Biggar and Cumbernauld, to whom he made a grant of the lands of Skryne and others by a charter confirmed by King Robert II. 3 September 1380. By her he had issue:—

1. THOMAS, who succeeded.
2. *Janet*, who was married to Alexander Ochterlony, son and heir of William Ochterlony of Kelly. She had, along with her husband, a grant of the lands of Grenefurde in the barony of Panmure 4 October 1434.<sup>4</sup>

THOMAS MAULE of Panmure was killed at the battle of Harlaw 24 July 1411.<sup>5</sup> He married Elizabeth, daughter of Sir Andrew Gray of Foulis, by whom he had a posthumous son,

THOMAS MAULE of Panmure. On 31 May 1412 he had a precept from the Duke of Albany for infesting him in parts of Panlathy as heir to his father.<sup>6</sup> His tutor during

<sup>1</sup> *Reg. de Panmure*, ii. 166, 167. <sup>2</sup> *Reg. de Aberbrothoc*, ii. 20. <sup>3</sup> *Reg. Episc. Brechin*, i. 10. <sup>4</sup> *Reg. de Panmure*, ii. 181. <sup>5</sup> *Ibid.*, 230. <sup>6</sup> *Ibid.*, 187.

his pupillarity was Sir Andrew Gray, his grandfather, as is shown by discharges granted to him in 1427. Sir Thomas Maule established his right as heir of line to the lordship of Brechin, through his grandmother, Marion Fleming, whose mother, Jean Barclay, was daughter of that Sir David de Barclay who married Margaret, daughter of David de Brechin.<sup>1</sup> Sir Thomas died in 1450, having married, in 1427,<sup>2</sup> Mary, daughter of Sir Thomas Abercrombie of that ilk. By her he had a daughter who married Sir David Guthrie,<sup>3</sup> besides a son and successor,

SIR THOMAS MAULE of Panmure. Not much is recorded about him. He appears as giving possession to the monks of Cupar of an acre of land and fishing in Stenkindehavin [Stonehaven] 20 February 1456-57.<sup>4</sup> He also granted letters of reversion to his uncle, Andrew, Lord Gray, of the lands of Skethin.<sup>5</sup> On 25 November 1481, in an instrument relating to an agreement between him and the Earl of Crawford as to the boundaries of certain lands, there is mention made of a limit running 'a magna cruce lapidea de Cambiston,' one of the most interesting of the sculptured stones of Scotland, which still survives. Sir Thomas died after 16 January 1497-98, on which date he gave possession to his grandson and heir, Thomas, of all his moveable goods, only providing that he should supply his grandfather with all necessaries and pay his debts.<sup>6</sup> He had previously, on 2 March 1490-91, conveyed the barony of Panmure to him,<sup>7</sup> and he had also, on 14 March 1497-98, a charter of the lands of Balishan.<sup>8</sup> The reason of his divesting himself of all his property, both heritable and moveable, during his lifetime, may perhaps be found in the fact that, according to the family genealogist, 'rydand at the huntes neir to the Grein Lane of Brechine [he] swddenlie become blind and lost his sight, quharfor he was called the blind knight.' Sir Thomas married, first, Elizabeth, younger daughter of David, third Earl of Crawford: he seems to have divorced her, apparently for no fault but because his brother-in-law, Sir David Guthrie, had attempted to divorce his sister on

<sup>1</sup> See vol. ii. 223, 224. <sup>2</sup> *East Neuk of Fife*. <sup>3</sup> *Reg. de Panmure*, i. p. xxv. <sup>4</sup> *Ibid.*, ii. 236. <sup>5</sup> *Ibid.*, 242. <sup>6</sup> *Ibid.*, 262. <sup>7</sup> Confirmed 2 June 1491, *Reg. Mag. Sig.* <sup>8</sup> Confirmed 25 March 1497-98.

the ground that they were within the prohibited degrees. Lord Crawford had supported Guthrie in his contention, and Maule's revenge was to divorce Crawford's daughter in return. Whatever may be the truth of this story, which rests on the authority of the family chronicler of the seventeenth century, there is no doubt that Sir Thomas did marry, before 12 August 1489,<sup>1</sup> a second wife in the person of Catherine Cramond, a daughter of the Laird of Aldbar.<sup>2</sup> By his first wife he had a son,

1. *Alexander*, 'who was ane prodigal man, not gewen for the weil of his hows.' He left Scotland in 1489, having quarrelled with his wife, taking large sums of money with him. When or how he died is not known; neither he nor his money was ever heard of, and it was supposed that he had been robbed and murdered. He married Elizabeth, daughter of Sir David Guthrie of that Ilk, and had by her, who died about 1526 and was buried in the kirk of Monikie, two sons and a daughter:—

(1) THOMAS, of whom presently.

(2) *William* of Auchrinnie, who married Janet, daughter of John Carnegy and sister to Sir Robert Carnegy of Kinnaird.

(3) *Isabel*, married to Ramsay of Panbride.

By his second wife Sir Thomas had a son,

2. *William*, said to have been blind like his father. He resided during his life chiefly with his uncle, the Laird of Aldbar.<sup>3</sup>

SIR THOMAS MAULE of Panmure succeeded his grandfather, with whom he was a great favourite. He had a charter of the barony of Panmure from him 12 March 1490-91; and another of Balischane 14 March 1497-98.<sup>5</sup> He appears to have been a very stout, pleasant and good-natured person: he certainly did once burn, 'for ane indignatione,' the house of John Liddel of Panlethyne, but he was very penitent for this act, and obtained a remission under the Great Seal.<sup>6</sup> In later years he made several

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> She is said to have married, secondly, Robert Keith, brother to the Earl Marischal, and to have lived till 1532. <sup>3</sup> In 1546 his legitimacy was called in question by his grand-nephew, Robert Maule of Panmure, but the result has not been ascertained; *Acta Dom. Conc. et Sess.*, xxii. f. 29. <sup>4</sup> Confirmed 2 June 1491, *ibid.* <sup>5</sup> Confirmed the following day, *ibid.* <sup>6</sup> Not recorded in *Reg. Mag. Sig.*

donations to religious houses. On 20 April 1504 he and his wife and children were received into the confraternity of Friars minor,<sup>1</sup> and on 22 April 1509 he mortified certain lands of Skethyn to the Minorites of Dundee for masses to be said for the souls of his grandfather, father, himself, and his two wives.<sup>2</sup> Sir Thomas fell with many friends and vassals at Flodden in 1513. A graphic glimpse of the fierceness of the fray is afforded in the narrative of the family historian:—Sir Thomas was very fat, or as it is phrased in the direct vernacular of the day, ‘he was grown in the womb, and therefore was not able, be reason of the great presse to draw his sword, whairfor the laird of Guthrie (his uncle or cousin) drew it furth to him,’ but in the medley and struggle which ensued a man of his build ran a poor chance. He married, first, previous to 12 March 1490-91, Elizabeth, daughter of David Rollok of Ballachie; and, secondly, before 1504, Christian, daughter of William, Lord Graham, and widow of James Haldane of Gleneagles,<sup>3</sup> without issue. By his first wife he had issue:—

1. ROBERT, who succeeded.<sup>4</sup>
2. *Elizabeth*, married (contract 13 June 1507), with a tocher of 320 merks, to Alexander Strachan, younger of Carmylie.<sup>5</sup>
3. *Isobel*, married to Henry Ramsay of Panbride.<sup>6</sup>
4. — a daughter, married to John Liddel of Panlathyne, who fell at Flodden.<sup>7</sup>

ROBERT MAULE of Panmure succeeded his father when he was sixteen. In 1526 he took part with the Earl of Lennox in the unsuccessful attempt to rescue James v. out of the hands of the Douglases, for which he got a remission under the Great Seal from the King 27 February 1527-28.<sup>8</sup> On 25 February 1528-29 he had a royal charter to himself and his wife of the lands of Panlethy and others.<sup>9</sup> He had a licence under the Privy Seal, 20 February 1528-29, permitting him to stay at home from all hosts, courts of justiceayres, and parliaments on the ground of his

<sup>1</sup> *Reg. de Panmure*, ii. 268. <sup>2</sup> *Ibid.*, 276. <sup>3</sup> *Acta Dom. Conc.*, xxiv. f. 92.  
<sup>4</sup> Douglas inserts a second son, *William*, but see *ante*, where he is said to be son of Alexander. <sup>5</sup> Macfarlane's *Gen. Coll.*, ii. 146. <sup>6</sup> *Reg. Mag. Sig.*, 8 May 1551. Macfarlane calls her Margaret and her husband David.  
<sup>7</sup> *Ibid.* <sup>8</sup> *Reg. de Panmure*, ii. 306. <sup>9</sup> *Reg. Mag. Sig.*

health.<sup>1</sup> He may have been suffering from the effects of a fray with Ogilvy of Balfour, whom he accidentally met at the burn of Barrie; in the fight he was 'ewil wondit.' He got a remission for taking part in the insurrection of the Earls of Lennox and Angus against the Regent Arran 13 February 1543-44.<sup>2</sup> He opposed the idea of a match between the Queen and Edward of England. He was taken prisoner during the invasion of Scotland by the English in 1547, while defending his house of Panmure, being severely wounded by a culverin shot. He was carried off to England and imprisoned in the Tower, from which, however, he was released in 1549 through the intervention of the Marquis d'Elboeuf. He died 3 May 1560, and was buried in Panbride Church. His character is graphically portrayed by the family historian before referred to:—'He was ane man of cumlie behaiour, of hie stature, sanguine in colloure both of hyd and haire, colerique of nature, and subject to suddane anger, ane natural man, expert in the lawes of the countray, of gud langage, expert in countine of genealogies . . . he was very temperat of his mouthe, but gewin to leicharie, an abel man on fut, ane gud horsman, lyket weil to be honorable in apparel, and weil horset, mykil honorit with his nychboures and in gud estimatione. He tuk gryt delyght in haukine and hountine. He tuk plesior in playine at the fut bale,' and had the moor of Bathel reserved entirely for that game. 'Lykwayes he exerciset the gowf and oftymes past to Barry lynkes'; there the games were played not for money but for drinks, and the chronicler relates how the laird would never enter a 'browster hous' but sent one of his servants to pay for all when he had lost a match. There are few more happy sketches of a country gentleman of the period than this—a gentleman of the better class, no doubt, though it is said that he was quite illiterate and could neither read nor write. So much so that when in his later years he became an adherent to the reformed religion, his eldest son, 'ane godly persone gewine to redine of the scripture, did nychtlie valk besyde his father' and instruct him in the leading tenets of the faith.

Robert Maule married, first, before 1519, Isobel, daughter

<sup>1</sup> *Reg. de Panmure*, ii. 306. <sup>2</sup> *Ibid.*, 308.

of Sir Lawrence Mercer of Aldie.<sup>1</sup> She died 30 April 1540, and was buried in the choir of Panbride Church. He married, secondly, in 1545, Isobel, daughter of James Arbuthnott of that Ilk, and relict of David Ochterlony of Kelly. She died in 1558.

By his first wife Robert Maule had :—

1. THOMAS, who succeeded.
2. *John* of Camistoun, died unmarried at Pitcur and was buried at Kettins.<sup>2</sup>
3. *Robert*, who lived at Pitlevy, and died unmarried in October 1600.<sup>3</sup>
4. *Margaret*, married to Andrew Haliburton of Pitcur.<sup>4</sup>
5. *Elizabeth*, married to William Haliburton, brother of the Laird of Pitcur.<sup>5</sup>
6. *Janet*, married, in 1540, a week before her mother's death, to James Strachan of Balvousie. Her testament was confirmed 11 February 1594-95.<sup>6</sup>
7. *Agnes*, married, as his second wife, to Strachan of Carmylie.<sup>7</sup>
- 8, 9, 10, 11. According to Macfarlane there were four other daughters, named respectively *Isobel*, *Geils*, *Jean*, and *Catherine*, 'all but meanly married.' If these were all daughters of Isobel Mercer, she must have died when they were very young.

By his second wife Robert Maule had issue :—

12. *Henry*. On 18 September 1565 he had a charter from his brother Thomas of part of the lands of Skryne and others.<sup>8</sup> On 24 March 1580-81 he witnessed a charter as 'servitor' to Esmé, Earl of Lennox, Comendator of Arbroath.<sup>9</sup> He is generally styled portioner of Skryne, and as such had a grant, along with his son Henry, from John Boswell of Balmuto, 11 October 1591, of the sunny half of Balgreggie in Fife.<sup>10</sup> He had also a charter from Lord Balmerino, 1 August 1605, of the lands of Easter Innerpeffer.<sup>11</sup> He married, first, Katherine, daughter of John Boswell of Baghillie, and, secondly, Janet Lyon, widow of Henry

<sup>1</sup> *Reg. Sec. Sig.*, i. 3039. <sup>2</sup> Macfarlane's *Gen. Coll.*, ii. 148. <sup>3</sup> *Ibid.*  
<sup>4</sup> *Ibid.* <sup>5</sup> *Ibid.* <sup>6</sup> Edin. Tests. <sup>7</sup> Macfarlane's *Gen. Coll.*, ii. 148. <sup>8</sup> Confirmed 31 January 1565-66, *Reg. Mag. Sig.* <sup>9</sup> *Ibid.*, 28 August 1581. <sup>10</sup> *Ibid.*, 18 January 1591-92. <sup>11</sup> *Ibid.*, 28 December 1605.



Guthrie of Collieston.<sup>1</sup> By his first wife he had a son,

- (1) *Henry*, who wrote a *History of the Picts*,<sup>2</sup> and married in 1612 a daughter of Durham of Pitkerro.<sup>3</sup> He acquired the estate of Melgund,<sup>4</sup> and, besides two other sons, was the father of James Maule of Melgund, who because of his knowledge of the diving-bell was employed by the ninth Earl of Argyll in 1665 to recover possible treasure from a Spanish vessel sunk near Tobermory in Mull.<sup>5</sup>

13. *Andrew*. He also had a charter from his brother Thomas of part of the lands of Skryne 5 April 1558,<sup>6</sup> and another of other portions of the same lands 18 September 1565.<sup>7</sup> Under the designation of Andrew Maule of Gourdie (or Guildie), for a long time one of the King's familiar servitors, he had a royal confirmation of his portion of Skryne to himself and his wife 30 January 1600.<sup>8</sup> Both he and his wife were alive on 15 July 1624, when they and their sons resigned the Skryne lands in favour of Patrick Maule of Panmure.<sup>9</sup> His wife's name was Margaret Durham. They had issue:—

- (1) *Robert*, mentioned in the charter of 1624.  
 (2) *William*, also mentioned there.  
 (3) *David*.<sup>10</sup>  
 (4) *Barbara*, married to Thomas Wishart of Bondarge.<sup>11</sup>  
 (5) *Grisel*, married to Gilbert Wishart, son of the Laird of Logie.  
 (6) *Elizabeth*, married to Thomas Pearson, son of the Laird of Lochlands.<sup>12</sup>  
 (7) *Marjory*, married, first, to William Nairne, son of David Nairne of Sandford, and secondly, as his second wife, 29 April 1652, to the Earl of Ethie, afterwards Earl of Northesk, then a man of about seventy-three.<sup>13</sup>

14. *William*, merchant in Edinburgh. He appears as a substitute of entail in the charters of the Skryne lands to his brothers Andrew and Henry above mentioned. On 19 May 1592 he had a charter from John Guthrie of Collieston of the lands of Cruikston, co. Forfar, for

<sup>1</sup> Macfarlane's *Gen. Coll.*, ii. 149. <sup>2</sup> Crawford's *Peerage*, 393. <sup>3</sup> Macfarlane's *Gen. Coll.*, ii. 149. <sup>4</sup> *Reg. Mag. Sig.*, 6 December 1652. <sup>5</sup> *Sixth Rep. Hist. MSS. Com.*, 625, 627. <sup>6</sup> Confirmed 7 April 1558, *Reg. Mag. Sig.* <sup>7</sup> Confirmed 31 January 1565-66, *ibid.* <sup>8</sup> *Ibid.* <sup>9</sup> *Ibid.* <sup>10</sup> Macfarlane's *Gen. Coll.*, ii. 149. <sup>11</sup> *Ibid.* <sup>12</sup> *Ibid.* <sup>13</sup> *Carnegies, Earls of Southesk*, ii. 351.

which he paid 6000 merks,<sup>1</sup> and which he sold in 1610 to David Carnegie, citizen of Brechin, for 5000 merks.<sup>2</sup> By November 1607 he had served his term of office as Dean of Guild of Edinburgh.<sup>3</sup> He died 19 April 1619,<sup>4</sup> having married Bethia, daughter of Alexander Guthrie, town-clerk of Edinburgh, in whose right he was admitted burghess 25 July 1579. She died 22 December 1624,<sup>5</sup> having had issue seven daughters and co-heiresses:—

- (1) *Marion*, married, 30 August 1598, to Sir Alexander Seaton of Kilcroich, afterwards a Lord of Session.<sup>6</sup>
- (2) *Bethia*, married, 9 September 1601, to James Murray of Skirling.<sup>7</sup>
- (3) *Margaret*, married (contract mentioned in charter of 13 August 1607, where she is styled *conjux affidata*) to Sir Archibald Murray of Blackbarony.<sup>8</sup>
- (4) *Eleanor*, married, 6 September 1610, to Alexander Morrison of Prestongrange.<sup>9</sup>
- (5) *Janet*, married, 27 September 1615, to William Oliphant of Kirkhill.<sup>10</sup>
- (6) *Isobel*, married, first, to James Dundas of Duddingston, and, secondly, to James Hamilton of Parklie.
- (7) *Elizabeth* or *Beatrix*, married, 24 February 1620, to Robert Burnet of Crimond,<sup>11</sup> and died 1622.<sup>12</sup>

15. *Marjorie*, married to Andrew Guthrie of Kingenny.<sup>13</sup>

THOMAS MAULE of Panmure, the eldest son of Robert, was born 21 December 1521.<sup>14</sup> He was as a youth a great favourite of Cardinal Beaton, and was contracted to one of his natural daughters, but on King James's advice, 'marie newir ane preist's geat,' the contract was broken off on payment by his father and himself of 3000 merks.<sup>15</sup> He went to France with the embassy of Beaton in 1541 and came home the next year. He was at the battle of Pinkie in 1547 and had many exciting adventures in making his escape from that field, all of which are most graphically told by the family chronicler. He was taken by the English at Panmure along with his father as above stated, but he appears to have escaped and to have been re-taken soon after. He suffered a short imprisonment at Morpeth but

<sup>1</sup> Confirmed 30 January 1596-97, *Reg. Mag. Sig.* <sup>2</sup> *Ibid.*, 2 August 1610.  
<sup>3</sup> *Ibid.*, 18 November 1607. <sup>4</sup> *Edin. Tests.*, 21 June 1620. <sup>5</sup> *Ibid.*, 1 September 1627. <sup>6</sup> *Edin. Reg.* <sup>7</sup> *Ibid.* <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *Edin. Reg.*  
<sup>10</sup> *Ibid.* <sup>11</sup> *Ibid.* <sup>12</sup> *Family of Burnet*, 133. <sup>13</sup> *Macfarlane's Gen. Coll.*, ii. 149. <sup>14</sup> *Reg. de Panmure*, i. p. xxxiii. <sup>15</sup> *Macfarlane's Gen. Coll.*, ii. 150.

was released before long. He was with Queen Mary at Aberdeen in 1562, but was not at the battle of Corrichie, having been summoned home by the illness of his wife. He had a royal charter 17 March 1540-41 of the barony of Panmure on the resignation of his father, and at the same time the vill and lands were erected into a free burgh of barony under the designation of the East part of Panmure.<sup>1</sup> In 1541 he sold to Elizabeth Beaton, a natural daughter of the Cardinal, and probably the lady to whom he was contracted, half the lands of Skryne.<sup>2</sup> His name occurs frequently in the Great Seal Registers as a granter of charters to various persons, and it seems that he sold or alienated in some way a large portion of his estates. On 10 August 1576 he sold to his son Patrick the whole lands and barony of Panmure, only reserving a liferent to himself and his wife.<sup>3</sup> He does not seem to have taken any prominent part in public affairs, but after the murder of Darnley he supported the Regent Moray and his successors against the Marian party.

Thomas Maule was a pleasant person; 'ane fair man, of personage lyk to his father, of rudie coullour, his hair read yellowe and his beard, of ane liberal face and blythe countenance, newir for na adwersitie dejected.' He was a great sportsman; 'he wald ryd al day . . . except in the morninge he wald tak ane drink of ale and theareafter ane lytel aquavite, and continewe to the eveninge without other meat or drink, and at his first cumine hame at ewin vald cal for ane drink.' He never wore a greatcoat, winter or summer, and like a true sportsman 'in the cauld frost vald vysche (wash) his haukes supper, and never shrink for cauld.' He was an athlete of note in his young days, and it is related that he and his brother-in-law, Willie Halyburton, clad in jacks and boots, leading their horses, on whom they strapped their cloaks, and each with a goshawk on his wrist, walked from Pitcur to the Water of Deane, and thence across to the Lunan, down which they went till they were able to strike across to Panmure; the distance was about thirty miles, but encumbered as they were with hawks and led horses, and considering the

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.*, 15 April 1541. <sup>3</sup> *Ibid.*, 23 August 1576.

rough ground over which they must have travelled, it was a very good day's tramp. Though a mighty Nimrod, Maule had no great capacity for business; many estates, as has been noted above, were parted with by him, and including Panlethin, Glaster, and Carnegy. There was some friction, probably arising out of these alienations, between him and his eldest son, but this seems to have been got over before his death, which took place 7 March 1600, at the age of seventy-eight years two months and seventeen days.<sup>1</sup>

He was contracted in marriage, 8 January 1526-27, to Elizabeth Lindsay, daughter of David, Earl of Crawford,<sup>2</sup> but whether the marriage was ever carried out is not certain. Her name does not appear as his wife in any writ, and either she or another sister of the same name had been contracted to John Erskine of Dun in 1522, when he was under fourteen, and she was his wife when she died in 1538.<sup>3</sup> There is no doubt that Thomas Maule married, in November 1546, Margaret Halyburton, a daughter of the Laird of Pitcur. The union was an exceptionally happy one: she survived her husband, dying October 1602, at the age of seventy-six. By her Thomas Maule had issue:—

1. PATRICK, who succeeded.
2. *William*, who went to Sweden, when twenty-two years of age, with Archibald Ruthven, and entered the military service there. He died abroad *s.p.*<sup>4</sup>
3. *David*, died at Panmure, of 'a feltic gravel,' 1579 *s.p.*<sup>5</sup>
4. *Robert*. He was commissary of St. Andrews, and an elder in the church there. He was a learned person, and wrote a work entitled, *De origine et vetustate gentis Scotorum*, of which Macfarlane, while admitting its erudition, disapproves, because he 'depresses the antiquity of our kings, yea, and partly unhinges their succession also,' which suggests that the history was on more reasonable lines than those of the more ancient chroniclers. The work, however, for which

<sup>1</sup> *Reg. de Panmure*, i. p. xxxvi. His testament-dative gives the date of his death as 29 November. <sup>2</sup> *Ibid.*, ii. 302. <sup>3</sup> Cf. vol. iii. 27. <sup>4</sup> Several members of the Maule family went to Sweden from time to time; some got naturalised and ennobled. See Fischer's *Scots in Sweden*, Donner's *Scottish Families in Finland and Sweden*. <sup>5</sup> Macfarlane's *Gen. Coll.*, ii. 151.

he should be held in remembrance is the history of his own family, to which reference has so frequently been made in this article. It shows that however learned he might be, he could rise to a vivid and picturesque style, such as is seldom attained by a family historian. This scholar and antiquary did not, however, keep himself free from family disputes. On 14 January 1602 a complaint was brought against him by Martha Forrester, the widow of his brother Thomas, stating that he and another had assaulted and abused in 'ane uncouth and uncivill forme' an officer called Gavin Duncan, who had served on him letters for the restitution of certain evidents and goods which had been spoiled from her. A certificate from the kirk session of St. Andrews was produced testifying to 'the infirmitie and disease of Maule,' and he was 'excused.'<sup>1</sup> He married Catherine, youngest daughter of William Myretoun of Cambo. By her he had at least one son,

- (1) *Patrick*, born 7 January 1606, married, first, Christian, daughter of Robert Forbes of Rires,<sup>2</sup> with issue a daughter, *Catherine*, married to John Ochterlony of the Guynd; secondly, Jean, fourth daughter of John Ayton of Kin-naldie.<sup>3</sup>

5. *Thomas* of Pitlevie. He along with his wife had a charter, 19 November 1594, from Henry Ramsay of Ardowny, and Helen Beaton, his wife, of the lands of Ardowny.<sup>4</sup> He died at Panmure November 1600, aged forty. He married, first, Margaret, daughter of Robert Lychtoun of Ulishaven, by whom he had issue, *Thomas*, *Robert*, *Margaret*, and *Catherine*; and secondly, Martha Forrester, as above-mentioned, by whom he had one daughter.<sup>5</sup>
6. *George*, who was a mariner in England, where he married and had issue a son, *William*, who died *s.p.*<sup>6</sup>
7. *James*, stated to have lived at Eyemouth, and to have had a son *Alexander*.

<sup>1</sup> *P. C. Reg.*, vi. 335. <sup>2</sup> *East Neuk of Fife*, 2nd ed., 116. <sup>3</sup> Macfarlane's *Gen. Coll.*, ii. 152. <sup>4</sup> *Reg. Mag. Sig.*, 20 March 1594-95. <sup>5</sup> Macfarlane's *Gen. Coll.*, ii. 152. <sup>6</sup> *Ibid.*

8. *Alexander*, died in infancy.
9. *Margaret*, said to have been married to James Stewart, son of James, fifth Lord Innermeath.
10. *Agnes*, died 1568, aged six.<sup>1</sup>
11. *Isobel*, married to Henry, son of Robert Durham of Grange.<sup>2</sup>

PATRICK MAULE of Panmure was born at Pitcur in March 1548. He was at school at Kettins, Dundee, and Montrose, where he stayed till he was fourteen, at which mature age he was married and went to live with his father. After the death of the latter he found the estates in very bad order; some of them had been sold and the others were heavily mortgaged, while the house itself was in a very dilapidated condition. This he rebuilt, and would have done much more for the estates if he had had time and money. But he did not hold them long, dying only five years after his father, on 1 May 1605. He married Margaret, daughter of Sir John Erskine of Dun, the superintendent of Angus. She died 1599, leaving issue:—

1. PATRICK, who succeeded.
2. *Elizabeth*, married to James Strachan of Carmylie.
3. *Jane*, married to her kinsman David, second son of Sir John Erskine of Dun. In consequence of the failure of the senior line their issue became Lairds of Dun.
4. *Margaret*, married to Mr. Arthur Erskine, brother to the above-mentioned David, her brother-in-law.<sup>3</sup>
5. *Euphemia*, married to Patrick Ochterlony of Bonhard, son of William Ochterlony of that Ilk and Kellie. Along with her husband she had charters of the lands of Easter and Wester Knox 1 June 1608 and 28 January 1609.<sup>4</sup>
6. *Isobel*, married to William Arbuthnott, probably William Arbuthnott of Mondynes.<sup>5</sup>
7. *Barbara*, died young.

<sup>1</sup> *Reg. de Panmure*, i. p. xxxvii. <sup>2</sup> *Ibid.* <sup>3</sup> See *Scottish Antiquary*, vi. 49-52, where authorities are given. <sup>4</sup> *Reg. Mag. Sig.*, 7 June 1608 and 9 February 1609. <sup>5</sup> See vol. i. 291.

8. *Christian*, married to Mr. Simeon Durie. He was the son of Mr. John Durie, the well-known minister of Montrose. Graduated at St. Andrews 1600; minister of Ferry-Port-on-Craig 1605; translated to Forglen 1609; and thence to Arbroath in 1628.<sup>1</sup>

I. PATRICK MAULE of Panmure was born 29 May 1585. When he succeeded his father the fortunes of his house were at a low ebb, but he was fortunate enough to attract the attention of King James VI., and soon became a favourite at Court. He was made a Gentleman of the King's Bedchamber, and had a disposition from the sovereign of his own ward and marriage, together with other substantial marks of the royal favour.<sup>2</sup> On 7 March 1610 he had a new grant of the lands and barony of Panmure, and a fresh erection of the East Haven into a burgh of barony,<sup>3</sup> a grant which was renewed more than once under slightly different conditions. By shrewdness and care he was able gradually to recover a large portion of the lands which had been alienated or mortgaged by his predecessors. After the death of James VI. he was no less in favour with King Charles. On 4 May 1625 he had a royal charter of the lordship of Colleweston in Northamptonshire,<sup>4</sup> and on 12 June 1629 he had a gift of the keepership of the great park of Eltham.<sup>5</sup> On 5 March of the same year he had a novodamus of the lands of Downy, erected anew into a free barony,<sup>6</sup> but this was incorporated into the barony of Panmure by another charter on 1 December 1632.<sup>7</sup> He was made Sheriff-Principal of Forfarshire, 5 September 1632.<sup>8</sup> On 13 October 1634 he, along with two other adventurers, had a grant of the monopoly of exporting merchandise to Africa.<sup>9</sup> On 15 of the same month he had a charter of the lands and barony of Brechin and Navar, and another, along with his son Henry, of the lands and barony of Balma-kellie.<sup>10</sup> On 6 November following he was granted a monopoly of the making of soap for twenty-one years.<sup>11</sup> On 26 November 1642 he had a charter of the abbacy of

<sup>1</sup> Scott's *Fasti*. <sup>2</sup> Macfarlane's *Gen. Coll.*, ii. 154. <sup>3</sup> *Reg. Mag. Sig.*  
<sup>4</sup> *Reg. de Panmure*, ii. 319. <sup>5</sup> *Ibid.* <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Ibid.* <sup>8</sup> *Reg. de Panmure*, ii. 319. <sup>9</sup> *Reg. Mag. Sig.*, see 21 April 1636, when a German and two Belgians were assumed as partners. <sup>10</sup> *Reg. Mag. Sig.* <sup>11</sup> *Ibid.*

Arbroath, which he had purchased from the Earl of Dysart.<sup>1</sup>

Maule was a fervent royalist, and was devoted to the master at whose hands he had received so many favours. One of the last he was to get was his own Peerage. On 3 August 1646 he was created EARL OF PANMURE, LORD BRECHIN AND NAVAR, with remainder to the heirs-male of his body. The patent is dated at Newcastle, when the King was with Leslie's army, only a few months before his surrender to the English. He was only able to give his faithful follower one more token of his favour; on 12 June 1647 he granted him the lands, teinds, etc., belonging to the bishopric of Brechin.<sup>2</sup> Lord Panmure attended the King during his captivity in Holmby House and Carisbrooke Castle till he was compelled to leave him by order of the Parliament. Mr. Commissary Maule gives a touching description of the scene at the parting of the King with his faithful servant.<sup>3</sup> Panmure presented him with a gold signet ring, the bill for which, amounting to £12, is still extant.

After the King's death Lord Panmure lived a retired life on his family estates, but lived to see the Restoration, and though he could not on account of his age do personal service to his sovereign, he sent him a present of £2000.<sup>4</sup> He was no doubt a wealthy man, though he had been fined under Cromwell's Act of Grace and Pardon a sum of £10,000, afterwards mitigated to £4000, which was paid 26 June 1655.<sup>5</sup> He died 22 December 1661, and was buried at Panbride.

Lord Panmure married, first, Frances, daughter of Sir Edward Stanhope of Grimston; secondly, Mary Waldrum, one of the Maids-of-honour of Queen Henrietta Maria; and thirdly (contract 1638), Mary, daughter of John, Earl of Mar, and widow of William, Earl Marischal.

By his first wife he had issue:—

1. GEORGE, second Earl of Panmure.

2. *Henry*, of Balmakellie, who is found associated with his father in various writs. He was one of the 'Engagers' for the rescue of King Charles I., was in

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.* <sup>3</sup> *Reg. de Panmure*, i. <sup>4</sup> *Ibid.* <sup>5</sup> *Acta Parl. Scot.*, vi. pt. ii. 846.



command of a regiment and was taken prisoner at the battle of Preston, but escaped. He was also at the battle of Dunbar in 1650, and was again taken prisoner at Worcester in 1651. He was fined £2500 by Cromwell, a sum afterwards reduced to £1000, which his father paid.<sup>1</sup> He died 1667, being buried at Holyrood 8 April of that year.<sup>2</sup> He married, first, 9 August 1649 (contract 1 and 3 August), Jean Wemyss, third daughter of John, first Earl of Wemyss, and widow of Sir Alexander Towers of Garmilton and Inverleith.<sup>3</sup> She died before 10 May 1662, leaving issue, and her husband married, secondly, Margaret, daughter of Patrick Douglas of Spot, by whom he had one daughter, *Margaret*, married to Alexander Cochrane of Barbachlaw.

3. *Jean*, married (contract 19 October 1637 and 12 January 1638) to David Carnegie, afterwards second Earl of Northesk.<sup>4</sup> She died at her jointure-house of Erroll in November 1685,<sup>5</sup> and was buried at Inverkeillor the following month.
4. *Elizabeth*, married, first, as his second wife, after November 1640, to John, second Earl of Kinghorn. He died 12 May 1647, and she was married, secondly, as his first wife, 30 July 1650,<sup>6</sup> to George, third Earl of Linlithgow. In consequence of her marriages she became the mother of three Earls, Strathmore, Linlithgow, and Callendar. She died October 1659.

II. GEORGE, second Earl of Panmure, was also a supporter of the Royalist cause, and on his return home from abroad in 1650 was appointed colonel of the Forfarshire horse. At their head he fought at the battle of Dunbar 3 September 1650, and was wounded at Inverkeithing 20 July 1651. The following year, however, finding further action unavailing, he made his peace with General Monck, and does not seem to have taken any further prominent part in public affairs. He succeeded his father in 1661, and was served heir to him 1 April 1662 and 12 May 1663.<sup>7</sup> Perhaps

<sup>1</sup> *Acta Parl. Scot.*, vi. pt. ii. 846. <sup>2</sup> Wood's Douglas's *Peerage*. <sup>3</sup> *Family of Wemyss of Wemyss*, i. 235. <sup>4</sup> *Carnegie Book*, ii. 359. <sup>5</sup> *Ibid.*, 361. <sup>6</sup> Lamont's *Diary*, 27. <sup>7</sup> *Retours, Forfar*, 384, 385, 401.

his best claim to remembrance is the fact that he built a new house at Panmure from the designs of John Milne, the King's master-mason, who, however, died in 1667, and it was only completed by Alexander Nisbet after the Earl's death, which occurred 24 March 1671. He married (contract 7 March 1645<sup>1</sup>), Jean Campbell, eldest daughter of John, Earl of Loudoun, Lord Chancellor of Scotland. By her, who died before 20 August 1703, he had issue:—

1. GEORGE, third Earl of Panmure.
2. JAMES, fourth Earl.
3. *Harry Maule* of Kellie. He was a firm supporter of the Stewart dynasty, and though a member of the Convention of Estates in 1689, left it when it was determined to declare the forfeiture of the Crown by King James VII. He took part in the rising of 1715, and rescued his brother Earl James, who was wounded at the battle of Sheriffmuir. He went abroad after this and resided in Holland for some time: he had great literary taste, and read both law and history largely. Both he and his brother the fourth Earl made extensive collections of chronicles, chartularies, and documents bearing on the history of Scotland.<sup>2</sup> He held his Jacobite convictions to the last, and he carried on a voluminous correspondence with the leading adherents of the Stewart cause, being by them generally addressed as the Earl of Panmure. Part of the barony of Kellie in Fifeshire he got from his brother Earl George in 1681, it having been purchased by the latter from Alexander Irvine of Drum in 1679. In 1686 he got the remainder of the lands from Earl James, and in 1687 he got a charter under the Great Seal of the whole barony, including Arbirlot and Cathlie, which he had acquired from the Archbishop of St. Andrews.<sup>3</sup>

Mr. Harry Maule died 23 June 1734.<sup>4</sup> He married, first (contract 7 March 1695), Mary Fleming, daughter of William, Earl of Wigtown. She died in March 1702, and he married, secondly (contract 27 January 1704), Anna Lindsay, sister of John, Viscount Garnock,

<sup>1</sup> *Reg. de Panmure*, i. p. xlv. <sup>2</sup> *Second Rep. Hist. MSS. Com.*, 186; *Reg. de Panmure*, i. p. lxxiii. <sup>3</sup> *Ibid.*, iii. 377. <sup>4</sup> *Services of Heirs*.

and second daughter of Patrick Lindsay Crawford of Kilbirnie.<sup>1</sup> She died 12 August 1729.<sup>2</sup> By his first wife he had issue:—

- (1) *George*, who died young.
- (2) *James*, 'a young man of great learning and the highest promise,' who died *s.p.* 16 April 1729.
- (3) *William*, succeeded his father, was M.P. for the county of Forfar from 1735 till his death on 4 January 1782, in his eighty-third year. He was a distinguished soldier, and served in Marlborough's campaigns. After holding the commands of the 25th Foot, the Royal Scots Fusiliers, and the Scots Greys successively, he passed through the grades of Major-general and Lieutenant-general, and was made General in 1770. In 1764 he purchased the forfeited Panmure estates from the York Buildings Company for £49,157. He settled these estates on himself and the heirs-male of his body, whom failing, on his half-brother John and similar heirs. In 1779 he executed another entail including, after the former series of heirs, his nephew George, Earl of Dalhousie, in liferent, and William Ramsay, his second son, in fee, and the heirs-male of the body of the said William, whom failing, to the younger sons of the Earl of Dalhousie *nominatim* and the heirs-male of their bodies, whom failing, to Lord Ramsay and the heirs-male of his body.<sup>3</sup> Yet another entail was made on 12 October 1781, after his brother John's death, but it was in similar terms to the last with the omission of his brother's name. William Maule was on 6 April 1743 created an Irish Peer under the title of EARL OF PANMURE OF FORTH and VISCOUNT MAULE OF WHITECHURCH with a specific remainder, failing heirs-male of his body, to his brother John. William Maule seems to have been a popular person, besides being tall and handsome, and it is said that he will be long remembered for his hospitality, benevolence and charity.<sup>4</sup> He died unmarried at Edinburgh 4 January 1782, when, his brother John having predeceased him, also unmarried, his Peerage became extinct.
- (4) *Henrietta*, died young.
- (5) *Jean*, married (contract 9 and 17 November 1726), to George, Lord Ramsay, eldest son of William, sixth Earl of Dalhousie. He died *vitâ patris* 25 May 1739, and she was married, secondly, to John Strother Kerr of Littledean, and died at Fowberry, Northumberland, 27 April 1769. By her first husband she was the mother of *Charles* and *George*, seventh and eighth Earls of Dalhousie.
  - i. *George*, eighth Earl of Dalhousie, succeeded to the Panmure estates under the will of his uncle William (see *ante*, vol. iii. p. 103). At his death, in 1787, these lands went to his second son,

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<sup>1</sup> Cf. vol. iii. 174, 175; *Reg. de Panmure*, ii. 377, 378. <sup>2</sup> *Historical Reg. Chronicle*. <sup>3</sup> *Reg. de Panmure*, ii. 358. <sup>4</sup> Wood's *Douglas's Peerage*, ii. 356.

- (i) *William Ramsay*, who assumed the name and arms of Maule. He was born 27 October 1771; was in the Army for a short time, but sat in Parliament for Forfarshire 1796-1831, and was a steady supporter of Fox. On 10 September 1831 he was created LORD PANMURE OF BRECHIN AND NAVAR. He died 13 April 1852, having married, first, 1 December 1794, *Patricia Heron*, daughter of Gilbert Gordon of Halleaths. She died 11 May 1821; and he married, secondly, in 1822, *Elizabeth*, daughter of John William Barton, then a girl of twenty-three. She survived him, and was married, secondly, 25 April 1856, to *Bonony Mansell Power* of Guernsey, and died at Paris 25 June 1867. By his first wife Lord Panmure had, with other issue, a son:—

a. *FOX MAULE*, who became in 1860 eleventh Earl of Dalhousie (*see that title*). At his death the barony of Panmure of the creation of 1831 became extinct.

By his second wife *Harry Maule* had issue:—

- (6) *Patrick*, died young.  
 (7) *John* of Inverkeillor, born 1706; admitted advocate 29 June 1725; Keeper of the Register of Sasines 1737; member of Parliament for Aberdeen Burghs 1739-48; appointed one of the Barons of the Court of Exchequer in Scotland 1748. Died unmarried 2 July 1781.  
 (8) (9) (10) (11) *Thomas, David, Charles, and Margaret*, all of whom died young.
4. *Mary*, married, first, in April 1674, to *Charles*, Earl of Mar (*cf.* vol. v. p. 627); and secondly, 29 April 1697, to *Colonel John Erskine*, son of *Sir Charles Erskine of Alva*.

III. *GEORGE*, third Earl of Panmure, was a Privy Councillor to King Charles II. and James VII. He was served heir to his father 16 May 1671, and died 1 February 1686, without surviving issue: 'though he was as moderate a man as many in Scotland, yet it was after drinking he fell in that fever whereof he died.'<sup>1</sup> He married (contract 6 December 1677) *Jean Fleming*, daughter of *John*, Earl of Wigtown, cousin of his brother *Harry's* wife. She died in April 1683, having had by her husband one child,

1. *George*, who died an infant.

IV. *JAMES*, fourth Earl of Panmure, succeeded his brother. Before his accession to the title he was known as

<sup>1</sup> *Red Book of Grandtully*, ii. 281.

James Maule of Ballumbie. He had as a young man travelled abroad and had served as a volunteer at the siege of Luxembourg. He was a Privy Councillor of King James VII., but while he was a staunch supporter of the Stewarts he was an equally staunch Protestant, and was removed from the Council along with Lord Dundonald by special order of the King, 10 March 1687, for opposing the abrogation of the penal laws against Roman Catholics.<sup>1</sup> This, however, did not lessen his loyalty to the reigning dynasty, and when the Crown was finally settled on King William and Queen Mary he refused to take the oaths, and never again sat in Parliament. He strongly opposed the Union, and when the rising of 1715 took place he was a firm and influential supporter of the Jacobite cause. He proclaimed 'the King' at the Market Cross of Brechin, and served still more actively for that cause in which he believed with all his heart. He was taken prisoner at the battle of Sheriffmuir, but was rescued by his brother Harry (*see ante*, p. 22). He entertained the Chevalier at Brechin Castle on 2 January 1716, and followed that unfortunate Prince to France a little later. He was accused of high treason, and his honours and estates, which had only shortly before been largely added to by the purchase of the lands of Edzell, Glenesk, and Lethnot, were forfeited to the Crown.

The Earl travelled in Italy during 1717 and 1718, but was back in France in 1719, when he was joined by Lady Panmure. Meanwhile the estates had been put up for sale, and after an unsuccessful attempt to purchase them on behalf of the family, were bought by the York Buildings Company for £60,400, the rental being £3168. They were the largest of all the confiscated properties. It is said that the restitution of the estates was offered to him if he would return and take the oath of allegiance to the house of Hanover, but he refused.<sup>2</sup> They were ultimately purchased (with the exception of the barony of Belhelvie in Aberdeen) from the York Buildings Company by William, Earl of Panmure of Forth (*see ante*, p. 23), for £49,157, and were settled by him as before mentioned.

<sup>1</sup> *Reg. de Panmure*, ii. 344.   <sup>2</sup> *Ibid.*, i. p. lxiii.

Lord Panmure took much interest in historical and genealogical pursuits, and when residing in France made, along with his nephew James, considerable research into the early history of his family, and not the least interesting of his discoveries was the fact that a barony of Panmure formed part of the possessions of the French Maules as well as of the Scottish family. The circumstance may be traced to an early intercourse between the families, maintained at all events till after the marriage of Sir Peter with the heiress of de Valoniis, when the Scottish barony of Panmure became a Maule inheritance.<sup>1</sup>

The Earl died *s. p.* at Paris 22 April 1723.<sup>2</sup> He married (contract 5 February 1687) Margaret, youngest daughter of William, Duke of Hamilton, and Anne, Duchess of Hamilton. She was a capable and energetic woman, devoted to the interests of the Maule family. She got a ninety-nine years' lease of Panmure House and the policies from the York Buildings Company in 1724, and Mr. Harry Maule, her brother-in-law, got a similar lease of Brechin Castle to run from the expiry of the Countess's liferents. Ultimately, as has been above mentioned, the estates were recovered for the family by William Maule in 1764. The Countess also, amongst other lands, purchased, in December 1724, the barony of Redcastle or Inverkeillor.<sup>3</sup> Till near the end of her life she appears to have been quite a leader in society, as her name appears as one of the directors of the Edinburgh Assembly in an advertisement of 15 February 1728, recommending all ladies and gentlemen to come to the assemblies twice a year dressed entirely in the manufactures of the country, and that 'at all times thereafter no linen or lace be worn in this assembly but what shall be made in great Britain.' Lady Panmure died at Edinburgh 6 December 1731.<sup>4</sup>

CREATIONS.—Earl of Panmure, Lord Brechin and Navar, 3 August 1646, in the Peerage of Scotland; Earl of Panmure of Forth and Viscount Maule of Whitechurch, 6 April 1743, in the Peerage of Ireland; Lord Panmure of Brechin and Navar, in the Peerage of the United Kingdom, 10 September 1831.

<sup>1</sup> *Reg. de Panmure*, i. lxi. <sup>2</sup> *Ibid.* <sup>3</sup> *Ibid.*, lxviii.; ii. 358. <sup>4</sup> Fun. Entry, Lyon Office.

ARMS (recorded in Lyon Register).—Parted per pale argent and gules, eight escallops counterchanged. In the Register the words ‘a bordure [charged with],’ after gules, have been deleted, but as a matter of fact the fashion in which the arms have invariably been blazoned, and in which they are given by Sir David Lindsay, is parted per pale argent and gules, a bordure charged with eight escallops all counterchanged of the same. Lindsay, however, only gives six escallops. In addition to the Maule coat in the first and fourth quarters of the shield Nisbet gives the following additional quarters: 2nd, three pallets wavy gules, for *de Valoniis*; 3rd grand-quarter counterquartered, 1st and 4th, azure, a chevron between three crosses patée argent, for *Barclay*; 2nd and 3rd, or, three piles issuing from the chief conjoined in point gules, for *Brechin*.

CREST.—A dragon sable,<sup>1</sup> spouting out fire at mouth and tail.

SUPPORTERS.—Two greyhounds argent, collared gules, the collars charged with escallops argent.<sup>2</sup>

MOTTOES.—The Register gives *Clementia tecta rigore*, but proceeds to mention the successive alterations, viz. *Curo, Pugno, Parco*; *Clementia et animis*; and *In est clementia forti*.

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<sup>1</sup> Nisbet gives it vert. <sup>2</sup> The Register says that the collars are ‘usually’ charged with escallops, but does not give absolute official sanction to the practice. Sir George Mackenzie (*Heraldry*, 95) says the Earl of Panmure changed his old supporters (savages) to two greyhounds because he was first noticed by King James upon the occasion of his entertaining him with excellent sport on the moor of Monrowman (Manroben).

## DRUMMOND, EARL OF PERTH



AURICE, a Hungarian of noble birth, who commanded the *Dromond*, or ship in which Edgar the Atheling, his sister Margaret, and other royal exiles were driven by tempest up the Firth of Forth, in or about 1067, was, according to the tradition of the Drummond family, their original ancestor in Scotland. He was, it is said, rewarded by large gifts of lands chiefly in the shires of Dumbarton and

Stirling, and the district of Lennox. Such is the tradition, qualified by the suggestion that the surname was adopted at a later date from the lands of Drymen or Drummane in the Lennox, or from lands of a similar name in Strathearn. This last view commends itself to most genealogists, who also agree to consider that the first recorded ancestor of the Drummond family is

MALCOLM, called Malcolm Beg, who is styled in one writ Seneschal or Steward to Maldowen, Earl of Lennox,<sup>1</sup> and who appears as a witness to various charters of that Earl between 1225 and 1250.<sup>2</sup> It may be noted that in all the Drummond family histories Malcolm Beg is said to have had

<sup>1</sup> *Liber de Calchou*, i. 181. <sup>2</sup> *The Lennox*, by Sir W. Fraser, ii. 4, facsimile; *Cartularium de Levenax*, 13, *et per Indicem*.



a brother Roderick. In 1234, Malcolm Beg gives evidence as to the ownership of the lands of Monachkennaran, and there his brother Rotheric is also a witness, but if it is the same Malcolm Beg, and there is nothing to disprove it, though it is doubtful, it is remarkable that his brother is styled Rotheric Beg of Carrick,<sup>1</sup> thus suggesting that they were both of Ayrshire descent. Malcolm Beg is said to have left two sons:—

1. MALCOLM, who succeeded.

2. *John*, who appears as son of Malcolm Beg in a charter by Maldowen, Earl of Lennox, before August 1248.<sup>2</sup> It was probably he who was taken prisoner at Dunbar in 1296, imprisoned at Wisbeach, and liberated to serve in France, Sir Edmund Hastings, who then held the earldom of Menteith, becoming surety for him. He was still alive in May and October 1304,<sup>3</sup> when his wife's dower lands, first those in England, then those in Northumberland, were restored, doubtless as a reward for foreign service. He apparently did not long survive, and his widow erected a monument to him near the high altar of the priory church of Inchmahome. Her Christian name was Elena. Her family name has not been ascertained, but tradition asserts she was the daughter of Walter Stewart, Earl of Menteith, and this is not improbable, as only 'founder's kin' could have right to bury in such a spot. Through her also, or holding through her lands in the earldom, the three bars wavy of Menteith are blazoned on his shield. The monument bears his name 'Johannes de Dromod filius Molqualmi de Dromod,' the rest being imperfect.<sup>4</sup> He left issue two daughters, *Christian* and *Margaret*, who received from Malcolm, fifth Earl of Lennox, a grant of the lands of Ardeureane and Ardenalochreth, by a charter which is usually said to be about 1290, but is more probably dated between 1304 and 1316.<sup>5</sup>

MALCOLM, the next in succession, is said to be described

<sup>1</sup> *Reg. de Passelet*, 167, 168. <sup>2</sup> *Cart. de Levenax*, 38. <sup>3</sup> *Cal. Doc. Scot.*, ii. 400, 416. <sup>4</sup> Cf. *Red Book of Menteith*, i. <sup>5</sup> *Cart. de Levenax*, 46; the witnesses all point to the later date.

in a charter of 1260 as son of Malcolm Beg.<sup>1</sup> He was the first on record to assume the surname of Drummond or Drumman, adapted no doubt from the lands of Drymen or Drumman in Dumbartonshire. He appears as a juror on an inquest before Walter Stewart, Earl of Menteith, on 15 May 1271,<sup>2</sup> and also as a witness to charters by Malcolm, fourth Earl of Lennox, dated at Renfrew and Balloch in 1273 and 1274, and at later but uncertain dates.<sup>3</sup> He was probably the Sir Malcolm Drummond who, in 1296, was taken at Dunbar, and apparently again taken prisoner by Sir John Segrave in 1301, to the great joy of King Edward I., and was warded in various English strongholds.<sup>4</sup> In 1301, after his capture, the English King bestowed some of Sir Malcolm's lands on Sir John Clinton.<sup>5</sup> There is no evidence of his release, and being somewhat advanced in years, he probably died a captive. He is said to have married a daughter of Sir Patrick Grahame. He had issue apparently two sons:—

1. *Gilbert*,<sup>6</sup> who appears to have been the elder of the two, as he is usually named first when they are named together. He appears in charters by Malcolm, Earl of Lennox, and also in charters by Murdach, Earl of Menteith, between 1318 and 1332, from whom he had a charter of the lands of Wester Boquhapple, to himself, his wife, and his four daughters, no sons being

<sup>1</sup> So in Douglas's *Peerage*, both editions, but the reference given does not bear out the statement. <sup>2</sup> *Red Book of Menteith*, ii. 218. <sup>3</sup> *Cart. de Levenax*, 15, 16, 84, 86. <sup>4</sup> *Cal. Doc. Scot.*, ii. 177, Nos. 985, 1099, 1158, 1326, 1610; cf. iv. 448. <sup>5</sup> Dugdale's *Baronage*, i. 530. <sup>6</sup> It is not clear whether it is this Gilbert who as 'Gilbert de Dromond del Counte de Dunbretane' did homage to Edward I. in 1296. The device impressed on his shield is 'two triangles interlaced'; *Cal. Doc. Scot.*, ii. 558. The family pedigrees assign to Gilbert a son *Malcolm* who is said to have had a son *Bryce* Drummond, who is alleged to have been slain by the Menteiths in 1330, for which solatium was given in 1360. Apart from the fact that this genealogy is somewhat crowded, and also that Gilbert had apparently no sons, it does not appear from the agreement of 1360, afterwards cited, that Bryce who was slain was a Drummond; *Red Book of Menteith*, ii. 239 n. He was a procurator, probably some notary or agent. In the pedigrees also Gilbert is said to have had a brother *Thomas*, who gifted the church of Balfron to the monks of Inchaffray. But this is founded on a misreading. The laird of Balfron was not Thomas Drummond, but Thomas de Crommenane, of an old Lennox family, and who died about 1320, leaving no male heirs; *Charters of Inchaffray*, Scot. Hist. Soc., 294; *Cart. de Levenax*, 82, 83.

named.<sup>1</sup> He was, not improbably, killed at Dupplin on 12 August 1332, as he cannot be traced beyond that date. It would appear from the charter of Boquhapple that his wife's name was Matilda, and that his children were *Ellen, Elizabeth, Johanna,* and *Annabella*.

## 2. MALCOLM.

MALCOLM, who appears on various occasions as a witness to charters by Malcolm, fifth Earl of Lennox, and also by Murdach, Earl of Menteith, between 1310 and 1332.<sup>2</sup> He is stated in a charter by King Robert Bruce, of uncertain date, but between 1315 and 1321, to have resigned the lands of Auchindonan, co. Dumbarton, in favour of Sir Malcolm Fleming.<sup>3</sup> That is nearly all that is recorded of him. The family histories state that in 1334 King Edward III. gave a grant of his lands to Sir John Clinton, but that is a misdating of the grant of 1301 already cited.<sup>4</sup> He had a charter from King David II. about 1346, of the lands of Tulliecravan and Dronan, co. Perth. Malcolm, or Sir Malcolm, as he is sometimes called, is said to have died about 1346, or soon after, but nothing certain has been ascertained. His chief memorial is that he was the father of Margaret Drummond, the second wife of King David II., through whose influence it is believed that her family first rose to a prominent position. Sir Malcolm had, so far as known, two sons and a daughter:—

1. JOHN, who succeeded.

2. *Maurice*, who is designed brother of John in the agreement with the Menteiths, to be referred to later on. He had as 'son of Malcolm Drummond' a grant of the office of Forester of the earldom of Strathearn from Robert Stewart, Earl of Strathearn, and probably about the same time two pieces of land lying in Strathmefray called Dalkelrachy and Serchymare, with the office of Coroner of the earldom and the custody of North Catkend of Ochtermuthill, to be held blench for one silver penny.<sup>5</sup> These charters

<sup>1</sup> *Red Book of Menteith*, ii. 227, facsimile. <sup>2</sup> *Ibid.*, 30, 39, 43, 46, 81, 227-230. <sup>3</sup> *Reg. Mag. Sig.*, fol. vol. 16. <sup>4</sup> There was no Sir John Clinton in 1334. <sup>5</sup> Drummond Castle Charters, communicated by Mr. W. A. Lindsay, K.C.

are without date, but were probably granted between 1358 and 1362. He had also from the Earl a charter of the mains of Drummaue and Tulychravin in the earldom of Strathearn, a grant which Lord Strathallan dates in 1362.<sup>1</sup> On 2 March 1361-62 he conveyed the lands of Meikleour, which he had from King David II., by resignation of Alan Kinbuck in January 1361-62, to John Mercer, burgess of Perth, a grant confirmed by the King on 17 February. Lord Strathallan states that he was the second Maurice of the family of Concraig, and makes the first Maurice the second son of Malcolm Beg.<sup>2</sup> But chronology will scarcely admit of this, and it is evident that this Maurice was the son of Malcolm and brother of John Drummond, and was the first of Concraig. He is also said to have inherited the offices of Steward of Strathearn, but the charters cited above show that these offices were first bestowed on himself. The date of his death is uncertain, though he was alive in 1368.<sup>3</sup> He married, so far as recorded, Mariota Erskine, daughter, it is said, of Sir Robert Erskine. They had a charter, granted in 1363-64 in their favour by Thomas Bisset of Glasclune, of the lands of Carnbady in the barony of Megginch.<sup>4</sup> He had also, it is said, an interest in Inveramsay and other lands. He had issue,<sup>5</sup>

- (1) *Maurice*, who had a charter (between 1380 and 1389) of the office of Steward of Strathearn from David, Earl Palatine of Strathearn.<sup>6</sup> He was the ancestor of the Drummonds of Concraig.

3. *Margaret*, designed by the writer of the *Liber Pluscardensis* as daughter of Sir Malcolm Drummond, a noble and very beautiful lady,<sup>7</sup> is overlooked entirely by the earlier historians of her family. She married,

<sup>1</sup> *Red Book of Menteith*, ii. 249. <sup>2</sup> The Rev. D. Malcolm, however, places Maurice in his proper generation. <sup>3</sup> *Acta Parl. Scot.*, i. 523-530. <sup>4</sup> Drummond Castle Charters. Lord Strathallan gives the date of this charter as 1372, but this refers to an 'inspeximus' of it by Thomas, Earl of Mar. The true date is given in the text, Sir Robert Erskine, Chamberlain, being a witness, which fixes the year. <sup>5</sup> John Drummond of Concraig, husband of Margaret, Countess of Menteith, may also have been a son of Maurice, but this is not certain. (See page 36 *infra*.) <sup>6</sup> *Red Book of Menteith*, ii. 276. <sup>7</sup> *Liber Pluscardensis*, i. 307.

first, John Logie of that Ilk, and had by him a son, also named John. But in the end of 1362, or beginning of 1363, she became the mistress of King David II., and apparently before October 1363, and certainly before the following February, he made her his wife, at Inchmurdoch.<sup>1</sup> Bower, who uses her as a text to preach on the wickedness of women, also styles her 'a very beautiful dame.'<sup>2</sup> It was after the dates named that the King bestowed lands on the Drummonds. As is well known, she was divorced (it is thought about 20 March 1369-70), from the King, who granted her a yearly pension of £100 to be paid after the divorce,<sup>3</sup> but she appealed to the Papal court at Avignon. It is stated by the writer of the *Liber Pluscardensis* that the divorce was obtained on the ground that she was believed to be guilty of trying to foist a false heir on the kingdom.<sup>4</sup> But this seems scarcely a good ground for divorce, and perhaps owing to the weakness of this plea, as well as to her own determination and charm of person, she succeeded in having the divorce annulled. This was apparently after King David's death, and the various Papal 'sentences,' for there were several, in her favour, seriously disturbed the mind of Scotland. The 'sentences' insisted on her reinstatement and the restoration of her lands, goods, and money, the latter stated at 8000 gold nobles, jewels, and gold and silver plate, her moveable goods being estimated at the value of 60,000 gold florins.<sup>5</sup> It may be said that the Scottish divorce was never recognised by the English king, who granted various safe-conducts to her as queen and widow of King David II. This fact added to the excitement in Scotland, because, according to the chronicler, if she had lived an interdict would have been laid on Scotland for resisting the Papal decrees, and the King of England, then a widower, would have married her.<sup>6</sup> She

<sup>1</sup> *Exch. Rolls*, ii. 183; *Rot. Scotiae*, i. 881. <sup>2</sup> Fordun à Goodall, ii. 380.

<sup>3</sup> *Exch. Rolls*, ii. 345. <sup>4</sup> *Liber Pluscardensis*, i. 307. <sup>5</sup> *Cal. Papal Letters*, iv. per indicem, also *Reg. Avenionensis*, 192, fol. 344, transcript in Gen-Reg. Ho. <sup>6</sup> *Liber Pluscardensis*, i. 307.

was apparently alive on 31 January 1374-75,<sup>1</sup> but died soon after, on her way to Rome say some, on her return say others, and so suddenly disappears from history.

JOHN DRUMMOND, who succeeded to Malcolm, does not appear much on record. He is named as receiving a grant (probably about 1357 or 1358) of the office of bailiary of the Abthantry of Dull, but the first certain reference to him is in the agreement, frequently referred to, made on the banks of the Forth on 17 May 1360 between him, his brother Maurice, and Walter Moray<sup>2</sup> on one side, and John and Alexander Menteith on the other part. There had been a blood-feud between the Drummonds and the Menteiths for some years, and three Menteiths at least had been killed. Lord Strathallan in his history says this feud arose out of a disputed claim to the earldom of Lennox, but there is no foundation for the statement he makes, as the descent of the earldom had hitherto gone from father to son. It is also said that 'Bryce the procurator,' who was slain in the feud, was a Drummond, and that his death took place in 1330. But there is no clear corroborative proof of these statements, and any evidence bearing on the matter tends to show that the quarrel had begun not much more than ten years before, if then. Now, however, it was, at the instance of King David, who is referred to in various cases as a peace-maker amongst his subjects, composed and settled. In brief, the parties agreed to dismiss all rancour against each other, but John Drummond was obliged to give up the lands of Roseneath in the Lennox as a compensation to the Menteiths. These lands, however, were not an ancient possession, as asserted by the family historians, but had been only recently granted to him by Mary, Countess of Menteith. John Drummond also promised

<sup>1</sup> Riddell's *Law of Scottish Peerages*, ii. 982-987. <sup>2</sup> It is not stated who this Walter Moray was. According to the Rev. D. Malcolm he was Walter Moray of Tullibardine, but not improbably he was Walter Moray, uncle of Joanna Moray, wife of Thomas Moray of Bothwell, to whom she granted certain lands in Forfarshire. (Cf. *Laing Charters*, No. 379.) He was therefore brother to Maurice Moray, some time Earl of Strathearn.

that the murderers of Bryce the procurator should not be troubled by him, leaving it open to others of his kin to avenge his death.<sup>1</sup> Other arrangements included the Campbells of Argyll in the truce with Drummond, but further details are unnecessary here.<sup>2</sup> Roseneath was given up to Alexander Menteith, as appears from a charter of confirmation by King Robert II. of date 30 March 1372.<sup>3</sup>

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There is nothing further recorded regarding John Drummond, and there is reason to believe he died not long after the above agreement. He is, however, named in a charter by King David II., granting to him all the lands which belonged to Mary de Montefixo, eldest daughter and heir of William de Montefixo, or Montefichet, knight, lying in the sheriffdoms of Perth and Stirling, which she resigned at Dumbarton. The writ is dated at Dumbarton 21 February 1366-67.<sup>4</sup> But it is doubtful if this date is correct. Lord Strathallan states that the lands resigned by Mary de Montefichet were Auchterarder, Cargill, and Kincardine. She was the eldest of three daughters, co-heiresses of Sir William Montefichet, and Lord Strathallan affirms that King David, in dividing their father's estate among his daughters, gave her the greatest share, while on account of their adherence to the English interest, her sisters, Devorgilla or Dornagilla, and Margaret, were forfeited, and their possessions were given to Duncan and William Napier and to Hew Danielston, which gifts, according to Lord Strathallan, were dated at Dumbarton in 1366.<sup>5</sup> This appears to corroborate the charter cited, but an examination of the evidence shows that the grant to William Napier on Devorgilla's forfeiture was made on 3 May 1358,<sup>6</sup> while the charter to Danielston appears with others dated about 1345, and that to Duncan Napier is side by side with a writ of 1341.<sup>7</sup> There is also a note of the grant to John Drummond of Mary Montefichet's lands, along with other charters dated about 1345.<sup>8</sup> There

<sup>1</sup> This seems to imply that Bryce was a kinsman, but not necessarily that he was a Drummond. <sup>2</sup> See the full agreement in *Red Book of Menteith*, ii. 239, etc.; cf. i. 109-113; cf. also *The Priory of Inchmahome*, by Mr. M'Gregor Stirling, 121-136, with translation. <sup>3</sup> *Reg. Mag. Sig.*, fol. vol. 113, No. 3. <sup>4</sup> Note of Charter at Drummond Castle. <sup>5</sup> *Genealogy of the House of Drummond*, 69. <sup>6</sup> Robertson's *Index*, 61, 3; Haddington Coll. <sup>7</sup> Robertson's *Index*, 59, 1; 47, 27. <sup>8</sup> *Ibid.*, 33, 31.

is therefore a strong presumption that the division of lands indicated by Lord Strathallan took place much earlier than 1366. Further evidence tends to the same result. Auchterarder belonged to the Montefichets, and so also did Cargill,<sup>1</sup> which, according to the writ of 1366, were only resigned in that year. Yet on 30 April 1364 King David II. granted to Malcolm Drummond (son of John) the services of the free tenants of the baronies of Cargill and Auchterarder in Perthshire, and of Kincardine, co. Stirling.<sup>2</sup> This implies that these lands were then already in Malcolm's possession, and that the Crown now granted him the superiority. In such case the resignation of the lands by Mary Montefichet must have been made much earlier, probably about or before 1345, and the grant of 1366, if correctly dated, must have been a repetition. Later, in 1368, Stobhall, Cargill, and Kinloch are said to be in Malcolm's hands by grant of Queen Margaret,<sup>3</sup> which led the late Dr. Burnett to assume that they came to her family through her. It is evident, however, that though she may have had some interest in the lands, they were held by the Drummonds on a separate title.

If, as appears, this writ of 1366 is misdated, there is no evidence that John Drummond lived long after 1360, and his name has certainly not been discovered in any writ or record between these dates, a fact somewhat strange when we consider that his sister had become Queen, and that his brother Maurice and his son Malcolm are named more than once. He is usually said to have died in 1373, but no evidence has been found that he survived till then. He is said to have married Mary Montefichet, the eldest daughter of Sir William Montefichet of Auchterarder and Cargill, and this seems probable, though there is no direct evidence. Also, as he apparently died before 1361, it is not improbable that Sir William Fraser is right in identifying him as the John Drummond of Concraig who married, about 1359, Margaret, Countess of Menteith, and who died before September 1361. There is no certain evidence, and, as

<sup>1</sup> Robertson's *Index*, 19, No. 96; cf. Charter of Cargill by King William the Lion to Richard de Montefichet, between 1189 and 1196. Copy in Gen. Reg. Ho. <sup>2</sup> Drummond Charter; copy in Gen. Reg. Ho. <sup>3</sup> *Exch. Rolls*, ii. 298.



already indicated, they may be different men, uncle and nephew.

John Drummond had issue:—

1. MALCOLM, who succeeded.
2. JOHN, who succeeded his brother and carried on the family.
3. *Annabella*,<sup>1</sup> who is commemorated as of great beauty. She was married (in terms of a papal dispensation, dated 13 March 1365-66<sup>2</sup>) to John Stewart of Kyle, afterwards King Robert III. She was crowned as Queen on 15 August 1390, and she died at Scone in the autumn of 1401, and was buried at Dunfermline.

The family pedigrees assign to John Drummond another son *William* Drummond, who is said to be the ancestor of the Drummonds of Carnock by his alleged wife Elizabeth Airth, one of the three heiresses of Sir William Airth of Plane, Stirlingshire. But what is known of Elizabeth Airth will scarcely admit of her husband being placed in this generation. She was a widow in 1449, but was afterwards married to Thomas, son of Lord Somerville, and they had a charter of the lands of Enrequisnequarter, Craigsquarter, Millsquarter in the barony of Plane, also of seven parts of that barony, Carnock, Gloret, and Fordel, on 27 February 1449-50, which Elizabeth resigned in her widowhood. She had a son and heir, David Somerville, and was still alive on 7 April 1511.<sup>3</sup> But in 1466 a David Drummond had a sasine from the Crown of Carnock, and the other lands above named.<sup>4</sup> He may have been Elizabeth's son by a first marriage, but he could scarcely have been the son of a man who must have been born more than one hundred years before.

SIR MALCOLM DRUMMOND, who succeeded, is first referred to in a charter by King David II. dated 30 April 1364, granting to him the services of the free tenants of the baronies of Cargill and Auchterarder in Perthshire, and of

<sup>1</sup> She is the only daughter given in the pedigrees who can be substantiated. The others are disproved by evidence. <sup>2</sup> Copy in Gen. Reg. Ho. <sup>3</sup> *Bruces of Airth*, etc., by Major W. B. Armstrong, 2, 3, and 6-8, where the whole writs are set forth. <sup>4</sup> *Exch. Rolls*, ix. 671.

Kincardine, co. Stirling.<sup>1</sup> In 1367 he had the rents of Kinloch, co. Perth, in his hands, and in 1368 Stobhall, Cargill, and Kinloch were in his possession by gift, it is said, of Queen Margaret.<sup>2</sup> He was at one time known as Sir Malcolm Drummond of Strathurd, and is so described, among other writs, in a charter by John, Earl of Carrick, his brother-in-law, confirming a pension of £40 yearly from the royal coffers, of uncertain date, but between 1385 and 1390.<sup>3</sup> In 1385 he received 400 frs. d'or as his share of the money sent in that year by the King of France to be distributed among the Scottish nobles.<sup>4</sup> He accompanied his brother-in-law, James, Earl of Douglas, on his last expedition, and fought bravely at the battle of Otterburn, where he aided in the taking of Sir Ralph Percy.<sup>5</sup> In the Parliament of 1389, the Chancellor was censured for delivering letters of sasine to Sir Malcolm of the Forest of Selkirk, and these were annulled. It was also declared that though the King had granted to him the office of Sheriff of Roxburgh, the King had power to depute another to the office. There were various complaints against Sir Malcolm in this Parliament, and when called to answer them he pleaded that he was afraid to appear at the risk of injury if he came personally. He craved a safe-conduct from Robert, Earl of Fife, the Guardian of the Kingdom.<sup>6</sup> On 10 November 1390 he received licence from his brother-in-law King Robert III. to build a fortalice on the lands of Kyndrocht or Braemar.<sup>7</sup> He entered into an agreement with Sir John Swinton affecting the earldom of Mar, but this was strongly protested against by Sir Thomas Erskine on 18 March 1390-91, and the matter was afterwards arranged in the interest of Sir Thomas and his wife, the latter being heiress to the earldom in succession to the wife of Sir Malcolm.<sup>8</sup> Sir Malcolm, no doubt owing to his connection with the royal family, received many gifts of pensions and annuities, the particulars of which may be gathered from the *Exchequer Rolls*,<sup>9</sup> and these

<sup>1</sup> Copy Transumpt in Gen. Reg. Ho. <sup>2</sup> *Acta Parl. Scot.*, i. 528, 530; *Exch. Rolls*, ii. 298. <sup>3</sup> Charters at Drummond Castle. <sup>4</sup> Rymer's *Fœdera*, vii. 485. <sup>5</sup> Cf. Robertson's *Index*, 138, No. 19. <sup>6</sup> *Acta Parl. Scot.*, i. 557. <sup>7</sup> *Antiq. Aberdeen and Banff*, iv. 162. <sup>8</sup> *Acta Parl. Scot.*, i. 578; vol. v. of this work, 586, 598. <sup>9</sup> Vol. iii. *passim*.

were paid up to the year 1402 when he died. His death was the result of an outrage on the part of a gang of marauders, who by stratagem made him prisoner, and confined him so closely and rigorously that he died in prison before or about November 1402.<sup>1</sup> This outrage is said to have been committed under the direction of Alexander Stewart, son of Alexander, Earl of Buchan, but while this is possible, there is no evidence whatever on the subject.

Sir Malcolm married, some time before July 1388, Isabella, daughter of William, Earl of Douglas and Mar, and sister of the hero of Otterburn. Through her he became Lord of Mar. He is never styled Earl in authentic record. She survived him and married, secondly, Alexander Stewart. (See *title Mar*.)

SIR JOHN, who succeeded his brother Sir Malcolm, is generally described as of Cargill or Stobhall. He was Justiciar of Scotland in 1391. He made a grant of the lands of Ochtertyre to Sir John Forrester of Corstorphine and his wife, which was confirmed by the Duke of Albany 13 March 1407-8, and by James I. 10 July 1424.<sup>2</sup> He had a safe-conduct into England to meet his nephew James I. at Durham 3 February 1423-24.<sup>3</sup> He is said to have received the Bailiary of the Abthantry of Dull from the King. He died in 1428, having married Elizabeth, daughter of Henry St. Clair, Earl of Orkney. On 13 May 1396 Sir John and his wife Elizabeth made a renunciation on behalf of themselves and their heirs in favour of Henry, Earl of Orkney 'pater noster,' in respect of claims to the Earl's lands, 'infra regnum Norvagię.' They had issue:—

1. SIR WALTER, who succeeded.
2. *Robert*.
3. *Elizabeth*, said to have been married to Kinnaird of Kinnaird.

SIR WALTER of Stobhall and Cargill was knighted by James II., and died in 1455. It is said by the family his-

<sup>1</sup> Wyntoun's *Cronykil*, Book ix. cap. xxiii; *Antiq. Aberdeen and Banff*, ii. 9, 10, writ of 8 November 1402. <sup>2</sup> *Reg. Mag. Sig.*, fol. vol. 232, and at date. <sup>3</sup> *Cal. of Docs.*, iv. 942.

toriographers that he married Margaret, daughter, according to one account,<sup>1</sup> of Sir Patrick, and according to another,<sup>2</sup> of Sir William Ruthven of that Ilk, but no proof has been found of this.<sup>3</sup> They are stated to have had issue:—

1. MALCOLM, who succeeded.
2. *John*, Dean of Dunblane, styled the uncle of the first Lord Drummond.<sup>4</sup> After the death of his brother Malcolm he was tutor to his nephew John, and witnesses a sasine as such in 1478.<sup>5</sup>
3. *Walter* of Ladecrief. Lord Strathallan<sup>6</sup> states that there was a charter of the lands of Ladecrief granted by John, Lord Drummond, in 1486, to Walter, whom he styled his dearest uncle. He was the progenitor of the Drummonds of Blair.

SIR MALCOLM of Stobhall and Cargill. Not much is known as to this laird, but he married (contract 14 July 1445) Marion, daughter of Sir David Murray of Tullibardine.<sup>7</sup> He died in 1470, leaving issue:—

1. JOHN, afterwards Lord Drummond.
2. *Walter* of Deanston, rector of St. Andrews University, Chancellor of Dunkeld in 1493,<sup>8</sup> Dean of Dunblane in the following year,<sup>9</sup> and Lord Clerk Register and Clerk to the Privy Council.
3. *James* of Coldoch, ancestor of the families of Corryvauchter, Kildees, and others.
4. *Thomas* of Drummondernoch. He is said to have married a daughter of Scot of Monzie.<sup>10</sup>
5. *Andrew*. He got from his father the lands of Smithston in the barony of Cargill.<sup>11</sup>

SIR JOHN Drummond of Cargill and Stobhall succeeded his father in 1470. On 20 March 1473-74 he had a grant of the offices of Steward, Coroner, and Forester of the earldom of Strathearn on the resignation of Maurice Drummond.<sup>12</sup>

<sup>1</sup> *Genealogy of House of Drummond*, 111. <sup>2</sup> *Malcolm's Memoir*, 44.  
<sup>3</sup> Cf. iv. 257. <sup>4</sup> *Reg. Mag. Sig.*, 8 January 1509-10. <sup>5</sup> *Genealogy of House of Drummond*, 112. <sup>6</sup> *Ibid.*, 113. <sup>7</sup> Nisbet's *Heraldry*, ii. 188.  
<sup>8</sup> *Reg. Mag. Sig.*, 11 May 1497. <sup>9</sup> *Ibid.*, 20 July 1497. <sup>10</sup> *Gen. Hist.*, 122.  
<sup>11</sup> *Ibid.*, 134. <sup>12</sup> *Reg. Mag. Sig.*

On 3 February 1482-83 he had a charter, along with his wife, of the lands of Auchterarder and others, co. Perth, and Argeth and Smithston, co. Forfar, on his own resignation,<sup>1</sup> and on 8 August 1485 he purchased from Alexander Bruce of Kendrick the lands of Classingallis in Strathearn.<sup>2</sup> He had been appointed in the previous year one of a commission to negotiate a marriage between King James's eldest son and Lady Anne de la Pole, the niece of Richard III., and daughter of the Duke of Suffolk<sup>3</sup>; at the same time the commissioners concluded a treaty of peace between England and Scotland for three years.<sup>4</sup> He was, on 29 January 1487-88, created a Lord of Parliament under the title of LORD DRUMMOND.<sup>5</sup> He was one of the rebel lords who supported the party of King James IV. against his father, and on 11 October 1490 he attacked the camp of the forces led by the Earl of Lennox and Lord Lyle at Gartalunane, near Aberfoyle, and completely defeated them.<sup>6</sup> On 25 July 1493 he had a grant from the King as 'consiliarius suus' of the lands of Dalchonzie and others in Strathearn,<sup>7</sup> and another on 31 January 1495-96 of the lordship of Drummond in Menteith.<sup>8</sup> He had many other grants of land from the King, who highly appreciated the services he had rendered him.<sup>9</sup> In the following reign he was not so fortunate; he was a strong supporter of the marriage between his grandson Archibald, sixth Earl of Angus and Queen Margaret, the widow of King James IV., and his nephew, the Dean of Dunblane, solemnized it in the Church of Kinsale on 6 August 1514. The marriage was very unpopular, and hardly a year had passed before Drummond was warded in the Castle of Blackness on the charge of advising that Henry VIII. should be constituted Protector of Scotland and have the care of the young King.<sup>10</sup> A few days afterwards there was another accusation because he 'waffed his slief at ane harralde and gave him upon the breist with his hand.' The 'harralde' was Sir William Cumming of Inverallochy, Lyon King of Arms, to whom he gave a blow for what he thought disrespectful conduct.

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.*, 10 August 1485. <sup>3</sup> *Cal. of Docs.*, iv. 1501, 1502. <sup>4</sup> *Ibid.*, 1505. <sup>5</sup> *Acta Parl. Scot.*, ii. 181. <sup>6</sup> Buchanan, *Rev. Scot. Hist.*, lib. xiii. c. 5. <sup>7</sup> *Reg. Mag. Sig.* <sup>8</sup> *Ibid.* <sup>9</sup> *Ibid.*, *passim*. <sup>10</sup> *Letters and Papers, etc., Henry VIII.*, ii. Nos. 704, 779, 1830.

The consequence was that not only was he imprisoned, but his estates were forfeited, and it was only on the urgent representations of the Queen and the Estates of Parliament that he was pardoned and restored the following year.<sup>1</sup> Lord Drummond did not live long after this, dying, at the age of eighty-one, at Drummond Castle. He was buried, in 1519,<sup>2</sup> at the church of Innerpeffray, to which he had mortified an annualrent of forty merks from his lands there, for the souls of the King and Queen, of himself, his wife, and their daughter Margaret, and for the support of four chaplainries.<sup>3</sup> He married Elizabeth Lindsay, said to have been a daughter of Alexander, fourth Earl of Crawford. She was living in 1509.<sup>4</sup> They had issue:—

1. *Malcolm*, who died *vitâ patris* without issue.
2. *Sir William*, Master of Drummond. He first appears on record as a witness to a charter by Gilbert Scot of Monzie of 16 August 1488.<sup>5</sup> He had along with his wife Marjory a charter of the lands of Colacht and others in Menteith 14 June 1493;<sup>6</sup> and another along with his wife Mariota Forrester of the same lands 27 March 1502-3.<sup>7</sup> He had a quarrel with the Murrays in connection with estimating the teinds of the Drummond lands in Monzievaird on behalf of the abbots of Inchaffray. Going along with Duncan Campbell of Dunstaffnage, who had an account of his own to settle with them, to oppose the Murrays, the latter retired to the church of Monzievaird. The Drummonds, satisfied with this, were marching off, when a shot from the church killed one of the Dunstaffnage men, whereupon they returned, set fire to the church, and burned about a score of persons, including seven Murrays.<sup>8</sup> The chief offenders were brought to trial on 21 October 1490, and some of the most guilty of them executed.<sup>9</sup> It has generally been said that William, Master of Drummond, shared this fate. But it is clearly proved by the

<sup>1</sup> *Acta Parl. Scot.*, ii. 284, 393. <sup>2</sup> *Genealogical History of House of Drummond*. <sup>3</sup> *Reg. Mag. Sig.*, 4 February 1576. <sup>4</sup> *Ibid.*, 8 January 1509-10. <sup>5</sup> *Ibid.*, 26 January 1488-89. <sup>6</sup> *Ibid.* <sup>7</sup> *Ibid.* <sup>8</sup> See authorities in *Scottish Historical Review* i. 218, 219; Pitcottie, *Scot. Text Soc.*, i. 237 makes the number 'sex scoir.' <sup>9</sup> *Treasurer's Accounts*, i. 170.

charter to Sir William Drummond, 'son and heir-apparent of John, Lord Drummond,' of 21 March 1502-3, above mentioned, that he was alive long after his supposed execution. It is more probable that Pitscottie is perfectly correct when he says that it was David Drummond who met this fate, a younger son of Lord Drummond.<sup>1</sup>

The Master of Drummond died between July 1503 and July 1504.<sup>2</sup> He is said to have married, first, Isobel Campbell, second daughter of Colin, first Earl of Argyll, in implement of an agreement between the parents of the parties that the eldest Drummond son should marry the eldest daughter of the Earl.<sup>3</sup> The eldest son having died young, William accordingly took his place. Isobel Campbell's name, however, does not occur on record as Sir William Drummond's wife. If the marriage took place she must have died before 1493, when, as above stated, he got a charter of lands along with a lady whose Christian name was Marjory. It is possible that Marjory is only another form of the Christian name of Mariota Forrester, with whom he got a confirmation of the same lands on 21 March 1502-1503. She was a daughter of Archibald Forrester of Corstorphine, and after the death of the Master she was married, secondly, before 1507-8, to Sir James Sandilands of Calder.<sup>4</sup>

The Master of Drummond had issue by his wives:—

- (1) WALTER. He died in 1518, in the lifetime of his grandfather, and was buried at Innerpefferay. He married, in February 1513-14, his cousin, Elizabeth, daughter of William, first Earl of Montrose,<sup>5</sup> and had by her a son,

i. DAVID, who succeeded his great-grandfather as second Lord Drummond.

- (2) *Andrew* of Ballyclone, who appears as a substitute in an entail by his nephew, David, 25 October 1542, under the designation of 'servitor regis.'<sup>6</sup> He is said to have married

<sup>1</sup> *Exch. Rolls*, x. li. <sup>2</sup> *Ibid.*, xii. 209, 629. <sup>3</sup> Drummond's *Noble Families*. <sup>4</sup> *Acta Dom. Conc.*, xix. 167, 168; *Acts and Decrees*, xvi. 343. <sup>5</sup> Drummond Castle Writs. <sup>6</sup> *Reg. Mag. Sig.*

Janet Campbell of the Glenorquhy family, but there is no proof of this.

- (3) *John*, only son by Mariota Forrester. He succeeded, along with his mother, to his father's holdings of half Fordeu and others in January 1502-3.<sup>1</sup> He married a lady whose Christian name was Isabella, with whom he had a lease of the lands of Duntarf in 1510.<sup>2</sup> These lands were assigned by the King, on their resignation, to Mr. Peter Scott of Monzie, 1 January 1534-35,<sup>3</sup> when John is styled of Cultechaldich.
- (4) Possibly *Henry*, who is styled *nepos* of Lord Drummond in a charter of 4 March 1535-36. He married Janet Crichton, daughter and heir of Henry Crichton of Riccarton.<sup>4</sup>

3. *David*, executed at Stirling, as above mentioned, in October 1490.
4. *Sir John*, of Innerpeffray, said to have married, first, the daughter of his uncle, James Drummond of Coldoch, and, secondly, Eliza Douglas of Lochleven, but there is no proof of this. He had a son,

- (1) *John*, who married Margaret Stewart, natural daughter of King James IV. and widow of John, Lord Gordon, eldest son of Alexander, third Earl of Huntly. They had five daughters co-heiresses, one of whom, *Agnes*, having been married, first, to Sir Hugh Campbell of Loudoun, and, secondly, in 1562, to Hugh, third Earl of Eglinton, married (contract 15 November 1585), as his second wife, her kinsman, Patrick, third Lord Drummond.

5. *Margaret*, whose tragic fate is a matter of history. A strong attachment took place between her and the Duke of Rothesay, afterwards King James IV. The nobles were not in favour of a third Drummond Queen in the royal family. About 1496 she was living at Stirling under the charge of Sir John and Lady Lundy of that ilk, then keepers of the Castle. In October of that year she was removed to Linlithgow, and her expenses are mentioned in the *Treasurer's Accounts*, sometimes under the initials M. D.<sup>5</sup> About 1497 she bore a daughter to the King, who was afterwards married to John, Lord Gordon, and then to her kinsman, Sir John Drummond of Innerpeffray. Shortly after April 1502 Margaret Drummond, together with her sisters Euphemia

<sup>1</sup> *Exch. Rolls*, xii. 629. <sup>2</sup> *Ibid.*, xiii. 645. <sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> *Ibid.*, 14 January 1544-45. <sup>5</sup> *Treas. Accounts*, per indices.



and Sibylla, while residing at Drummond Castle, were seized with illness after partaking of food, and died after much suffering, not without strong popular suspicion of poisoning.<sup>1</sup>

6. *Elizabeth*, married, first, to Sir David Fleming, eldest son of Malcolm, eldest son of Robert, Lord Fleming.<sup>2</sup> He died shortly after the marriage, and she was married, secondly, before March 1487-88, to George Douglas, Master of Angus, with a tocher of 2000 merks.<sup>3</sup> Some years after the marriage it was discovered that they were within the forbidden degrees of consanguinity, and a dispensation was obtained, 3 December 1495.<sup>4</sup>
7. *Beatrix*, usually said to have been married to James Hamilton, first Earl of Arran, but as has been previously shown in this work<sup>5</sup> they were never married, though she had issue by him.
8. *Annabella*, married in the Parish Church of Muthill, as his first wife, to William, first Earl of Montrose, by whom she had issue.<sup>6</sup>
9. *Eupheme*, married, before 5 May 1496, when they had a charter of the barony of Thankerton, to John, fourth Lord Fleming. She was poisoned along with her sisters in 1502.
10. *Sibylla*, died unmarried in 1502.

II. DAVID, second Lord Drummond, was served heir of his great-grandfather, the first Lord, 17 February 1520.<sup>7</sup> His kinsman, John Drummond of Innerpeffray, acted as his tutor during his minority,<sup>8</sup> though it has also been said<sup>9</sup> that he was a ward of the King, who entrusted him to the care of Robert Barton the Comptroller. He had, along with his wife Margaret Stewart, a charter of Cargill and many other lands in the counties of Perth and Forfar, 5 March 1535-36.<sup>10</sup> He had during his life many confirmations and grants of these and other lands;<sup>11</sup> perhaps the most important charter being one of 25 October 1542 by

<sup>1</sup> *Exch. Rolls*, xii. p. xlvi. <sup>2</sup> *Douglas Book*, ii. 125. <sup>3</sup> *Ibid.*, 126 n.

<sup>4</sup> Drummond Castle Writs. <sup>5</sup> Cf. vol. iv. 358, 364. <sup>6</sup> *Ibid.*, vi. 225.

<sup>7</sup> Family writs quoted by Douglas. <sup>8</sup> *Exch. Rolls*, xiv. 512. <sup>9</sup> *Gen. Hist. House of Drummond*, 169. <sup>10</sup> *Reg. Mag. Sig.* <sup>11</sup> *Ibid.*, *passim*.

which certain of his lands were erected into the barony of Drymen, and others into that of Drummond; they were to be held to himself and the heirs-male of his body or their bodies, whom failing, to John Drummond of Innerpeffray, Andrew Drummond of Ballyclone, Henry Drummond of Riccarton, William Drummond of Smithston, and similar heirs, whom failing, to his own heirs whatsoever. He is said to have taken part in one of the Earl of Angus's expeditions into England in 1545.<sup>1</sup> His name is found in the sederunts of the Privy Council for the first time on 15 March 1547-48.<sup>2</sup> In the troublous years which followed, Drummond declared for the Queen, and was an attached member of her party. His name, however, does not occur prominently in the events of the time, and four years after Mary's abdication he died, in 1571.

Lord Drummond married, first, as above mentioned, a lady of the name of Margaret Stewart, but her parentage has never been satisfactorily ascertained.<sup>3</sup> He married, secondly, before 7 December 1543, when they had a charter of Cargill and other lands,<sup>4</sup> Liliias, daughter of William, second Lord Ruthven. She survived her husband, and was living 28 September 1577, and possibly on 20 October 1582.<sup>5</sup>

By his first wife Lord Drummond had issue one daughter,

1. *Sibylla*, married, as his second wife (charter in implement of marriage-contract, in which she is styled 'sponsa futura,' 25 August 1557<sup>6</sup>), to Gilbert Ogilvy, fiar of that Ilk.

By his second wife he had:—

2. PATRICK, third Lord Drummond.
3. *James*, created Lord Maderty, ancestor of the Viscounts of Strathallan. (*See that title.*)
4. *Jean*, married, in 1559, to John, third Earl of Montrose.
5. *Anne*, married, about the end of October 1580,<sup>7</sup> to John, seventh Earl of Mar, and died before 1592.

<sup>1</sup> Drummond's *Noble Families*. <sup>2</sup> *P. C. Reg.*, i. 59. <sup>3</sup> It has been stated that she was the daughter of Alexander Stewart, Bishop of Moray, son of the Duke of Albany; if so, she must have been his second daughter of the name, as another Margaret, undoubtedly his daughter, married Patrick Graham of Inchbrackie and Colin Campbell of Glenurquhie; cf. vol. i. 153. <sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *Ibid.* <sup>6</sup> *Ibid.* <sup>7</sup> Cf. vol. v. 621.

6. *Lilias*, married (contract 11 February 1572) to David, afterwards eleventh Earl of Crawford.
7. *Catherine*, married, before 20 December 1576, to John Murray, first Earl of Tullibardine.<sup>1</sup>
8. *Mary*, married to Sir Archibald Stirling of Keir, and was dead before 1589.<sup>2</sup>

III. PATRICK, third Lord Drummond, was born about 1551.<sup>3</sup> On 8 November 1580 he had a charter from William Drummond of Megour of the lands of Port in Strathearn.<sup>4</sup> He appears to have been somewhat weak or, at all events, extravagant, as when he made a very extensive grant of lands to his brother James in 1582 he did so only by the special consent of Sir David Lindsay of Edzell, Henry Drummond of Riccarton, and George Drummond of Balloch, at whose instance he had been interdicted.<sup>5</sup> Not much is known of his career: he was abroad in 1602,<sup>6</sup> and probably died shortly thereafter. He was by his mother brought up in the Reformed faith. He married, first, Elizabeth Lindsay, daughter of David, ninth Earl of Crawford. She died in May 1585,<sup>7</sup> and he married, secondly (contract 15 November 1585), Agnes, daughter and co-heiress of Sir John Drummond of Innerpeffray, and widow of Sir Hugh Campbell of Loudoun and of Hugh, third Earl of Eglinton. She died 21 January 1589-90.<sup>8</sup> By his first wife alone he had issue:—

1. JAMES, afterwards first Earl of Perth.
2. JOHN, succeeded his brother as second Earl.
3. *Catherine*, married, in 1594, as his second wife, to James Leslie, Master of Rothes, who died *v.p.* March 1607.
4. *Lilias*, married, probably about 1592,<sup>9</sup> as his first wife, to Alexander Seton, afterwards Earl of Dunfermline, and Chancellor. She died at Dalgetty 8 May 1601.
5. *Jean*, one of the Ladies of the Bedchamber to Queen Anna, the wife of King James VI. She was

<sup>1</sup> Cf. vol. i. 469. <sup>2</sup> Fraser's *Stirlings of Keir*, 45. <sup>3</sup> *Present State of the Nobilitie in Scotland*, 1 July 1592; S.P.O., xlvi. No. 62. <sup>4</sup> *Reg. Mag. Sig.*, 6 April 1581. <sup>5</sup> *Ibid.*, 3 September 1582. <sup>6</sup> *P. C. Reg.*, vi. 482. <sup>7</sup> *Edin. Tests.*, 13 August 1589. <sup>8</sup> *Memorials of the Montgomeries*, i. 46; *Edin. Tests.*, 13 March 1593-94. <sup>9</sup> Seton's *Memoir of Alexander, Earl of Dunfermline*, 152.

married in London, 3 February 1614, to Robert Ker, Lord Roxburghe (charter to him and her as 'sponsa futura,' 29 January 1614<sup>1</sup>). She was Governess to the King's children till 1617, when she retired with a grant of £3000 and in 1637 she was granted a pension of £1200.<sup>2</sup> She died 7 October 1643.

6. *Margaret*, married, 28 April 1607, to Alexander, fifth Lord Elphinstone, and was living 1 December 1637.<sup>3</sup>

7. *Anne*, married, first, to Patrick Barclay, younger of Towie. He died previous to 1624, and she was married, secondly, to Andrew Fraser of Muchalls.

IV. JAMES, fourth Lord Drummond, was born about 1580, and educated chiefly in France. On his return home he attracted the attention of the King by his manners and accomplishments, and was appointed one of the suite of the Earl of Nottingham on an embassy to the Court of Spain in 1604. He is said to have been created, on 4 March 1605, EARL OF PERTH, with remainder to his heirs-male whatsoever, but the patent is not on record. He sat in Parliament as Earl of Perth in 1608 and 1609,<sup>4</sup> and died 18 December 1611, and was buried in the chapel of Seton, East Lothian, where there is an elaborate monument to his memory, with an inscription by William Drummond of Hawthornden. The Earl married, 19 April (contract 5 March<sup>5</sup>) 1608, Isabella Seton, daughter of Robert, first Earl of Winton. She, who was born 30 April 1593, was married, secondly, 2 August 1614,<sup>6</sup> to Francis Stewart, eldest son of Francis, the attainted Earl of Bothwell.<sup>7</sup> By Isabella Seton the Earl had issue:—

1. *Jean*, a 'vertuous, comely and prudent lady,' was served heir to her father in the lands of Kilvallah 23 March 1632.<sup>8</sup> She was married at Seton, 14 February 1632, to John, thirteenth Earl of Sutherland.<sup>9</sup> She had the large tocher of 53,000 merks. Her married life was but short, as she died at Seton 29 December 1637.

V. JOHN, second Earl of Perth, was educated for seven

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Complete Peerage.* <sup>3</sup> Cf. vol. iii. 541. <sup>4</sup> *Acta Parl. Scot.*, iv. 403. <sup>5</sup> *Reg. Mag. Sig.*, 12 April 1608. <sup>6</sup> *Family of Seton*, i. 211. <sup>7</sup> Cf. vol. ii. 173. <sup>8</sup> *Retours, Perth*, 409. <sup>9</sup> *Sutherland Book*, i. 277.

or eight years at the Grammar School of Dunblane, of the education at which he does not speak highly.<sup>1</sup> In 1603 he went to France 'on a verie meane allowance,' and spent three years at the University of Bordeaux and one year at Toulouse, returning home by Paris in 1610. He was served heir to his brother 11 March 1612.<sup>2</sup> He was admitted a member of the Privy Council 30 April 1616.<sup>3</sup> On 20 July 1620 he had a charter of the Templar lands of Lentibbert and others in Strathearn.<sup>4</sup> In 1625 the Earl was appointed a member of the reconstituted Privy Council of Scotland, and took the oath of office on 30 March.<sup>5</sup> He was also included in the Council nominated by King Charles 31 March 1631.<sup>6</sup> Ten years after, 18 November 1641, he was again nominated to the same office.<sup>7</sup> On 15 July 1637 he had a grant of the lands of Campsie and many others, which were erected into the barony of Campsie.<sup>8</sup> He, along with the other members of Council, signed the Confession of 1580 and the Covenant of 1589 in 1638,<sup>9</sup> and was appointed to superintend its subscription in Perthshire.<sup>10</sup> He joined the association on behalf of the King at Cumbernauld in 1641. In 1654, by Cromwell's Act of Grace and Pardon, he was, along with his son Lord Drummond, fined £5000,<sup>11</sup> a sum which was reduced to £1666,<sup>12</sup> but part of that was ultimately remitted on account of his impoverished circumstances.<sup>13</sup> On the Restoration, King Charles II. wrote to the Parliament, ordering them to report on the losses sustained by the Earl of Perth and his son in the King's service.<sup>14</sup> This was accordingly done, and a long report was prepared and published in the proceedings of Parliament, 18 May 1661. It stated that the monetary loss which the Drummonds had sustained from devastation of their lands, fines, and various other causes, amounted on the whole to £154,979, 6s. 8d. Scots.<sup>15</sup> It is doubtful whether the old Earl at least ever got any compensation, as he died not long after, on 11 June 1662. He married (contract 4 and 28 August 1613<sup>16</sup>) Jean

<sup>1</sup> *Memoir* by himself, Spalding Club *Misc.*, ii. 399. <sup>2</sup> Perth Peerage Case, Minutes of Evidence, 18. <sup>3</sup> *P. C. Reg.*, x. 506. <sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *P. C. Reg.* <sup>6</sup> *Ibid.*, 2nd ser., iv. 187. <sup>7</sup> *Ibid.*, vii. 142. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *P. C. Reg.*, 2nd ser., vii. 71. <sup>10</sup> *Ibid.*, 77. <sup>11</sup> *Acta Parl. Scot.*, vi. pt. ii. 820. <sup>12</sup> *Ibid.*, 845. <sup>13</sup> *Ibid.*, 890. <sup>14</sup> *Ibid.*, vii. App. 18. <sup>15</sup> *Ibid.*, vii. 98. <sup>16</sup> *Reg. Mag. Sig.*, 27 November 1613.

Ker, eldest daughter of his brother-in-law, Robert, first Earl of Roxburghe, by his first wife, Margaret Maitland. By her, who died October 1622, he had issue:—

1. *Henry*, born 1 August 1614, died September 1622.
2. JAMES, third Earl of Perth.
3. *Robert*. He had a charter 19 April 1620 of half the lands of Auchenchelloch, in Strathearn,<sup>1</sup> and died *vitâ patris* in France.
4. *Sir John* of Logiealmond. On 5 March 1673 he matriculated his arms in the Lyon Register, or, three bars within a bordure wavy gules; crest, a dexter arm from the shoulder holding a broadsword in the hand, proper.<sup>2</sup> He died in June, and was buried at Logy 2 July, 1678, having married (contract 18 August 1664) Grizel, third daughter of Sir Thomas Steuart of Grandtully.<sup>3</sup>
5. *William*, who succeeded, under the conditions of an entail, his maternal grandfather, as second Earl of Roxburghe. (*See that title.*)
6. *Jean*, married, previous to 1 February 1620, when they had a very extensive grant of lands,<sup>4</sup> to John, Lord Fleming, afterwards Earl of Wigtoun.
7. *Lilias*, married, as his second wife, at Charlton, Kent, 3 June 1643, to James, Lord Murray of Gask, eldest son of Patrick, Lord Tullibardine. She died before her husband, who married, secondly, another Lilias Drummond, the daughter of Sir James Drummond of Machany. She survived her husband, and married James, fourth Earl of Perth, the grandson of her first husband's first wife's father.

VI. JAMES, third Earl of Perth, second but eldest surviving son, was born about 1615. He entered, along with his father, into the association on behalf of Charles I. at Cumbernauld in 1641. He joined Montrose in August 1645, and was taken prisoner at the battle of Philiphaugh 15 September of the same year. Succeeding his father, he was served heir-male to him in his lands in the counties of Perth and Forfar

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> Lyon Reg.; *Laing Charters*, No. 2703. <sup>3</sup> *Red Book of Grandtully*, i. cxxvi. <sup>4</sup> *Reg. Mag. Sig.*

23 September 1662, and heir-general 27 of the same month. He died 2 June 1675, having married, in October or November 1639, Anne Gordon, daughter of George, second Marquess of Huntly. She is described by one writer as 'ane preceise puritan,'<sup>2</sup> but this seems hardly consistent with the fact stated by her father-in-law, John, Earl of Perth, that she had spent several years at the Court of France, where she was highly esteemed, and that she 'was of a lively spirit and naturally disposed for every exercise both of body and mind.' She died 9 January 1656, a few days after the birth of her daughter Anne, and was buried at Innerpeffray 23 January. By her the Earl had issue:—

1. JAMES, fourth Earl of Perth.
2. *John*, Earl of Melfort. (*See that title.*)
3. *Anne*, born 30 December 1655; married (contract 1 October 1674<sup>3</sup>) to John, twelfth Earl of Erroll.

VII. JAMES, fourth Earl of Perth, was born in 1648, and was served heir to his father 1 October 1675.<sup>4</sup> As a youth he studied at the University of St. Andrews, and afterwards completed his education in France. On 10 January<sup>5</sup> 1678 he was admitted to the Privy Council, and ultimately joined in the opposition to the Duke of Lauderdale, after whose fall he was, on 1 May 1682, appointed Lord Justice-General and one of the Extraordinary Lords of Session 16 November of the same year. He had a ratification of the earldom of Perth in Parliament in 1681,<sup>6</sup> and was Sheriff-Principal of the county of Edinburgh, and Governor of the Bass, 16 July 1684. On the resignation of the Great Seal by the Earl of Aberdeen he was made Lord Chancellor of Scotland 23 June 1684.<sup>7</sup> On the accession of King James II. he declared himself a Roman Catholic, and had the chief administration of affairs in Scotland put into his hands. Not only so, but many of his near relatives were advanced to high offices in the State. He received a dispensation from taking the Test, and had a gift of £6000 sterling from the King.<sup>8</sup> He was created a Knight of the Thistle 29 May 1687, on the institution or revival of that order. He is said to have

<sup>1</sup> *Retours, Perth*, 708; *General*, 4627. <sup>2</sup> Spalding's *History of the Troubles*, i. 177. <sup>3</sup> Slains Inventory. <sup>4</sup> *Retours, Perth*, 880. <sup>5</sup> *Red Book of Grandtully*, ii. 234. <sup>6</sup> *Acta Parl. Scot.*, viii. 259. <sup>7</sup> Crawford's *Lives*, 234. <sup>8</sup> Brunton and Haig's *Senators*, 416.

made, 11 October 1687, an entail of his estates, and his eldest son is stated to have had a charter of novodamus 17 November following. He is also stated to have had a new patent creating him Earl of Perth, Lord Drummond, Stobhall and Montifex with remainder, failing heirs-male of his body and of his brother's body, to the heirs-male of the second Earl, but none of these documents are now extant, if they ever existed.<sup>1</sup> But the Earl's fall was near at hand. On the abdication of the King, Perth was persuaded to disband almost all the troops that were left in Scotland, and he himself fled from Edinburgh (where the mob afterwards plundered his house) and retired to Drummond Castle. He then attempted to get to France along with his wife. They left Drummond Castle by different routes in disguise, and reached Burntisland, where they embarked, but were pursued by a boatful of armed men who captured them. The Earl was thrown into the common prison of Kirkcaldy, from which he was removed to Stirling Castle, where he was confined four years, not being liberated till 1693. He then went to Holland, and from there to Belgium and Italy; he was living in Venice in 1695.<sup>2</sup> He ultimately settled at St. Germain, and was appointed by James, 19 July 1696, Governor to the Prince of Wales, and one of the Lords of the Bedchamber. He was also created Duke of Perth, Marquess of Drummond, Earl of Stobhall, Viscount Cargill, and Baron Concraig.<sup>3</sup> He also received from King Charles II. of Spain the Order of the Golden Fleece. After the death of James, in 1701, Louis XIV. confirmed to him the rank and privileges of a French Duke. On 17 October 1701 he was confirmed in his post as Governor to the new titular King, and on 14 February 1703 was appointed Gentleman of the Bedchamber to Queen Mary. He died at St. Germain 11 May 1716, and was buried in the chapel of the Scots College in Paris. On his death the title of Earl of Perth and Lord Drummond should have devolved on his eldest son, but as he was forfeited, he was incapable of succeeding to them.<sup>4</sup>

<sup>1</sup> James Drummond's (Baron Perth) Case, House of Lords, 1794; Riddell's *Peerage and Consistorial Law*, ii. 775 n. 3. <sup>2</sup> *Red Book of Menteith*, ii. 445. <sup>3</sup> Ruvigny's *Jacobite Peerage*, 146. <sup>4</sup> Wood, the last editor of Sir Robert Douglas's *Peerage*, states that the honours thus became dormant, but G. E. C. (*Complete Peerage*, vi. 237) is of opinion that owing to the attainder of the son they were actually forfeited.



The Earl married, first, 18 January 1670,<sup>1</sup> Jane, daughter of William, first Marquess of Douglas; secondly, Lilius, widow of James, fourth Earl of Tullibardine, and daughter of Sir James Drummond of Machany. She died about 1685, and he married, thirdly, within a few months, Mary, widow of Adam Urquhart of Meldrum, and daughter of Lewis Gordon, third Marquess of Huntly. She died 13 March 1726, in her eightieth year, her heart being buried in the chapel of the Scots College in Paris. By his first wife the Earl had issue:—

1. JAMES, Lord Drummond.
2. *Mary*, born 14 July 1675,<sup>2</sup> married, about 1690, to William, Lord Keith, afterwards ninth Earl Marischal; died at Edinburgh 7 March 1729.<sup>3</sup>
3. *Anne*, died unmarried.

By his second wife he had issue:—

4. JOHN. (*See post*, p. 56.)
5. *Charles*, entered Douai College along with his brother John 13 July 1693; entered the Society of Jesus at Paris, and died there.<sup>4</sup>
6. *George*, died young.
7. *Sophia*, died young.

By his third wife the Earl had issue:—

8. EDWARD. (*See post*, p. 56.)
9. *William*, died young at St. Germain's.
10. *Teresa*, born in France, became a nun.

VIII. JAMES, second titular Duke of Perth, and who, but for his attainder, would have been fifth Earl of Perth, was born at Drummond in or before February 1673,<sup>5</sup> and educated at the Scots College in Paris; he attended the exiled King when he embarked at Brest for Ireland in 1689, and was at the siege of Londonderry, the battle of the Boyne, and the last retreat at Limerick and the Pass of Athlone. He returned to Scotland in 1692, and stayed there for a few years, but went to France, where he was created a Knight of the Thistle by James in 1705.<sup>6</sup> He joined the Earl of Mar in the rising of 1715,

<sup>1</sup> *The Douglas Book*, ii. 425. <sup>2</sup> *Red Book of Grandtully*, ii. 227.  
<sup>3</sup> *Political State*, xxxvii. 314. <sup>4</sup> *Records of the Scots Colleges*, New Spalding Club, i. 62. <sup>5</sup> *Red Book of Grandtully*, ii. 215. <sup>6</sup> *Stuart Papers*.

and took part in an unsuccessful attempt to surprise Edinburgh Castle on 8 September of that year. He commanded the cavalry at the battle of Sheriffmuir, and throughout the insurrection was one of the ablest of the Jacobite leaders, and a devoted follower of James, whom he accompanied to France on the failure of the enterprise. For his complicity in the rising he was attainted by the Act of 17 February 1716, though his estates were saved in consequence of his having executed a disposition of them in favour of his son 28 August 1715; this was sustained by a decision of the Court of Session in 1719, which was affirmed by the House of Lords in 1720. Drummond never returned to Scotland; he assumed the title of Duke of Perth on his father's death in 1716, and died at Paris 6, and was buried in the Chapel of the Scots College 9, April 1720,<sup>1</sup> in his forty-sixth year.<sup>2</sup> He married (contract 5 August 1706) Jean, only daughter of George, first Duke of Gordon.<sup>3</sup> She died at Stobhall 30 January 1773, aged about ninety, leaving issue by her husband:—

1. JAMES, who succeeded.
2. JOHN, who succeeded his brother.
3. *Mary*, born 1707, died at Edinburgh 10 September 1770, unmarried.
4. *Henrietta*, died unmarried.

IX. JAMES, third titular Duke of Perth, and but for his father's attainder sixth Earl of Perth, was born 11 May 1713 at Drummond Castle. He is said to have been educated at Douai and Paris, but no record of him as having been at the former college exists. He is also stated to have been a skilled mathematician and an accomplished artist.<sup>4</sup> He came to Scotland in 1734 and applied himself to the improvement of his estates, which, as above indicated, had not been included in his father's forfeiture. Adhering to the Jacobite principles of his family, he joined in the insurrection of the '45. In August of that year he was nearly captured by a treacherous device of Campbell of Inverawe, and only escaped through a private and unguarded door of Drummond Castle.<sup>5</sup> The next month he

<sup>1</sup> *Red Book of Grandtully*, ii. 321. <sup>2</sup> Minutes of Evidence, Perth Peerage Case, 26. <sup>3</sup> Cf. vol. iv. 551. <sup>4</sup> Wood's Douglas's *Peerage*, ii. 365.

<sup>5</sup> *Murray of Broughton's Memorials*, Scot. Hist. Soc., 157.

commanded the right wing of the Prince's army at Prestonpans, and was one of his Council during his stay in Edinburgh. After the surrender of Carlisle to the Prince's troops, there were misunderstandings among the principal officers, but Perth behaved admirably, and was the means of smoothing over the disturbance. At Culloden he commanded the Macdonald clans on the left of the front line. After that disastrous engagement he escaped with the Prince to Moidart, and from there he sailed along with his brother and other gentlemen on board one of the French vessels which had been sent there. Worn out, however, by fatigue, and depressed with the unfortunate issue of the campaign, he died during the voyage on 13 May 1746, and was buried at sea. There is an epitaph to the memory of himself and his brother in the Church of the Convent of English nuns at Antwerp. He was one of the Prince's bravest and most capable officers, and he showed his companions a much-needed example of courtesy and self-restraint. He was included in the Act 19 George III., by which it was provided that if the persons therein named did not surrender themselves before 12 July 1746 they should stand attainted of high treason as from the 18 April previous. It was contended that the forfeiture could not take effect, as James Drummond died before 12 July, and his brother John, also named in the Act, being subject to attainder from 18 April was not capable of inheriting, but the Court of Session and House of Lords decided that he was capable of taking by inheritance, and that the estate was forfeitable, and forfeited to his Majesty by his treason.<sup>1</sup> The third Duke of Perth having died unmarried, he was succeeded by his brother,

X. JOHN, fourth titular Duke of Perth, and, but for the attainder of 1716, seventh Earl of Perth, was born in France in 1714. He entered the service of King Louis xv. for whom he raised and commanded a regiment called the Royal Scots. With this and two other regiments he arrived at Montrose in November 1745, and issued a declaration in the name of the French King in favour of the Stuart cause. He took a prominent part in the campaign of 1745 and was

<sup>1</sup> Wood's *Douglas's Peerage*, ii. 365.

present at the battles of Falkirk and Culloden, being attainted in 1746. He left Scotland along with his brother, and afterwards served under Marshal Saxe, being made a major-general. He died of fever, unmarried, 28 September 1747,<sup>1</sup> and was buried in the Chapel of the English nuns at Antwerp, where there is a monument to himself and his brother. He was succeeded by his uncle,

XI. JOHN, fifth titular Duke of Perth, and, but for the attainder, eighth Earl of Perth. He was born in 1679, and entered Douai College 13 July 1693.<sup>2</sup> He lived abroad at the Courts of France and Spain, but returned to Scotland and resided at Fearnton (now Ferntower), near Crieff. Being a Roman Catholic he was debarred from taking any action towards the recovery of the estates, nor could he hold real property in Scotland. He does not appear to have taken any prominent part in the Jacobite rising, though Prince Charles stayed at his house at Ferntower on the night of 2 February 1746.<sup>3</sup> He died at Edinburgh 27 October 1757, and was buried at Holyrood, 2 November.<sup>4</sup> He married, first, the daughter and heiress of Fotheringham of Ballegerno; and, secondly, in 1722, Mary, daughter of Charles (Stuart), fourth Earl of Traquair. She, who was born 11 August 1702, died at Edinburgh 4 February 1773. By neither of his wives had he issue.

XII. EDWARD, sixth titular Duke of Perth, and, but for the attainder, ninth Earl of Perth, who succeeded, was the half-brother of the last-mentioned holder of the title, being the son of James, first titular Duke, by Mary, his third wife. He was born in the Castle of Stirling in 1690, during the imprisonment of his parents there. He went early to France, but was in Scotland during the rising of 1715, and left this country the following year. He became Gentleman-in-waiting at the Court of St. Germain's, was a general of cavalry in the French service, and received the royal and military order of St. Louis. He does not appear to have taken any active part for the Jacobite cause, but was a zealous Jansenist, in the later and more political phase

<sup>1</sup> *Red Book of Grandtully*, ii. 354. <sup>2</sup> *Records of the Scots Colleges*, New Spalding Club, i. 62. <sup>3</sup> *Itinerary of Prince Charles*, Scot. Hist. Soc., 38. <sup>4</sup> Holyrood Burial Register.

of that movement, and, in consequence, was imprisoned for some time in the Bastille. He died *s.p.* in Paris, 6 February 1760, and was buried in the Parish Church of St. Marguerite. He married, at St. Germain's, 25 November 1709, Elizabeth, eldest daughter of Charles, second Earl of Middleton. She, who was born 25 June 1690, was living in Paris in 1773. At one period of her widowhood she was one of three Dowager Duchesses of Perth, the other two being Jean Gordon and Mary Stuart, the widows of the second and fifth titular Dukes. On the death of Edward Drummond the heirs-male of the body of his father, the first Duke, became extinct, and the succession to the Peerage, subject to the attainders, became vested in his cousin's son,

XIII. JAMES LUNDIN or DRUMMOND. He was grandson of John Drummond, first Earl of Melfort (*see that title*), brother of James, third Earl of Perth, by his wife, Sophia, daughter and heiress of Margaret Lundin of Lundin, co. Fife, by Robert Maitland, brother of John, Duke of Lauderdale. The Earl of Melfort's third son Robert (who had, along with his uterine brothers and sisters, been brought up as a Protestant) ultimately succeeded to the Lundin estates, his two elder brothers having died without issue. He was born about 1675 and died in 1716, having married, 20 January 1704, Anne, born 18 September 1684, eldest daughter of Sir James Inglis of Cramond, Bart. By her he had two sons, the elder of whom, John, born 10 November 1704, succeeded his father, but died without issue 9 October 1735. The younger son, James, born 6 November 1707, on the death of Edward Drummond, sixth titular Duke of Perth, was served heir-male and of provision to him, 30 June 1760, and nearest lawful heir-male of James, fourth Earl of Perth, 15 May 1766, and assumed the latter title. He died at Stobhall 18 July 1781,<sup>1</sup> having married Rachel, third daughter of Thomas (Bruce), seventh Earl of Kincardine. She died at Lundin, 29 June 1769, having had issue by her husband:—

1. *Robert*, born 1741, died unmarried at Lundin 10 May 1758.

<sup>1</sup> *Scots Mag.*

2. *Thomas*, styled Lord Drummond, was baptized at Largo 21 July 1742.<sup>1</sup> He went to America in 1768 to look after an estate which belonged to his kinsman the Earl of Melfort, and which had not been forfeited. He was elected a member of the St. Andrew Society of New York in 1768, and served as its twelfth President 1773-74. In 1776 he submitted to Lord Howe, at New York, propositions for a peace with America. He was taken prisoner by the rebels, but Washington allowed him to go back to New York on parole. He ultimately, on account of his health, went to the Bermudas, where he died in November 1780.
3. JAMES, of whom presently.
4. *Rachel*, died unmarried at Cardross 24 May 1798.

XIV. JAMES DRUMMOND, formerly Lundin, who would, but for the attainders, have been eleventh Earl of Perth, was born at Lundin 12 February 1744. He entered the army in 1771, and became a captain in the 42nd Highlanders, serving with them in India. In 1784 he obtained, through the influence, it is said, of his countryman Henry Dundas, afterwards Viscount Melville, an Act of Parliament (24 George III. c. 10) making it lawful for the Crown to grant to the heirs-male of John Drummond, titular Duke of Perth, who would have been entitled to succeed by the investitures of the estates, the lands which had been forfeited in 1745. He then got a decret of the Court of Session, 8 March 1785, finding that he was the person entitled to succeed, and thereupon he got a grant from the Crown of the Perth estates. This Act, with all its circuitous procedure, is said to have been occasioned by the appearance of a claimant to the Peerage who asserted that he was a son of Edward Drummond, the sixth titular Duke and Lady Elizabeth Middleton. In 1792 James Drummond presented a petition to the King claiming to be received and acknowledged as Earl of Perth, which was remitted to the Committee for Privileges. But in 1796 he withdrew this claim, and on 26 October 1797 he was created LORD PERTH and BARON DRUMMOND OF STOBHALL in the Peerage of Great

<sup>1</sup> Largo Par. Reg.

Britain, with remainder to the heirs-male of his body. He died at Innerpeffray, without surviving male issue, 2 July 1800, having made a settlement of his estates, on 9 June previous, on his daughter and the heirs of her body, whom failing, to her nominees, whom failing, to his wife in liferent and his nearest heirs in fee. He married, 31 March 1785, at Edinburgh, Clementina, daughter of Charles, tenth Lord Elphinstone. She, who was born 28 August 1749, died in Park Lane, London, 31 August 1822. They had issue:—

1. *James*, born 16 October 1791, died 11 August 1799, and was buried at Innerpeffray.
2. *Clementina Sarah*, born at Edinburgh 5 May 1786, and married there 20 October 1807 to the Hon. Peter Robert Burrell, born March 1782, eldest son of Peter, first Lord Gwydyr, by his wife Priscilla, *suo jure* Baroness Willoughby de Eresby. In 1807 they assumed by royal licence the name of Drummond, in addition to that of Burrell. She succeeded to the Perth estates under the settlement by her father above mentioned, and died 16 January 1865. Her husband, besides succeeding to his father as Lord Gwydyr, succeeded his mother in her Peerage, and became Lord Willoughby de Eresby. That Peerage again ultimately went to a female in the person of their daughter Clementina, who was married, 8 October 1827, to Sir Gilbert John Heathcote, Bart., and their son Gilbert Henry was created Earl of Ancaster.
3. *Jemima Rachel*, born at Edinburgh 1 May 1787, died at Drummond Castle 28 April 1788.

The title of Earl of Perth would now, but for the attainder, have descended to

XV. JAMES LOUIS DRUMMOND, fourth titular Duke of Melfort, and great-grandson of John Drummond, first Earl of Melfort, brother of James, fourth Earl of Perth. His career and those of his two immediate successors have been dealt with in the article Melfort.<sup>1</sup> It may here be

<sup>1</sup> See vol. vi. 72, 73.

briefly stated that he died in Spain in September 1800, and was succeeded by his brother,

XVI. CHARLES EDWARD, who, but for the attainder, would have been thirteenth Earl of Perth. He died as a prelate in the household of the Pope at Rome 9 April 1840.<sup>1</sup> To him succeeded his nephew,

XVII. GEORGE DRUMMOND, eldest son of Leon Maurice Drummond, who married, 26 October 1794, Lucie Marie de Longuemarre, which Leon Maurice was fourth son of James, third titular Earl of Melfort.<sup>2</sup> He was born in London 6 May 1807, and entered the 93rd Highlanders 14 October 1824; lieutenant 8 December 1825; served in the West Indies, and got his company 30 December 1826. In 1841 he established in France, before the Conseil d'État and the Tribunal de la Seine, his right to the French titles of Duc de Melfort, Comte de Lussan, and Baron de Valrose.<sup>3</sup> He proved his descent in England before the House of Lords in 1848, and the attainders having been reversed by Act of Parliament 28 June 1853, he was found entitled to the dignities of Earl of Perth (1686), Viscount Forth (1686), Lord Drummond (1488), and Lord Drummond of Riccartoun, Castlemains, and Gilston (1686). His only surviving sister, Lady Clementina Davies, was in the same year granted the precedence of an Earl's daughter by royal warrant. He was served heir-male general to the fourth Earl of Perth, the second and third titular Dukes of Perth, James Drummond of Lundin, styled Earl of Perth, and James Drummond, Baron Perth, 22 and 26 February 1866 and 22 and 24 June 1874. He also raised an action for the restitution of the estates to him as heir-male, but the case, which lasted in the Court of Session and House of Lords from 1866 to 1882, was ultimately decided against him. He died at Kew 28 February 1902, having married, first, 19 May 1831, the Baroness Albertine von Rothberg Coligny, widow of General the Count Rapp, a Peer of France. She died 2 June 1842, and he married, secondly, 9 August 1847, Susan Henrietta, daughter of Thomas Bermingham Sewell of Athenree,

<sup>1</sup> *V. ut supra.*

<sup>2</sup> See *ante*, vol. vi. 71.

<sup>3</sup> *Complete Peerage.*



widow of Colonel Burrowes of Dangan Castle, co. Meath. She died 11 September 1886. By his first wife he had issue:—

1. *James Maurice Willoughby*, born 12 August 1832, died February 1833.
2. *George Henry Charles Francis Malcolm*, Viscount Forth, born at Naples 13 May 1834, was in the 42nd Highlanders; died 8 October 1861, having married, 24 October 1855, Harriet Mary, eldest daughter of the Hon. Adolphus Capell, and niece of the Earl of Essex. She was married, secondly, 29 October 1861, to Edward Cholmely Dering, and died 30 April 1868, leaving issue by her first husband,

(1) *George Essex Montifex*, Lord Drummond, born 3 September 1856; died *s.p.*, and probably unmarried, 4 August 1887.

3. *Annabella*, born 11 July 1835, died November 1838.

By his second wife the Earl had:—

4. *Marie Augusta Gabrielle Berengère Blanche*, born 15 December 1848. Married, 24 April 1871, to Colonel Mackenzie Fraser of Castle Fraser and Inverallochy, and died *s.p.* 5 February 1874.
5. *Marie Louise Susan Edith Grace*, born 29 April 1854. She inherits the French titles of Countess de Lussan and Baroness de Valrose.

At his death the French dukedom of Melfort became extinct, while the title of Earl of Perth devolved on his distant kinsman, William Huntly Drummond, eleventh Viscount Strathallan, who is descended from James, first Lord Maderty, second son of David, second Lord Drummond. His pedigree will be fully treated under the title Strathallan.

CREATIONS.—Lord Drummond, 29 January 1487-88; Earl of Perth, 4 March 1605; Earl of Perth, Lord Drummond, Stobhall, and Montifex, 17 December 1687; in the Peerage of Scotland. Lord Perth, Baron Drummond of Stobhall, 26 October 1747; in the Peerage of Great Britain.

ARMS (recorded in Lyon Register).—Or, three bars wavy gules.

CREST.—On a ducal crown a sleuthhound proper, collared and leashed gules.

SUPPORTERS.—Two savages, wreathed about the head and middle with oak leaves proper, each carrying a baton on his shoulder, and standing on caltraps.

MOTTO.—*Gang warily.*

[E. D.]

## STEWART, LORD PITTENWEEM



ALEXANDER STEWART, second son of Sir Alan Stewart of Darnley, got from his elder brother John, first Lord Darnley (*see title* Lennox), the lands of Dregairne or Dreghorn in Cunningham, by charter dated 13 May 1450.<sup>1</sup> On 27 June 1452 he had a confirmation from the King of the lands of Galstoun, which had also been previously granted to him by his brother.

ROBERT STEWART of Galston, probably son of the above, witnessed a charter of Sir John Maxwell of Calderwood 16 February 1486-87,<sup>2</sup> and also an instrument of resignation by John Chawmer of Gatgirth 26 May 1487. He died some time before 10 March 1504-5, previous to which date his son Alexander was served heir to him.<sup>3</sup> He had a son,

ALEXANDER STEWART of Galston, who was served heir to his father Robert some time before 10 March 1504-5.<sup>4</sup> He witnessed a charter of the Earl of Lennox 27 March 1508.<sup>5</sup> He had a charter from the same Earl of certain lands in Galston 28 July 1511,<sup>6</sup> and a grant from him of the riding

<sup>1</sup> Confirmed 16 May 1450, *Reg. Mag. Sig.* <sup>2</sup> Confirmed 12 April 1487, *ibid.* <sup>3</sup> *Acta Dom. Conc.*, xvi. f. 187. <sup>4</sup> *Ibid.* <sup>5</sup> *Reg. Mag. Sig.*, 31 May 1508. <sup>6</sup> Confirmed 1 August 1511, *ibid.*

of the Muir of Galston for four years 23 June 1515: also a licence to cut timber 1 March 1515-16.<sup>1</sup> He is said to have had issue:<sup>2</sup>—

1. THOMAS, who succeeded.
2. *Alan* of Threapwood, who was at one time Provost of Edinburgh, but was dead before 28 May 1527, when his widow Helen Baty got a charter of the lands of Pinkertoun in Haddingtonshire.<sup>3</sup>
3. *Margaret*, married to James Chalmers of Gatgirth.<sup>4</sup>

THOMAS STEWART of Galston succeeded before 26 November 1526.<sup>5</sup> He had a charter on 3 December 1540 of Hamilton's Brentwood on the forfeiture of Sir James Hamilton of Finnart,<sup>6</sup> and died between 1542 and 1545.<sup>7</sup> He married (contract 26 November 1526) Isobel, daughter of James Henderson of Fordel, Justice-Clerk. By her, who survived him, he had issue:—

1. *Thomas*, who succeeded to Galston, and carried on the elder line of the family: it came to an end in the person of Ludovic Stewart, who died *s.p.* in 1650, leaving the estate to his maternal uncle, George Ross of Brownhill.
2. WILLIAM, of whom below.

WILLIAM STEWART, afterwards Sir William Stewart of Houstoun, has been generally accepted by Douglas and other Peerage writers as the younger son of Thomas Stewart of Galston. The assertion of Calderwood that he was at first 'a cloutter of old shoes' is not supported by any evidence; on the contrary, Sir William is expressly styled brother of Thomas Stewart of Galston in a charter

<sup>1</sup> Protocol Book of John Fowlar, Edinburgh City Chambers, 20 January 1517-18. <sup>2</sup> The succession at this point is doubtful. According to an entry in *Acts and Decrees*, xix. 9, 10, Robert Stewart was of Galston in 1521 and 1525, and was grandfather of that Thomas who was of Galston in 1559, and of his brother Sir William. But Thomas, given in the text as son of Alexander, succeeded to Galston before 26 November 1526, the date of his marriage with Isobel Henderson; indeed, according to the Protocol Book of Gavin Ross (Scot. Record Soc.), No. 642, he was already of Galston in March 1522-23. If this was the case the entry of Robert in *Acts and Decrees* must be a mistake. <sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> Wood's *Douglas's Peerage*; Nisbet's *Heraldry*, ii. App. 20. <sup>5</sup> See note 2, *supra*. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Acts and Decrees*, i. 131; ii. 67.

to be afterwards referred to.<sup>1</sup> In 1575 he appears to have had a captain's commission under the Prince of Orange,<sup>2</sup> and in June 1577 he was in the service of the States as 'Captain of two companies and lieutenant-colonel of the Scottish regiment.' In 1579 he passed from the employment of the associated provinces to that of the northern union, but within a few years returned to Scotland, and through the influence, it is said, of the Earl of Gowrie became such a favourite at Court that, when a body styled the King's Guard was raised in 1582, he was appointed to the command. Shortly after this he was sent on a mission to Queen Elizabeth by the King. If he owed his rise to Gowrie he did not long support his patron, for on his return from England he was one of the chief movers in the counter revolution which brought about the fall of the Ruthven Raid government. In June 1583 he and his guard, wearing in their hats thirty pieces of gold which had been sent him as a bribe by the Commendator of Dunfermline, with the purses on their spear-points, accompanied the King from Falkland to St. Andrews, and supported him while he dispensed with the services of his former councillors.<sup>3</sup> On 31 July 1583 he had a grant of the lands and monastery of Pittenweem and was appointed Commendator thereof.<sup>4</sup> On 29 August following he was admitted a Member of the Privy Council.<sup>5</sup> On 15 April of the next year he took the Earl of Gowrie prisoner at Dundee, and towards the end of the month marched with 500 men against the rebel Lords at Stirling.<sup>6</sup> On 9 June he received, along with the Earl of Rothes and Alexander Erskine of Gogar, a commission of lieutenantancy in the south-eastern shires. Evidently a valued servant of the King, he had a grant in December 1584 out of the revenues of Dunfermline, which was expressly excepted from a general revocation by the King.<sup>7</sup> He was with the King at Dirleton when he was entertained there by Arran during the prevalence of the plague in Edinburgh in May 1585,<sup>8</sup> and signed the bond for an offensive and defensive league with England 31 July 1585.<sup>9</sup>

<sup>1</sup> *Reg. Mag. Sig.*, 1 December 1612. <sup>2</sup> *Scots Brigade*, i. 115 n., where there is a detailed account of his career. <sup>3</sup> *P. C. Reg.*, iii. pp. lv, 574; Calderwood, iii. 715, 716. <sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *P. C. Reg.*, iii. 594. <sup>6</sup> *Ibid.*, 660. <sup>7</sup> *Ibid.*, 712. <sup>8</sup> *Ibid.*, 744. <sup>9</sup> *Ibid.*, 766.

On the fall of Arran, Stewart was deprived of his command of the Guard,<sup>1</sup> and had a licence to travel abroad for five years 18 January 1585-86.<sup>2</sup> He seems to have gone to Denmark, and the King of that country urged the Estates 'to make him satisfaction for injuries, and restore his wife's provisions.' These representations, together with those of a commission appointed by the Scottish Parliament in 1584<sup>3</sup> for the purpose of recovering arrears due to him, seem to have been successful, as in April 1587 he was said to be 'in great credit with the Prince of Parma, who had restored to him all his wife's living again.' By 1588 he was again in Scotland and restored to favour with the King, being included in the embassy that was sent to Denmark in connection with the royal marriage. He returned from that country 12 September 1589, being, along with Lord Andrew Keith and Lord Dingwall, sent before to advertise the arrival of the Queen.<sup>4</sup> The weather, however, prevented the expected homecoming, and James went over in person to fetch home his bride. In March 1589-90 Stewart was appointed by the Privy Council to fit out a ship for the bringing home of the King and his bride,<sup>5</sup> and he shortly thereafter set out in command of a fleet of six vessels, arriving safely in Denmark, from which he brought the King and Queen home, landing at Leith 1 May.

In June 1590 he was sent on an embassy to Germany,<sup>6</sup> but he must have returned within a year, as in April 1591 there was a process against him in connection with the lands of Houston.<sup>7</sup> An Act of the Council was passed 12 January 1591-92, acknowledging his public services and ratifying a letter of factory under the Privy Seal of 1 May 1589, granting him the lands which belonged to the Archbishop of St. Andrews during the lifetime of Patrick Adamson, and a charter under the Great Seal (not recorded) of 13 September 1588, granting him the lands of Barre and others, to be held by him until he was repaid the sum of 10,000 merks which he had expended in the public service.<sup>8</sup> He was accused of being privy to the daring attempt of Francis Stewart, Earl of Bothwell, on the

<sup>1</sup> *P. C. Reg.*, iv. 36 n. <sup>2</sup> *Reg. Sec. Sig.*, liii. 87. <sup>3</sup> *Acta Parl. Scot.*, iii. 325. <sup>4</sup> *P. C. Reg.*, iv. 413 n. <sup>5</sup> *Ibid.*, 471. <sup>6</sup> *Ibid.*, 488. <sup>7</sup> *Ibid.*, 611. <sup>8</sup> *Ibid.*, 712.

person of the King at Holyrood on 27 December 1591, and on 20 January 1591-92 was committed to ward in Edinburgh Castle 'because the Queene used him as an instrument to disgrace the Chancellor (Lauderdale) and to siver the King from him.'<sup>1</sup> On 1 July 1592 he was examined before the Chancellor and other officers in connection with aiding and abetting Bothwell in another attempt on the King's person the previous month, but stoutly denied any complicity therein.<sup>2</sup> The charge against him does not appear to have been pressed, and in his turn he accused, though unsuccessfully, Lord Spynie of having been privy to the plot.<sup>3</sup> Stewart was restored to favour, and on 6 May 1594 had an absolute conveyance of Pittenweem to be held blench from the King in acknowledgment of his many services, and of the sum of 12,000 merks which apparently he had advanced to the King.<sup>4</sup> On 26 July following he had, on payment of 1000 merks, a grant in feu farm of the lands of Houston, co. Linlithgow.<sup>5</sup> In December he was despatched on an embassy to Flanders,<sup>6</sup> and on his return was thanked by the Council for his services in that capacity on 10 July 1595. On the same date too he executed a charter at Leith, by which in return for certain monetary advances made to him by his brother-in-law, Sir Patrick Hepburne of Luffness, and his own brother, Thomas Stewart of Galston, he made over Pittenweem to his son Frederick, with the power of reversion on payment of a rose-noble in St. Giles's Church.<sup>7</sup>

On 30 June 1596 Stewart had a commission of lieutenancy in the Highlands and Islands,<sup>8</sup> and was authorised to levy troops for service there,<sup>9</sup> but the expedition turned out an easy one, the chief men in the Isles submitting themselves to the King.<sup>10</sup> On 4 May 1598 he was nominated one of a committee to deal with the question of the settlement of the Isles,<sup>11</sup> and it is not therefore surprising to find that he was one of the original 'adventurers' who were to endeavour to govern the Hebrides and settle it on Lowland principles.

Notwithstanding that Stewart had been successful in

<sup>1</sup> Calderwood, v. 144. <sup>2</sup> *P. C. Reg.*, iv. 761, 833. <sup>3</sup> *Ibid.*, v. 4, 5, 8, 17. <sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *Ibid.* <sup>6</sup> *P. C. Reg.*, v. 194. <sup>7</sup> *Reg. Mag. Sig.*, 1 December 1612. <sup>8</sup> *P. C. Reg.*, v. 246. <sup>9</sup> *Ibid.*, 309. <sup>10</sup> *Ibid.*, 324. <sup>11</sup> *Ibid.*, 455.

getting a large sum of money from the States-General in payment of arrears due to him,<sup>1</sup> he seems to have been in constant pecuniary difficulties. He apparently parted with his estate of Houston before he had held it very long, as on 2 March 1598-99 Mr. John Sharp, advocate, had a grant of these lands on his own resignation, with consent of Sir William Stewart and his wife, Isobel Hepburn.<sup>2</sup> Means of income were, however, from time to time put in his way. Eustachius Rooghe, a Fleming, having got an Act of Parliament empowering him to make 'greit salt,' Stewart had a gift of the comptrollery of the same 31 July 1599,<sup>3</sup> and later had a gift of the third of the profit due to the King by Eustachius in the same undertaking.<sup>4</sup> He had also a gift of the *éscheat* of all forbidden goods imported.<sup>5</sup> On 7 January 1602 he was nominated one of the Council of War.<sup>6</sup> The date of his death is not known, but it must have been previous to 1605.

He married, first, in the Netherlands, a lady whose Christian name was Erica, widow of the Count de Manderscheidt.<sup>7</sup> With her he had two charters on 30 November 1584;<sup>8</sup> secondly, in Holyrood Church 7 June 1590,<sup>9</sup> Isobel, daughter of Sir Patrick Hepburn of Waughton, and widow of George Halkett of Pitfirrane. On 27 December 1604 James Halkett, brother-german of Robert Halkett, of Pitfirrane, had a gift of the *escheat* of the goods of the late Sir William Stewart, Commendator of Pittenweem, Dame Elizabeth Hepburn, his spouse, and others, put to the horn in terms of a decree against them on 6 June 1602.<sup>10</sup>

Sir William had issue, so far as known:—

1. FREDERICK.
2. Anna, born 5 June 1595.<sup>11</sup>

I. FREDERICK STEWART was baptized 22 June 1591,<sup>12</sup> and chose curators 2 June 1607, the next-of-kin being on his father's side, Robert Stewart of Craigous, and John Stewart of Halrig; on his mother's side, Sir Robert Halkett of

<sup>1</sup> *Scots Brigade*, i. 118 n. and 115-154. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *P. C. Reg.*, vi. 17; *Acta Parl. Scot.*, iv. 182-184. <sup>4</sup> *Ibid.*, 837. <sup>5</sup> *Ibid.*, 489. <sup>6</sup> *Ibid.*, 330. <sup>7</sup> *Scots Brigade*, i. 116 n. <sup>8</sup> *Reg. Sec. Sig.*, li. 160, 189. <sup>9</sup> Dunfermline Reg. <sup>10</sup> *Reg. Sec. Sig.*, lxxiv. 224. <sup>11</sup> *Edin. Reg.* <sup>12</sup> Dunfermline Reg.



Pitfirrane, and James Hamilton of Kilbrackmont.<sup>1</sup> He had on 26 January 1609, under the designation of eldest son of the late William, Commendator of Pittenweem, a grant from King James VI. of the lands of Pittenweem and others in Fife, the lands and barony of Easter and Wester Rynds, co. Perth, and certain other lands in Forfar and Haddington, all of which were incorporated and erected into the temporal lordship of Pittenweem, and he was created a Lord of Parliament with remainder to his heirs and assigns whomsoever, under the title of LORD PITTENWEEM.<sup>2</sup> On 3 December 1612, two days after the confirmation of his father's charter of 1595 above mentioned, he resigned the lands in favour of Sir Thomas Dishington and his wife, Elizabeth Scott, who had a new grant of it from the King,<sup>3</sup> and on 6 July 1615 he joined with the Dishingtons in a new resignation of the lordship in favour of Thomas Erskine, Viscount Fenton.<sup>4</sup> Lord Pittenweem died *s.p.* and was buried (not improbably from the Fleet prison<sup>5</sup>) at St. Bride's, London, 16 December 1625. At his death the Peerage became dormant, and no claim has since been made to it.

CREATION.—Lord Pittenweem, 26 January 1609.

ARMS.—Sir William Stewart, the Commendator, bore on his seal: Quarterly, 1st and 4th, three fleurs de lys within a bordure charged with eight buckles; 2nd and 3rd, a fess chequy within a (bordure engrailed?).

CREST.—A wolf sejant.

SUPPORTERS.—Two wolves.

[J. B. P.]

<sup>1</sup> *Acts and Decrees*, cccxix. 104. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *Ibid.* <sup>4</sup> *Ibid.*; *Acta Parl. Scot.*, v. 94. <sup>5</sup> *Complete Peerage*.

## SCOTT, LORD POLWARTH



AN account of the first three holders of the Polwarth title which was conferred on Sir Patrick Hume by patent dated 26 December 1690, with remainder to the heirs-male of his body and to the heirs of those heirs, will be found under the title of Earl of Marchmont (vol. vi. 12-23). Sir Patrick having been advanced to that dignity on 23 April 1697, the barony remained merged in the earldom until the death of Hugh, third Earl, on 9 January 1794, when the earldom became extinct, and the barony of Polwarth vested in,

IV. ANNE, *de jure* BARONESS POLWARTH, daughter of Sir John Paterson, Bart. of Eccles, and his wife Anne, eldest daughter of Hugh, third Earl of Marchmont. She claimed the barony in 1818, but died *s.p.* on 11 March 1822, before any decision had been given on her case.

V. DIANA, *de jure* BARONESS POLWARTH, younger daughter of Hugh, third Earl of Marchmont, succeeded her niece, and was married, 18 April 1754, to Walter Scott of Harden, in the county of Roxburgh. He was descended from

WALTER SCOTT of Synton,<sup>1</sup> who is the first member

<sup>1</sup> He is said by Satchels and by Sir Walter Scott (pedigree among Mertoun Writs) to be the son of George Scott of Synton, son of Walter

of the family of whom there is record evidence. He married, first, Marjorie, daughter of William Cockburn of Henderland,<sup>1</sup> and, secondly, Margaret, daughter of James Riddell of that Ilk.<sup>2</sup> He had issue by first marriage:—

1. *Walter* of Synton, said to have married another daughter of James Riddell of that Ilk,<sup>3</sup> but died *s.p.*

Issue by second marriage:—

2. ROBERT, aftermentioned.

3. *William* of Huntly. ‘Will Ill to Haud.’

4. *James* of Satchels, ancestor of Walter of Satchels, who wrote the history of the family of Scot.

5. *Thomas* of Whitehaughbrae,  
and eight daughters.

ROBERT SCOTT of Strickshaws (Stirches), second son of Walter Scott of Synton,<sup>4</sup> acquired the six-merk land of Bundray in Roxburghshire, from James Newton of Dawcofe in 1481,<sup>5</sup> which was confirmed by Patrick, Earl of Bothwell, by charter dated 21 November 1505.<sup>6</sup> From Alexander, Lord Home, he had a charter of the lands of Harden on 3 January 1501.<sup>7</sup> He was probably that Robert Scott for whose murder, in November 1509, Andrew Crossar was hanged.<sup>8</sup> He was father of:—

1. *Walter* of Synton, called ‘Watty burn the Braes,’ who held a five-merk land in Synton in 1510, as heir of umquhile Robert Scott, his father.<sup>9</sup> He succeeded, on the death of his uncle Walter, to the lands of Synton, and as son and heir of the late Robert Scott of Strickshaws, second son of Walter Scott of Synton, he had a charter under the Great Seal of the six-merk land of Strickshaws, which were held by the

Scott of Synton, brother of John Scott of Synton, son of Walter Scott of Synton, son of George Scott of Synton, son of Walter Scott of Synton, son of John Scott, chamberlain to the Archbishop of Glasgow, who was a son of Sir Michael Scott of Murthockstone, killed at the battle of Durham in 1346. This descent, however, is unsupported by any record evidence, and the lands of Synton, together with the office of Sheriff of Selkirk, were held by the family of Lord Erskine during the fifteenth century (*Reg. Mag. Sig.*, 10 March 1507). <sup>1</sup> *Family of Cockburn*, 177. <sup>2</sup> *Douglas's Baronage*, 214. <sup>3</sup> *Ibid.* <sup>4</sup> *Reg. Mag. Sig.*, 3 June 1575. <sup>5</sup> *Scotts of Buccleuch*, ii. 76. <sup>6</sup> *Ibid.*, 106. <sup>7</sup> Mertoun Writs. <sup>8</sup> *Pitcairn's Criminal Trials*, i. 61\*. <sup>9</sup> *Scotts of Buccleuch*, ii. 120.

said Robert from James, Earl of Bothwell, dated 13 June 1575.<sup>1</sup> He had issue:—

- (1) *William*, eldest son, had a tack of the lands of Langhope from the Crown, 1550.<sup>2</sup>
- (2) *James*, second son, had a tack of the lands of Dodbank from the Crown, 1550.<sup>3</sup> He, with his brothers Walter, Robert, and William, was concerned in an attack on the Church of St. Mary of the Lowes in 1557.<sup>4</sup>
- (3) *Walter*, called young Laird of Synton in 1557.
- (4) *Robert*.<sup>5</sup>
- (5) *George* of Synton, sold part of his lands to his cousin, Walter Scott of Harden; married Margaret, daughter of John Edmonston of Ednam, and had issue:—
  - i. *Walter* of Synton, died 11 July 1608,<sup>6</sup> having married Isobel, daughter of William Douglas of Whittinghame, who survived him, and had issue:—
    - (i) *George* of Synton, served heir to his father in the lands of Outarsyderige 10 April 1610,<sup>7</sup> sold his estate to Walter Scott of Harden in 1627. He married Mary, daughter of Gladstones of Dod, and had issue:—
      - a. *Walter*, died unmarried.
      - b. *George* of Bunraw, registered his arms as representative of Synton, *circa* 1672; married a daughter of Douglas of Garvald, and had an only son, *Archibald*, who died unmarried 1720. He was rebuked by the kirk-session of Robertson in 1701 for the scandal of breaking the Lord's Day by a mock marriage with Esther Turnbull.
      - c. *Richard*, minister of Kirkbean 1675, and of Ashkirk 1685; died 25 May 1722, aged eighty-two.
    - (ii) Captain *Archibald*, died unmarried.
    - (iii) *Elspeth*, mentioned with her sisters in their father's testament.
    - (iv) *Christian*.
    - (v) *Ann*, said to have married Captain Gladstones of Whitelaw.
  - ii. *John*, called brother to Walter Scott of Synton in a charter in favour of Robert Scott of Satchells,<sup>8</sup> 10 February 1607.
  - iii. *David*, charged with others with rescuing prisoners from the bailies of Selkirk 1st December 1608.<sup>9</sup>
  - iv. *George*, apprenticed to David Brown, saddler, Edinburgh, 10 January 1610.<sup>10</sup>
  - v. *Agnes*, mentioned with her brothers David and George in her brother Walter's testament.<sup>11</sup>

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Exch. Rolls*, xviii. 368. <sup>3</sup> *Ibid.* <sup>4</sup> Pitcairn's *Crim. Trials*, i. 400\*. <sup>5</sup> *P. C. Reg.*, i. 184. <sup>6</sup> Edin. Tests., 10 March 1609. <sup>7</sup> *Retours Spec.*, Roxburgh, 57. <sup>8</sup> *Reg. Mag. Sig.*, 14 Dec. 1609. <sup>9</sup> *P. C. Reg.*, viii. 210. <sup>10</sup> Edin. Reg. of Apprentices. <sup>11</sup> Edin. Tests., 10 March 1609.

2. WILLIAM of Harden.

3. *David*, brother to William Scott in Harden, had a pardon for the crimes of treason and *lèse majesté* 9 May 1526.<sup>1</sup>

WILLIAM SCOTT of Harden, brother to Walter Scott of Stirkshaws, was a witness to an obligation by John Murray of Falahill to Robert Scott on 4 January 1507.<sup>2</sup> He had a charter of the forty-shilling lands of Hoscote from George, Lord Home, on 27 May 1525,<sup>3</sup> and a charter from his brother Walter of the lands and barony of Harden, which was confirmed by George, third Lord Home, 27 May 1535.<sup>4</sup> He died in February 1561, having married, it is said, a daughter of Ker of Fernielee, and had issue,

WALTER SCOTT of Harden, charged with others, on 25 June 1557, with breaking into the church of St. Mary of the Lowes for the slaughter of Sir Peter Cranston,<sup>5</sup> had a charter to his father in liferent and to himself in fee of the town and lands of Harden, from Alexander, Lord Home, on 18 August 1559,<sup>6</sup> succeeded his father in 1561, but died before 13 April 1563, when his son Walter had a precept of clare constat as his heir in the lands of Harden, from Alexander, Lord Home.<sup>7</sup> He had issue:—

1. WALTER, his heir.

2. *William*, charged with his brother Walter and many others, servants of Walter Scott of Brauxholm, with spulzieing the lands of Drummelzier and Dreva, belonging to James Tweedie of Drummelzier and Adam Tweedie of Dreva, on 6 January 1591-92.<sup>8</sup>

WALTER SCOTT of Harden had a precept of clare constat from Alexander, Lord Home, as heir of the deceased Walter Scott of Harden, his father, on 13 April 1563, and was seised in the lands of Harden as such on 22 June 1566.<sup>9</sup> He, presumably from the great age to which he lived, was commonly known as 'Auld Wat,' and was the hero of various marauding expeditions, which were the theme of many a border ballad and tradition. When the spoil had

<sup>1</sup> *Scotts of Buccleuch*, ii. 146. <sup>2</sup> *Ibid.*, 110. <sup>3</sup> Confirmed *Reg. Mag. Sig.*, 13 January 1620. <sup>4</sup> Mertoun Writs. <sup>5</sup> Pitcairn's *Criminal Trials*, i. 400\*. <sup>6</sup> Confirmed *Reg. Mag. Sig.*, 13 January 1620. <sup>7</sup> Mertoun Writs. <sup>8</sup> *P. C. Reg.*, iv. 709. <sup>9</sup> Mertoun Writs.

been exhausted, his lady, it is said, was in the habit of serving up on a dish a pair of clean spurs, still preserved in the family, as a significant hint to mount and replenish the larder from over the Border. Cattle-lifting was not confined to his side only, for on 15 December 1580 he and others complained to the Privy Council against Martin Elliot of Braidley and his sons for taking away fourscore kye and oxen, etc., under cover of night, from the lands of Hoscote and Hoscoterig.<sup>1</sup> He took part in the treasonable attempt against His Majesty's person at Falkland 13 July 1592, was summoned before the Privy Council to answer therefor, and, failing to appear, was denounced rebel,<sup>2</sup> and a warrant granted to Walter Scott of Goldielands, and Gideon Murray, instructing them to demolish the houses and fortalices of Harden and Dryhope.<sup>3</sup> As an adherent of Francis, Earl of Bothwell, he had a letter of pardon 7 September 1591,<sup>4</sup> but remaining in Edinburgh contrary to the order of the Privy Council, a warrant was issued for his arrest 8 December 1592.<sup>5</sup> In April 1596 he formed one of the force who accompanied his chief Buccleuch in the expedition to Carlisle Castle which resulted in the release of Willie Armstrong, commonly called 'Kinmont Willie.'<sup>6</sup> He had a charter from Nicholas Cornwall of Bonhard of the lands of Printadocis (Pirnetados) in the county of Edinburgh, on 29 June 1603<sup>7</sup>; another from James Douglas, Commendator of Melrose, of the lands of Langhope, on 13 August 1606,<sup>8</sup> and another from Sir John Cranston of Smailholm of the lands of East and West Kirkhopes, 21 May 1608.<sup>9</sup> On 22 November 1610 caution to the extent of 3000 merks was given to the Privy Council by Gilbert Elliot of Horsliehill, that he (Harden) and Walter, Francis and Hew, his sons, should not harm Walter Scott of Todschawhill and others.<sup>10</sup> He died at an advanced age in 1629. He married (contract dated at Selkirk 21 March 1567) Mary or Marion, called 'The flower of Yarrow,' daughter of John Scott of Dryhope,<sup>11</sup> and, secondly (contract dated 9 April 1598), Margaret, daughter of John Edgar of Wedderlie

<sup>1</sup> *P. C. Reg.*, iii. 335. <sup>2</sup> *Ibid.*, iv. 773. <sup>3</sup> *Ibid.*, 769; Pitcairn's *Criminal Trials*, i. 266. <sup>4</sup> *Scotts of Buccleuch*, ii. 249. <sup>5</sup> *P. C. Reg.*, v. 26. <sup>6</sup> *Border Papers*, ii. 251. <sup>7</sup> Confirmed 14 July 1603, *Reg. Mag. Sig.* <sup>8</sup> *Ibid.*, 9 Jan. 1607. <sup>9</sup> *Ibid.*, 8 July 1608. <sup>10</sup> *P. C. Reg.*, ix. 664. <sup>11</sup> Mertoun Writs.

and relict of William Spotswood of that Ilk.<sup>1</sup> He had issue by first marriage :—

1. WILLIAM, his heir.
2. *Hugh*, second son, in Greenhead, was cautioner for John Quhyte in Greenhead 12 February 1623.<sup>2</sup> He married (contract dated at Selkirk 17 March 1621) Jean, daughter and heiress of Sir James Pringle of Galashiels,<sup>3</sup> and was ancestor of the Scotts of Gala.
3. *Walter*, in Essinside, killed in a fray at a fishing by Symon Scott of Bonnytoun and others.<sup>4</sup> He married (contract 22 April 1614) Elspeth, daughter of John Hay of Haystoun.<sup>5</sup> She survived him and married, secondly, William Scott.<sup>6</sup> His sisters Jean and Margaret were served heir to him 18 February 1641.<sup>7</sup>
4. *Francis*, had a charter to his father in liferent and himself in fee, of the lands of Howfuir from Walter Scott of Howfuir 26 May 1624,<sup>8</sup> and another charter in 1627 of the lands of Sinton from Walter, Earl of Buccleuch, with consent of George Scott of Synton, Isobel Douglas his mother, and Mary Gladstaines his wife.<sup>9</sup> He married, in 1624, Isobel, sister of Sir Walter Scott of Whitslaid, and was the ancestor of the present family of Corse-Scott of Synton.
5. *Margaret*, called 'Maggie Fendy,' married to Sir Gilbert Elliot of Stobs.
6. *Esther*, married, first, to Elliot of Falnash, and secondly, to George Langlands of that Ilk.
7. *Janet*, married (contract dated at Selkirk 23 October 1613) to Thomas, son of Walter Scott of Whitslaid.<sup>10</sup>

Issue by second marriage :—

8. *Margaret*, only child, married, first (contract dated at Selkirk 12 September 1621), to David Pringle, younger of Galashiels,<sup>11</sup> and second, before 22 November 1625, to Sir William Macdougall of Mackerston.<sup>12</sup>

He is also said to have had three other daughters, married to Geddes of Kirkurd, Scott of Tushielaw, and Porteous of Headschaw.

<sup>1</sup> Mertoun Writs. <sup>2</sup> *P. C. Reg.*, xiv. 698. <sup>3</sup> Mertoun Writs. <sup>4</sup> *P. C. Reg.*, x. 667. <sup>5</sup> Mertoun Writs. <sup>6</sup> *P. C. Reg.*, xii. 123. <sup>7</sup> *Retours, Gen.*, 2554. <sup>8</sup> Confirmed 22 May 1634, *Reg. Mag. Sig.* <sup>9</sup> *Hist. of Selkirk*, i. 441. <sup>10</sup> Mertoun Writs. <sup>11</sup> *Ibid.* <sup>12</sup> *Ibid.*

SIR WILLIAM SCOTT of Harden had grants of the following lands: of Tarras in the Debateable Land, from James, Lord Torphichen, on 29 May 1606; of the 18-merk land of Poubudy, as son and heir of his father, from Sir James Johnston of Dunskeillie on 28 May 1607;<sup>1</sup> of the lands of Deephope, in the county of Selkirk, 5 October 1608, as son and heir of his father, on his father's resignation; of the lands of Over Cassok from Walter, Lord Scott of Buccleuch, to his father in liferent and to him in fee, dated 18 April 1614;<sup>2</sup> of Quylt or Newhall and others from William Shaw of Lathangyie, sometime prebendary of Quylt and Fetham, dated 24 June 1614,<sup>3</sup> to him and Agnes Murray his spouse; of Hundelishope from his father, dated 10 June 1618;<sup>4</sup> of Hoscote, Harden and others in Annandale, Selkirk, Roxburgh, and Peebles 18 January 1620, as son and heir of his father on his father's resignation; of Gamelscleuch on 8 June 1624;<sup>5</sup> of Erinscleuch on the resignation of Sir Robert Scott of Thirlestane, knight, on 9 March 1625;<sup>6</sup> of Mertoun in Berwickshire, on the resignation of John Halyburton and others, on 22 September 1641;<sup>7</sup> and of Whiterigs on 1 July 1646,<sup>8</sup> on the resignation of John, Earl of Haddington. He was knighted, 26 February 1618, during the lifetime of his father, was appointed by the King to be lieutenant of the border garrison on 6 August 1617,<sup>9</sup> was tutor to Francis, second Earl of Buccleuch, was appointed Sheriff of Selkirkshire 30 August 1625,<sup>10</sup> and again on 7 March 1645; represented that county in Parliament 1641, 1643-44, 1644-46. He was a commissioner for conserving the Treaty of Ripon, 16 November 1644, was one of the Committee of Estates 8 March 1645, and was fined £3000 under Cromwell's Act of Pardon and Grace in 1654,<sup>11</sup> but this was remitted 1655.<sup>12</sup> He was served heir to his father in the lands of Pintadocis, in the county of Edinburgh, 30 August 1642,<sup>13</sup> and to his great grandfather, William Scott of Harden, who died in February 1561, in the lands of Hoscote 5 January 1643.<sup>14</sup> He died in 1655. He married, first (contracts dated at Edinburgh 18 February and at the Provost's place of Crichton 14 July

<sup>1</sup> Confirmed 13 January 1630, *Reg. Mag. Sig.* <sup>2</sup> *Ibid.*, 13 January 1620.  
<sup>3</sup> *Ibid.* <sup>4</sup> *Ibid.* <sup>5</sup> *Ibid.* <sup>6</sup> *Ibid.* <sup>7</sup> *Ibid.* <sup>8</sup> *Ibid.* <sup>9</sup> *P. C. Reg.*, xi, 217.  
<sup>10</sup> *Ibid.*, 2nd ser., i, 120. <sup>11</sup> *Acta Parl. Scot.*, vi, 820. <sup>12</sup> *Ibid.*, vi, 757, 845.  
<sup>13</sup> *Retours, Edin.*, 889. <sup>14</sup> *Retours, Selkirk*, 63.



1611<sup>1</sup>), Agnes, daughter of Sir Gideon Murray of Elibank, Treasurer Depute. She was the celebrated 'muckle-mouthed Meg' of Border minstrelsy and tradition, an account of whose romantic marriage with young Harden is given by Sir Walter Scott in his *Border Antiquities*. Briefly stated, it is said that young Harden, being engaged in a foray on the lands of his hereditary enemies the Murrays of Elibank, was captured, imprisoned, and only released on agreeing to marry Elibank's ugly daughter Meg with the muckle mouth, with the alternative of being hanged. Having at first declined the marriage, he ultimately became enamoured with her on account of her solicitude for him during his imprisonment. Sir William Fraser<sup>2</sup> discredits the whole story as a myth, on the ground that the two contracts show that the marriage was entered into with great deliberation, several months elapsing between the date of the first and that of the second, and therefore the deed was not executed, as picturesquely alleged by Lockhart, on the parchment of a drum. Yet it is hardly probable that a story which has obtained such credence in popular tradition can have been entirely without foundation, especially when it is remembered that the families were implacable foes, and that not many years before Sir Gideon Murray was the instrument employed by the Privy Council to demolish the Houses of Harden and Dryhope, and execute a commission of fire and sword against the Scotts. In these circumstances Elibank was scarcely a likely place for a Scott to have conducted his wooing in an ordinary manner. Sir William married, secondly (contract dated at Fernielee 15 April 1633<sup>3</sup>), Margaret, daughter of William Ker of Linton, but had no issue by her. She had a charter in conjunct fee with him, on his resignation, of the lands of Halcroft and others on 10 March 1645.<sup>4</sup> He had issue by his first marriage:—

1. *Sir William* of Harden, who had a charter of the barony of Harden, on his father's resignation, on 16 July 1649,<sup>5</sup> was knighted in 1660, had charters of the baronies and lands of Harden, Mertoun, Kirkwood, and others on 4 December 1668,<sup>6</sup> and of an annuity of 600 merks per annum, payable from the

<sup>1</sup> Mertoun Writs. <sup>2</sup> *Scotts of Buccleuch*, i. lxx. <sup>3</sup> Mertoun Writs.

<sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *Ibid.* <sup>6</sup> *Ibid.*

lands of Mackerstoun 6 July 1670. He was fined £18,000<sup>1</sup> in 1662 for having supported the Commonwealth, registered his arms on 17 January 1673, petitioned Parliament on 20 May 1690 for repayment of the fine of £46,000 Scots, which had been imposed upon him for his wife's alleged guilt of church irregularities,<sup>2</sup> which fine had been granted to Sir George Mackenzie, and restitution thereof to him was ordered on 27 May 1695.<sup>3</sup> He died at Mertoun 2 February 1699.<sup>4</sup> He married (contract dated 26 October 1641) Christian, third daughter of Robert, sixth Lord Boyd. They had a charter of the lands of Mertoun from his father, in terms of their marriage-contract, 28 October 1641,<sup>5</sup> and had issue:—

- (1) *Sir William* of Harden, engaged in Argyll's rebellion, was indicted for high treason 15 May 1685,<sup>6</sup> but had a remission from King James VII. on 12 December 1685, and was representative in Parliament for the county of Selkirk from 1689 until 28 April 1693, when his seat was declared vacant because he had not signed the assurance. He had a conveyance and renunciation from Archibald Scott of Boonraw, representative of the old family of Scott of Synton, of the representation and arms of that family on 27 November 1700, on which he obtained a matriculation from the Lyon King of Arms on 29 November 1700.<sup>7</sup> He died *s.p.* at Mertoun 12 August 1707.<sup>8</sup> He married, 16 March 1673<sup>9</sup> (contract dated 21 March 1673<sup>10</sup>), Jean, only daughter of Sir John Nisbet of Dirleton, Lord President of the Court of Session. She survived him, and married, secondly (contract dated 30 June 1710), Sir William Scott of Thirlestane, advocate.
- (2) *Robert* of Iliston, served heir to his brother 30 October 1707, died *s.p.* in 1710.<sup>11</sup> He married Jean, daughter of Sir Thomas Ker of Fernielee. She died at Edinburgh in April 1718.<sup>12</sup>
- (3) *Christian*, married (contract dated at Mertoun 24 July 1673<sup>13</sup>) to William Ker of Chatto.
- (4) *Margaret*, married (contract dated at Mertoun 24 November 1680<sup>14</sup>) to Sir Patrick Scott of Ancrum, Bart., advocate, who died in 1734.

2. SIR GIDEON of Highchester after mentioned.

3. *Walter* of Raeburn, called 'Wat Wudspurs,' had a

<sup>1</sup> *Acta Parl. Scot.*, vii. 423. <sup>2</sup> *Ibid.*, ix. App. 39. <sup>3</sup> *Ibid.*, ix. 357. <sup>4</sup> Funeral escutcheon in Lyon Office; Lauder Tests., 16 June 1699. <sup>5</sup> Confirmed 5 March 1642, *Reg. Mag. Sig.* <sup>6</sup> *Acta Parl. Scot.*, viii. App. 32, 490. <sup>7</sup> Lyon Reg., ii. 189. <sup>8</sup> Funeral escutcheon, Lyon Office; Lauder Tests., 17 February 1708, 15 February 1715, and 12 March 1728. <sup>9</sup> Edinburgh Marriage Register. <sup>10</sup> Mertoun Writs. <sup>11</sup> Edin. Tests., 15 July 1718. <sup>12</sup> *Ibid.* <sup>13</sup> Mertoun Writs. <sup>14</sup> *Ibid.*

charter under the Great Seal, as third son of his father, of the lands of Robertson in Selkirkshire, on the resignation of James Scott of Robertson, 18 December 1627.<sup>1</sup> He became a Quaker, and was subjected to much persecution by the Government of the day. He married Anne Isabel, daughter of William Macdougall of Makerstoun, and was the ancestor of Sir Walter Scott.

4. *James*, married (contract dated 8 February 1659)<sup>2</sup> Agnes, second daughter of Sir Walter Riddell of that Ilk.
5. *John* of Woll, chamberlain to the Duchess of Buccleuch in 1689, and representative in Parliament of the county of Roxburgh 1693-1702, registered arms *circa* 1672. He married Agnes, only daughter of Robert Scot of Harwood, and was ancestor of the family of Woll.
6. *Elizabeth*, married (contract dated 18 April 1634<sup>3</sup>) to Sir Andrew Ker of Greenhead, Bart., and was buried in the Greyfriars, Edinburgh, 24 June 1663.
7. *Margaret*, second daughter, married (contract dated 10 October 1638<sup>4</sup>) to Thomas Ker of Mersington.
8. *Janet*, married (contract dated 22 January 1659<sup>5</sup>) to John Murray, in Eschisteill, son of Sir John Murray of Philiphaugh. Walter Scott of Raeburn, her brother, was served heir-general to her 25 June 1661.<sup>6</sup>

SIR GIDEON SCOTT of Highchester, second son of Sir Walter Scott of Harden, had a charter, on the resignation of his father and of his brother Walter, of the lands of Robertson and Howcleuch on 25 June 1649,<sup>7</sup> was representative in Parliament for the county of Roxburgh in 1650, was appointed Sheriff-Principal of Roxburgh 1 April 1657,<sup>8</sup> was knighted 29 August 1660, was fined £4800 for having supported the Commonwealth 1662,<sup>9</sup> recorded his arms 24 January 1673, and died shortly thereafter. He married (contract dated at Edinburgh 26 January 1643<sup>10</sup>) Margaret,

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> Mertoun Writs. <sup>3</sup> *Ibid.* <sup>4</sup> *Ibid.* <sup>5</sup> *Ibid.* <sup>6</sup> *Re-tours, Gen.*, 4456. <sup>7</sup> *Reg. Mag. Sig.* <sup>8</sup> Mertoun Writs. <sup>9</sup> *Acta Parl. Scot.*, vii. 424. <sup>10</sup> *Ibid.*

daughter of Sir Patrick Hamilton of Preston, knight,<sup>1</sup> and had issue:<sup>2</sup>—

1. WALTER, Earl of Tarras.
2. *William*, married Jean, daughter of James Kirkcaldy, of the family of Grange.
3. *Thomas*.
4. *Gideon*.
5. *Francis*, an officer in the Army, who latterly became a churchman, and was in high favour with the Grand Duke of Tuscany, in whose dominions he died.
6. *Agnes*, eldest daughter, married (contract dated 13 and 17 December 1659<sup>3</sup>) to John Riddell, younger of that Ilk, and died before 1661.
7. *Margaret*, married, 11 February 1679,<sup>4</sup> to James Corbet, younger of Tolcorse.<sup>5</sup>
8. *Mary*, baptized at Edinburgh 23 March 1658,<sup>6</sup> died young.
9. *Agnes (secunda)*, married, first, 8 April 1687,<sup>7</sup> to Sir James Grant of Dalvey, Baronet, who died in 1695; and secondly, to Dr. William Rutherford of Barnhills. As widow of the latter she granted a bond of relief on 21 August 1730.<sup>8</sup>

WALTER SCOTT, born 23 December 1644,<sup>9</sup> was, when fifteen years of age, married in the parish church of Wemyss in Fife, on 9 February 1659,<sup>10</sup> on a warrant from the Presbytery of Kirkcaldy dispensing with proclamation of banns, granted same day, to Mary Scott, Countess of Buccleuch in her own right, daughter and heiress of Francis, Earl of Buccleuch. She was then little more than eleven years old, having been born on 31 August 1647. Certain of her tutors, who were opposed to the marriage, took active steps to have the same annulled, and raised a summons of reduction before the commissaries of Edinburgh at the instance of Sir John Scott of Scotstarvet, Patrick Scott of Thirlestane, and John Scott of Gorrenberry, as tutors, and certain

<sup>1</sup> Edin. Tests., 21 January 1695. <sup>2</sup> All except Agnes (No. 6) mentioned in the bond of provision by him dated 28 August 1645. <sup>3</sup> Mertoun Writs. <sup>4</sup> Edinburgh Register of Marriages. <sup>5</sup> Marriage-contract dated same day, Mertoun Writs. <sup>6</sup> Edin. Reg. <sup>7</sup> *Ibid.*, contract dated same day, Mertoun Writs. <sup>8</sup> Mertoun Writs. <sup>9</sup> Wilton Reg. of Baptisms. <sup>10</sup> Marriage-contract same day, Mertoun Writs.

others as overseers appointed by her father, the grounds of reduction being the pupillarity of the parties. The Countess having been conveyed to Edinburgh and brought before the Court privately, declared her own free choice of a husband, avowed the consummation of the marriage, and declared her resolution to adhere to the same. The Court, however, sequestrated her person, and placed her in charge of the Countess of Mar and four other ladies, but on the representations of the Countess of Wemyss, her mother, and her friends, she was entrusted to the care of General Monck. On 20 April 1659 Sir John Nisbet of Dirleton, the Commissary, decided the Countess was a pupil, and set aside the marriage, but on 31 August 1659, she having attained minority, the parties ratified the same by declaration dated 2 September following. Walter Scott, in consequence of said marriage, was created by King Charles II. EARL OF TARRAS, LORD ALEMOOR AND CAMPCASTELL for all the days of his natural life, by patent dated at Whitehall 4 September 1660. The Countess did not long survive her marriage, dying at Wester Wemyss 11 March 1661, and was interred in the family mausoleum at Dalkeith. The Earl went abroad in the year 1667 and visited France, Italy, and the Netherlands, and an account of his travels, written by himself, is preserved in the library at Mertoun. He joined the plot for the exclusion of James VII. from the throne, and on the discovery of the same, was apprehended and tried for treason in 1684. Having confessed his guilt and submitted to the King's mercy, he was brought to trial on 5 January 1685, found guilty, his dignities and estates forfeited, his armorial bearings ordered to be erased, and himself to be executed. The judgment was, however, only formal, owing to his confession, and he obtained a remission dated 29 January 1685, was liberated on a bond of caution for £3000, his estates restored in April 1686, and his honours and lands by a letter of rehabilitation under the Great Seal dated 28 June 1687. He engaged in the Revolution in 1688, and died 9 April 1693, aged forty-nine, when his life dignities became extinct, and his estates passed to his eldest son. The Earl married, secondly, at Edinburgh,<sup>1</sup>

<sup>1</sup> Edinburgh Marriage Register.

31 December 1677, Helen, daughter of Thomas Hepburn of Humble, East Lothian, and had issue:—

1. *Gideon* of Highchester, born at Edinburgh 18 October 1678, was served heir to his father in the lands of Printadoes 7 September 1694, and died 1707. He married, first (contract dated 5 November 1697<sup>1</sup>), Anna, daughter of Sir Francis Kinloch, Bart., of Gilmerton, without issue; and, secondly, 28 February 1700<sup>2</sup> (contract same day<sup>3</sup>), Mary Drummond, daughter of John, Earl of Melfort. She survived him and married, secondly, Sir James Sharp of Stonyhill, Bart., and died at St. Andrews 11 October 1754, leaving issue:—
  - (1) *Walter* of Harden, who succeeded his cousin Robert in these lands 2 March 1710, and died at Nancy in Lorraine 13 November 1719, *s.p.*
  - (2) *John* of Harden, served heir to his brother 5 March 1720, died June 1734.<sup>4</sup> He married, 1719, Jean Erskine, daughter of Alexander, fourth Earl of Kellie. She died at her house at the south side of Hope Park, Edinburgh, 17 July 1735,<sup>5</sup> leaving issue two daughters.
  - (3) *Mary*, died unmarried.
2. *William*, born at Harden 6 January 1682, died young.
3. *WALTER*, of Whitefield, after mentioned (twin with William).
4. *Thomas*, born at Harden 8 March 1687, died in France unmarried.
5. *Francis*, born at Harden 9 October 1691.
6. *Helen*, born at Harden 16 February 1680.
7. *Elizabeth*, born at Harden 15 September 1683.
8. *Mary*, born at Edinburgh 17 October 1684.
9. *Agnes*, born at Harden 4 February 1686. She was alive in 1738, when, being in straitened circumstances, she received two shillings Scots from the kirk-session of Minto.<sup>6</sup>
10. *Ann*, born at Harden 7 December 1688.
11. *Margaret*, born at Harden 19 October 1690.

*WALTER SCOTT*, of Whitefield, born at Harden 6 January

<sup>1</sup> Mertoun Writs. <sup>2</sup> Edin. Reg. of Marriages. <sup>3</sup> Mertoun Writs. <sup>4</sup> Edin. Tests., 27 October 1736; Lauder Tests., 29 April 1735. <sup>5</sup> Edin. Tests., 16 June 1736 and 13 August 1737; cf. vol. iv. 88. <sup>6</sup> Session Record.

1682, was served heir to his nephew John in the lands of Harden 25 October 1734, and died in January 1746. He married, first (contract dated 7 April 1709<sup>1</sup>), Agnes, daughter of John Nisbet of Nisbetfield, W.S., without issue; secondly, at Thirlestane 10 July 1719 (contract same day<sup>2</sup>), Agnes, only daughter of William Scott of Thirlestane; thirdly (contract dated at Cavers 13 February 1724<sup>3</sup>), Ann, only daughter of John Scott of Gorrenberry; and fourthly (contract 5 October 1736<sup>4</sup>), Christian, eldest daughter of Henry Ker of Frogdean, without issue. He had issue by his second marriage:—

1. *Christian*, born at Harden 4 July 1721.

Issue by third marriage:—

2. *WALTER*, his heir.

3. *John*, born at Harden 15 February 1729, died before 1735.

4. *William*, born at Harden 26 July 1730, died before 1735.

5. *Francis*, born at Harden 7 February 1732, of Beechwood, merchant in India, died 4 August 1803; married, 28 March 1776, Mary, daughter of Sir Alexander Don, Bart., of Newton. She died 8 April 1819, leaving issue.

6. *Jean*, born at Bewlie 9 February 1726.

7. *Helen*, born at Bewlie 28 April 1727; married, 2 November 1756, to George Brown of Elliston,<sup>5</sup> and died at Edinburgh 10 October 1765.<sup>6</sup>

8. *Ann*, born at Harden 23 April 1733.

*WALTER SCOTT* of Harden, born at Bewlie 31 December 1724, was M.P. for the county of Roxburgh 1747, till he was appointed General Receiver of H.M. Customs in Scotland in 1765, and died at Tunbridge 25 January 1793. He married, at Redbraes Castle, 18 April 1754, Diana Hume Campbell, third daughter of Hugh, third Earl of Marchmont and Lord Polwarth, *de jure* Baroness Polwarth, on the death of her niece, Anne, Baroness Polwarth, in 1822. She was born 4 June 1735, and died at Woodside 20 July 1827, aged ninety-two, having had issue:—

<sup>1</sup> Mertoun Writs. <sup>2</sup> *Ibid.* <sup>3</sup> *Ibid.* <sup>4</sup> *Ibid.* <sup>5</sup> *Scots Mag.* <sup>6</sup> *Ibid.*

1. *Walter*, born at Doncaster 25 October 1755,<sup>1</sup> died young.
2. HUGH, sixth Lord Polwarth.
3. *Anne*, born at Mertoun 10 February 1755,<sup>1</sup> died 15 March 1819.
4. — a daughter, born at Edinburgh 17 December 1756, and buried there.
5. *Diana*, born 30 July 1762; buried at Mertoun.

VI. HUGH SCOTT of Harden, born at Mertoun 10 April 1758, was M.P. for the county of Berwick 1780-84, assumed the name of Hepburne on succeeding to the estates of Humbie on the death of his cousin James Hepburne in December 1820; claimed and was allowed the barony of Polwarth by the House of Lords 25 June 1835, and died at Mertoun 29 December 1841. He married, at Harefield, Middlesex, 29 September 1795, Harriet Bruhl, daughter of Hans Maurice, Count Bruhl of Martinskirck, minister plenipotentiary from Saxony, and his wife Alice Maria, Countess of Egremont. She was born 25 October 1772, and died 19 August 1853, having had issue:—

1. *Charles Walter*, born at Harefield 1 August 1796, died at Mertoun September 1804.
2. HENRY FRANCIS, seventh Baron Polwarth.
3. *William Hugh*, born at Brighton 11 May 1801, rector of Maiden Newton, Dorset, and prebendary of Sarum; died 11 April 1868; married in July 1833, Eleanor Sophia, daughter of Rev. Charles Baillie-Hamilton. She died 4 September 1853, leaving issue.
4. *George William*, born at Mertoun 11 August 1804, rector of Kentisbeare, Devon, died 9 June 1830.
5. *Francis*, born at Mertoun 31 January 1806, barrister-at-law, and M.P. for the county of Roxburgh 1841-47, and for the county of Berwick 1847-63, died 9 March 1884; married, 22 July 1835, Julia Frances Laura, last surviving child of the Rev. Charles Boulton and his wife Laura, sister and sole heir of George, fourth and last Earl of Egremont. She died 7 February 1868, leaving issue.

<sup>1</sup> These dates are vouched for by contemporary entries in the Family Bible by the children's father.



6. *Harriet Diana*, born at London 4 June 1797, died at Brighton 1 June 1816 unmarried.
7. *Maria Annabell*, born at Mertoun 9 June 1798. Married, May 1834, to Major-General George Charles Degen Lewis, Royal Engineers, and died 27 January 1844.
8. *Elizabeth Ann*, born at Sidmouth 24 January 1803. Married, 3 October 1835, to Colonel Charles Wyndham, of Rogate, Sussex, M.P., who died 18 February 1866. She died 21 August 1873, leaving issue.
9. *Anne*, born at Mertoun 3 March 1808. Married there, 27 December 1831, to the Hon. Charles Baillie of Jerviswood, one of the Senators of the College of Justice, who died 23 July 1879. She died 16 August 1880, leaving issue.

VII. HENRY FRANCIS SCOTT, seventh Baron Polwarth, born at Brighton 1 January 1800, also assumed the name of Hepburne 1820, was M.P. for county of Roxburgh 1826-32, Lord-Lieutenant of Selkirkshire 1845, a Lord-in-waiting to Queen Victoria, February to December 1852, and February 1858 to June 1859 and 1866-67, a Representative Peer 1843-67. Died at Mertoun 16 August 1867. He married, 11 November 1835, Georgina, daughter of George Baillie of Jerviswood and Mellerstain, sister to George, tenth Earl of Haddington. She died at Nice 2 April 1859, having had issue :—

1. WALTER HUGH, eighth Lord.
2. *Henry Robert*, born 6 January 1847, barrister-at-law, late captain East Lothian Yeomanry Cavalry. Married, 10 April 1880, Ada Home, second daughter of Cospatrick Alexander, eleventh Earl of Home, and has issue.
3. *Mary Lilius*, born 9 July 1837, died 13 December 1839.
4. *Helen Georgina*, born February 1840, died 21 March 1868.
5. *Katherine*, born 8 October 1842, died 30 January 1899, unmarried.
6. *Harriet Francis*, born March 1845. Married, 17 October 1872, to the Hon. Henry Baillie-Hamilton, who died 20 November 1895, leaving issue.

VIII. WALTER HUGH HEPBURNE-SCOTT, eighth Lord Polwarth, born at Mertoun 30 November 1838, Lord-Lieutenant of Selkirkshire 1878, Representative Peer 1882-1900. Married, 30 January 1863, Mary, eldest daughter of George, fifth Earl of Aberdeen, and has issue :—

1. WALTER GEORGE, Master of Polwarth, born 7 February 1864, B.A. of University of Cambridge, lieutenant-colonel commanding 8th Battalion Royal Scots, chairman of the General Board of Commissioners of Lunacy for Scotland. Married, 23 November 1888, Edith Frances, eldest daughter of Sir Thomas Fowell Buxton, Bart., G.C.M.G., and has issue :—

- (1) *Walter Thomas*, born 22 April 1890.
- (2) *Alexander Noel*, born 14 October 1892.
- (3) *Patrick John*, born 25 April 1899.
- (4) *Helen Victoria*, born 7 May 1891.
- (5) *Margaret Mary*, born 1 June 1895.
- (6) *Edith Christian*, born 20 August 1901.
- (7) *Grizel Frances Katherine*, born 28 November 1903.

2. *Henry James*, born 9 April 1866. Married, 8 June 1893, Elizabeth, third daughter of T. C. Booth of Warlaby, Northallerton.
3. *George*, born 15 May 1871, M.A. Cambridge, M.D. Married, 10 April 1895, Anne Mary, younger daughter of J. C. Smith, Newport-on-Tay.
4. *Robert*, born 1 May 1873.
5. *Charles Francis*, born 18 August 1874, late lieutenant Lothians and Berwickshire Yeomanry, served in South Africa 1902-3. Married, 12 January 1905, Elma, daughter of Johnson Driver, Edinburgh, with issue.
6. *Georgina Mary*, born 31 December 1868.
7. *Lilias*, born 23 December 1875.
8. *Mary Harriet*, born 21 May 1877.
9. *Grizell Katherine*, born 25 April 1879.
10. *Katherine Grace*, born 19 October 1885.

CREATION.—Baron Polwarth, 26 December 1690.

ARMS (recorded in Lyon Register).—Quarterly: 1st grandquarter quartered, 1st, vert, a lion rampant argent; 2nd, argent, three papingos, two and one, vert; 3rd, gules, three piles engrailed argent; 4th, argent, a cross engrailed

azure; over all on an escutcheon azure, an orange with the stalk erect slipped proper, and over it an imperial crown, for *Baron Polwarth*; 2nd grandquarter, or, two mullets in chief and a crescent in base azure, for *Scott of Harden*; 3rd grandquarter quartered, 1st, gules, on a chevron argent a rose betwixt two lioncels combatant of the first; 2nd, argent, three edock leaves vert, 3rd as the second, 4th as the 1st, for *Hepburn of Humbie*; 4th grandquarter as the 1st.

CRESTS.—In the centre a lady richly attired, holding in her dexter hand the sun, and in her sinister a half moon, all proper; on the dexter, issuing out of a man's heart or, an arm from the elbow proper, brandishing a scimitar of steel with cross and pommel of gold; on the sinister, an oak tree proper, and a horse passant argent, saddled and bridled gules, with the motto, 'Keep tryste above the horse.'

SUPPORTERS.—Dexter, a lion rampant regardant argent, langued gules; sinister, a mermaid holding in her sinister hand and resting on her shoulder a mirror, all proper.

MOTTOES.—*Reparabit cornua Phœbe* and *Fides probata coronat*.

[F. J. G.]

## COLYEAR, EARL OF PORTMORE



THE Earls of Portmore were traditionally descended from the great Scottish House of Robertson of Strowan, and some authorities,<sup>1</sup> though without alleging any proof, have derived them from the Dulcaben branch of that family. It has not, however, been found possible to trace their lineage beyond the grandfather of the first Peer, and it remains uncertain if Colyear was adopted as an alternative cognomen, or was in fact the original patronymic. By the first Lord Portmore the name of Robertson was entirely abandoned, and henceforth Colyear became the sole surname of his descendants.

DAVID COLYEAR *alias* Robertson, whose mother is said to have been daughter of a younger brother of one of the Earls of Erroll,<sup>2</sup> settled in the Low Countries, and appears to have been Chamberlain to the Prince of Orange; on 10 February 1625 he entered the military service of the States-General,<sup>3</sup> and obtained a commission as captain,

<sup>1</sup> Douglas's *Baronage*, 406; *Comitatus de Atholia*, by James Alexander Robertson, 66. <sup>2</sup> Funeral entry of Sir Thomas Nicolson of Tillicultrie in the Lyon Office. <sup>3</sup> *Papers illustrating the History of the Scots Brigade in the Service of the United Netherlands, 1572-1782*, edited for the Scottish History Society by James Ferguson, K.C.

being described in the States of War in 1625 as 'David Colliar,' in 1636 as 'Davidt Robbertson dit Coller,' and in 1643 as 'David Colyer.' On 9 July 1649 he was sergeant-major of Sir William Drummond's regiment, and was dead in March 1657. He married, before 14 September 1643, and probably several years earlier, Jean, sister of his brother officer Captain Alexander Bruce of Airth, and eldest daughter of Sir John Bruce of Airth, by Margaret, daughter of Alexander, fourth Lord Elphinstone.<sup>1</sup> She died in January 1671, and her testament<sup>2</sup> was given up by her son-in-law, Sir John Nicolson of Tillicoutrie, on behalf of Dame Sabina Robertson *alias* Colyear, his spouse, the executrix.<sup>3</sup> By her Major David Colyear *alias* Robertson had issue:—

1. DAVID ALEXANDER, known as ALEXANDER, who was created a baronet.
2. — a daughter, married, before 1667, to Thomas Dunbar of Grange.<sup>4</sup>
3. *Sabina* (sometimes called *Martha*), married, before 1667, to Sir John Nicolson of Tillicoutrie, co. Clackmannan, Kt., by whom she was mother of Sir Thomas Nicolson of Tillicoutrie, who succeeded to the Baronetcy of Nicolson of Carnock 9 June 1686, and died in Edinburgh 2 January 1699.
4. *Jean*, to whom her brother, David Alexander Robertson *alias* Colyear, was served heir-general 24 March 1677.<sup>5</sup>

(DAVID) ALEXANDER ROBERTSON *alias* COLYEAR was, like his father and his sons, many years in the military service of the States-General in the Netherlands. He became captain 22 November 1661,<sup>6</sup> sergeant-major 1 April 1673, adjutant-general to the Prince of Orange July 1673; and was appointed, 1 January 1675, to the command of a new regiment of foot embodied at Bois-le-duc, with which, in

<sup>1</sup> *The Bruces of Airth and their Cadets*, by Major William Bruce Armstrong, 19, and Appendix, xxvi, li, lx. <sup>2</sup> Commissariat of Dunblane. <sup>3</sup> A portrait of Jean Bruce, wife of Major David Colyear *alias* Robertson, was, in 1892, the date of Major W. B. Armstrong's work above referred to, in possession of Mrs. Soady, heiress of line of the family of Bruce of Airth. <sup>4</sup> *The Bruces of Airth*, App. xxvi. <sup>5</sup> *Retours, Gen.*, 5987. <sup>6</sup> *History of the Scots Brigade*, from which valuable work all military appointments in the service of the States-General have been taken.

the following year, he served with much distinction at the siege of Maestricht. He was created a Baronet of England by Charles II. 26 February 1676-77,<sup>1</sup> in reward of his military services to the King's nephew, the Prince of Orange, especially in the war then being waged between the French and the Dutch. He died in Holland shortly before 3 February 1679-80.<sup>2</sup> He married, about 1655, Jean, daughter of Lieutenant-Colonel Walter Murray (by his wife Jean Balfour), and grand-daughter of Sir John Murray of Blackbarony. She was living at Bergen-op-Zoom 20 May 1664, the date of a disposition by her of the lands of, or a rent out of, Dolphinston and Fala, Roxburghshire, in favour of her husband. He also had sasine of the same lands, or rent, on a disposition by her brother Archibald Murray, dated at Doesburg in Gelderland, 19 June 1663.<sup>3</sup> They had issue:—

1. DAVID, first Earl of Portmore.

2. *Walter Philip Colyear*, one of the most distinguished soldiers who served with the Scots Brigade in the Low Countries, and for seventy years in the service of the States-General. He was born in or about 1657, and was appointed ensign in his father's regiment 1675, serving in that capacity in the Prince of Orange's Guards before Maestricht in 1676; in 1678 he was appointed captain in the Guards after the battle of St. Denis; in 1690 he was present at the battle of the Boyne and the siege of Limerick, and in 1697 was made colonel of his regiment,<sup>4</sup> an appointment which he held nearly fifty years; brigadier 1702, major-general 1704, lieutenant-general 1709, and general 1727. He was at Oudenarde in 1708, and at Malplaquet in 1709. In a paper which he himself drew up recording his services, he states that he had served in seven battles and eight sieges, and was never promoted from ensign to colonel inclusive, except after a battle or siege. He was Governor of

<sup>1</sup> Patent Roll, 29 Car. II. pt. i. no. 5. <sup>2</sup> Letter from the Earl of Ossory to the Duchess of Ormonde, printed in the mss. of the Marquis of Ormonde, *Fifth Rep. Hist. MSS. Com.*, new series, 271. <sup>3</sup> *Gen. Reg. Sasines*, lib. x. f. 316; lib. x. f. 312. <sup>4</sup> He had previously, on 31 October 1695, been appointed, on the English establishment, colonel of the 7th Regiment of Foot (see Dalton's *Army Lists*, iv. 6).

Bonn 1707, and of Namur 1718-47. He retired from the service in December 1745, and died at Maestricht, at the age of ninety, in November 1747. In his will, made at Namur 3 March 1744-45, with codicil dated at Maestricht 1 November 1747, and proved in London 21 March 1747-48,<sup>1</sup> he desired that his body should be carried to the city of Bergen-op-Zoom, and there buried with several of his ancestors. He married Anne Catherine de Brumaigne, who died in her husband's lifetime, and was probably his only wife, and mother of his children. He had two daughters and co-heirs:—

- (1) *Mary Anne*, who, according to her father's will, was first married to 'the Baron of Dalwick' (? Veitch of Dawick), and secondly, after 15 July 1733, and before 22 May 1742, as his second wife, to her kinsman George Nicolson, major of foot in the service of the States-General, afterwards Sir George Nicolson, Bart. of Carnock, but had no issue. Her will, made at Namur 22 May 1742, was proved in London 19 April 1754,<sup>2</sup> by her husband Sir George Nicolson, Bart. His will, made at the Hague 19 October 1768, was proved in London 20 November 1771<sup>3</sup> by Walter Philip Nicolson, his son by his first wife.
- (2) *Elizabeth*, married, January 1708-9, to Lionel Cranfield (Sackville), seventh Earl, and afterwards first Duke of Dorset, K.G., by whom she had issue. He died 10, and was buried at Withyham, co. Sussex, 19 October 1765. She died 12, and was buried at Withyham 18, June 1768.

3. *Sir James Colyear*, lieutenant-colonel in the service of the States-General 9 May 1694, was probably a son of Sir Alexander Colyear *alias* Robertson.<sup>4</sup> He was killed at the siege of Keyserswaert in 1702.<sup>5</sup>

I. SIR DAVID COLYEAR, who succeeded his father as second baronet before 3 February 1679-80, was born in Brabant probably about 1656, and was naturalised by Act of Parliament in 1699.<sup>6</sup> He appears to have served in his father's regiment in the Low Countries in 1676, and was afterwards major in Douglas's regiment; on 14 January 1683 he was transferred to Mackay's regiment as lieutenant-colonel,

<sup>1</sup> *P.C.C.*, 76, Strahan. <sup>2</sup> *Ibid.*, 112, Pinfold. <sup>3</sup> *Ibid.*, 449, Trevor. <sup>4</sup> Sir Alexander had, perhaps, also a daughter, mother of Diederick de Leyden, lord of Vlaerdingen, who was called 'nephew' in the will of General Walter Philip Colyear. <sup>5</sup> *History of the Scots Brigade*, iii. 327. <sup>6</sup> 11 Will. III., 82.

and on 31 December 1688 was appointed colonel of the regiment which, in King James's reign, had been commanded by Colonel Wauchope. With this regiment he fought under William III. in Ireland, and on 13 October 1691 he was left with five regiments as Governor of Limerick.<sup>1</sup> His name appears as brigadier in a list of officers in command of the land forces of the Crown, 30 December 1695.<sup>2</sup>

He was, by patent dated at Kensington 1 June 1699, created a Peer of Scotland by the title of LORD PORTMORE AND BLACKNESS, with remainder to the heirs-male of his body, and took the oaths and his seat in Parliament 31 October 1700. On 13 April 1703 he was further created, by patent dated at St. James's, EARL OF PORTMORE, VISCOUNT OF MILSINGTON, AND LORD COLYEAR, all in the Peerage of Scotland, and with remainder to the heirs-male of his body. He obtained a non-regimental commission as major-general 1 June 1696, and a supplementary commission 9 March 1702;<sup>3</sup> was lieutenant-general 11 February 1702-3, and was made colonel of the 2nd Regiment of Foot (Coldstream Guards) 27 February 1703, in which year he served under the Duke of Ormonde in the attempt upon Cadiz. On 3 July 1710 he was made Commander-in-chief of the Forces in Portugal,<sup>4</sup> and was promoted to the rank of General 31 January 1711-12, afterwards serving in Flanders. He was, on 17 January 1712-13, invested by Queen Anne with the order of the Thistle; was made Governor of Gibraltar 7 August 1713, and was chosen one of the sixteen representatives of the Scottish Peerage in October of the same year. On 21 April 1714 he was appointed to the command of the Royal North British Dragoons (Scots Greys), which he retained until February 1717, notwithstanding that about this period he appears to have been engaged in intrigues with friends of the exiled royal family.<sup>5</sup> When the Spaniards laid siege to Gibraltar in 1727 he embarked for that place to assume the command as Governor, but negotiations for peace were

<sup>1</sup> *Tenth Rep. Hist. MSS. Com.*, Earl of Fingall's MSS., pt. 5, 182.

<sup>2</sup> *Second Rep. Hist. MSS. Com.*, House of Lords MSS., new ser., ii. 132.

<sup>3</sup> Dalton's *Army Lists*, iv. 159; v. 15, 16. <sup>4</sup> *Ibid.*, vi. 20. <sup>5</sup> Stuart Papers (*Hist. MSS. Com.*), ii. 69, 344, 348, 383, 413, 422, 462, and James Francis Edward, *The Old Chevalier*, by Martin Haile, 140, 225, 250.



soon afterwards commenced. Of Lord Portmore Macky in his *Portraits of the English Nobility* says: 'He is one of the best foot-officers in the world; is very brave and bold; hath a great deal of wit, very much a man of honour and nice that way, yet married the Countess of Dorchester, and had by her a good estate; pretty well shaped; dresses clean; but one eye; towards fifty years old.' He died 2 January, and was buried at Weybridge 13 January, 1729-30. His will, dated 4 October 1728, was proved 26 January 1729-30.<sup>1</sup> He married, in or about 1695,<sup>2</sup> Catherine, only child of Sir Charles Sedley of Southfleet, co. Kent, Bart., by Catherine, daughter of John (Savage), Earl Rivers. She had formerly been the mistress of James II. and VII.,<sup>3</sup> who had on 20 January 1685-86 created her Countess of Dorchester and Baroness of Darlington for life, and by Letters Patent, dated 20 March following, had granted to her quitrents of £5000 per annum out of lands in Ireland. She was born 21 December, and baptized at St. Giles' in the Fields, London, 29 December 1657. She died at Bath 26 October 1717; her remains were removed to Weybridge 8 September 1729.<sup>4</sup> Her will, dated 19 July 1717, was proved 13 September 1720.<sup>5</sup> By her Lord Portmore had issue:—

1. *David*, styled Viscount of Milsington, died *v.p.* at Piperno, in Italy, without surviving issue, 10 March 1728-29. Admon., with will, dated 4 October 1728, annexed, granted 20 September 1729.<sup>6</sup> He married, 20 November 1724, Bridget, daughter of the Hon. John Noel, by Elizabeth, Dowager Viscountess Irvine (*see* vol. v. p. 14). Her will, dated 27 May, was

<sup>1</sup> *P.C.C.*, 15, Auber. <sup>2</sup> Indentures of Lease and Release, dated 28 and 29 March 1695 in pursuance of Marriage Articles, are referred to in the will of the Countess of Dorchester. <sup>3</sup> She had by King James two children, (1) James Darnley, who died, aged about eight months, 22 April, and was buried in Henry the Seventh's chapel in Westminster Abbey 26 April, 1685. (2) Catherine Darnley, who married, first, James (Annesley), third Earl of Anglesey, and secondly, John (Sheffield), first Duke of Buckingham and Normanby; she died, aged sixty-one, 14 March 1742-43, and was also buried in Henry the Seventh's chapel. Portraits of the Countess of Dorchester by Kneller and Dahl were formerly in the Strawberry Hill collection; another, attributed to Mary Beale, is in the possession of Earl Spencer at Althorp. <sup>4</sup> Manning and Bray's *History of Surrey*, ii. 788. <sup>5</sup> *P.C.C.*, 193, Shaller. <sup>6</sup> *Ibid.*, 243, Abbott.

proved 10 September 1729,<sup>1</sup> by her sister and executrix Alice Noel.

2. CHARLES, second Earl of Portmore.

II. CHARLES, second Earl of Portmore, born 27 August 1700, was in his youth celebrated for the richness of his attire, and was known as 'Beau Colyear.' He was elected M.P. for Chipping Wycombe 1 February 1725-26, but his election was declared void, and on 23 August 1727 he was chosen to represent Andover, for which place he sat until he succeeded his father as Earl of Portmore 2 January 1729-30. He was appointed ambassador to compliment Don Carlos on his arrival in the dominions of Parma and Placentia in February 1732, and was on 2 June of the same year invested with the order of the Thistle. He was chosen one of the sixteen representatives of the Scottish Peerage in 1734 and 1741. He died in Upper Harley Street, London, 5 July 1785. Will dated 29 March 1780, proved 20 July 1785.<sup>2</sup> He married, 7 October 1732, Julian, widow of Peregrine Hyde (Osborne), third Duke of Leeds (who died in 1731), daughter and co-heir of Roger Hele of Halwell, co. Devon, by Julian, daughter of George Prestwood of Butterford, in the same county. She died 20 November 1794, in her eighty-ninth year. Her will, dated 11 November 1787, was proved 2 February 1795.<sup>3</sup> They had issue:—

1. *David*, styled Viscount of Milsington, born September 1736, was appointed in April 1755 ensign in the 2nd Regiment of Foot Guards (Coldstreams); died *v.p.*, unmarried, 16 January 1756.
2. WILLIAM CHARLES, third Earl of Portmore.
3. *Caroline*, born December 1733, married at St. George's, Hanover Square, 27 October 1750, to Nathaniel Curzon, afterwards first Lord Scarsdale, eldest son of Sir Nathaniel Curzon, fourth Baronet of Kedleston, co. Derby, and had issue. He died 5 December 1804; she died 7 February 1812, in Bolton Street, London.
4. *Juliana*, born 6 May 1735; married, at St. George's, Hanover Square, 24 November 1759, to Henry Dawkins of Standlynch, co. Wilts, and Over Norton, co. Oxford, sometime M.P. for Southampton and

<sup>1</sup> *P.C.C.*, 242, Abbott.

<sup>2</sup> *Ibid.*, 385, Ducarel.

<sup>3</sup> *Ibid.*, 95, Newcastle.

Chippenham, by whom she had issue. He died June 1814, buried at Over Norton; she died 29 April 1821, buried at Over Norton. Their eldest son, James Dawkins of Over Norton, was authorised by Royal Licence, 24 December 1835, to take the name of Colyear in addition to and before that of Dawkins, pursuant to the will of his uncle, the third Earl of Portmore.

III. WILLIAM CHARLES, third Earl of Portmore, born in London, and admitted to St. John's College, Cambridge, 28 June 1764, aged seventeen.<sup>1</sup> Died in Beaumont Street, London, 15 November 1823. Will proved 1824. He married, at Esher, co. Surrey, 5 November 1770, Mary, second daughter of John (Leslie), Earl of Rothes, K.T., by his first wife, Hannah, daughter and co-heir of Matthew Howard of Hackney, co. Middlesex. She was born 29 August 1753, and died at Kedleston, co. Derby, 21 March 1799. They had issue:—

1. THOMAS CHARLES, fourth and last Earl of Portmore.
2. *William*, born 15 November 1776,<sup>2</sup> and baptized at St. Marylebone; appointed cornet in the 1st Regiment of Dragoon Guards, 1792, and was afterwards lieutenant in the same corps; captain in the 28th Regiment of Dragoons 1795, major 1799, placed on half pay 1802; had the rank of lieutenant-colonel from 1 January 1805, and was Equerry to H.R.H. the Duke of Cumberland. He died in George Street, Portman Square, 19 July 1833.<sup>3</sup>
3. *Francis*, born January 1781; died in Hanover Square, London, 25 May 1787.
4. *John David*, lieutenant in the 64th Regiment of Foot, and afterwards in the 1st Regiment of Foot Guards. He was in the unsuccessful expedition against Ferrol in August 1800, and died at Lisbon 19 March 1801. Admon. granted P.C.C., 19 May 1806, to his father, the Earl of Portmore.
5. *Mary*, born 1773; died at Bath 11 August 1800; buried at Weybridge.

<sup>1</sup> *Admission Book of St. John's College*, edited by Robert Forsyth Scott, pt. iii. 168. <sup>2</sup> *Gent. Mag.*, 46, 578. <sup>3</sup> *Ibid.*, 103, pt. 2, 186.

6. *Julia*, born 1774, died at Bath on the same day as her sister Mary, 11 August 1800; buried at Weybridge.
7. *Catherine Caroline*, born 5 November 1779; married, at St. George's, Hanover Square, 9 October 1810, to Joseph Brecknell of the parish of St. Luke, Chelsea.

IV. THOMAS CHARLES, fourth Earl of Portmore, born 27, and baptized at St. Marylebone, London, 30, March 1772. Was elected M.P. for Boston 30 May 1796; succeeded his father as Earl of Portmore 15 November 1823. Was colonel of the North Lincolnshire Militia. He died abroad, without surviving issue, 18 January 1835, when all his titles became extinct. Will proved March 1835. He married, first, 26 May 1793, Mary Elizabeth, only child of Brownlow (Bertie), fifth Duke of Ancaster, by Mary Anne, daughter of Major Peter Layard. She was born 24 July 1771, and died (as Viscountess Milsington) 10 February 1797, at the Hotwells, Bristol. He married, secondly, 6 September 1828, Frances, youngest daughter of William Murrells. She died *s.p.* at Bath, 21 March 1845, aged sixty-eight. Will proved April 1845. By his first wife Lord Portmore had an only child:—

1. *Brownlow Charles*, born 4 August 1796, died at Rome *v.p.* unmarried, 18 February 1819, of wounds received from banditti at Gensano. He would have inherited, had he lived to the age of twenty-five, the large fortune of his maternal grandfather, the Duke of Ancaster.<sup>1</sup>

CREATIONS.—Baronet of England, 26 February 1676-77; Lord Portmore and Blackness, by patent dated at Kensington 1 June 1699; Earl of Portmore, Viscount of Milsington and Lord Colyear, by patent dated at St. James's, 13 April 1703.

ARMS.—Gules, on a chevron between three wolves' heads

<sup>1</sup> *Gent. Mag.*, 89, pt. 1, 279, 280.

couped or, as many oak trees eradicated proper, fructed of the second.

CREST.—A unicorn's head argent, horned and maned or.

SUPPORTERS.—Two wolves argent.

MOTTO.—*Avance.*

[H. W. F. H.]

## GRAHAM, VISCOUNT PRESTON



THE improbability of the traditional descent of the border Grahams from John Graham of Kilbride, has been shown in the article on Graham, Earls of Menteith.<sup>1</sup> If a pedigree drawn up for Lord Burghley in 1596<sup>2</sup> can be trusted, the first of the Grahams to settle in England was a certain William Grahme called 'Long Will,' who was banished out of Scotland about the year 1516, and whose posterity at the

time when this pedigree was compiled had become very numerous. He is said to have had eight sons:—Richard Graham of (or rather in) Netherby, whose grandson Walter Graham of Netherby was in 1596 chief of the family; Arthur Graham of Canonbie, in Scotland, who left no male issue; Fergus Graham, ancestor of the Grahams of the Mote; John Graham of Medope; Thomas Graham of Kirkandrews; George Graham of the Fauld; William Graham of Carlisle, ancestor of the Grahams of Rosetrees and probably also of the Grahams of Nunnery, whose pedigree is recorded in the 1665 Visitation of Cumberland; and Hutcheon Graham, said to have been illegiti-

<sup>1</sup> Vol. vi. p. 146. <sup>2</sup> *Border Papers*, ii. Appendix. See also another account of the Grahams contained in a report on the Border Riders from Thomas Musgrave to Lord Burghley in 1583, *Border Papers*, i. 197, pp. 124-127.

mate. Unfortunately the pedigree above referred to gives no clue to the immediate ancestry of the Viscounts Preston, whose first certain progenitor was:—

FERGUS GRAHAM, or GRAHME,<sup>1</sup> of Plomp, co. Cumberland, who by Sibill his wife, daughter of William Bell of Godsbrigg and Blacket House (or Bladethouse) in Scotland, had issue:—

1. *William Graham* of Plomp, slain by Thomas Irving of Kirkpatrick, servant to the Laird of Johnstone, at Sowrone in Gretna parish, 22 May 1631.<sup>2</sup> He married Alice, or Agnes, daughter of ——— Carlyle of Bridekirk in Scotland, who survived him, and by whom he had:—

(1) *Katherine*, married to John Armstrong of Sark in Scotland.

2. SIR RICHARD, created a Baronet.
3. *Reginald*, of London, and of Nunnington, co. York, married Susanna, daughter of Sir William Washington, knight, but left no issue. His will was proved P.C.C. 2 December 1685.
4. *Francis*, probably the 'Francis, son of Fergus Graham of Esk, co. Cumberland, gent.,' who matriculated at Queen's College, Oxford, 9 November 1632, aged eighteen.<sup>3</sup> He is not mentioned in the will of his brother Sir Richard Graham.

SIR RICHARD GRAHAM of Esk and Netherby, co. Cumberland, and of Norton Conyers, co. York. From 1620-28 he was Gentleman of the Horse to George (Villiers), first Duke of Buckingham, and was afterwards employed in the same office by Charles I. While in attendance on the Duke, he was one of the party which accompanied Charles, when

<sup>1</sup> In Nicholson and Burns' *Westmorland and Cumberland*, ii. 466, and in Hutchinson's *Cumberland*, ii. 531, this Fergus is said to have been son of a Matthias Graham. It may be noted that in an agreement for arbitration entered into 11 May 1573, between Sir John Johnstone, knight, and several of the Grahams, relating to the slaughter of Archibald Johnstone of Myrehead, occurs the name of 'Fargus Grahame son to vmquhile Mathew Grahame' (*Annandale Family Book*, i. lxxiii); Fergus 'the Plumpe,' or 'of Plumpe,' is named in 1596 and 1597 (*Border Papers*, ii. 127, 308). <sup>2</sup> Appendix to *Sixth Rep. Hist. MSS. Com.*, 327b, 328a, 334b.

<sup>3</sup> Foster's *Alumni Oxonienses*.

Prince of Wales, on his secret expedition to Spain. He was M.P. for Carlisle 1626, and 1628-29, and was knighted at Whitehall, as 'Richard Grimes of Eske, co. Cumberland,' 9 January 1628-29.<sup>1</sup> On 29 March following he was created a Baronet of England, with remainder to the heirs-male of his body, being described as 'Richard Graham of Esk, co. Cumberland, Esquire.'<sup>2</sup> He acquired, in February 1623-24, Norton Conyers, co. York, from Sir Thomas Musgrave, knight,<sup>3</sup> and also bought the estate of Netherby, co. Cumberland. On 21 May 1628 he purchased from Francis, Earl of Cumberland, and others, the Forest of Nicholl, and the lordships of Arthuret, Liddell, and Randelington, the fishing of and in the water of Esk, co. Cumberland, and also the lands called the debatable lands in the said county, together with the patronage of the church of Kirkandrews.<sup>4</sup> On the breaking out of the Civil War he joined the royal army, and was severely wounded at the battle of Edgehill, 23 October 1642. It is recorded in the Patent<sup>5</sup> by which his grandson was created Viscount Preston, that while recovering from his wounds received in this battle, the King ordered him to accept the rank of a Viscount in the Peerage of Scotland, which had been offered to him in 1635, but which he had then declined, and that the monarch delivered to him a warrant with his own hands, but that it was subsequently burnt by the rebels, when they destroyed his house and took possession of his person. On 29 November 1645 he compounded for delinquency in bearing arms against the Parliament, and was taken prisoner when on his way to Newark, 26 March 1646.<sup>6</sup> He was fined £2384, 17s. 4d., but in April 1648 his personal estate was restored to him and his sequestration suspended. He died at Newmarket 28 January, and was buried in his chapel within Wath church, co. York, 11 February 1653-54.<sup>7</sup> His will, dated 26 March 1653, with codicil made at Newmarket 18 January 1653-54, was proved in London 30 January 1653-54.<sup>8</sup> He married, about 1623, Catherine, daughter and co-heir of Thomas Musgrave of

<sup>1</sup> Shaw's *Knights of England*. <sup>2</sup> *Patent Roll*, 5 Car. 1., pt. 14, 12. <sup>3</sup> *Chanc. Pro.*, Car. 1., Bundle G, 54, 53. <sup>4</sup> *Close Roll*, 4 Car. 1., pt. 20, 18.

<sup>5</sup> *Reg. Mag. Sig.*, lib. 67, 251. <sup>6</sup> Calendar of the Committee for Compounding, pt. ii. 1018. <sup>7</sup> The entries from the registers of Wath, near Ripon, have been taken from *Topographer and Genealogist*, iii. 414-436.

<sup>8</sup> *P.C.C.*, 374, Alchin.



Cumcatch, co. Cumberland. She died in her forty-eighth year, 23 March, and was buried at Wath 27 March 1649-50. They had issue:—

1. SIR GEORGE GRAHAM, second Baronet.
2. *Sir Richard Graham* of Norton Conyers, co. York, to which estate he succeeded under a settlement executed by his father, 19 May 1651. Baptized at Wath 11 March 1635-36. Created a Baronet 17 November 1662. Buried at Wath 21 December 1711. He married, about 1660, Elizabeth, daughter of Colonel Chichester Fortescue, and grand-daughter of Sir Faithful Fortescue of Dromisken, in Ireland. She was buried at Wath 25 June 1705. From this marriage descends Sir Reginald Henry Graham, eighth Baronet of Norton Conyers.
3. *Catherine*, died in her father's lifetime.
4. *Mary*, married to Sir Edward Musgrave of Scaleby and Hayton Castle in Aspatria, co. Cumberland, knight, who was created a Baronet 20 October 1638, by whom she had issue. He was buried at Aspatria 22 November 1673.
5. *Elizabeth*, married to Sir Cuthbert Heron of Chipchase, co. Northumberland, who was created a Baronet 20 November 1662, by whom she had issue.
6. *Susanna*, married to Reginald Carnaby of Halton, co. Northumberland.
7. *Henrietta Maria*, unmarried at the date of her father's will, 26 March 1653.

SIR GEORGE GRAHAM, second Baronet, was born in or about 1624. He died of fever at Netherby 19 March 1657-58, aged thirty-three, and was buried at Arthuret, co. Cumberland. His will, dated 19 March 1657-58, was proved in London,<sup>1</sup> 3 March 1658-59, by his widow, and again, 8 July 1672, by his uncle Reginald Graham. He married, about 1647, Mary, second daughter of James (Johnstone), first Earl of Hartfell,<sup>2</sup> by his first wife Margaret, eldest daughter of William (Douglas), first Earl of Queensberry. She was married, secondly, about 1665, to Sir George Fletcher of Hutton-in-the-Forest, co. Cumberland, Bart., who died

<sup>1</sup> P.C.C., 138, Pell. <sup>2</sup> See vol. i. 258.

23 July 1700, aged sixty-seven, and was buried at Hutton. She was alive in 1680.<sup>1</sup> By her Sir George Graham had issue :—

1. SIR RICHARD GRAHAM, third Baronet, created Viscount Preston.
2. *James* of Levens, co. Westmorland, born at Norton Conyers March 1649-50, and baptized at Wath 3 April 1650. Matriculated at Christ Church, Oxford, 16 July 1666. On 23 February 1677-78 he was made lieutenant-colonel of a Regiment of Foot commanded by Lord Morpeth. In December 1679 he was appointed Keeper of the Privy Purse to the Duchess of York, and on 4 April 1685 to the same office to James II. and VII. He was also Master of the Hart-hounds and Buckhounds. M.P. for Carlisle 1685-87; for Appleby 1702-8; and for Westmorland 1708-27. He died at Charlton, co. Wilts, 26 January, and was buried there 2 February 1729-30. Will, dated 13 June 1723, with codicil, dated 22 September 1729, proved in London 16 March 1729-30.<sup>2</sup> He married, first, at St. Martin's-in-the-Fields, 23 November 1675,<sup>3</sup> Dorothy, Maid-of-honour to the Queen, eldest daughter of William Howard, fourth son of Thomas (Howard), first Earl of Berkshire; and, secondly, at St. Olave's, Hart Street, London, in 1702,<sup>4</sup> Elizabeth, daughter of Isaac Barton, merchant, of All Hallows Barking, and widow of George Bromley of the Middle Temple. She died September 1709, leaving no issue by him. By his first wife he had issue :—

- (1) *Henry*, sometime Groom of the Bedchamber, and M.P. for Westmorland; died *v.p.* and *s.p.* 7 January 1706-7. He married, in 1705, Mary Tudor, illegitimate daughter of Charles II., by Mary Davies, and widow of Edward (Radclyffe), second Earl of Derwentwater. She was married, thirdly, 26 August 1707, at Twickenham, co. Middlesex, to James Rooke, and died in Paris 5 November 1726.
- (2) *William*, captain in the Navy, died *s.p.*, buried at Charlton, Wilts, 15 January 1716-17.
- (3) *Richard*, matriculated at University College, Oxford, 11 October 1693, aged fourteen, and so born about 1679. He died in 1697, unmarried.

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<sup>1</sup> See vol. i. 258. <sup>2</sup> *P.C.C.*, 64, Auber. <sup>3</sup> Licence from the Vicar-General of the Archbishop of Canterbury. <sup>4</sup> Licence from the Bishop of London 4 March 1701-2.

- (4) *Catherine*, married, 5 March 1708-9, to her cousin Henry Bowes (Howard), fourth Earl of Berkshire, and afterwards eleventh Earl of Suffolk, by whom she had issue. She died 14 February 1762.
- (5) *Mary*, married to John Michell of Richmond, co. Surrey; she died about 1718.
3. *Fergus*, born 1652, who, like his brother Richard, was an adherent of James II. and VII., and lived abroad for some years after that monarch's abdication. He was living at the date of his brother James's will, 13 June 1723. Said to have died *s.p.*
4. *William*, born about 1654; matriculated at Christ Church, Oxford, 3 July 1674. B.A. 1678, M.A. 11 March 1680-81, D.D. 14 June 1686. Prebendary of Durham 1684. Rector of Kirkandrews, co. Cumberland, 1682. Dean of Carlisle 1686, and of Wells 1704. He died at Hampton Court, co. Middlesex, 4 February 1712-13, and was buried at Kensington. Admon. granted *P.C.C.* 14 February 1712-13, and again 18 May 1744. He married, first, in 1688,<sup>1</sup> Mary Offley, spinster. Admon. of her goods granted to her husband some years after her death, 25 November 1710. He married, secondly, Alice —, whose will, dated 4 July 1741, was proved in London 9 February 1743-44.<sup>2</sup> By her he had issue:—

(1) *Charles*, born about 1708, matriculated at Christ Church, Oxford, 24 March 1723-24. Rector of Southchurch, Essex. Buried 12 April 1734. Admon. *P.C.C.* 22 May 1734. He married, 6 January 1728-29, Priscilla, daughter of Case Billingsley of Tottenham, co. Middlesex, merchant. She married, secondly, Joseph Bezeley of London, merchant. They had issue:—

- i. *William*, born at Tottenham 1730. Admitted at St. John's College, Cambridge, 8 July 1747. In Holy Orders. He assumed the title of Viscount Preston on the death of the third Viscount.<sup>3</sup> He died at the house of a Mr. Lewis at Carmarthen 21 September 1774, and was buried at Carmarthen.<sup>4</sup> He married, at St. Botolph's, Aldgate, London, 7 November 1761, Susanna, daughter of — Reeve of Ashburnham, co. Sussex, and widow of Richard French of Battle

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<sup>1</sup> Licence from the Vicar-General of the Archbishop of Canterbury 26 September 1688. <sup>2</sup> *P.C.C.*, 37, Anstis. <sup>3</sup> His eldest son Charles Graham was baptized at Battle, 11 November 1764, as 'the Hon. Charles Grayham, son of the Rev. William Grayham, Lord Viscount Preston' (*Complete Baronetage* by G. E. C.). <sup>4</sup> *Gentleman's Mag.*, 1774, vol. 44, 447.

in the same county. She died in Edinburgh 1788, and was buried there. From this marriage descends Robert James Stuart Graham of Brooklyn, New York, who claims the Baronetcy conferred upon his ancestor Sir Richard Graham in 1629.

ii. *Francis Charles*, living in 1757.

- (2) *Robert*, born about 1711; matriculated at Magdalen Hall, Oxford, 11 March 1726-27; B.A. 1730; M.A. 1733; D.D. 1777; Rector of Arthuret, co. Cumberland. Succeeded to the estate of Netherby under the will of his cousin Catherine, Baroness Widdrington. He died 2 February 1782, aged seventy-two, and was buried at Arthuret. He married, 1 June 1752, at York Minster, Frances, daughter of Sir Reginald Graham of Norton Conyers, Bart. She was baptized at Wath, 17 May 1731, and died at York, 17 February, buried at York Minster 23 February, 1801. Their second but eldest surviving son, James, was created a Baronet of Great Britain 28 December 1782, and from him descends Sir Richard James Graham, fourth Baronet of Netherby Hall, co. Cumberland.

5. *Reginald*, of Pickhill, co. York, born 1656. By Elizabeth his wife he had with other issue:—

- (1) *Metcalfe*, baptized at Pickhill, August 1680, appointed cornet in Colonel Cadogan's Regiment of Horse, 14 April 1702;<sup>1</sup> colonel in the Army, and adjutant-general to John, Duke of Marlborough at the Battle of Blenheim. He died 14 January, and was buried at Pickhill 23 January, 1758. He married, first, Isabella Jacoba de Bons, of Breda. She was buried at Pickhill 25 May 1720. He married, secondly, at Pickhill, 8 July 1721, Elizabeth Nevill. By his first wife he had issue:—

i. *Jacoba Catherina*, married, first, at Pickhill, 5 June 1728, to Reginald Graham, afterwards Sir Reginald Graham of Norton Conyers, Bart., who died 29 October 1755, and by whom she had issue. She was married, secondly, to Colonel Brown, or Broun, of the Colstoun family, whom she survived. She died in London, and was buried at Pickhill 1 December 1764.

- (2) *Richard*, baptized at Pickhill 4 June 1683, buried there the same month.  
 (3) *Mary*, baptized at Pickhill, 30 May 1682.

6. *Margaret*, born 1651, married to — Fenwick.

I. SIR RICHARD GRAHAM, third Baronet, was born at Netherby 24 September 1648, and was educated at Westminster School under Dr. Busby; he succeeded his father in the baronetcy 19 March 1657-58; matriculated at Christ Church, Oxford, 20 June 1664, and was under the care of

<sup>1</sup> Dalton's *English Army Lists*.

Dr. John Fell, then Dean; he graduated M.A. 4 February 1666-67, and was admitted student of the Inner Temple 1664. He was M.P. for Cockermouth, June 1675-81, and in November 1680 took a prominent part in Parliament in opposition to the Exclusion Bill. He subsequently represented Cumberland, 1685-87. By patent dated at Windsor Castle, 12 May 1681, he was created a Peer of Scotland in the following terms:<sup>1</sup> 'Nominavimus, fecimus, constituimus et creavimus, tenoreque presentium nominamus, facimus, constituimus et creamus prefatum dominum Ricardum Grahame de Netherbie in comitatu Cumbrie (in regno nostro Anglie) baronettum, et heredes masculos ex suo corpore in perpetuum VICECOMITEM DE PRESTOUN ET DOMINUM GRAHAME DE ESKE, ac dedimus, concessimus, et contulimus tenoreque presentium damus, concedimus et conferimus dicto domino Ricardo Grahame de Netherbie ejusque heredibus masculis in perpetuum titulum, denominationem, gradum, dignitatem et honorem vicecomitis de Prestoun et domini Grahame de Eske.' It was perhaps owing to the ambiguous wording of this patent that on the death of the first Viscount's grandson and last lineal male descendant, his nearest collateral heir-male was induced for a time to assume the title of Viscount Preston, but there can hardly be a doubt that the words confining the dignity to heirs-male of the body of the grantee, would be held to govern the wider limitation which follows. Lord Preston took his place in the Scottish Parliament 1 August 1681, and in the following year was sent as Ambassador to France. He was made Lord-Lieutenant of Westmorland and Cumberland 29 August 1687,<sup>2</sup> and one of the Principal Secretaries of State in place of Robert, Earl of Sunderland, 10 November 1688.<sup>3</sup> James II. and VII., just before his abdication, created him by patent<sup>4</sup> a Peer of England as Baron Liddell of Cumberland. He claimed his seat in the House of Lords 11 November 1689, stating that the patent had passed the Seals before the vote of abdication, but the House ordered him into custody, declared the

<sup>1</sup> *Reg. Mag. Sig.*, lib. 67, 251. <sup>2</sup> *Patent Roll*, 3 Jac. II., No. 4.  
<sup>3</sup> *Ibid.*, 4 Jac. II., No. 14. <sup>4</sup> A copy of this patent is among the muniments of Sir R. J. Graham, Bart., at Netherby; *Sixth Rep. Hist. MSS. Com.*, 321.

patent null and void, and directed that he should be prosecuted for a misdemeanour; the last order was, however, discharged on his submission, and he was released. Together with Mr. John Ashton and Mr. Edmund Elliott he was apprehended, 30 December 1690, on board a vessel in the Thames, with several treasonable papers in their custody, being a specification of the naval force, the state of the ports and their garrisons, and an invitation to the King of France to invade the country. Lord Preston was tried for high treason at the Old Bailey on 15 January 1690-91, under the designation of Sir Richard Graham, Baronet, Viscount Preston of the Kingdom of Scotland. He pleaded that he was a Peer of England, but this plea was overruled, and he was found guilty and sentenced to suffer the death of a traitor, his estates and title of Baronet of England being forfeited to the Crown. It is thought, however, that the attainder could not affect his Scottish Peerage, no act of forfeiture having passed against him in Scotland. He received a pardon from King William and Queen Mary by writ of Privy Seal 4 June 1691.<sup>1</sup> This pardon was granted to him in general terms as Sir Richard Graham, Baronet, or by any other name or additional name or designation by which he might be called or known, and covering the treason set out in the indictment, and any other act of treason committed before the 25th day of May then last past. Thus, though his honours were not expressly restored to him, and his estates were for some time longer retained in the possession of the Crown as security for his good behaviour, it is probable that the effect of this pardon was to revive the baronetcy forfeited by his attainder. He died at Nunnington, co. York, 22 December 1695, and was buried in the church there. He married, 2 August 1670,<sup>2</sup> Anne, second daughter of Charles (Howard), first Earl of Carlisle, by Anne, daughter of Edward (Howard), Baron Howard of Escrick. She was living 5 February 1706-7, the date of the will of her son, the second Viscount. By her Lord Preston had issue:—

1. Charles, born 1672, died *v.p.* and was buried in Westminster Abbey, 17 June 1685.

<sup>1</sup> *Patent Roll*, 3 William and Mary, pt. ii. No. 9. <sup>2</sup> Licence to marry at Hinderskelfe, co. York, granted 1670 (Paver).

2. *Richard*, born 1675, died 1676.
3. EDWARD, second Viscount Preston.
4. *Anne*, born 1673, died an infant.
5. *Catherine*, born 1677, married, about July 1718, as his second wife, to William (Widdrington), fourth Lord Widdrington. He died at Bath 19 April 1743, and was buried at Nunnington, co. York. Admon. granted to his widow P.C.C., 13 May 1743. She died in Brook Street, London, 11 December 1757. By her will, dated 1 February 1757, she desired to be buried at Nunnington, and settled her manors and lordships in Cumberland, including the estate of Netherby, upon her kinsman, the Rev. Robert Graham, rector of Arthuret, second son of her uncle William Graham, Dean of Wells. Admon., with the will annexed, granted 23 December 1757<sup>1</sup> to the Rev. Robert Graham.
6. *Mary*, born 1681, died unmarried 1753.
7. *Susanna*, living 5 February 1706-7.

II. EDWARD, second Viscount Preston, born about 1678; matriculated at University College, Oxford, 24 November 1693; succeeded his father in the Peerage 22 December 1695; died at Nunnington, co. York, 1710, and was buried there. His will, dated 5 February 1706-7, was proved in London 4 November 1734.<sup>2</sup> He married, at York Minster, 5 January 1702-3, *Mary*, daughter, and eventually sole heir, of Sir Marmaduke Dalton of Hawkswell, co. York, by *Barbara*, daughter of Henry Belasyse, son and heir of Thomas (Belasyse), first Viscount Fauconberg. Her will, dated 17 June 1751, in which she desired to be buried at Nunnington, was proved in London 18 January 1759.<sup>3</sup> They had issue:—

1. CHARLES, third Viscount Preston.
2. *Anne*, died unmarried.

III. CHARLES, third Viscount Preston, born 25 March 1706; succeeded his father in the Peerage 1710, and voted by proxy at the general election of Representative Peers of Scotland 1727, and at several subsequent elections. He

<sup>1</sup> P.C.C., 378, Herring. <sup>2</sup> *Ibid.*, 251, Ockham. <sup>3</sup> *Ibid.*, 30, Arran.

died at Bath, without issue, 22 February 1738-39, and was buried at Nunnington, co. York. Admon. granted P.C.C., 23 March 1738-39, 17 April 1745, and June 1750. He married Anne, daughter of Thomas Cox, a wholesale grocer in Aldersgate Street, London, and sister of Mary, Countess of Peterborough. She died 11 February 1744-45. Admon., with will (made in 1741), granted 20 February 1744-45<sup>1</sup> to her brother John Cox of the City of London, merchant. Another grant 28 April 1755. In her will she desired to be buried in Nunnington Church with her late husband. At the death of the third Viscount, the titles of Viscount of Preston and Lord Graham of Esk became extinct, and the baronetcy created in 1629, if unaffected by the attainder of the first Viscount, and on proof of failure of nearer male heirs, would have devolved by right upon William Graham, elder son of the Rev. Charles Graham, and grandson of William Graham, Dean of Wells, fourth son of the second Baronet. The estate of Netherby, however, passed to the surviving daughters of the first Viscount, and eventually under the will of the elder of them, Catherine, Baroness Widdrington, to the Rev. Robert Graham, rector of Arthuret, second son of the Dean of Wells.

CREATIONS.—Viscount of Preston and Lord Graham of Esk, by patent dated 12 May 1681; Baronet of England, 29 March 1629.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, Or, on a chief sable three escallops of the field, for *Graham*; 2nd and 3rd, Or, a fess chequy azure and argent, and in chief a chevron gules, for *Stewart of Men-teith*. Over all, in the centre point, a crescent gules for difference.

CREST.—A demi-vol or.

SUPPORTERS.—Dexter, an eagle, sinister a lion, both ermine, and ducally crowned or.

MOTTO.—*Reason contents me.*

[H. W. F. H.]

<sup>1</sup> P.C.C., 56, Seymour.



## PRIMROSE, VISCOUNT OF PRIMROSE



N account of the early history of the Primrose family will be found under the title *Rosebery*. It is sufficient to state here that Sir Archibald Primrose of Carrington had a family of six sons and five daughters. The younger son Archibald became Earl of Rosebery, while the eldest surviving with male issue,

SIR WILLIAM PRIMROSE of Carrington,

succeeded to the baronetcy. He was born at Edinburgh 14 January 1649;<sup>1</sup> was admitted Clerk of Notaries 1 November 1666, and succeeded his father 27 November 1679. He died 23 September 1687,<sup>2</sup> having married (contract 8 and 13 January 1674) Mary (or Anna<sup>3</sup>) third daughter of Patrick Scott of Thirlestane. By her he had issue:—

1. *Archibald*, born 12 October 1678, died young.
2. SIR JAMES, who succeeded.
3. *Captain William*, who served in the Flemish wars; perhaps the 'Primrose' mentioned in John Scot's curious versified account of the campaign of 1710.<sup>4</sup> He is believed to have been killed in these wars.
4. *Francis*, born 19 December 1684, died unmarried.

<sup>1</sup> Edin. Reg. <sup>2</sup> Edin. Tests., 31 August 1688. <sup>3</sup> Funeral escutcheon, Lyon Office. <sup>4</sup> *Scots Brigade in Holland*, iii. 558.

5. *Mary*, born 20 June 1677; married, as his first wife, to William, third Lord Bargany, and died before 1708.<sup>1</sup>
6. *Jean*, married, as his first wife, 29 April 1693, to Hugh Montgomerie of Coilsfield, and died before 1708.<sup>2</sup>
7. *Elizabeth*, baptized 18 December 1680;<sup>3</sup> married, in London, 12 September 1702, to Charles, afterwards ninth Lord Elphinstone, being a year and a half older than her husband.<sup>4</sup> She died 16 February 1738.

SIR JAMES PRIMROSE of Carrington was born about 1680; succeeded his father in 1687, and was served heir to him on 4 November of that year.<sup>5</sup> He was member of Parliament for the county of Edinburgh in the Parliament of 1703, and was, 30 November of that year, created VISCOUNT OF PRIMROSE, LORD PRIMROSE AND CASTLEFIELD, with remainder to the heirs-male of his body, whom failing, to the heirs-male (of the body) of his father.<sup>6</sup> He took his seat in Parliament 6 July 1704,<sup>7</sup> but did not long enjoy his title, dying on 13 June 1706. He was buried at Crichton 2 July.

Lord Primrose married Eleanor, youngest daughter of James, second Earl of Loudoun. She married, secondly, in 1714, John, second Earl of Stair, and died 21 November 1759. By her Lord Primrose had issue:—

1. ARCHIBALD, second Viscount of Primrose.
2. HUGH, third Viscount of Primrose.
3. *William*, admitted to the Faculty of Advocates 30 July 1723, died 18 July 1724.<sup>8</sup>
4. *Margaret*, died, unmarried, at Edinburgh 16 January 1771.<sup>9</sup>

II. ARCHIBALD, second Viscount of Primrose. Served heir of his father 25 October 1708, but died under age, and unmarried, 19 June 1716.<sup>10</sup>

<sup>1</sup> Cf. vol. ii. 32. <sup>2</sup> *Eglinton Book*, i. 144; *Wodrow's Analecta*, iii. 293. <sup>3</sup> *Foulis Account Book*, Scot. Hist. Soc., 65. <sup>4</sup> *Elphinstone Book*, i. 237. <sup>5</sup> *Retours, Edinburgh*, 1307. <sup>6</sup> The words 'of the body' are omitted in the patent, but occur in the warrant; cf. *Complete Peerage*, vi. 304 n. (4), and for a copy of the patent see Wood's *Douglas's Peerage, s.v.* <sup>7</sup> *Acta Parl. Scot.*, xi. 113. <sup>8</sup> *Hist. Reg. Chron.*, 36. <sup>9</sup> *Scots Mag.* <sup>10</sup> *Hist. Reg. Chron.*, 349.

III. HUGH, third Viscount of Primrose, served heir to his brother 5 July 1716. He entered the Army, and had a captain's commission 1727. He went to the Continent with Lord Crawford, serving as a volunteer in the imperial army under Prince Eugene of Savoy. He was severely wounded in an engagement at Claussen 17 October 1735. He is said to have been appointed lieutenant-colonel of the 33rd Foot in December 1738,<sup>1</sup> but he is styled lieutenant-colonel of General Dalziel's Regiment in the contemporary notices of his death,<sup>2</sup> which occurred at Wrexham, co. Flint, 8 May 1741, when he was in his thirty-ninth year. He married, 21 June 1739, Anne, daughter of the Rev. Peter Drelincourt, Dean of Armagh.<sup>3</sup> She died at London 3 February 1775, without issue.<sup>4</sup> It is said that chiefly to her the citizens of Armagh are indebted for a plentiful supply of water.<sup>5</sup> On the death of the Viscount, owing to the failure of male issue of his father and grandfather, the Baronetcy and the family estates, and perhaps the Peerage also, devolved upon his cousin and heir-male, the second Earl of Rosebery. (*See that title.*)

CREATION.—30 November 1703, Viscount of Primrose, Lord Primrose and Castlefield.

ARMS (recorded in Lyon Office by Sir Archibald Primrose of Carrington, Bart., 1672).—Or, a lion rampant vert, armed and langued gules, over all on a fess purpure three primroses of the field.<sup>6</sup>

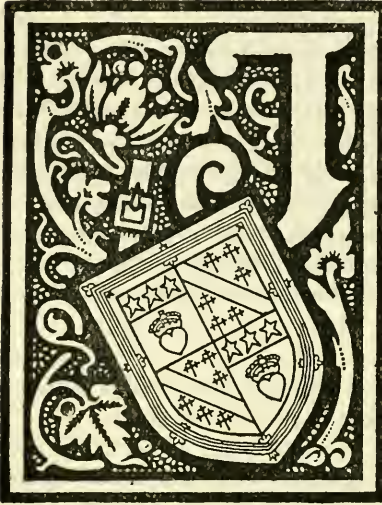
CREST.—A demi-lion gules, holding in his dexter paw a primrose proper.

MOTTO.—*Fide et fiducia.*

[J. B. P.]

<sup>1</sup> Wood's Douglas's *Peerage*. <sup>2</sup> *Scots Mag.* <sup>3</sup> He was the son of Charles Drelincourt, minister of the Reformed Church in Paris, the author of the work popularly known as *Drelincourt on Death*, to the fourth edition of the translation of which Defoe added his 'Apparition of Mrs. Veal.' <sup>4</sup> *Gentleman's Mag.* <sup>5</sup> *Dict. Nat. Biog.* <sup>6</sup> A note in the Register states that sometimes the fess is placed next the field, and over all the lion, 'and 'tis presumed that the Bart.'s extract bears so.'

## DOUGLAS, DUKE OF QUEENSBERRY



AMES, second Earl of Douglas, who was killed at Otterburn, was the direct ancestor of the family treated of in this article, the Douglasses of Drumlanrig and Queensberry. (*See title Douglas.*) He left no legitimate issue, but his eldest natural son,

WILLIAM DOUGLAS, was the first to hold Drumlanrig, which he received from his father by a charter without date, but granted between 1384 and August 1388. The charter conveyed the whole barony of Drumlanrig, co. Dumfries, to him and his heirs, whom failing, to his brother Archibald (ancestor of Cavers) and his heirs, and failing the heirs of both, the barony was to revert to the Earl and his heirs, the lands being held for the service of one knight.<sup>1</sup> The barony of Drumlanrig had been part of the possessions of the last Earl of the ancient line of Mar, who gave it, probably as a marriage gift, to William, Lord of Douglas, on his union with Margaret of Mar about 1357. This grant is cited in a confirming charter by King David II., dated 13 November [1357].<sup>2</sup> The superiority of the barony, however, still remained with the representatives of the Earl of Mar, as is indicated by the lands being included in a list

<sup>1</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 8.    <sup>2</sup> *Ibid.*, 6, 7.

of the lands of Sir Malcolm Drummond of Mar placed under protection by the English King on 19 June 1389.<sup>1</sup> The same fact appears from a bond dated 5 December 1389, by which John of Swinton, Lord of Mar, and Margaret, Countess of Douglas and Mar, his wife, bound themselves that they would never question or contest William's possession of the barony of Drumlanrig, and that he should fully enjoy it in terms of the charter by his father, son of the Countess.<sup>2</sup>

William Douglas was made a knight before October 1405, when, as Sir William, he received a safe-conduct to pass through England with twenty horsemen to do feats of arms and stay in England until the 1 March following.<sup>3</sup> He and other young Douglases travelled to England as hostages for their chief, Archibald, fourth Earl of Douglas, who had been taken prisoner at Shrewsbury, and was then in Scotland on parole. In 1407 Sir William was again a hostage, but later he was frequently in England, being employed on political matters between the two countries. Perhaps it was in recognition of his services as a hostage that the Earl of Douglas bestowed on him, some time before 24 October 1407, the whole barony of Hawick, co. Roxburgh.<sup>4</sup> In 1411 Sir William, in company with Sir Gavin Dunbar, seized the bridge at Roxburgh and burned the town.<sup>5</sup> In June 1412 he went with a large following to negotiate for the release of King James I., and though his mission was not successful, he was rewarded by receiving a precept in the King's own handwriting, specially confirming to him all his possessions in the kingdom of Scotland, the lands of Drumlanrig, Hawick, and Selkirk. This writ is dated at Croydon on 30 November 1412.<sup>6</sup> In 1415 he was charged, among others, with plundering the royal customs, under the direction of the Earl of Douglas.<sup>7</sup> Later Sir William continued his missions to and fro,<sup>8</sup> and, it is said, was in 1417 approached by the Lollard party in England, and was promised a large sum if he stirred up the Scots to invade

<sup>1</sup> *Cal. Doc. Scot.*, iv. No. 391. <sup>2</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 9, 10. <sup>3</sup> *Cal. Doc. Scot.*, iv. Nos. 710, 711. <sup>4</sup> *The Scotts of Buccleuch*, ii. 20, 21. <sup>5</sup> *Fordun à Goodall*, ii. 447. <sup>6</sup> *Fifteenth Rep.*, *ut cit.*, 10. This writ is usually described as a 'charter,' but strictly speaking it is only a precept under the King's signet for a proper charter to be issued by the Chancellor under the Great Seal. <sup>7</sup> *Exch. Rolls*, iv. pref. lxi. <sup>8</sup> *Cf. Ibid.*, pref. lxxviii.

the southern kingdom, and, according to historians, an abortive foray called the 'Foul Raid' was the result.<sup>1</sup> In 1420 he went to France to interview King James. In 1421 he accompanied the Earls of Wigtoun and Buchan to France to fight on behalf of the Dauphin, and was present at the battle of Baugé on 22 March, when the Scots were victorious. At Fresnay-le-Comte, however, the Scots were worsted, and Drumlanrig lost his banner, which was hung as a trophy in the church of St. Mary at Rouen.<sup>2</sup> It is possible he lost his life also in battle about this time, as in his son's retour to the barony of Hawick in September 1427 Sir William is said to have been dead for six years.<sup>3</sup>

This Sir William is said to have married Elizabeth Stewart, daughter of Sir Robert Stewart of Durisdeer. He certainly did marry a lady named Jean Murray, who died before 12 June 1410, and who is described as his late wife in a Papal dispensation of that date, for his second marriage with Jacoba Douglas, daughter of Sir James Douglas of Dalkeith and widow of Sir John Hamilton of Cadzow.<sup>4</sup>

WILLIAM DOUGLAS, second of Drumlanrig, who succeeded, was, so far as recorded, the only son of his predecessor. He succeeded in 1421, although not legally retoured heir until 30 September 1427, six years after his father's death. If, as seems probable, he had just then come of age, he may have been the son of Jean Murray. The retour which secured him in the right to the barony of Hawick, co. Roxburgh, was followed on 5 March 1427-28 by a charter to him from Archibald, fifth Earl of Douglas, confirming the grant made to his father in 1407, as already cited.<sup>5</sup> In 1427 also he went to England as one of the hostages for King James I., and remained there until exchanged in June 1432.<sup>6</sup> He seems to have been confined in (among other places) the old Norman keep of Middleham, co. Yorks, for there, on 29 May 1429, he entered into an agreement with

<sup>1</sup> Walsingham, ii. 325. <sup>2</sup> *Ibid.*, 331. <sup>3</sup> *Scotts of Buccleuch*, ii. 26. <sup>4</sup> *Regesta Avenionensia*, 333, f. 641. The late Jean Murray, wife of William, and Jacoba from different stems, and John and William from one stem, were all in the fourth degree of consanguinity, while William and Jacoba were in the fourth degree of affinity. <sup>5</sup> *Scotts of Buccleuch*, ii. 26, 27. <sup>6</sup> *Rot. Scotia*, ii. 277.

a kinsman, William Douglas of Leswalt, as to their respective mansions. William Douglas of Leswalt was to deliver up the castle of Drumlanrig, which had been granted to him for ten years, with all writs found in it, to Drumlanrig or his deputies. Drumlanrig, on the other hand, agreed to cease all action he had against Leswalt because of the castle and lands. Leswalt was to have free access to the castle when required, while Drumlanrig was to have equally free access to the other's castle of Lochnaw.<sup>1</sup> This writ contains the earliest reference to the castle of Drumlanrig, which may have been built by the previous owner, as it is not named in the charter by Earl James already cited. Between 1432 and 1437 he was made a knight,<sup>2</sup> as he appears as such in an action which he brought before the Justiciary Court at Jedburgh against Jonet Murray, widow of James of Gledstanes. The case was tried on 28 November 1437 before James Douglas, Earl of Avandale, then Justiciary, and a local jury, who duly served Sir William as heir of his late father, Sir William Douglas, in the lands of East Mains of Hawick, which Janet Murray had unjustly detained from him, with the mill.<sup>3</sup> About the same date, on 28 June 1437, he received from one of his vassals, Alexander of 'Le Weyndis,' a resignation of the lands of 'le Weyndis' in the barony of Hawick.<sup>4</sup> He is not recorded as taking an active part in public affairs, but is said to have taken part in the battle of Sark under the Earls of Douglas and Ormond, when they defeated the English, in October 1449.<sup>5</sup> He is also said to have died in 1458, but both these statements must be erroneous, as on 6 October 1450 his son was retoured his heir in the barony of Hawick, and he is then stated to have died in autumn six years before, or in 1444.<sup>6</sup> He is said to have married Janet, daughter of Sir Herbert Maxwell of Carlaverock. He had issue, so far as known, one son,

1. WILLIAM, who succeeded.

WILLIAM DOUGLAS, third of Drumlanrig, succeeded his

<sup>1</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 10. <sup>2</sup> *The Douglas Book*, iii. 371, 372. <sup>3</sup> *Ibid.* <sup>4</sup> *Scotts of Buccleuch*, ii. 31, 32. <sup>5</sup> *Crawford's Peerage*, 414, who cites the authority of a ms. History of the family. <sup>6</sup> *Scotts of Buccleuch*, ii. 41, 42.

father in 1444, and it may have been he who fought at the battle of Sark. He was retoured heir to his father in the barony of Hawick, valued at 300 merks yearly, on 6 October 1450. On 25 June 1452, during the trouble with the Earl of Douglas, the Laird of Drumlanrig resigned Hawick into the hands of King James II., but on 11 November 1452 received sasine from the Earl.<sup>1</sup> He is said to have been present at the siege of Roxburgh Castle in December 1460, when King James II. was killed by the bursting of one of his own cannon. He also, it is said, took part in the expedition organised by George, fourth Earl of Angus, to carry off the French garrison of Alnwick through the English army then besieging the castle, in 1462.<sup>2</sup> He is usually said to have died in 1464, and to have then been succeeded by his son, but it is apparently he who is named in November 1466 in a writ by Sir William Douglas of Morton.<sup>3</sup> Little or nothing further is recorded of him except his arrangement for the marriage of his eldest son in 1470. He appears to have lived a comparatively quiet life, though occasionally engaged in litigation. On 11 October 1483 he appears as heir of James Douglas of Auchincassill, though in what relationship is not stated, and as such received a number of household goods from Robert Maitland of Queensberry and Elspeth his spouse, who also alleged a claim.<sup>4</sup> In 1484 he and his men joined the King's force which defeated the Duke of Albany and the Earl of Douglas near Lochmaben on 22 July of that year, and he lost his life in the conflict. He married Elizabeth, eldest daughter of Sir Robert Crichton of Sanquhar. She survived him, marrying, secondly, James Campbell of West Loudoun, and thirdly, Sir William Colville of Ochiltree, and was alive in October 1539. By Elizabeth Crichton William Douglas had issue:—

1. JAMES, who succeeded.
2. *Archibald*, named in his mother's agreement with James Campbell of West Loudoun, cited below, in 1496. He died before September 1499, and was the ancestor of the Douglasses of Coschogil.

<sup>1</sup> *Scotts of Buccleuch*, ii. 41, 42, 45-47. <sup>2</sup> Crawford's *Peerage* and ms. History. <sup>3</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 37. <sup>4</sup> *Acta Auditorum*, \*119; cf. \*124.



3. *Robert*, described, on 9 August 1488, as brother of the then Laird of Drumlanrig.<sup>1</sup>
4. '*Dene John*,' named in the agreement of 1496, and also as 'Vicar of Kirkconnell' in a writ of 1499.<sup>2</sup>
5. *Margaret*, married to John, second Lord Cathcart. (*See that title.*)
6. *Janet*, married, first, between 1476 and 12 October 1478, to William, Master of Somerville, with a tocher of 1000 merks, as to which there was a long dispute;<sup>3</sup> secondly, to Sir John Gordon of Lochinvar. (*See title Kenmure.*)
7. *Elizabeth*, contracted by her mother, on 25 February 1496-97, to John Campbell, younger of Wester Loudoun.<sup>4</sup>

JAMES DOUGLAS of Drumlanrig is first named in a contract dated 5 November 1470 for his marriage with Janet Scott of Buccleuch, but it does not appear what his age then was. He succeeded his father in 1484, and that he was the son of Elizabeth Crichton is proved by an agreement between her and James Campbell of Wester Loudoun, on 25 February 1496-97, when she names her son James Douglas of Drumlanrig and his two brothers.<sup>5</sup> He died not long afterwards in 1498, having married (contract dated 5 November 1470) Janet Scott, daughter of David Scott of Buccleuch,<sup>6</sup> and had issue:—

1. SIR WILLIAM, who succeeded.
2. *Gavin*, son of the Laird of Drumlanrig, admitted a member of the University of Glasgow in 1489.<sup>7</sup>
3. *Janet*, called *Agnes* by some writers, married to Roger Grierson of Lag.

SIR WILLIAM DOUGLAS of Drumlanrig, son of James, was infeft as son and apparent heir of his father, in the latter's lifetime, in the lands and barony of Drumlanrig on 19 May 1492, perhaps on attaining his majority.<sup>8</sup> In January and March 1499-1500 he had transactions with Adam Kirkpatrick of Pennersax as to the lands of Dalgarnock and

<sup>1</sup> *Acta Dom. Conc.*, 87. <sup>2</sup> *Ibid.*, ms. xiii. f. 99. <sup>3</sup> *Acta Dom. Conc.*  
<sup>4</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 11, 12. <sup>5</sup> *Ibid.* <sup>6</sup> *Scotts of Buccleuch*, ii. 69. <sup>7</sup> *Mun. Univ. Glasguensis*, ii. 103. <sup>8</sup> *Reg. Mag. Sig.*

Pennersax.<sup>1</sup> These were parts of the greater barony of Tibbers, which in 1508-9 he purchased from William Maitland of Lethington, which was confirmed by a royal charter on 23 February 1508-9. On 15 June 1511 his barony of Hawick was formally regranted to him, having been recognised to the King, to be held for the old blench holding of one broad arrow, if asked.<sup>2</sup> In 1504 he was a surety for Robert Grierson, one of the murderers of John M'Brair, a chaplain in Dumfries.<sup>3</sup> Sometime between that and 1509 he was created a knight, and is so described in various public documents, except in the criminal dittay under which, on 24 September 1512, he was tried for the slaughter of Robert Crichton of Kirkpatrick. He was acquitted, as at the time of the slaying Crichton was an outlaw.<sup>4</sup>

Sir William died on 10 September 1513, the day after Flodden, 'on the field of war,' as appears from an inventory of his goods made by his widow, he dying intestate.<sup>5</sup> He married Elizabeth Gordon, daughter of Sir John Gordon of Lochinvar (*see title* Kenmure), and had issue :—

1. SIR JAMES, who succeeded.
2. *John*, described as brother of James Douglas of Drumlanrig in letters of remission to them and many others for the murder of Thomas Maclellan of Bomby, dated 25 August 1526.<sup>6</sup> (*See title* Kirkcudbright.) On 2 March 1545-46 he, by a very curious bond, pledged himself to his elder brother that if from that day forward he played at cards, dice, tables, or other games he would renounce all his heritages to his brother, who had given him £48 money down, gold and silver, to abstain from such play.<sup>7</sup> He was probably the father of Mr. John Douglas of Craigin-cune, who in 1578 is described as 'brothir sone' of Sir James Douglas of Drumlanrig.<sup>8</sup>
3. *Janet*, married (contract dated 4 June 1509) to Robert, fifth Lord Maxwell.<sup>9</sup>

<sup>1</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 12, 13. <sup>2</sup> *Reg. Mag. Sig.*, at dates. <sup>3</sup> Pitcairn's *Criminal Trials*, i. 39\*. <sup>4</sup> *Ibid.*, i. 77\*, 81\*. <sup>5</sup> *Fifteenth Rep.*, *ut cit.*, 14. <sup>6</sup> *Ibid.*, where all the culprits are named. <sup>7</sup> *Ibid.*, 20, 21. <sup>8</sup> *Ibid.*, 28, 29. <sup>9</sup> *Book of Carlaverock*, i. 207, 208.

4. *Agnes*, said to be married to Andrew Cunningham of Birkshaw.<sup>1</sup>

SIR JAMES DOUGLAS, who succeeded, was perhaps the longest-lived Laird of Drumlanrig, and the one who added most to the family estate. He was born in 1498, the year in which his grandfather and namesake died, and was therefore still under age at his father's death. He was still a minor on 6 April 1514, when he was retoured heir to his father in the barony of Hawick.<sup>2</sup> On 27 August 1518 he and Lord Crichton of Sanquhar were found mutually breaking their lawburrows or pledges not to harm each other.<sup>3</sup> On 11 July 1526 he took part in the attack made by James Górdon of Lochinvar, his nephew by marriage, upon Thomas Maclellan of Bombie at the Kirk style of St. Giles, Edinburgh, when Maclellan was killed. For this crime a remission was granted on 25 August same year to the two principals and their accomplices.<sup>4</sup> He is said to have been in the party of Scott of Buccleuch when he beset the bridge of Melrose to deliver King James v. from the power of the Earl of Angus. He certainly appears to have taken part with John, Earl of Lennox, in the fight at Linlithgow in September of that year.<sup>5</sup> It would appear that Douglas, after the forfeiture of the Earl of Angus, was, because of his name or for some other reason, under the King's suspicion, and in July 1529 was committed to ward in Edinburgh Castle, his kinsman, James Douglas of Cavers, being bound in £1000 that he should not escape; but in February 1530-31 he was apparently free again.<sup>6</sup> Very little is found on record during the next few years, but that little is somewhat curious. For some reason the young Laird was not infeft in his lands at his proper majority, but received successive gifts in 1536-37 and 1538 of the non-entry duties and others exigible from his lands.<sup>7</sup> In the early part of 1541 he was implicated in the slaughter of a Mr. Hector Sinclair, parson of Kirkbride, and he was put to the horn and be-

<sup>1</sup> Cf. Will of Sir James Douglas (Edin. Tests., 20 November 1581), where he refers to his 'nec' Marion, daughter of Andrew Cunningham of Birkshaw. <sup>2</sup> *Scotts of Buccleuch*, ii, 126-128. <sup>3</sup> *Treasurer's Accounts*, v, 163. <sup>4</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii, 14. <sup>5</sup> *Ibid.*, 22. <sup>6</sup> Pitcairn's *Criminal Trials*, i, 142\*, 151\*. <sup>7</sup> *Fifteenth Rep.*, *ut cit.*, 15, 16.

came a fugitive, the escheat of his goods being given to Robert, Lord Maxwell.<sup>1</sup> Under these circumstances, in May 1541 he was in hiding in Carlisle. He told Sir Thomas Wharton then deputy-warden, that his offence in Scotland was small, being only accused as an accessory to a murder, but that he would not desire to live in Scotland, knowing the King's high displeasure against him, being a Douglas. Wharton reported that his exile was with the consent of King James v., to the intent that Drumlanrig should slay Angus in England, to which, however, Douglas would not agree, declaring it was impossible, and so left Scotland. He and Angus, however, had been in communication and understood each other. To avoid all such political complications Drumlanrig would, the Warden said, be very willing to be commanded to go back to his own country, as he wished to safeguard his inheritance, and he did not readily agree to go to York, as he was requested to do within four days.<sup>2</sup> The next reference to him is in September 1542, when he was in the English service and joining with Sir George Douglas in a report as to the Scottish ships. He seems to have preferred some request to the English King, as in October 1542 he was anxiously awaiting an answer. His friends in Scotland earnestly desired his return thither, and the King's opinion was desired, but the latter first wished to know what he looked for or what he would be content with.<sup>3</sup>

The unhappy rout of Solway Moss on 24 November 1542 made a change in his prospects. He was quick to see the result of such a wholesale capture of prominent Scotsmen, as he said to Sir Thomas Wharton, 'There are now in your hands upon these marches those men with good order which may make peace or conquest of Scotland, at the King's will,' a remark which impressed itself upon the Warden, who seems to have taken him further into confidence.<sup>4</sup> He made himself useful to many of the poorer Scottish prisoners by becoming surety for them and procuring their liberation; and to such an extent did he do this, that the Earl of Hertford, acting on the unkind reports of his English creditors,

<sup>1</sup> *Reg. Sec. Sig.*, xiv. ff. 53, 77.   <sup>2</sup> *The Hamilton Papers*, i. 72, 73.  
<sup>3</sup> *Ibid.*, 198, 253, 255, 262. He seems to have held the office of 'Master Customer' of Carlisle.   <sup>4</sup> *Ibid.*, pref. lxxxviii.

wrote to Wharton on 8 December, that though he did not doubt Drumlanrig's honesty, it were wise to keep him safely in England till King Henry's pleasure were known.<sup>1</sup> He was, however, in Scotland again ere many days had passed, and was peaceably restored to his own estates. From that time he appears to have acted as what the English termed an 'espial' or 'spy,' or furnisher of intelligence from Scotland, but he does not appear to have transmitted any news that was not known in Scotland. Wharton and others seem to have put faith in his 'honestie,' and Henry VIII. desired to see him personally,<sup>2</sup> but it is not clear that he ever went south.

He remained on the English side steadily for a time, and was duly promised satisfaction. He joined in the compact made at Douglas Castle by Angus and other friends of Henry in September 1543, and carried the resolution of the party to Sir Ralph Sadler, the English envoy in Scotland.<sup>3</sup> On 22 September he was one of the bearers of the ultimatum addressed by Angus and his following to the Governor and Cardinal Beaton, requiring them to keep the treaties made with Henry.<sup>4</sup> Later, in October, it was proposed to send him as messenger to the English King. He was, however, getting somewhat tired of the slowness with which his friends moved. At least so he indicated to a messenger who had been sent by Wharton, declaring that many things were set forward to be done, but they came to no pass, and that it was not an honest part to take gear of men and promise much and do nothing. This of course may have been meant for King Henry's ears, but he added that there was to be another meeting at Douglas shortly, and if anything were done indeed he would be content, and whatever was done he would report it to Wharton.<sup>5</sup> With the other members of his party he fell under the displeasure of the Governor and Cardinal, who threatened to drive them from Scotland or to imprison them.<sup>6</sup> He was doubtless sustained by the sweet words and promises of money made by Henry through his agents,<sup>7</sup> and he continued to send reports, in one of which he hit the weakest point in Henry's policy for winning Scotland. He stated that many would

<sup>1</sup> *Hamilton Papers*, i. pref., c. <sup>2</sup> *Ibid.*, 372-536 *passim*. <sup>3</sup> *Ibid.*, ii. 29, 32. <sup>4</sup> *Ibid.*, 71. <sup>5</sup> *Ibid.*, 155. <sup>6</sup> *Ibid.*, 162. <sup>7</sup> *Ibid.*, 176.

be willing to join the King's friends as to securing peace between the kingdoms and a marriage with the young queen, if they were assured that the King had no more than these in his mind, and had no views of conquest.<sup>1</sup> His reports, however, were on the whole unsatisfactory, though for a little while a proposal on his part to bring Argyll over gave a new impetus to the game. Henry actually promised 1000 crowns at first for Argyll, and afterwards 2000. Drumlanrig, however, thought his own share was unduly small, and did not push the negotiations, complaining he was to receive only 200 crowns. As he was expected to attempt the Earls of Huntly and Moray also, he was promised 300 crowns more and a yearly pension.<sup>2</sup> Still, however, though believed to be trustworthy, the results of his diplomacy were not satisfactory. Suspicions were raised against him, and when he dissuaded the Earl of Angus from meeting the Earl of Hertford, Lord Maxwell openly accused him of being much less a friend to King Henry than he pretended to be.<sup>3</sup> He was in communication with England up to September 1544, when the correspondence ceased, doubtless owing to the discovery some months before that Angus and many of his party were bound to the Queen-Dowager of Scotland.<sup>4</sup>

The Queen had already, by consent of the Governor Arran, made grants to Drumlanrig, one on 6 January 1542-43, bestowing on him six hundred sheep, then on the Crown lands of Kirkhope, co. Lanark, which had belonged to the late King.<sup>5</sup> The gift acknowledges services done in France, but when or of what nature is not stated. The gift of the non-entries of his lands was repeated on 11 July 1543,<sup>6</sup> and on 13 February 1544-45 he was entered to his estates as heir to his late father, they having been thirty-two years and a half in non-entry. The rents amounted to £466, 13s. 4d. Scots yearly, and the sum taken security for was £15,166, 13s. 4d. Scots, with the double service of one knight by duplication of blench ferm due to the Queen.<sup>7</sup> Not long before this the Earl of Lennox, who had thrown in his lot with England, came to Carlisle and endeavoured to stir up

<sup>1</sup> *Hamilton Papers*, ii. 182. <sup>2</sup> *Ibid.*, 228, 231, 234, 292. <sup>3</sup> *Ibid.*, 320, 333, 337, 388. <sup>4</sup> *Ibid.*, 434, 438, 459. <sup>5</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 17. <sup>6</sup> *Ibid.*, 18. <sup>7</sup> *Ibid.*, 19, 20.

the Borderers to swear allegiance to England. But on 3 January 1544-45 Drumlanrig wrote to the Queen-Dowager that he and the Master of Maxwell had bound over the men of Nithsdale, Galloway, and Annandale to be faithful to Scotland, and that all the gentlemen were bound to spend their bodies and goods in defence of the country. Lennox had hoped to gain Drumlanrig over.<sup>1</sup>

On 30 March 1546 Queen Mary granted to him a Commission of Justiciary over and within his own lands and baronies, having special reference to persons living there, who since the death of King James v. had given themselves to thieving or 'pykrie.'<sup>2</sup> In the following year, after the accession of King Edward vi., there were again attempts made to draw Drumlanrig into the toils of English politicians, and he seems to have favoured the invasion from England, though this may only have been policy on his part.<sup>3</sup> Certainly he made preparation to resist Lennox and Wharton, who made a raid in his neighbourhood in February 1547-48. He and his friends at first had the best of it, but in the end they were defeated with considerable loss. Two sons of Drumlanrig were taken prisoners, while he himself narrowly escaped by the 'undewtifull favour' of an Englishman.<sup>4</sup> A month later, on 22 March, he was said to have joined forces, probably for mutual defence, with the Master of Maxwell and the Laird of Buccleuch.<sup>5</sup>

He was made a knight some little time before 22 May 1549, when, as one of the Scottish Commissioners for exchange of prisoners, he, under the style of James Douglas of Drumlanrig, knight, had a safe-conduct from King Edward vi. to meet the English Commissioners.<sup>6</sup> He was also one of the Scottish Commissioners who took part in the division of the Debateable Land in 1552,<sup>7</sup> and on 31 August 1553 he was appointed Warden of the West Marches from Annandale to Galloway during pleasure, with full powers. He took up the office on the resignation of Sir John Maxwell of Terregles, who was incapacitated, 'being onder deidlie feid with the cuntre.' The appointment was renewed on 23 October 1555.<sup>8</sup> Otherwise, also, Sir James

<sup>1</sup> Original letter in Gen. Reg. Ho. <sup>2</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 21. <sup>3</sup> *Cal. Scot. Papers*, i. 8, 10, 15. <sup>4</sup> *Ibid.*, 82. <sup>5</sup> *Ibid.*, 101. <sup>6</sup> *Ibid.*, i. 176. <sup>7</sup> *Ibid.*, 191; *P. C. Reg.*, i. 120-125. <sup>8</sup> *Fifteenth Rep., ut cit.*, 22, 23.

took his share in public affairs, as is shown in the public records,<sup>1</sup> but no one incident is of special note. In July 1559, it would appear, he was leaning toward the Reform party, and in the following March he openly joined the 'Congregation' at Glasgow. On 6 April 1560 he was present in the English camp at Restalrig; on 27 April he signed a 'band,' to set forward the reform of religion, etc., and on 6 May he signed another.<sup>2</sup> He was present in the Parliament of August 1560, when the Confession of Faith was ratified,<sup>3</sup> and at the Convention of Estates on 27 January 1561, when the Book of Discipline was signed.<sup>4</sup> He joined, in September 1565, the Earl of Moray and others, who were opposed to Queen Mary's marriage with Darnley, but was soon won over to her side, and received a remission on 28 October 1565, though he took part against her after the murder of Darnley.<sup>5</sup> On 22 March 1565-66 he was warded in Edinburgh Castle on suspicion of sympathy with the murderers of Riccio.<sup>6</sup> In 1571, on 23 June, he was, by the connivance of Lord Herries, carried off a captive by the Laird of Wormiston (Spence), with whom he had a quarrel. Calderwood gives a graphic account of the matter, and the old Laird's message to his son, who narrowly escaped captivity also. He survived until 1578, outliving his eldest son. He made several wills, one so early as 4 September 1550, two others in August 1578, and a third on 11 September, but he did not die until 27 December 1578. He was the true founder of the family, and his friend and chaplain Sir John Tailzeour, parson of Cummertrees, enumerates his deeds in the way of acquiring land and erecting buildings. He built (or rebuilt) the 'hail hous and pallice' of Drumlanrig, and acquired the lands of Ardoch, Knocktown, Altoun and Crarie, in the barony of Drumlanrig, the Tower of Hawick and other lands there; the lands of Ross, of which he built (or rebuilt) the tower, the lands of Reidhaw, Templand and Glenmaid; the lands of Mouswald, the tower of which he rebuilt, the lands of Kirkhope and Whitecamp, building the house and tower of

<sup>1</sup> *P. C. Reg.*, i. per Index. <sup>2</sup> *Cal. Scot. Papers*, i. 220, 338, 349, 383, 397.  
<sup>3</sup> *Acta Parl. Scot.*, ii. 525. <sup>4</sup> Calderwood's *History*, ii. 50. <sup>5</sup> Cf. *Cal. Scot. Papers*, ii. 202, 207, 398; Knox's *History of the Reformation*, i. 512; *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 25; *Reg. Sec. Sig.*, xxxiii. 117. <sup>6</sup> *Diurnal of Occurrents*, 97.



Kirkhope and the house and tower of Locharben, with a piece of land at the head of the water of Scar, all in Dumfriesshire. In one of his wills also Sir James makes special reference to his 'charter-hous,' the outer doors, the 'irne yet,' and the keys thereof. There, in the 'bowell' or inmost recess, he kept his money, having then 8000 merks and 580 crowns of the sun, within its walls.<sup>1</sup>

Sir James married, first, in 1513, Margaret, daughter of George Douglas, Master of Angus, by whom he had at least three daughters, but the spouses differed, and after an ineffectual attempt on his part, in 1530, to induce her to live with him, they were ultimately divorced between 6 September 1539 and the following January.<sup>2</sup> He married, secondly, in 1540 (papal dispensation 6 September 1540, after marriage<sup>3</sup>), Christian Montgomerie, daughter of John, Master of Eglinton, and sister of Hugh, second Earl. She died on 9 August 1575.<sup>4</sup> By her also Sir James had issue. His children were:—

1. SIR WILLIAM, of whom below, by second marriage.
2. *Janet*, by first marriage, married (contract dated 11 May 1538<sup>5</sup>) to William Douglas, younger of Cashogill, with issue. She survived him, and was married, secondly (contract 8 July 1552), to John Charteris of Amisfield.<sup>6</sup>
3. *Margaret*, by first marriage, married (contract dated 4 August 1543) to John Jardine of Applegirth.<sup>7</sup>
4. *Nicholas*, by first marriage, married (between 1545 and 1550, *see title Annandale*) to John Johnstone of that Ilk. She was apparently still alive in 1598, when she is named in a grant of escheat.<sup>8</sup>

Sir James had also, in addition to his son William, daughters by his second marriage:—

5. *Elizabeth*, contracted in marriage, on 18 February 1556-57, to Andrew Ker, then son and apparent heir of Walter Ker of Cessford.<sup>9</sup> He died within the year, and nothing further is known of her.
6. *Margaret*, married, first (contract dated 4 June 1561),

<sup>1</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 5, 28. <sup>2</sup> *Ibid.*, 15, 16; *Reg. Mag. Sig.*, 15 March 1540-41. <sup>3</sup> *Fifteenth Rep.*, *ut cit.*, 17. <sup>4</sup> *Ibid.*, 29. <sup>5</sup> *Ibid.*, 16. <sup>6</sup> *Acts and Decrees*, vi. f. 352; *Reg. Mag. Sig.*, 14 February 1552-53. <sup>7</sup> *Fifteenth Rep.*, *ut cit.*, 18. <sup>8</sup> *Reg. Sec. Sig.*, lxx. f. 90. <sup>9</sup> *Reg. of Deeds*, ii. f. 79.

to Edward, Lord Crichton of Sanquhar (*see title Dumfries*); secondly (contract 16 May 1571), to William, fifth Earl of Menteith (*see that title*); thirdly (contract dated 22 May 1593), to Robert Wauchope of Niddrie.<sup>1</sup>

7. *Janet*, married, on 25 January 1559-60 (contract dated 7 November 1557<sup>2</sup>), to James Twedy of Drummelzier, without male issue. On 10 October 1562 she renounced her rights over her late husband's estate; and was married, secondly (contract dated 2 March 1563-64), to William Ker, then younger of Cessford.<sup>3</sup>
8. *Helen*, contracted on 13 March 1564-65,<sup>4</sup> and married on 21 April 1566,<sup>5</sup> to Roger Grierson of Lag, who is also named as her husband in her father's last will on 11 September 1578.<sup>6</sup> She had a legacy of £100.
9. *Christian*, married (contract dated 21 April 1574<sup>7</sup>) to Alexander Stewart, younger of Garlies, who is also named in her father's will already cited. She received £100, while her husband had 200 merks.

Sir James had also the following illegitimate children:—

1. *Patrick*, who is named in his father's will of 4 September 1550 as 'my son,' and appointed one of the tutors to William Douglas, son and heir of Sir James.<sup>8</sup> Little is known of his history, but he predeceased his father, before 1578. He married (contract dated in May 1554) Katherine, daughter of William Craufurd of Lochnorris by his wife Agnes Craufurd. He was to receive from his father (tacksman of the lands and barony of Morton, co. Dumfries) a tack of the Mains of Morton and lands of Quhitfauld, while other lands were included in the contract.<sup>9</sup> He had issue, *James*, *Triamor*, and *Hugh*, and a daughter *Helen*, the two latter being named in Sir James's last will.<sup>10</sup>
2. *John*, named in the will of 1550 as a 'natural son' and

<sup>1</sup> *Reg. of Deeds*, lii. f. 213. <sup>2</sup> *Ibid.*, ii. 284; cf. *Reg. Mag. Sig.*, 8 November 1557, where the contract is said to be dated 9 November 1557; *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 66, 67, for dispensation and date of marriage. <sup>3</sup> *Fifteenth Rep.*, *ut cit.*, 25. <sup>4</sup> *Reg. of Deeds*, vii. f. 117. <sup>5</sup> *Fifteenth Rep.*, *ut cit.*, 26, where see dispensation and declaration as to their marriage. <sup>6</sup> *Edin. Tests.*, 20 November 1581. <sup>7</sup> *Reg. of Deeds*, xiv. f. 350. <sup>8</sup> *Fifteenth Rep.*, *ut cit.*, 21. <sup>9</sup> *Acts and Decrees*, x. f. 225. <sup>10</sup> *Fifteenth Rep.*, *ut cit.*, 24; *Edin. Tests.*, 20 November 1581.

a legatee.<sup>1</sup> In December 1564 he was summoned as 'John Douglas in Erschemortoun' before the Privy Council, at the instance of Robert Dalzell of that Ilk, for trespassing on the lands of Glencairn, and also for the murder of William Dalzell.<sup>2</sup> A natural son of Sir James was warded in Blackness in March 1565-66, in connection with the murder of Riccio,<sup>3</sup> who may have been this John, but nothing further has been ascertained regarding him, except that he was probably the father of [<sup>?</sup>James] Douglas, younger of Ersmortoun, named in 1583.<sup>4</sup>

3. *Mr. Robert Douglas*, Provost of Lincluden, has been referred to as a brother of Sir James, but he is named 'my son' by the latter in various writs, and in a royal letter of legitimation of 8 October 1559 he is described as natural son.<sup>5</sup> He is not named in the will of 1550, and he was probably comparatively young when, on 16 September 1547, he was presented by the Governor Arran to the provostry of the Collegiate Church of Lincluden, on the death of George Merschell, the previous incumbent, who had fallen at Pinkie only six days before.<sup>6</sup> Robert, later, went to Paris, and was there on 6 August 1553, when he signed and sealed a charter of certain lands to Roger Lindsay.<sup>7</sup> He evidently took his degree of M.A. at Paris, as he was in Scotland again as Mr. Robert Douglas in November 1557.<sup>8</sup> Between that and 1560 he obtained the consent of the members of his College to a grant to himself of the lands belonging to the foundation promising to protect their rights. He took a share in public affairs, and in 1585 was appointed Collector-General of the Revenue, an office which he held for many years. He died on or about 12 September 1609, at the 'Feiris beside Kelso.'<sup>9</sup> He left legacies to *John Douglas*, his 'oy,' and *Jean Douglas*, his 'oy,' but whether these were grandchildren is not certain.

<sup>1</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 21. <sup>2</sup> *P. C. Reg.*, i. 300.  
<sup>3</sup> *Diurnal of Occurrents*, 97. <sup>4</sup> *P. C. Reg.*, iii. 607; cf. v. 457. <sup>5</sup> *Fifteenth Rep.*, *ut cit.*, 28; Edin. Tests., 20 November 1581; *Reg. Sec. Sig.*, xxx. f. 13.  
<sup>6</sup> *Reg. Sec. Sig.*, xxi. f. 13. <sup>7</sup> Register of Lincluden, MS. in Gen. Reg. Ho., at date. <sup>8</sup> *Ibid.* <sup>9</sup> *Fifteenth Rep.*, *ut cit.*, 31.

4. *Janet*, named in her father's will in 1550. She was then unmarried, and was to receive 500 merks.<sup>1</sup>
5. *Alison*, who was to receive 300 merks, payable at her marriage.<sup>2</sup>
6. *Agnes*, who in 1550 was also to receive 300 merks at marriage.<sup>3</sup> On 11 September 1578 her father left her a pension of two bolls of meal yearly.<sup>4</sup>

SIR WILLIAM DOUGLAS of Hawick, the only lawful son of Sir James Douglas, was the offspring of his father's second marriage, and when he was an infant, or at least very young, on 26 February 1546-47, his father became bound to place him in the fee of all his lands of Drumlanrig, co. Dumfries, and Hawick, co. Roxburgh.<sup>5</sup> He is again named in his father's will of 4 September 1550, when he was still a pupil, Sir John Maxwell of Terregles and Patrick Douglas, his own half-brother, being appointed his tutors.<sup>6</sup> He had several grants of land: Chapelerne, Garransoun, and Mill of Crossmichael; the Mains of Lincluden, and lands of Carruchan, all in co. Kirkcudbright, from his natural brother, Mr. Robert Douglas, Provost of Lincluden, in which provostry he also had a personal interest; all the grants being dated 20 February 1564-65.<sup>7</sup> On 15 May 1565 he received the honour of knighthood at the hands of Henry, Lord Darnley, himself created Earl of Ross on that day.<sup>8</sup> On 7 October 1565 he and other Douglasses received a remission for their share in the slaughter of Hugh Douglas of Dalvene, and from another remission of 28 October he appears to have joined his father in supporting the opposition of Moray and others to the Queen's marriage.<sup>9</sup> He was present at the Convention of Estates on 14 February 1569-70, after the funeral of the Regent Moray, when Maitland of Lethington was exculpated of the charges against him of being privy to the murder of Darnley.<sup>10</sup> He was wounded by a spear in a Border skirmish<sup>11</sup> and though the hurt was slight it may have led to his death, which took place on 25 September 1572, as appears

<sup>1</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 22. <sup>2</sup> *Ibid.* <sup>3</sup> *Ibid.*  
<sup>4</sup> Edin. Tests., 20 November 1581. <sup>5</sup> Cf. *Reg. Mag. Sig.*, 14 April 1547;  
*Fifteenth Rep.*, *ut cit.*, 24. <sup>6</sup> *Ibid.*, 21. <sup>7</sup> *Reg. Mag. Sig.*, 28 July 1565;  
*Fifteenth Rep.*, *ut cit.*, 22. <sup>8</sup> *Cal. Scot. Papers*, ii. 161. <sup>9</sup> *Fifteenth Rep.*,  
*ut cit.*, 25, 26. <sup>10</sup> *Reg. P. C.*, xiv. 32. <sup>11</sup> *Cal. Scot. Papers*, iii. 617.

from his son's service to him in the barony of Hawick.<sup>1</sup> Sir William married Margaret, daughter of James Gordon of Lochinvar. (*See title Kenmure.*) She was probably older than he, and seems to have excited the wrath of her father-in-law, who a few months before his death made provision as to her relations after his death with the young Laird, her son. He was to be allowed to show her reasonable attention and affection, but she was not to enter his house, nor rule it, nor remain therein, 'and that be resson I vnderstand hir to be ane proude and wilfull woman.' Sir James believed she would use every means to have the handling of his grandson and his estate, would endeavour to separate the lad from his friends, to prey on his living, 'and to revenge hir wickit nature aganis the freindis of the hous.' Sir James therefore left strong injunctions regarding her.<sup>2</sup> By his wife Sir William had issue:—

1. JAMES, who succeeded to his grandfather.
2. *Margaret*, eldest daughter, to whom in his last will her grandfather assigned the marriage of M'Lellan of Gelston, of the value of 1200 merks; married (contract 13 November 1593) to Sir Robert Montgomerie of Skelmorlie, and died 1624, leaving issue.<sup>3</sup>
3. *Janet*, to whom her grandfather left 2000 merks; married to Sir James Murray of Cockpool.<sup>4</sup> (*See title Annandale.*)
4. *Helen*, who received the same sum.
5. *Christian*, who was left £1000. She was married to Sir Robert Dalzell, afterwards first Earl of Carnwath.<sup>5</sup> (*See that title.*)
6. *Jean*, who had the same sum.<sup>6</sup>

Sir William had also apparently a natural son, *William*, described, on 9 July 1601, as a natural brother of the Laird of Drumlanrig.<sup>7</sup>

SIR JAMES DOUGLAS, only son of Sir William, succeeded

<sup>1</sup> 18 March 1872-73; *Scotts of Buccleuch*, ii. 227-230. <sup>2</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 28. <sup>3</sup> *Memorials of the Montgomeries*, i. 160. <sup>4</sup> *Reg. of Deeds*, cxxvi. f. 204. <sup>5</sup> *Ibid.* In vol. ii. 411 he is erroneously said to be second Earl. <sup>6</sup> These daughters of Sir William are all named in their grandfather's will, already cited; also in an Obligation, dated 2 June 1575, to pay them certain sums; *Reg. of Deeds*, xiv. f. 236. <sup>7</sup> *P. C. Reg.*, vi. 268.

his grandfather on 27 December 1578, when still apparently in pupillarity. The beginning of his career was probably clouded by disputes between his appointed guardians and his mother, whom they were directed to forbid the house, even if he were wilful and desired to admit her as a ruler of his house,<sup>1</sup> and this seems to have influenced his temperament, as he appears later as at loggerheads with all his neighbours. This fact, however, was also largely due to the rule of making each great chief or landowner responsible for the peaceable behaviour of the smaller lairds or tenants on his lands. But as these were in a constant state of feud, they were seldom without quarrels, and this led to friction of jurisdiction. Thus, in October 1583, he was accused by Sir James Johnstone of Dunskeillie, then Warden of the West March, of harbouring 'broken men' or outlaws from justice, and he was ordered to ward by the Privy Council.<sup>2</sup> Besides other causes of dispute between him and Johnstone, Douglas, in 1587 and 1588, complained of a long list of thefts of horses, cows, sheep, money, and plenishing, committed against his tenants by lawless Johnstones.<sup>3</sup> In 1589 he was involved in a feud with his neighbours, Lord Crichton of Sanquhar and Charteris of Amisfield.<sup>4</sup> On 17 May 1590 he was created a knight in honour of the coronation of Queen Anna.<sup>5</sup>

A question of rival jurisdiction brought about a quarrel with Thomas Kirkpatrick of Closeburn who was Sheriff-depute of Dumfriesshire, while Sir James was bailie of the regality of Morton. On 27 March 1591 Kirkpatrick was holding a court at Penpont trying a prisoner, when Sir James with armed followers entered the place and carried off the prisoner. For this offence he was suspended for a time from his office of bailie, and he was obliged to give surety for £1000 that he would not molest Kirkpatrick.<sup>6</sup> The feud with Johnstone went on, he and the Maxwells at one time uniting against Douglas, and at another they and he combined against Johnstone, who had become obnoxious to the central Government. The quarrel, however, if it did not at once cease, took a modified form

<sup>1</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 28.   <sup>2</sup> *P. C. Reg.*, iii. 607.

<sup>3</sup> *Fifteenth Rep.*, App. ix. 32.   <sup>4</sup> *P. C. Reg.*, iv. 826.   <sup>5</sup> *Ibid.*, iv. 481 n.

<sup>6</sup> *Pitcairn's Trials*, i. 259, 265; *P. C. Reg.*, iv. 624.

after a somewhat ludicrous outburst on the part of Johnstone. On 29 November 1597 the parties gave a mutual assurance to each other to refrain from molestation until 1 January 1598-99.<sup>1</sup> In May 1598 Douglas accused Johnstone of breaking the assurance, and the Privy Council declared the latter to be infamous.<sup>2</sup> This was too much for Johnstone, who sent forth a statement of the breach from his own point of view and then made a public challenge to Drumlanrig. The latter he describes as 'ane feibill and vnhonest perjurrit creattour,' and refers to him again as a 'beistle creattour' and a 'feibill creattour,' offering to prove his words by force of arms. There is no trace of a reply from Drumlanrig, only the usual renewing of bonds, the final one being dated at Holyrood 20 November 1599.<sup>3</sup>

On 18 October 1602 Sir James was charged by Maitland of Auchingassil with the murder of two of the latter's tenants under form of law, but after trial was acquitted, as the men were proved to be sheep-stealers. A similar charge against him in 1610 ended in the same way.<sup>4</sup> The Privy Council on 4 March 1606 interfered between him and Lord Maxwell, to whom he had sent a cartel or challenge by letter. It would appear that Maxwell and he met in the chamber of the Mistress of Boyd. Drumlanrig was calling on the lady when Maxwell entered, giving formal salutes, but the other offered no 'courtesie,' whereupon Maxwell 'cast off his hat.' Words passed, Maxwell declaring 'he would not mell with cappit bairnis,' while Drumlanrig gave him the lie. The affair ended in a challenge, but was quashed by the Council.<sup>5</sup> He was innocently involved in the fray on 5 June 1607, between the Master of Crawford and Lindsay of Edzell in the streets of Edinburgh, and was accidentally wounded in the melee.<sup>6</sup>

Sir James, like his predecessor, added considerably to the family estates, though the charters granted to him between 1581 and his death are not all new gifts, many being regrants.<sup>7</sup> On 28 January 1591-92 all his possessions were incorporated into a free regality, sasine to be taken at

<sup>1</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 35, 37. <sup>2</sup> *P. C. Reg.*, v. 456.

<sup>3</sup> *Fifteenth Rep.*, App. ix. 38. <sup>4</sup> *P. C. Reg.*, vi. 472-474, 481; viii. 445-446.

<sup>5</sup> *Ibid.*, vii. 187; xiv. 424. <sup>6</sup> *Ibid.*, vii. 384 n. <sup>7</sup> *Reg. Mag. Sig.*, 1580-1610 *passim*.

Drumlanrig Castle.<sup>1</sup> Also on 13 April 1609, the writ was renewed, and old and new lands were incorporated, to be held to him and the lawful heirs-male of his body, whom failing, to Sir Robert Douglas of Cashogil, whom failing, to Hugh Douglas of Dalvene, and the heirs-male of their bodies, whom failing, to the lawful and nearest heirs-male of the grantee.<sup>2</sup>

On 6 November 1609 Sir James received a special remission from King James, narrating the disordered state of the Borders before the union of the Crowns, and specially commending Sir James as always ready and willing to risk his life in the King's service in repressing malefactors. And because while acting under orders from the King, his council or his officers, Sir James was sometimes compelled to use fire and sword, the King grants full remission and exonerates him from all legal consequences.<sup>3</sup> In the closing year of his life he was the victim of a barbarous outrage and destruction of property. The lands of Howpasley had come into his hands, but the laird's wife resented a Douglas having possession. She gathered a small band of Scotts, who went to Howpasley and there maimed and slew a large number of sheep in a most brutal manner. The actual perpetrators were seized and hanged,<sup>4</sup> though Sir James died before this was done. He died in August 1615,<sup>5</sup> not on 16 October as stated by Wood.

Sir James married, while still under age (contract dated 9 December 1581), Mary, sister of John, sixth Lord Fleming, and daughter of John, fifth Lord Fleming. Her dowry was 6000 merks Scots.<sup>6</sup> By her he had issue:—

1. WILLIAM, who succeeded, first Earl of Queensberry.
2. *James* Douglas of Mouswald, a barony which he received from his father in October 1608. He is styled brother of William Douglas, younger of Drumlanrig, in 1614, when they were charged with sending challenges to various noblemen;<sup>7</sup> also on 20 July 1621, when they were involved in a family quarrel with the Douglasses of Cashogil.<sup>8</sup> He appears to have

<sup>1</sup> *Reg. Mag. Sig.*, at date. <sup>2</sup> *Ibid.* <sup>3</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 31, 32. <sup>4</sup> *Pitcairn's Crim. Trials*, iii. 380-396. <sup>5</sup> *Retours MS.*, vi. f. 64. <sup>6</sup> *Fifteenth Rep.*, App. viii. 29, 30. <sup>7</sup> *P. C. Reg.*, x. 253 *et seq.*  
<sup>8</sup> *Pitcairn's Crim. Trials*, iii. 500 *n.*



been knighted, as on 1 November 1627 he is described as Sir James Douglas, and he was then gathering men for service in Germany.<sup>1</sup> He apparently died not long after, leaving issue, but his family is now extinct. He married, first, a lady whose name has not been ascertained; secondly (contract 2 November 1615), Helena, eldest daughter of Sir William Grierson of Lag.<sup>2</sup>

3. *Mr. George*, brother of William, Viscount of Drumlanrig, accused of abduction July 1631.<sup>3</sup>
4. *Janet*, married to William Livingstone of Jerviswood.<sup>4</sup>
5. *Helen*, said to be married to John Menzies of Castlehill.

Sir James had also a natural son, *John Douglas* of Killyvarrane and Stanhouse, named along with his brothers William and James in the quarrel with Douglas of Cashogil.<sup>5</sup> He had issue.

I. SIR WILLIAM DOUGLAS is first named on record in October 1602, when he and his father and many other landed men joined with the King and others in a bond to keep peace and good order on their estates.<sup>6</sup> He took part in his father's quarrel against Lord Maxwell in 1606 and incurred the censure of the Council,<sup>7</sup> but on the whole appears to have taken a fair share in the conduct of public affairs, if we may accept as a proof his frequent nomination on committees or commissions and his work in what were now called the 'middle shires.'<sup>8</sup> Like his father, however, he was often engaged in disputes with his neighbours, and just before his accession he and his younger brother James were, in July 1614, charged with sending cartels or challenges to Lord Crichton of Sanquhar, Lord Kilmaurs, and William Cunningham of Caprington. As this was strongly opposed to the King's will in these matters, it might have gone hard with them, but they expressed regret and pled their youthfulness. This plea

<sup>1</sup> *P. C. Reg.*, 2nd ser., ii. 106. <sup>2</sup> *Proceedings of the Society of Antiquaries of Scotland*, xxiii. 65-67. Long article on Mouswald. <sup>3</sup> *P. C. Reg.*, 2nd ser., iv. 296, 644. <sup>4</sup> Genealogy in Lyon Office. <sup>5</sup> Pitcairn's *Crim. Trials*, iii. 500 n. <sup>6</sup> *P. C. Reg.*, vi. 828. <sup>7</sup> *Ibid.*, vii. 187. <sup>8</sup> *Ibid.*, *passim*.

was accepted and the parties were reconciled, but the culprits were fined 3000 pounds Scots.<sup>1</sup> In 1621, the brothers again got into trouble in a private quarrel with their relatives the Douglasses of Cashogil, but the law did not consider it necessary to interfere, as the friends of both sides intervened.<sup>2</sup>

Drumlanrig was the last Scottish mansion which entertained King James when he revisited in 1617 his ancient kingdom. There on 31 July he was feasted and heard two Latin poems recited, and the next day re-entered England. On 27 July 1620 William Douglas was appointed Sheriff of Dumfries.<sup>3</sup> He continued in favour with King Charles I. who, on 1 April 1628, raised him to the Peerage, first as LORD DOUGLAS OF HAWICK AND TIBBERIS,<sup>4</sup> and secondly, on the same day, VISCOUNT OF DRUMLANRIG, LORD DOUGLAS OF HAWICK AND TIBBERIS. On 13 June 1633 he was promoted to the dignity of EARL OF QUEENSBERRIE, VISCOUNT OF DRUMLANRIG, LORD DOUGLAS OF HAWICK AND TIBBERIS.<sup>5</sup> The last most interesting item recorded regarding him is his nomination as one of those commissioned to obtain signatures in the counties to the National Covenant.<sup>6</sup> The Earl added largely to his already extensive estates by the acquisition, in 1622, of the lordship and barony of Torthorwald, belonging to the Lords Carlyle, that family having become much embarrassed.<sup>7</sup> A similar condition of mortgages led to the resignation in the Earl's favour by William, Earl of Dumfries, and his son, on 19 December 1637, of the lands and baronies of Sanquhar, co. Dumfries, and the barony and burgh of Cumnock, co. Ayr.<sup>8</sup> The first Earl of Queensberry died on 8 March 1640. He married (contract dated 20 July 1603) Isobel Ker, fourth daughter of Mark, Lord Newbotle,<sup>9</sup> by whom, who died in 1628,<sup>10</sup> he had issue :—

1. JAMES, second Earl of Queensberry.

<sup>1</sup> *P. C. Reg.*, x. 253, 257, 258. <sup>2</sup> 20 July 1621; Pitcairn's *Crim. Trials*, iii. 500, 501. <sup>3</sup> *P. C. Reg.*, xii. 363. <sup>4</sup> *Ibid.*, 2nd ser., ii. 309; *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 84. <sup>5</sup> *Ibid.*, 84, 85; *P. C. Reg.*, 2nd ser., v. 126. <sup>6</sup> *Ibid.*, *ut cit.* <sup>7</sup> *Reg. Mag. Sig.*, 8 January 1622; see also vol. ii. of this work, 394. <sup>8</sup> *Reg. Mag. Sig.*, 16 January 1638; cf. vol. iii. 234, where the dates 1642 and 1643, taken from an old inventory, are erroneously given. <sup>9</sup> *Fifteenth Rep.*, *ut cit.*, 30. <sup>10</sup> Funeral Entry, Lyon Office.

2. SIR WILLIAM DOUGLAS of Kelhead, of whom later, ancestor of the present Marquess of Queensberry.
3. *Archibald Douglas* of Dornock,<sup>1</sup> ancestor of the Douglasses of Dornock, Dumfriesshire.
4. *George*, died *s.p.*
5. *Margaret*, married, in December 1622 (contract dated 27 November 1622), to James Johnstone of that Ilk, afterwards first Earl of Hartfell, and had issue. (*See title Annandale.*)
6. *Janet*, married to Thomas, second Lord Kirkcudbright, without surviving issue. (*See title Kirkcudbright.*)

II. JAMES, second Earl of Queensberry, is first named in January 1622, when he appears as his father's eldest son and heir, and was conjoined with him in a charter of the lands and barony of Torthorwald.<sup>2</sup> On 20 May 1640 he was retoured heir to his father, whom he succeeded on 8 March 1640.<sup>3</sup> He took his own place in public life, and in 1643 was appointed colonel of the Militia in his own neighbourhood.<sup>4</sup> In the following year he was placed on the Committee of War for the south of Scotland.<sup>5</sup> In 1645, he wavered in his allegiance to the Parliament, and with his kinsman, the Marquess of Douglas, set forth to join Montrose after his victory at Kilsyth, but the party was attacked by a force of Covenanters, and Queensberry was taken prisoner, and warded in Carlisle. His friends were unwise enough to attempt to bribe the governor of his prison to release him, and they also uttered threats against others. For this he was fined the large sum of 180,000 merks, of which he paid 120,000 and 60,000 were remitted.<sup>6</sup> He was also in 1654 fined £4000 by Cromwell. After the Restoration he returned to public life and sat in Parliament. In June 1661, a report was made as to his losses, which were estimated in all at £234,879 Scots. This consisted partly of fines, plundering during his incarcerations at Carlisle, Glasgow, and St. Andrews, also of damage done by a garrison of English dragoons to his castle of Sanquhar, and the value of muskets, powder, pikes, and field-pieces

<sup>1</sup> *Reg. Mag. Sig.*, 9 August 1642; 11 November 1644; for an account of this family, see *Notes and Queries*, 5th ser., vii. 243. <sup>2</sup> *Ibid.*, 8 January 1622. <sup>3</sup> *Retours Ms.*, vol. xvi. f. 99. <sup>4</sup> *Acta Parl. Scot.*, vi. (1) 91. <sup>5</sup> *Ibid.*, 200. <sup>6</sup> *Ibid.*, 480, 756.

taken from Drumlanrig in 1652.<sup>1</sup> It also appears that in 1650 much depredation of grain and cattle was made on his lands and the gates of Drumlanrig Castle were burned, for which he accepted a proposed payment of £2000 sterling.<sup>2</sup> In 1661, he was appointed a Commissioner of Excise, and in 1663 a Justice of Peace.<sup>3</sup> This Earl added to his possessions the lands of Kinmont, Locharwood, Cummertrees, and many others, with the patronages of no fewer than fourteen parish churches. He died in 1671. He married, first (contract dated 4 June 1630), as Master of Drumlanrig, Mary Hamilton, daughter of the second, and sister of the third, Marquess of Hamilton. She died, without issue, 29 October 1633. He married, secondly, Margaret Stewart, eldest daughter of John, first Earl of Traquair. She survived him, dying on or soon after 20 March 1673, when she made her will at Sanquhar Castle.<sup>4</sup> By her the Earl had issue:—

1. WILLIAM, who succeeded.
2. *James*, who, as lawful son of James, Earl of Queensberry, was admitted a member of the Faculty of Advocates on 7 December 1665.<sup>5</sup> He afterwards laid aside the gown for the sword, and was on service on the Continent, perhaps at the siege of Maestricht in 1676, but then suffered from ague.<sup>6</sup> He was promoted to be colonel before 1682, and seems to have got deeply into debt, and James, Duke of York, in 1682, interested himself in settling the affair, and procuring a sum of money that the creditors might be paid 'without noyse.'<sup>7</sup> He was made colonel of the Guards in 1684, and became lieutenant-general. He had a Crown charter on 26 April 1681, of the lands of Comlodden, forfeited by Patrick Murdoch, and on 21 March 1683, of the lands of Monkgreenan and others, co. Ayr.<sup>8</sup> He had also, about November 1684, a charter of the lands of Skirling, co. Peebles.<sup>9</sup> He died at Namur 1691.<sup>10</sup> He married a lady named Anna Hamilton, who survived him, and had issue two

<sup>1</sup> *Acta Parl. Scot.*, vii. 285. <sup>2</sup> *Ibid.*, 374. <sup>3</sup> *Ibid.*, 91, 505. <sup>4</sup> *Dumfries Tests.*, 1 June 1673. <sup>5</sup> *Books of Sederunt*, at date. <sup>6</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 216. <sup>7</sup> *Ibid.*, 173, 271, 272. <sup>8</sup> *Reg. Mag. Sig.*, at dates. <sup>9</sup> *Queensberry Case 1812*, Evidence. <sup>10</sup> See memoir of him in *The Scots Army*, by Charles Dalton, 78-87.

sons, *James*<sup>1</sup> and *William*, who was served heir to his brother and father in 1709, and died at Carlisle 4 April 1712,<sup>2</sup> and a daughter *Margaret*,<sup>3</sup> who was served heir to her father on 24 July 1713.<sup>4</sup>

3. *John*, who also entered the Army, and had the rank of captain. He had the lands of Cragmuie, co. Kirkcudbright, from his eldest brother on 18 September 1671.<sup>5</sup> As Captain John Douglas he witnessed his mother's will on 20 March 1673, and is said to have been killed at the siege of Treves, where he willed his property to his brother James, on 8 August 1675.<sup>6</sup>
4. *Robert*, of whom nothing is known but that he entered the Army, left Scotland on service about March 1675, and was killed at Maestricht, before September 1676.<sup>7</sup> He made his will at 'Sancta Catharina Vadua' on 2 June 1675, leaving a legacy of 6000 merks Scots to his brothers James and John, whom failing, to his sisters Henrietta and Isabel.<sup>8</sup>
5. *Mary*, married to Alexander, third Earl of Galloway (see that title), and had issue.
6. *Catherine*, married to Sir James Douglas of Kelhead, Bart. (see post, p. 148), and had issue.
7. *Henrietta*, married to Sir Robert Grierson of Lag, and had issue.
8. *Margaret*, married, first, to Sir Alexander Jardine of Applegirth, and had issue; secondly, 5 December 1689,<sup>9</sup> to Sir David Thoirs.
9. *Isabel*, married to Sir William Lockhart of Carstairs, and had issue.

III. WILLIAM, third Earl of Queensberry, born in 1637,<sup>10</sup> took part in affairs, both public and private, some years before his father's death and his own accession to the earldom. In 1661, after the Restoration, he was, as Lord Drumlanrig, named a Commissioner of Excise, and in 1663

<sup>1</sup> Edinburgh Tests., 13 January 1714. <sup>2</sup> *Ibid.*, 12 August 1712; Queensberry Case 3. <sup>3</sup> Edin. Tests., 7 September 1715. <sup>4</sup> Queensberry Case 3. <sup>5</sup> *Ibid.* <sup>6</sup> *Ibid.* <sup>7</sup> Cf. *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 216. <sup>8</sup> Queensberry Case. <sup>9</sup> Edin. Mar. Reg. <sup>10</sup> Musgrave's *Obituary*, vol. v. 101.

a Justice of Peace.<sup>1</sup> He also, in 1669, had his lands and barony of Sanquhar erected anew into a regality, and annexed to the earldom, with the offices of Sheriff and Coroner of the shire of Dumfries.<sup>2</sup> He took the side of the Government in the struggle between them and the Covenanters, and stood high in favour. On 1 June 1680 he was appointed Justice-General of Scotland, on 4 October 1681 an Extraordinary Lord of Session,<sup>3</sup> and on 11 February 1682 he was promoted to be MARQUESS OF QUEENSBERRIE, EARL OF DRUMLANRIG AND SANCHAR, VISCOUNT OF NITH, TORTHORWALD AND ROSS, LORD DOUGLAS OF KINMONTH, MIDLEBIE AND DORNOCK, with remainder to his heirs-male whomsoever. This was followed, on 20 April 1682, by a royal warrant to add the royal tressure to his coat of arms, as an honourable addition, with the royal tinctures.<sup>4</sup> In this year he was the constant correspondent of James, Duke of York (afterwards King James VII.), who was appointed the King's representative and Commissioner for Scotland. He was also a strong supporter of the Government's policy for suppression of the Covenanters, probably, as has been suggested, rather for the politic purpose of preventing the Roman Catholic religion being forced on the country, than because he really sympathised with the Government's methods.<sup>5</sup> But his action was rewarded by his elevation, by patent dated 3 November 1684, to be DUKE OF QUEENSBERRIE, MARQUIS OF DRUMFRES-SHYRE, EARL OF DRUMLANRIG AND SANQUHAR, VISCOUNT OF NITH, TORTHORWELL AND ROSS, LORD DOUGLAS OF KINMONTH, MIDLEBIE AND DORNOCK, with remainder to the heirs-male of his body.<sup>6</sup>

A few months after this King Charles died, and the Duke of York succeeded as King. Queensberry was summoned to his presence to advise as to Scottish affairs, and Bishop

<sup>1</sup> *Acta Parl. Scot.*, vii. 91, 505. <sup>2</sup> *Ibid.*, 645. <sup>3</sup> *Reg. Mag. Sig.*; Books of Sederunt, 1 November 1681. He was also made High Treasurer on 1 May 1682, and Governor of Edinburgh Castle 20 September same year; *Reg. Mag. Sig.*, at dates. <sup>4</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 85, 86. <sup>5</sup> *History of the House of Douglas*, by Sir H. Maxwell, ii. 270. Letters to the Duke of Hamilton in 1678, indicating Queensberry's opinion on this point, will be found in *Eleventh Rep. Hist. MSS. Com.*, App. vi. 161, 162. <sup>6</sup> *Fifteenth Rep.*, *ut cit.*, 86, 87.

Burnet asserts that the Duke at once declared to the King that he would be no party to any design for changing the religion of Scotland, if such were intended. James repudiated the idea, and told Queensberry he was to be Commissioner to his first Scottish Parliament. That body sat from April to June 1685, and the Duke conducted the business ably and passed into law the greater number of the King's instructions. The Earl of Melfort, a political antagonist of the Duke, drew up a long libel against him, which was successfully answered, and the King passed it by, granting very special letters of approbation to the Duke on 31 October 1685.<sup>1</sup> All this exasperated his opponents, and in their letters they manifest much personal animus against Queensberry. They gained the King's ear and effected the Duke's political downfall. The King, however, did try at first to reconcile the opposing parties but without avail. But the Earl of Perth wrote to Duke Hamilton about Queensberry, 'Our friend here has much resemblance to our spiritual ennemie who goes about lyke a roaring lyon seeking whome he may devore, and yet very oft puts on the fair shew of an angel of light.' He further states that the Duke was inspired by Rochester. In another letter Perth bursts out, 'I told his Majesty Duke Queensberry was an atheist in religion, a villan in friendship, a knave in business, and a traitor in his carriage to him, and so could never either have esteem or love from me.'<sup>2</sup> Such discordant politicians could not be reconciled, and Queensberry was deprived of his principal offices.<sup>3</sup> When William and Mary came to the throne he was one of those who offered the crown of Scotland to them,<sup>4</sup> but though still a comparatively young man, cares of state had so weighed on him that he only lived a few years longer. He was again made an Extraordinary Lord of Session 31 January 1693, an appointment followed by a formal remission

<sup>1</sup> *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 90-151, for Commission to Duke, proceedings of Parliament, Libel, and Approbation. <sup>2</sup> Letters to Hamilton, *Eleventh Rep. Hist. MSS. Com.*, App. vi. 170, 171. <sup>3</sup> Lockhart, a critic by no means friendly, says the Duke fully deserved his offices and employments, being in all respects a great man; *Memoirs*, ed. 1714, 9. <sup>4</sup> After the Revolution, Lockhart tells us the Duke 'retir'd and liv'd privately for the most part, and continu'd firm to King James's interest all the time he lived'; *Memoirs*, 9.

for rebellion and treason, dated 30 December of that year,<sup>1</sup> and he died on 28 March 1695, aged fifty-eight, and was buried in the church of Durisdeer. The present Drumlanrig Castle owes its existence to this Duke, who is said to have ruined himself by the expense incurred.<sup>2</sup> The Duke married, in 1657, Isabel Douglas, daughter of William, first Marquess of Douglas. She was living 20 December 1688.

They had issue:—

1. JAMES, who succeeded as second Duke of Queensberry.
2. WILLIAM, Earl of March, see page 144, *infra*.
3. George, was a student at Glasgow University in 1682,<sup>3</sup> and died unmarried, it is said, in July 1693, certainly before 1 March 1695, when his father presented his library to the Faculty of Advocates, Edinburgh, who ordered the books to be placed in distinct presses by themselves, with a suitable inscription to his memory.<sup>4</sup>
4. Anna, married, with a dowry of 100,000 merks (contract 13 August 1697), to David, Lord Elcho, afterwards the third Earl of Wemyss. She met a tragic fate on 13 February 1700, when her clothes caught fire, and she died about ten days later,<sup>5</sup> leaving two sons, the second of whom became fourth Earl of Wemyss, and her descendant the sixth Earl succeeded, in 1810, to the title of Earl of March and a considerable share of the Queensberry estates.

IV. JAMES, second Duke of Queensberry, was born at Sanquhar Castle on 18 December 1662, and in due course entered on his studies at Glasgow University in 1676.<sup>6</sup> He then went abroad, and on his return in 1684 he was, about 15 July, sworn of the Privy Council of Scotland,<sup>7</sup> and also made lieutenant-colonel of Lord Dundee's regiment of horse. He was, according to Lockhart, the first Scotsman to desert King James and adhere to the Prince of Orange, which he did by meeting him at Sherborne on 30 November 1688, thus earning, it is said, the appellation of *Proto Rebel*. He was given command of the Scottish troop of Horse Guards, but

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *The House of Douglas*, by Sir H. Maxwell, ii. 273.  
<sup>3</sup> *Mun. Univ. Glasg.*, iii. 140. <sup>4</sup> Queensberry Case 4. <sup>5</sup> *The Wemyss Book*, i. 327, 328, 334. <sup>6</sup> *Mun. Univ. Glasg.*, iii. 132. <sup>7</sup> *P. C. Reg.*, at date.



in 1690 he applied for the post of Extraordinary Lord of Session. He did not get the office then, but was made a Commissioner of the Treasury 3 March 1692,<sup>1</sup> and, in 1693, authorised to vote as Lord High Treasurer. He was appointed Keeper of the Privy Seal on 25 May 1696,<sup>2</sup> and on 26 June 1696 he took his seat as an Extraordinary Lord of Session.<sup>3</sup> In 1700 King William was, though unwilling, obliged by the clamour of the nation, who were greatly enraged at the fate of the Darien Scheme, to summon a Scottish Parliament, and the Duke was named Commissioner. He, with the help of Argyll, managed matters so well as to obtain a majority for the Government, and received the ribbon of the Garter.

He was again appointed as Commissioner to the first Parliament of Queen Anne, and then began a career which made him for a time one of the makers of history, and gained for him the name of the 'Union Duke.' It is, however, too long a tale to recount here, but suffice it to say that though at first, by his dealings with the notorious Simon Fraser of Lovat, he deviated from a straight path of politics, which for a time cost him his offices, he was in 1705 reinstated, and thenceforward devoted himself wholly to the promotion of the Union. His efforts were successful, and he was appointed High Commissioner to the last Parliament held in Scotland, that he might put the final touch to the Act, on 16 January 1707. It was to come into force on 2 April 1707, but a month ere that, Queensberry left Scotland for the south. His progress is said to have been a very remarkable one. Leaving Scotland amid the execrations of the greater part of his countrymen, he was welcomed on the other side of the Border with an enthusiasm which, ere he reached London, manifested itself in a perfect ovation and a magnificent greeting by the capital. His services were rewarded by a pension of £3000 yearly, and he was on 26 May 1708 created DUKE OF DOVER, MARQUESS OF BEVERLEY, and BARON RIPPON in the British Peerage, with remainder to his third son Charles, and younger sons. Previous to this, on 26 December 1705, he had, for family reasons, including the mental incapacity of his eldest surviving son James,

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.* <sup>3</sup> Brunton and Haig.

Earl of Drumlanrig, entailed his estates on his second surviving son Charles and his heirs-male, whom failing, on his third son George, with remainder to William, Earl of March, and a long series of heirs<sup>1</sup> identical with those in the entail of 12 October 1693, cited below.<sup>2</sup> Following on this he resigned, on 12 March 1706, his titles of Duke of Queensberry, Marquess of Dumfries-shire, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald and Ros, Lord Douglas of Kinmount, Middlebie and Dornock, into the hands of Queen Anne, and on 17 June he had a novodamus or regrant of these dignities to himself and his heirs of the above entail. These heirs, however, were limited to the descendants of the body of William, first Earl of Queensberry, and provision was made that this new diploma should be no prejudice to the Duke and his said heirs of entail in regard to any former precedencies, titles, honours, etc., previously conferred on him and his predecessors, a clause which afterwards became important.

On 20 July 1709 the Duke was appointed one of the joint Keepers of the Signet,<sup>3</sup> beside other offices, and third Secretary of State, which enabled him still to manage the affairs of Scotland. But he did not long survive, dying in London on 6 July 1711, and was buried at Durisdeer.<sup>4</sup>

He married, on 1 December 1685, Mary, second daughter of Charles Boyle, styled Viscount Dungarvan, by his wife Jane Seymour, daughter of William, Duke of Somerset. She died in London 2 October 1709, aged thirty-eight, and was buried at Durisdeer.<sup>5</sup> They had issue:<sup>6</sup>—

1. *William*, born 18 May 1696, died an infant on 21 October 1696.
2. *James*, styled Earl of Drumlanrig, born 2 November 1697, was an idiot, and on that account, if not on account of the tragedy of which he was the perpetrator, was passed over in his father's entail of the titles and estates.<sup>7</sup> He survived his father, and *de jure* succeeded to the titles of Marquess and Earl

<sup>1</sup> Register of Tailzies, 21 February 1724. <sup>2</sup> Page 145 *infra*. <sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> *Notes and Queries*, fourth ser., x. 169. Inscriptions on the Douglas coffins at Durisdeer. <sup>5</sup> *Ibid.* <sup>6</sup> The death of a child in 1705 is alluded to in the Mar and Kellie Papers (*Hist. MSS. Com.*), 238. <sup>7</sup> Cf. *Complete Peerage*, vi. 310, and *The House of Douglas*, by Sir Herbert Maxwell, ii. 284.

of Queensberry, which he never assumed. He died unmarried, and was buried, 17 February 1715, as Earl of Drumlanrig, at Lanesborough, co. York, among his mother's ancestors.<sup>1</sup>

3. CHARLES, who became third Duke of Queensberry.
4. *George*, of Dumcrief, born 20 February 1701; died unmarried at Paris in 1725.<sup>2</sup>
5. *Isabel*, born 4 December 1688, died at Edinburgh 7 July 1694.
6. *Elizabeth*, born 11 August 1691, died 17 July 1695, buried at Durisdeer.
7. *Mary*, born 4 February 1699, died 16 November 1703.
8. *Jean*, married, 5 April 1720, to Francis, Earl of Dalkeith, afterwards second Duke of Buccleuch, and had issue. She died 31 August 1729. Her grandson Henry, third Duke of Buccleuch, succeeded in 1810, as heir of entail, to the dukedom of Queensberry and a large proportion of the estates.
9. *Anne*, married, 25 January 1733, as his first wife, to William Finch, brother of the Earl of Winchelsea and Nottingham. She died s.p. 26 October 1741.

V. CHARLES, third Duke of Queensberry, and second Duke of Dover, was, as stated, the third son of his father, and succeeded, passing over his elder brother James, in terms of the entail of 1705. He was born 24 November 1698, and on 17 June 1706 was, in recognition of the services of his father and grandfather, created EARL OF SALLWAY [SOLWAY], VISCOUNT OF TIBBERIS, LORD DOUGLAS OF LOCKERBIE, DALVEEN AND THORNHILL,<sup>3</sup> with remainder to his younger brother George and any younger son born to James, Duke of Queensberry. He succeeded on 6 July 1711, and on 18 December 1719 applied for his writ of summons to the House of Lords, but on 14 January 1720 the House decided that he had no right to it. He was made a D.C.L. of Oxford on 6 July 1720, and held various offices about the Court and elsewhere. He and his wife were excluded from the Court of King George II. because of their patronage of the poet Gay, but the Duke

<sup>1</sup> *Complete Peerage*, vi. 311. <sup>2</sup> Edinburgh Tests., 25 August 1731.

<sup>3</sup> *Reg. Mag. Sig.*, vol. 82, No. 101. The *Complete Peerage* gives the date of creation as 17 June 1707, but it is a year earlier.

was a Lord of the Bedchamber for a few years to Frederick, Prince of Wales. Under King George III. he took more part in public affairs, and was made a Privy Councillor, Keeper of the Great Seal of Scotland 10 June 1761, and Lord Justice-General on 15 April 1763.<sup>1</sup> He received King George III. and his Queen as guests at his house of Ambresbury or Amesbury, Wilts, and while on his way to London to return thanks for the honour of the royal visit, had an accident when alighting from his carriage, from the effects of which he died in London, on 22 October 1778, in his eightieth year. As he outlived his sons, the titles of Duke of Dover, Marquess of Beverley, and Lord Ripon, granted to his father in 1708, became extinct, and also the titles of Solway, etc., conferred on himself in 1706. The other titles devolved on his successor, the grandson of his uncle William, first Earl of March. He married, 10 March 1720, Catherine Hyde, second daughter of Henry, fourth Earl of Clarendon. Her beauty and eccentricity have made her famous, and as 'Prior's Kitty' she will long be commemorated.<sup>2</sup> She died of a surfeit of cherries in London on 17 July 1777, aged seventy-six, and was buried at Durisdeer, where the Duke also was laid. They had issue:—

1. *Henry*, Lord Drumlanrig, born 30 October 1722; entered the Army and distinguished himself in service abroad, but met a sudden death by the accidental explosion of one of his pistols, while he was on a journey, near Bantry, co. York, on 19 October 1754. He married, on 24 July 1754, Elizabeth Hope, eldest daughter of John, second Earl of Hopetoun. (*See that title.*) She was greatly affected by her husband's death, and died *s.p.* 7 April 1756, being buried beside him at Durisdeer.
2. *Charles*, born 17 July 1726; was M.P. for Dumfries 1747 to 1754, when he succeeded his brother as Earl of Drumlanrig. He died unmarried, 24 October 1756, at Amesbury, and was buried at Durisdeer.

WILLIAM, second son of William, first Duke of Queensberry, was born about 1665. He entered the Army, and was lieu-

<sup>1</sup> *Reg. Mag. Sig.*, at dates. <sup>2</sup> Cf. her letters to Lady Suffolk in the *Suffolk Correspondence* (1824), with an account of her by J. W. Croker.

tenant in his eldest brother's troop 1682, in the Royal or King's Regiment of Horse.<sup>1</sup> On 12 October 1693 he received at his marriage, from his father, the lands of Neidpath and others in Peeblesshire.<sup>2</sup> The lands were entailed to a long series of heirs, which, as the later and more important entail of the dukedom was based upon it, may be given fully here. The lands were to pass to Lord William Douglas and the lawful heirs-male of his body by Jean Hay; whom failing, to his heirs-male by any other marriage; whom failing, to James, Earl of Drumlanrig, and the heirs-male of his body;<sup>3</sup> whom failing, to William, Duke of Queensberry; whom failing, to Anna Douglas his daughter; whom failing, to any other daughter of the Duke; whom failing, to any person to be nominated by the Duke, and if there were no such nomination, then to the eldest daughter and heir-female of Lord William Douglas by this or any other marriage, and the heirs-male of her body; whom failing, to the eldest daughter of James, Earl of Drumlanrig; whom failing, to the eldest son of Mary, Countess of Galloway, eldest sister of the Duke, or to her second and third or other sons; whom failing, to the eldest son of Catherine Douglas, Lady Kelhead; whom failing, to her second and remaining sons; whom failing, to the eldest son of Henrietta Douglas, Lady Lag, third sister of the Duke; whom failing, to her second and remaining sons; whom failing, to the eldest son of Margaret Douglas, Lady Applegirth, fourth sister of the Duke; whom failing, to her second and remaining sons; whom failing, to Sir James Douglas of Kelhead, and the heirs-male of his body; whom failing, to William Douglas of Dornock; whom failing, to Duke William and his heirs-male whomsoever; whom failing, to the Duke's heirs and assignees. William Douglas refused at first to take the oath to King William, but eventually did so, and on 20 April 1697 he was created EARL OF MARCH, VISCOUNT OF PEBBLES, LORD DOUGLAS OF NEIDPATH, LYNE AND MUNARD, with, in the warrant in the State Paper Office in London, a limitation to 'the heirs-male of his body,' but in the Scottish copy of the signature there is added 'which failzieing to his other airsmale and of tailzie contained in his infetment of the lands and lordships of Neidpath.'<sup>4</sup> Doubt has been thrown upon the genuineness of this addition, but it is evident that a space had been left in which to insert it, probably because the exact form of the destination was not settled, and the insertion must have been contemporaneous, as there is another copy of same period, where the inserted words appear in their proper place.<sup>5</sup> The signature is, as stated, of date 20 April 1697, but there was

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<sup>1</sup> *The Scots Army*, by Charles Dalton, 135. <sup>2</sup> Queensberry Peerage Case, 33. <sup>3</sup> This being understood after every heir called, male or female. <sup>4</sup> Marchmont Warrants in Gen. Reg. Ho., No. 20. <sup>5</sup> This copy (*Ibid.*, No. 21) was unknown to Mr. Riddell, who, however, explains his opinion as to the genuineness of the warrant in his *Law of Scottish Peerages*, ii. 1054-56.

some delay, and the writ was not sealed until 30 April 1697 as endorsed on the original. Between these dates, on 23 April, Patrick, Lord Polwarth, was created Earl of Marchmont, and might have taken precedence of March, but on 1 May 1697 he solemnly declared that although his patent might pass the seals before that of Lord William Douglas, yet it should not prejudice his precedence by reason of his patent, prior in date as said is, when it shall pass the Great Seal.<sup>1</sup> The new Earl took his seat in Parliament on 21 July 1698. He was Governor of the Castle of Edinburgh from December 1702 to October 1704. He is said by a contemporary to have 'no great genius, but is a good-natured gentleman, handsome in his person,' though he was not 'turned of fifty,' as also stated, but was only about forty at his death, which took place at Edinburgh 2 September 1705. He married (contract 12 October 1693) Jane Hay, second daughter of John, first Marquess of Tweeddale. She survived him, dying at Edinburgh in July 1729, and was buried at Peebles. They had issue:—

- (1) WILLIAM, second Earl of March.
- (2) *John* Douglas of Broughton, M.P. for Peebles in 1722 and 1727. He died unmarried.
- (3) *James* Douglas of Stow, died unmarried before 1732.
- (4) *Isobel*, died unmarried 9 April 1780.<sup>2</sup>
- (5) *Mary*, died unmarried 15 March 1781.<sup>3</sup>
- (6) *Jean*, died unmarried.

WILLIAM, second Earl of March, was born about 1696, and succeeded his father 2 September 1705. He does not seem to have taken much part in public affairs, and he died at Barnton, near Edinburgh, on 7 March 1731. He married Anne Hamilton, eldest daughter of John, Earl of Selkirk and Ruglen, who, on the death of her father, 3 December 1744, became Countess of Ruglen in her own right. She married, secondly, in January 1747, Anthony Sawyer, Paymaster of the Forces in Scotland. She died at York 21 April 1748. The Earl and Countess had issue, an only child,

VI. WILLIAM, who succeeded his father's cousin as fourth Duke of Queensberry, was born 16 December 1725, and succeeded his father on 7 March 1731, as EARL OF MARCH. On 21 April 1748 he succeeded to his mother's titles, and became EARL OF RUGLEN, VISCOUNT OF RICCAR-TOUN, AND LORD HILLHOUSE. He was then styled Earl of March and Ruglen until he succeeded to the dukedom of Queensberry. In 1759 he was one of the claimants to the Peerage of Cassillis, and the estates, as heir-general through his maternal grandmother Anne, daughter, by first marriage, of John, seventh Earl of Cassillis. (*See that title.*) But

<sup>1</sup> Marchmont Warrants, No. 22. <sup>2</sup> Edinburgh Tests., 24 August 1781.

<sup>3</sup> *Ibid.*

he was not successful in either action. Besides minor offices at Court, he was a Representative Peer for Scotland from 1761 to 1784, and was made K.T. 13 April 1763. He succeeded, on 22 October 1778, as Duke of Queensberry. On 21 August 1786 he was created a Peer of Great Britain, as **BARON DOUGLAS OF AMESBURY**, co. Wilts. He was a supporter and companion of George, Prince of Wales, and in his later years, under the names of 'Old Q.' and the 'Star of Piccadilly,'<sup>1</sup> he played a large but by no means reputable part in Society. He died 23 December 1810, in London, unmarried,<sup>2</sup> and with him there failed the male line of William, first Duke of Queensberry, the male lines of John, Earl of Ruglen, and of William, Earl of March. The various titles which he bore were distributed as follows. His titles of Earl of Ruglen, Viscount of Riccarton and Lord Hillhouse became extinct. The titles of Duke of Queensberry, Marquess of Dumfriesshire, Earl of Drumlanrig and Sanquhar, Viscount of Nith, and other titles conferred on the first Duke of Queensberry, passed under the charter of 17 June 1706, to the heir-male of Jean, Duchess of Buccleuch, eldest surviving daughter of the second Duke (see *ante*, p. 143), and are now held by her descendant the present Duke of Buccleuch and Queensberry. The titles of Earl of March passed to the Earl of Wemyss, while the marquessate and earldom of Queensberry, with the other titles conferred on the third Earl of Queensberry, devolved on the heir-male, descended from

**SIR WILLIAM DOUGLAS** of Kelhead, who was the second son of William, first Earl of Queensberry. When a young man he entered the Army, in which he attained the rank of colonel. On 1 March 1644 he had, along with his wife, Agnes Fawsyde, a charter of part of the lands of Prestongrange, co. Haddington, in liferent, with remainder to their son

<sup>1</sup> His life and adventures have been dealt with by many writers, especially by the contemporary diarists. See the *Piccadilly Ambulator, or Old Q.* etc., 1808; Wraxall's *Memoirs*; Raike's *Journal*; Jesse's *George Selwyn and his Contemporaries*; Wheatley's *Round about Piccadilly*, etc. <sup>2</sup> The Duke gave £150,000 to Maria Fagniani on her marriage to the Earl of Yarmouth, on the supposition that she was his daughter, and she got £30,000 from Selwyn who had brought her up, and believed that he was her father.

William in fee, on the resignation of the said Agnes.<sup>1</sup> These lands, however, they disposed of a few months later.<sup>2</sup> He was Governor of Carlisle in 1647, being so designed in the marriage-contract of his daughter Mary. He died before 1673. He married, first, Agnes, daughter of George Faw-syde of that Ilk, and, secondly (contract 1649), Jean, daughter of Sir Robert Stuart of Schelinlaw,<sup>3</sup> widow of Andrew Riddell of Hayning. By his first wife only, so far as is known, he had issue:—

1. *William*, died *vitâ patris*, unmarried.
2. *JAMES*, of whom presently.
3. *Robert*, mentioned in the marriage-contract of his sister *Sophia*.
4. *Archibald*, entered the Army and attained the rank of colonel. He married, with issue one daughter.
5. *George*, a captain in the Army.
6. *Mary*, married (contract 28 January 1647) to John Johnston of Wamphray, with issue one daughter, *Jonet*.
7. *Isobel*, baptized 24 October 1635.<sup>4</sup>
8. *Margaret*, born 3 April 1637.
9. *Catherine*, born 10 April 1638, married to Menzies of Stenhouse.
10. *Sarah*, born 17 November 1641.
11. *Sophia*, married (contract 29 August and 9 September 1672) to John Craill of Stewartoun.

There is no record of any issue by the second marriage.

SIR JAMES DOUGLAS of Kelhead, eldest surviving son, was born 19 September 1639, and was on 5 March 1696 served heir-general of his brother William.<sup>5</sup> He was created a Baronet in the lifetime of his father, under the designation of James Douglas, younger of Kelhead, with remainder to the heirs-male of his body, 26 February 1668,<sup>6</sup> on which day arms were recorded for him in the Lyon Register. He was dead before April 1708. He married (contract 28

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.*, 11 November 1644. <sup>3</sup> *Fun. Escutcheons, Lyon Office.* <sup>4</sup> *Edin. Reg.* <sup>5</sup> *Retours, Gen.*, 7678. <sup>6</sup> *Reg. Mag. Sig.*, lib. lxx. No. 21. Wood's *Douglas's Peerage* erroneously states that it was his father who got the Baronetcy.



October 1667) Catherine, second daughter of James, second Earl of Queensberry, and by her had one son, .

SIR WILLIAM DOUGLAS of Kelhead. He died 10 October 1733,<sup>1</sup> having married (contract 8 September 1705) Helen, daughter of Colonel John Erskine of Carnock, deputy-governor of Stirling and Dumbarton Castles,<sup>2</sup> fifth son of David, Lord Cardross. She died 20 July 1754,<sup>3</sup> having had issue ten sons and four daughters:—

1. JOHN, who succeeded.
2. *William*, who died unmarried in 1786.
3. *Charles* of Breconwhat, co. Dumfries. He was in the service of the Honourable East India Company, and died at London 13 December 1770, when his estate devolved, in terms of an entail executed by himself, on his nephew, Sir William Douglas of Kelhead.
4. *James*, a physician in Carlisle. He was deputed in 1745, along with the Mayor, to treat with Prince Charles as to the surrender of the city and castle.<sup>4</sup> Married Mary, second daughter of Sir Patrick Maxwell of Springkell, Baronet, with issue.
5. *Archibald*, died young and unmarried.
6. *Stewart*, an officer in the Army. Was at the battle of Dettingen 1743, and was promoted captain for his gallant behaviour there. Became lieutenant-general and colonel of the 99th Regiment of Foot. He died at London 30 June 1795.
7. *Erskine*, a physician at Hexham, Northumberland. Died at Brompton, 10 February 1791, having married Mrs. Wetters.
8. *Francis Edward*, a merchant in India. Died at Mansfield, co. Nottingham, 21 July 1793, aged seventy.<sup>5</sup> He also married a widow, Mrs. Hunter.
9. *David*, married a daughter of William Thomson, Annan, with issue fifteen children.
10. *Thomas*, entered the Navy and was lost in the *Victory*, Sir John Balchen's flagship, in 1744.
11. *Catherine*, married, 11 October 1725, to Sir William

<sup>1</sup> *Scots Mag.* <sup>2</sup> Cf. vol. ii. 366. <sup>3</sup> *Scots Mag.* <sup>4</sup> *Murray of Broughton's Memorials*, Scot. Hist. Soc., 241. <sup>5</sup> *Scots Mag.*

Maxwell, second Baronet of Springkell. He died 14 July 1760, and she survived him little more than a year, dying at Springkell, 29 September 1761,<sup>1</sup> leaving issue.

12. *Jean*, married, 30 April 1727, to Hugh Maxwell of Dalswinton.<sup>2</sup>
13. *Helen*, married to Captain John Erskine of the American Regiment, and died at Edinburgh, *s.p.*, 28 January 1766.
14. *Mary*, died unmarried.

SIR JOHN DOUGLAS of Kelhead was elected member of Parliament for Dumfries in 1735, but was unseated on petition. He sat for Dumfriesshire 1741-47.<sup>3</sup> In July 1746 he was apprehended on a charge of complicity in the rebellion, and was committed to the Tower on 14 August.<sup>4</sup> He was liberated on bail in March 1748 and does not appear to have heard anything more of the matter. He died at Drumlanrig 13 November 1778.<sup>5</sup> He married Christian, born 23 April 1710, sixth daughter of Sir William Cunningham of Caprington, and by her, who died in November 1741,<sup>6</sup> had issue:—

1. WILLIAM, who succeeded.
2. *Charles James Sholto*. He was called to the English Bar, and was ultimately Collector of Customs in Jamaica. Married, first, Basilia, daughter of James Dawes of Rockspring, Jamaica, and widow of Richard Quarrell, with issue; secondly, Mary, daughter of the Rev. Richard Bullock, D.D., with issue. His granddaughter by the first marriage, *Sarah*, was married to John, sixth Marquess of Queensberry. *See post*, p. 153.
3. *Stair*, who entered the Navy, became captain 29 May 1782, and died unmarried at Richmond 8 April 1789.
4. *John*, died unmarried at Madras 1759.<sup>7</sup>
5. *Helen*, died unmarried.
6. *Janet*, married at Prestonfield 13 November 1767, to William Irving of Bonshaw, with issue.

<sup>1</sup> *Scots Mag.* <sup>2</sup> *Maxwells of Pollok*, i. 453. <sup>3</sup> *Foster's Members of Parl. Scot.*, 102. <sup>4</sup> *Murray of Broughton's Memorials*, *per index*. <sup>5</sup> *Scots Mag.* <sup>6</sup> *Ibid.* <sup>7</sup> *Ibid.*

7. *Christian*, died young.
8. *Catherine*, married at Prestonfield, 13 November 1767, to William Butler, M.D., London, without issue.

SIR WILLIAM DOUGLAS of Kelhead, fourth Baronet, was member of Parliament for the Dumfries Burghs from 1768 to 1780. He died 16 May 1783, having married at Edinburgh, 21 March 1772, Grace, eldest daughter and co-heiress of William Johnstone of Lockerby, and by her, who died 25 March 1836, had issue:—

1. CHARLES, who succeeded, and became fifth Marquess of Queensberry.
2. *Archibald Johnston*, an officer of the 18th Regiment of Foot, lost in the *Courageux* on the coast of Barbary 2 December 1796. He was unmarried.
3. JOHN, who succeeded as sixth Marquess.
4. *Henry Alexander*, born 7 October 1781, and died 16 March 1837, having married, 31 August 1812, Elizabeth, daughter of Robert Dalzell of Glenae.<sup>1</sup> She also died in 1837, having had issue.
5. *William Robert Keith*, born 1783, and died 5 December 1859. He was a merchant in London, and was member of Parliament for Dumfriesshire from 1812 to 1832. He was Lord of the Admiralty in February and March 1822, and again from 1822 till the fall of the Liverpool ministry in 1827. He had a patent of precedence as the younger son of a Marquess 4 May 1837. He married, 24 November 1821, Elizabeth, eldest daughter of Walter Irvine of Luddington House, Surrey. She died 25 April 1864, leaving issue.
6. *Mary*, married, 20 March 1817, to Major-General Sir Thomas Sidney Beckwith, K.C.B., who died 15 January 1831. She died 15 January 1841.
7. *Christian*, died 27 January 1847.
8. *Catherine Heron*, died 26 January 1840.
9. *Elizabeth Christian*.

VII. SIR CHARLES DOUGLAS of Kelhead was born in March 1777, and succeeded his father as fifth Baronet in 1783, and his cousin the fourth Duke of Queensberry in 1810, in the

<sup>1</sup> Cf. vol. ii. 417.

marquessate and earldom of Queensberry, and as Viscount Drumlanrig and Lord Douglas of Hawick and Tibberis, being collateral heir-male to the marquessate and lineal heir-male to the other honours. His right was acknowledged by the House of Lords 9 July 1812, with precedence as a Marquess next above the Marquess of Tweeddale, as his predecessor at the date of the Union had stood on the roll by the higher title of Duke. He was created a Knight of the Thistle 17 July 1821, and on 7 June 1833 BARON SOLWAY OF KINMOUNT, co. Dumfries, with remainder to the heirs-male of his body. He was Lord-Lieutenant of Dumfriesshire and colonel of the Dumfries Militia, and a Lord-in-waiting to Queen Victoria in 1837. He died *s.p.m.* 3 December 1837, aged sixty, at St. James's Palace, when his Peerage of the United Kingdom became extinct. He married, 13 August 1803, at Richmond, Caroline Scott Montagu, born 6 July 1774, third daughter of Henry, third Duke of Buccleuch and fifth Duke of Queensberry. She died at Bute House, Petersham, 29 April 1854, having had issue:—

1. *Caroline Elizabeth*, born 11 July 1804, died 7 April 1811.
2. *Louisa Anne*, born 24 June 1806, and died 31 August 1871, having been married, 11 April 1833, to Thomas Charlton Whitmore, M.P., of Apley Park, Salop, who died 13 March 1865.
3. *Mary Elizabeth*, born 4 November 1807, and died 16 May 1888, having been married, 17 February 1831, to the Rev. Thomas Wentworth Gage, Vicar of Higham Ferrers, who died 19 March 1837.
4. *Harriet Christian*, born 22 July 1809, and died 26 July 1902, having been married, 13 May 1841, to the Hon. and Very Rev. Augustus Duncombe, Dean of York, sixth son of Charles, first Lord Feversham. He died 26 January 1880, leaving issue.
5. *Jane Margaret Mary*, born 15 January 1811, and died 15 April 1881, having been married, 27 January 1841, to her cousin, Robert Johnstone Douglas of Lockerby, who died 12 November 1866.
6. *Frances Caroline*, died 25 October 1827.
7. *Elizabeth Katinka*, died 26 April 1874, having been

married, 7 November 1861, to Henry St. George Foote.

8. *Anne Georgina*, died 28 November 1899, having been married, 11 December 1845, to Charles Stirling Home Drummond Moray of Abercairney, who died 24 September 1891.

VIII. JOHN, sixth Marquess of Queensberry, was born 1779, and died 19 December 1856, having married, 16 July 1817, his cousin Sarah, daughter of James Sholto Douglas and grand-daughter of Charles James Sholto Douglas (*see ante*, p. 150). She died 13 November 1864, leaving issue:—

1. ARCHIBALD WILLIAM, who succeeded.
2. *Georgina*, born 25 July 1819.

IX. ARCHIBALD WILLIAM, seventh Marquess of Queensberry, was born 18 April 1818. He was an officer in the 2nd Life Guards, but retired 1844, a Privy Councillor and Lord-Lieutenant of Dumfriesshire, for which county he was member of Parliament 1847-56. He was Comptroller of the Household 1853-56. He was killed by the accidental explosion of his gun at Kinmount, co. Dumfries, 6 August 1858. He married, 28 May 1840, at Gretna, and again on 2 June following, Caroline Margaret, younger daughter of General Sir William Robert Clayton, Bart. She, who was born 14 July 1821, died 14 February 1904. They had issue:—

1. JOHN SHOLTO, who succeeded.
2. *Francis William Bouverie*, born 8 February 1847, killed 14 July 1865 by an accident on the precipitous slopes of the Matterhorn, Switzerland.
3. *Archibald Edward*, born 17 June 1850. Canon of Galloway in the Roman Catholic Church.
4. — a son, born 1, died 2, January 1853.
5. *James Edward Sholto*, born 25 May 1855, was a lieutenant in the West Kent Militia, and died *s.p.* 5 May 1891, having married, 4 September 1888, Martha Lucy, widow of R. Hennessy.
6. *Gertrude Georgina*, born 21 August 1842, and died 25 November 1893, having been married in November 1882 to Thomas Stock.

7. *Florence Caroline*, twin with James Edward Sholto, born 25 May 1855. She was a voluminous writer, travelled extensively, and took much interest in social and political questions, earning some notoriety during her life. She died 7 November 1905, having been married 3 April 1875 to Sir Alexander Beaumont Churchill Dixie, Baronet, with issue.

X. JOHN SHOLTO, eighth Marquess of Queensberry, was born 20 July 1844. He was for some time an officer in the Navy, and was a Representative Peer from 1872 to 1880. He died 31 January 1900, having married, first, 26 February 1866, Sibyl, younger daughter of Alfred Montgomery and granddaughter of Sir Henry Conyngham Montgomery, Baronet. She divorced him 22 January 1887, and he married, secondly, 7 November 1893, at the Registrar's office, Eastbourne, Ethel, daughter of Edward Charles Weedon. As, however, she was at that date already the wife of — de Courcy Adams, the marriage was annulled in the following year.

By his first wife the Marquess had issue :—

1. *Francis Archibald*, Viscount Drumlanrig, born 3 February 1867, sometime a lieutenant Coldstream Guards. He was Assistant Secretary for Foreign Affairs under the Earl of Rosebery in 1892, and a Lord-in-waiting 1893-94. On 26 June 1893 he was created BARON KELHEAD OF KELHEAD, co. Dumfries, in the Peerage of the United Kingdom. This Peerage, however, became extinct at his death, which occurred, like that of his grandfather, from the accidental discharge of his gun while out shooting at Quantock, 18 October 1894. He was unmarried.
2. PERCY SHOLTO, who succeeded his father.
3. *Alfred Bruce*, born 22 October 1870, married, 4 March 1902, Olive Eleanor, daughter of Colonel Frederic Hambleton Custance, C.B., with issue :—
  - (1) *Raymond Wilfrid Sholto*, born 17 November 1902.
4. *Sholto George*, born 7 June 1872, sometime lieutenant 4th Battalion Northamptonshire Regiment; married, 1895, Loretta Mooney, with issue :—
  - (1) *Bruce Francis Sholto*, born 1897.
  - (2) *Sholto Augustus*, born 1900.

5. *Edith Gertrude*, born 31 March 1874; married, 25 March 1899, to St. George Lane Fox Pitt, son of General Pitt-Rivers of Rushmore.

XI. PERCY SHOLTO DOUGLAS, ninth Marquess of Queensberry, born 13 October 1868; married, 11 September 1893, Anna Maria, younger daughter of the Rev. Thomas Walters, Vicar of Boyton, Launceston, with issue:—

1. FRANCIS ARCHIBALD KELHEAD, Lord Douglas of Hawick and Tibbers, born 17 January 1896.
2. *Cecil Charles*, born 27 December 1898.
3. *Dorothy Madeline*, born 6 July 1894.

CREATIONS.—Lord Douglas of Hawick and Tibberis, 1 April 1628, and on the same day Viscount of Drumlanrig, Lord Douglas of Hawick and Tibberis; Earl of Queensberry, Viscount of Drumlanrig, Lord Douglas of Hawick and Tibberis, 13 June 1633; Marquess of Queensberry, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald and Ross, Lord Douglas of Kinmont, Middlebie and Dornock, 11 February 1682; Duke of Queensberry, Marquess of Dumfriesshire, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald and Ross, Lord Douglas of Kinmont, Middlebie and Dornock, 3 November 1684; Earl of Solway, Viscount of Tibberis, Lord Douglas of Lockerby, Dalveen and Thornhill, 17 June 1706, in the Peerage of Scotland. Baron Ripon, Marquess of Beverley, and Duke of Dover, 26 May 1708; Baron Douglas of Amesbury, 21 August 1786, in the Peerage of Great Britain. Baron Solway of Kinmount, 7 June 1833; Baron Kelhead of Kelhead, 26 June 1893, in the Peerage of the United Kingdom.

ARMS.—William, Earl of Queensberry, recorded the following arms about 1672, but did not again record them either as Marquess or Duke:—Quarterly: 1st and 4th, a king's heart crowned gules, on a chief azure three stars of the first, for *Douglas*; 2nd and 3rd, azure, a bend between six cross crosslets fitchée or, all within a bordure engrailed gules, for *Mar*.<sup>1</sup>

<sup>1</sup> A note to the entry in the Register states: 'Anno 1685. He was since created Marques and now Duke and the Tressur added.' Sir James

CREST.—A heart gules, crowned and winged or.

SUPPORTERS.—Two flying horses argent, winged or.

MOTTO.—*Forward.*

[J. A.]

Douglas of Kelhead recorded the same coat, but charged the bordure with eight besants. His great-grandson, the fourth Baronet, again recorded the Kelhead arms in 1772, omitting the bordure altogether, and with the addition of two eagles proper, chained by the right foot or, as supporters.

On the creation of the marquesate the field of the bordure was changed from gules to or, in order to allow it to be charged with the Royal Tressure as allowed by His Majesty. The arms are thus borne, with the winged horses as supporters, by the present Marquess.



## MACKAY, LORD REAY



THE Clan Mackay, of which Lord Reay is chief, was often known as Clan Morgan<sup>1</sup> down to the middle of the seventeenth century. The earliest known reference to this clan is found in a Gaelic entry in the *Book of Deer* dated about 1135, when Duncan, 'toisheach of Clan Morgan,' joined Colban, Mormaer of Buchan, in dedicating certain offerings to the monastery of Deer, to which 'all the nobles of

Buchan' bore witness.<sup>2</sup>

It is a common tradition that the family of Morgan or Mackay is descended of the family of Forbes,<sup>3</sup> and there was a close friendship between the two families from 1500 to 1715, based on the belief that they were sprung from the same stock.<sup>4</sup> In the Blackcastle<sup>5</sup> MS. the Morgan-

<sup>1</sup> *Hist. of Earld. of Suthr.*, 353; Red Bk. of Clanranald in Cameron's *Reliquæ Celticæ*, ii. 261; Skene mss., xvi. 2, in Advocates' Lib. <sup>2</sup> *Early Scottish Charters*, by Sir A. C. Laurie, No. 107. <sup>3</sup> *Hist. of Earld. of Suthr.*, 302; Forbes's Preface to Lumsden's *House of Forbes*, 3; Sir Thomas Urquhart's *True Pedigree*, 1774 ed., 27. <sup>4</sup> *Book of Mackay*, 8, 104, 121. <sup>5</sup> The Blackcastle ms., which for the sake of brevity is referred to as Blk. ms., was compiled in 1829 by Mr. Alexander Mackay, F.S.A., of Blackcastle, from family papers entrusted to him for the purpose by Eric, seventh Lord Reay, and among these documents was a genealogical account of the Mackays in ms. going back to early times. In the *Book of Mackay*, at pp. 15-20, the writer of this article states his reasons for accepting this genealogical account in preference to that given in *Hist. of Earld. of Suthr.*, from which it slightly differs at the start.

Mackay family is said to have descended from Malcolm MacEth, first Earl of Ross; and as the said Malcolm was a son or brother of Angus MacEth, Mormaer of Moray, slain in 1130, it is by this link probably that the Mackays are connected with the Forbesees, for in the twelfth century the former had possessions in Moray and Buchan, though at a somewhat later date they are found settled in Strathnaver, Sutherland.

It has also to be remembered that MacEth or MacAed is the old form of the Gaelic MacAoidh,<sup>1</sup> now Mackay, and that King Malcolm iv. transported the Moray adherents of MacEth 'extramontanas Scociæ' about 1160, for prolonged rebellion against his house.<sup>2</sup> As Ross was then part of the old province of Moray, over the mountains would mean into Sutherland. The first of the family to settle in Strathnaver was

IYE MACETH, who became chamberlain<sup>3</sup> to Walter de Baltrodi, a canon, and afterwards confirmed Bishop of Caithness in 1263.<sup>4</sup> By a daughter of said Bishop he had a son

IYE MOR, who obtained from the Bishop of Caithness, his maternal grandfather, twelve davachs of land in Durness, 'as the Lord Rea his old evidents doe testife.'<sup>5</sup> He was succeeded by his son

DONALD, who married a daughter<sup>6</sup> of Iye MacNeil of Gigha, an island lying between Kintyre and Islay. By her he had a son,

IYE, who had a bloody and protracted feud with William, Earl of Sutherland. When at last the matters in dispute were submitted to arbitration about 1370, and a court had assembled at Dingwall for the purpose, Iye and his eldest son were murdered<sup>7</sup> during the night within the castle

<sup>1</sup> Dr. Macbain's edition of Skene's *Highlanders of Scotland*, 414. <sup>2</sup> Fordun's *Annalia*, cap. iv. ed. 1871. <sup>3</sup> Blk. ms. <sup>4</sup> Theiner's *Mon. Vet.*, No. 229. <sup>5</sup> Forbes's Preface to the *House of Forbes*, 4. <sup>6</sup> *Hist. of Earld. of Suthr.*, 303; Blk. ms. <sup>7</sup> *Ibid.*

there by Nicolas Sutherland of Duffus, brother of the Earl. Iye had issue:—

1. *Donald*, murdered at Dingwall along with his father, left issue:<sup>1</sup>—

(1) *ANGUS*, of whom follows.

(2) *Huistean Du*, afterwards tutor to his nephew, Angus Du of Strathnaver.

(3) *Martin*, settled in Galloway,

(4) *Neil*, who had a son Neil, whose son Paul became progenitor of the Polson Mackays.

2. *Farquhar*, physician to King Robert II., had a gift of the lands of Melness, etc., from Alexander Stewart, Lord of Badenoch, which the King confirmed by a charter<sup>2</sup> 4 September 1379, in which Farquhar is designated 'medicus noster.' He obtained the Little Islands of Strathnaver from said King by a charter 31 December 1386,<sup>3</sup> in which he is designated 'dilectus et fidelis noster Ferchardus leche.'
3. *Mariota*. She is supposed to be the 'Mariota filia Athyn' handfasted to Alexander Stewart,<sup>4</sup> Lord of Badenoch, and to be the mother of his children.

ANGUS is said to have married a daughter<sup>5</sup> of Torquil Macleod of the Lews, by whom he had issue:—

1. *ANGUS DU*, of whom follows.

2. *Rorie Gald*, who fell at Dingwall in 1411, fighting against the Lord of the Isles.

ANGUS DU. When Donald, Lord of the Isles, was marching towards Harlaw in 1411, Angus unsuccessfully opposed him at Dingwall and was taken prisoner.<sup>6</sup> Soon thereafter he seems to have formed some alliance with the Lord of the Isles, married his sister Elizabeth, and obtained from him the lands of Strathhalladale and Ferancostgrayg by charter dated 8 October 1415.<sup>7</sup> In this charter Angus is designated 'de Strathnawir.' Hector Boece says that Angus 'tuk an gret prey of gudis out of Moray and Caithness';<sup>8</sup> and Gordonstoun records that he spoiled Caithness,

<sup>1</sup> *Hist. of Earld. of Suthr.*, 303; Blk. ms. <sup>2</sup> *Book of Mackay*, App. No. 2. <sup>3</sup> *Ibid.*, App. No. 3. <sup>4</sup> *Reg. Morav.*, 353. The reasons for this view are set forth in *Book of Mackay*, 48-49. <sup>5</sup> *Hist. of Earld. of Suthr.*, 61. <sup>6</sup> *Ibid.*, 63. <sup>7</sup> *Book of Mackay*, App. No. 5. <sup>8</sup> Bellenden's *Boece*, 3.

fighting a pitched battle at Harpsdale in 1426.<sup>1</sup> As Sutherland of Duffus, who murdered the Mackay chieftains at Dingwall in 1370 *ut supra*, obtained lands in Moray and Caithness by his marriage to a daughter of Reginald Chein,<sup>2</sup> it may have been to avenge their fall that Angus Du raided both countries. Along with other Highland chieftains he was apprehended at the Parliament held at Inverness in 1427, but released upon giving his eldest son Neil in hostage. He is then described as a leader of 4000 men.<sup>3</sup> He fell in battle at Drum nan Coup, near Tongue, in 1433, fighting against Angus Moray of Culbin.<sup>4</sup>

He married, first, before 8 October 1415, Elizabeth, sister of Donald, Lord of the Isles, and by her had

1. NEIL, of whom follows.

He married, secondly, a daughter of Alexander Macdonald of Keppoch,<sup>5</sup> brother of Donald of the Isles, that is to say, a niece of his first wife. It is not known whether he received a Papal dispensation for this marriage, which was within the degree forbidden by canon law. The known issue was:—

2. *Ian Aberach*, who married a daughter of Macintosh of Macintosh<sup>6</sup> and became progenitor of the Aberach Mackays.<sup>7</sup>

He had also three other sons,<sup>8</sup> viz. *Roderick*, *William*, and *Angus*, but by which wife is not known.

NEIL, remained a hostage from 1426 until the King's death in 1436, and spent part of the time on the Bass Rock, hence his Highland sobriquet *Neil Vass*.<sup>9</sup> In 1437 he made a successful expedition into Caithness, and defeated his foes at Sandside.<sup>10</sup> He married a daughter of George Munro of Fowlis by his first wife, Isobel, a daughter of Alexander Ross of Balnagown,<sup>11</sup> and had issue:—

1. ANGUS ROY, of whom follows.

2. *John Roy*, who had a son, *Wilziam Reed Mcky*, mentioned in a decret<sup>12</sup> of the Lords of Council.

<sup>1</sup> *Hist. of Earld. of Suthr.*, 63. <sup>2</sup> Cf. vol. iii. 191. <sup>3</sup> Fordun à Goodall, ii. 408. <sup>4</sup> *Ibid.*, ii. 491; Leslie's *Hist. Scot.*, 273; and *Book of Mackay*, 59. <sup>5</sup> Knock ms. in *Col. de rebus Alb.*, 310. <sup>6</sup> Bute ms. <sup>7</sup> *Book of Mackay*, 242-269. <sup>8</sup> *Ibid.*, 62. <sup>9</sup> *Hist. of Earld. of Suthr.*, 64. <sup>10</sup> *Book of Mackay*, 65. <sup>11</sup> Blk. ms.; *Scot. Antiquary*, iv. 9, 10. <sup>12</sup> *Acta Dom. Conc.*, 27 July 1501; Blk. ms.

3. *Elizabeth*, who married John Mac-gill-eoin of Lochbuy, a chieftain of Maclean.<sup>1</sup>

ANGUS ROY, supported the Keiths in their conflict with the Gunns, and took part in the battle of Tannach Moor,<sup>2</sup> near Wick. Later on he had a protracted feud with the Rosses, invaded Strathcarron various times, and was at last about 1486 burnt to death within the church at Tarbet, near Tain, whither he had fled for refuge.<sup>3</sup> The probable cause of this feud was a dispute about the lands of the deceased Thomas Mackay of Creich.<sup>4</sup>

He married a daughter<sup>5</sup> of Mackenzie of Kintail, and had issue:—

1. IYE'ROY, of whom follows.
2. *John Riavach*, who fell at the battle of Flodden<sup>6</sup> in 1513.
3. *Neil Naverach*, who married a daughter of Hutcheon Sutherland of Croystoun, and had by her a son, *John*, who inherited the maternal lands of Croystoun.<sup>7</sup>
4. — a daughter, married<sup>8</sup> to Hector Mackenzie of Auchterneed, Dingwall.
5. — a daughter, married<sup>9</sup> to Sutherland of Dirlot.

IYE ROY obtained a terminable annuity<sup>10</sup> of £20 Scots from King James IV., to be paid out of the lordship of Moray, 'for gud and treu service,' 18 July 1496. And on 4 October 1496 he and David Ross of Balnagown became bound to keep the peace, each extending his hand in token of sincerity to the Lord High Chancellor of Scotland.<sup>11</sup> For capturing Alexander Sutherland of Dirlot, accused of treason, he obtained from the King the lands of Dirlot, Strathy, etc., 4 November 1499;<sup>12</sup> and also secured from the King the non-entry<sup>13</sup> of lands in Strathnaver, Creich, Assint, etc., 15 March 1504. He purchased the lands of

<sup>1</sup> *Acta Dom. Conc.*, 27 July 1501; Blk. ms. <sup>2</sup> *Hist. of Earld. of Suthr.*, 69. <sup>3</sup> *Ibid.*, 69. <sup>4</sup> *Book of Mackay*, 69. <sup>5</sup> Blk. ms. <sup>6</sup> *Ibid.* <sup>7</sup> *Ibid.*; *Reg. Acts and Decrees*, i. 393. <sup>8</sup> Blk. ms. <sup>9</sup> *Hist. of Earld. of Suthr.*, 69. <sup>10</sup> *Book of Mackay*, App. No. 6. <sup>11</sup> *Acta Dom. Conc.*, x. 197. <sup>12</sup> *Reg. Mag. Sig.* <sup>13</sup> *Book of Mackay*.

Melness, Hope, etc., from Donald M'Donachy on a procuratory<sup>1</sup> of resignation to himself and to his son John, 30 September 1511.

He took part in three expeditions to the Hebrides (1503-6)<sup>2</sup> to put down insurrection there, and was present at the battle of Flodden,<sup>3</sup> where his brother John fell. He joined in a bond of friendship<sup>4</sup> with Adam Gordon, Earl of Sutherland, 31 July 1517, and died the same year.

According to the Knock MS.,<sup>5</sup> he married a daughter of Norman, son of Patrick O'Beolan of Carloway, Lewis, a very beautiful woman; and Gordonstoun<sup>6</sup> describes her as 'a woman of the West Yles.' The marriage was, however, not canonical, for he had a precept of legitimation for his two surviving sons, John and Donald, 8 August 1511.<sup>7</sup> He had issue:—

1. JOHN.
2. DONALD, who succeeded his brother John.
3. *Angus*, who fell near Tain,<sup>8</sup> fighting against the Rosses, before 1511.
4. — a daughter, married to Hugh Macleod of Assynt, with known issue *Neil* and *Helen*, the latter of whom was married to her cousin, Iye Du of Farr, *ut infra*.
5. — a daughter, said to have been married to Alexander Sutherland, son of John, eighth Earl of Sutherland.<sup>9</sup>

JOHN of Strathnaver, who as his father's successor joined in a bond<sup>10</sup> of friendship with the Earl of Sutherland, 16 August 1518, and is there designated 'of Strathnaver.' Shortly after the Earl of Sutherland resigned his estate in favour of his eldest son, the Master of Sutherland, Mackay

<sup>1</sup> *Acta Dom. Conc.*; *Book of Mackay*, App. No. 9. <sup>2</sup> *Ibid.*, 75. <sup>3</sup> Blk. MS. <sup>4</sup> *Book of Mackay*, App. No. 10. <sup>5</sup> *Cól. de rebus Alb.*, 305. He is here simply called 'Mackay of Strathnavern,' and his Christian name is not given, but when we remember what Gordonstoun says *ut infra* the identity is apparent. As the O'Beolan's were hereditary abbots the marriage may have been celebrated after the rites of the ancient Celtic church, and thus not canonical. <sup>6</sup> *Hist. of Earld. of Suthr.*, 304. <sup>7</sup> *Reg. Sec. Sig.*, i. No. 2286. <sup>8</sup> The details as to 3, 4, 5 are founded upon the Blk. MS. account. <sup>9</sup> *Sutherland Book*, i. 69. <sup>10</sup> *Book of Mackay*, App. No. 11.

joined in a bond<sup>1</sup> of friendship with the Master, 6 July 1522, and thus continued the family pact.

John, who died about 1529, was married, but there is some uncertainty as to the identity of his wife. She was probably Margaret, daughter of Thomas, Lord Lovat, who is designated<sup>2</sup> 'Margret, Lady Macky,' and the issue was:—

1. — a daughter, who was married to Hugh Moray of Aberscross, and to whom she bore *Hugh*,<sup>3</sup> 'son and heir of Hugh Moray of Aberscross, and grandson, and one of the heirs of, John Mackay of Strathnaver,' as stated in a charter<sup>4</sup> by Sutherland of Duffus.
2. *Margaret*,<sup>5</sup> who was married to Walter Murray of Polrossie.

DONALD, who succeeded his brother John, joined the Forbese in their feuds, and was called upon in 1530 to 'underlie the law' at Aberdeen,<sup>6</sup> along with the Master of Forbes and others, for the slaughter of Alexander Seaton of Meldrum. That same year the lands of Strathnaver were given in non-entry<sup>7</sup> by the King to William Sutherland of Duffus; but on 25 July 1536 Donald obtained a 'respite'<sup>8</sup> for himself and clansmen, and on 16 December 1539 recovered his ancestral lands in heritage from the Crown<sup>9</sup> as these were formerly possessed by his father, and now erected into the barony of Farr. On this charter he took sasine<sup>10</sup> 16 February 1540, and was henceforward designated 'of Farr.'

In response to a general summons he came to the muster at Lauder in 1542, accompanied by his son, at the head of a levy,<sup>11</sup> and a few days after the defeat at Solway Moss obtained from the King in gift the escheated property of certain northern folks absent<sup>12</sup> from the host at Lauder. And on 28 April 1549 he joined in a bond<sup>13</sup> of friendship with the Earls of Sutherland and Caithness, and the Bishop of Caithness.

<sup>1</sup> *Book of Mackay*, App. No. 12. <sup>2</sup> *Wardlaw MS.* of Scot. Hist. Soc., 122. <sup>3</sup> Blk. ms. <sup>4</sup> *Ibid.* <sup>5</sup> Her name is given as Margaret in *MS. Genealogical Tables* by Sir Robert Gordon, at Dunrobin. <sup>6</sup> *Pitcairn's Crim. Trials*, i. 149. <sup>7</sup> *Orig. Par. Scot.*, ii. part ii. 710. <sup>8</sup> *Pitcairn's Crim. Trials*, i. 246. <sup>9</sup> *Reg. Mag. Sig.* <sup>10</sup> *Book of Mackay*, App. 14. <sup>11</sup> Blk. ms. <sup>12</sup> *Book of Mackay*, App. 20. <sup>13</sup> *Ibid.*, App. 21.

Donald, who died towards the close of 1550, married Helen,<sup>1</sup> daughter of Alexander Sinclair of Stemster, son of William, second Earl of Caithness, to whom he gave certain lands in liferent<sup>2</sup> soon after he had obtained a legal right to his property, and by her had issue:—

1. IYE DU, of whom follows.
2. — a daughter, married to John, fourth chieftain of the Aberach Mackays, with issue.<sup>3</sup>
3. *Florence*, married to Neil Macleod of Assynt, with issue.<sup>4</sup>

IYE DU was taken prisoner at the battle of Solway Moss (1542), and carried<sup>5</sup> into England, where he joined the party of Scots refugees and prisoners in favour of the marriage of the Prince of Wales to the infant Queen Mary. In pursuance of this object he took part in the attack<sup>6</sup> upon the Regent Arran at Glasgow in 1544, and assisted the English under Lord Grey<sup>7</sup> in the capture and fortification of Haddington in 1548. For so acting the Guise party took their revenge in 1551 by disinheriting him after his father's death, on the plea that said father died an intestate bastard,<sup>8</sup> and by giving at the same time the barony of Farr to the Bishop of Orkney. This plea was far from being true, but it served its purpose at the time.

In 1554 the Earl of Sutherland, who was commissioned to raise levies in the north for the purpose, and with whom Kennedy of Girvanmains co-operated in command of a fleet from Leith, captured Mackay,<sup>9</sup> and sent him a prisoner to Dumbarton Castle, where he lay for some months. Shortly after the death of Darnley, Queen Mary bestowed the

<sup>1</sup> Blk. ms. <sup>2</sup> *Book of Mackay*, 93; *Reg. Mag. Sig.*, 22 February 1545-6. <sup>3</sup> *Book of Mackay*, 245-269. <sup>4</sup> *Douglas's Baronage*, 392. <sup>5</sup> Blk. ms. <sup>6</sup> *Diurnal of Occ.*, 32; *Reg. Sec. Conc.*, xxvii. 24. <sup>7</sup> *Ibid.*, xxxi. 100. <sup>8</sup> *Ibid.*, xxiv. 97 seq. This was severe, for as we have shown already, his father Donald had letters of legitimation in 1511, obtained a charter of his ancestral lands under the Great Seal in 1539, and in 1545 resigned certain lands in order to provide a liferent for his spouse. <sup>9</sup> *Hist. of Earld. of Suthr.*, 134-135; *Balfour's Annals*, i. 306; *Treasurer's Accounts*, August 1554. A letter from John, Earl of Sutherland, dated 26 July 1554, corrects Sir Robert Gordon's chronology, and shows that the attack on Navidale by John Mor was made *before* not *after* Mackay's imprisonment, and at his special instigation. The conflict which ensued took place on 'St. James ewin,' 24 July 1554, 'ane wonderus ewill day of weitt'; Original letter in Gen. Reg. Ho.



lands of Farr in heritage on the Earl of Huntly in 1567,<sup>1</sup> to secure his much-needed support on the eve of her approaching marriage with Bothwell, and on 30 April 1570 Huntly disposed the lands of Farr (but reserved the superiority) to Iye Mackay, who had sasine of the same 20 April 1571.<sup>2</sup>

Iye Du, who died toward the end of 1572, married Christina,<sup>3</sup> daughter of Sinclair of Dun, and had issue:—

1. HUISTEAN DU, of whom follows.
2. *William*, who had a charter<sup>4</sup> of the lands of Bighouse 18 December 1598, married Isabella, daughter of Rorie Mackenzie of Ardfalie, with issue. He became progenitor of the Bighouse<sup>5</sup> Mackays.
3. *Eleanor*, married<sup>6</sup> to Donald Bane Macleod of Assynt.
4. *Jane*, married to Alexander Sutherland of Beridale.
5. *Barbara*, married to Alexander Macdavid, of the Clan Gunn, to whom she bore an elder son William Macalister, who succeeded to the lands of Killearnan 19 February 1614.

Iye Du, before his marriage with Christina Sinclair, was united in wedlock to his first cousin Helen Macleod (*see* p. 162), but as this union was within the degree forbidden by canon law, and as he did not get a dispensation, the issue was not strictly legitimate. By her he had *John Beg*, killed at Durness 1579, and *Donald Balloch Mackay*, progenitor of the Scourie Mackays, who had a charter<sup>7</sup> of the lands of Scourie, hereditarily from his brother Huistean Du, 31 December 1605, and married Euphemia, daughter of Hugh Munro of Assint, brother of Robert Munro of Fowlis, with issue.<sup>8</sup>

HUISTEAN DU was but young when his father died, and ere he attained majority in 1583 the Earl of Huntly disposed the superiority of the lands of Farr to his relative the Earl of Sutherland, in exchange<sup>9</sup> for the lordship of Aboyne. This embittered the strife<sup>10</sup> between the families of Mackay and Sutherland, but in 1589 Huistean came to

<sup>1</sup> *Acta Parl. Scot.*, ii. 558. <sup>2</sup> *Book of Mackay*, App. Nos. 23, 24, 25, 26.

<sup>3</sup> Blk. ms. <sup>4</sup> *Reg. Mag. Sig.*, 18 December 1598. <sup>5</sup> *Book of Mackay*, 302-309. <sup>6</sup> Details of 3, 4, 5, are based upon the Blk. ms. <sup>7</sup> Inventory, *penes* Lord Reay. <sup>8</sup> *Book of Mackay*, 286-301. <sup>9</sup> *Sutherland Book*, i. 145.

<sup>10</sup> *Book of Mackay*, 109-113.

an agreement to hold the lands of Farr or Strathnaver hereditarily of the Earl of Sutherland, and sealed the compact<sup>1</sup> by marrying the Earl's daughter.

In 1595 the relations between Sutherland and Mackay on the one hand, and Caithness on the other, were so hostile that the three were bound over to keep the peace;<sup>2</sup> and again in 1600 Huistean had to find caution<sup>3</sup> for 10,000 merks to 'keep the King's peace.' In 1602 Mackay and the Earl of Sutherland were called upon for a levy<sup>4</sup> of 100 men to assist Queen Elizabeth in putting down rebellion in Ireland. In 1608 Huistean was again called upon for a levy to quell disorder<sup>5</sup> in the Hebrides, and the following year he and other chieftains on the mainland were forbidden to reset<sup>6</sup> rebellious islesmen within their bounds.

Huistean was styled 'of Farr,' and sometimes signed himself 'Mackay Forbes' to indicate his connection<sup>7</sup> with Forbes. He died 11 September 1614.<sup>8</sup>

Huistean Du married, first, Elizabeth Sinclair, whom he afterwards divorced, daughter of George, fourth Earl of Caithness, and widow of Alexander Sutherland, younger of Duffus, with issue:—

1. *Christina*, married<sup>9</sup> to John Macintosh of Dalziel, in Petty, son of Lachlan Macintosh of that ilk, 'a man of courtly breeding and religious disposition.'

He married, secondly, in December 1589, when she was only fifteen, Jane Gordon,<sup>10</sup> eldest daughter of Alexander, Earl of Sutherland, 'a lady of excellent beauty and comeliness, witty, imbued with sundry good qualities both of mind and body,' and had issue:—

2. DONALD, of whom follows.
3. *John*, had a disposition in heritage of the lands of Braegaul, in Caithness, 23 September 1626, and of the lands of Strathy 2 May 1631, both<sup>11</sup> from his elder brother Donald, afterwards Lord Reay. He became progenitor of the Strathy Mackays,<sup>12</sup> and married, in 1618, Agnes, daughter of James Sinclair of Murkle, by whom he had issue.

<sup>1</sup> *Book of Mackay*, 114. <sup>2</sup> *P. C. Reg.*, v. 738. <sup>3</sup> *Ibid.*, vi. 824. <sup>4</sup> *Ibid.*, vi. 343. <sup>5</sup> *Ibid.*, viii. 740. <sup>6</sup> *Ibid.*, viii. 746. <sup>7</sup> *Book of Mackay*, 121. <sup>8</sup> *Hist. of Earld. of Suthr.*, 301. <sup>9</sup> Blk. ms. <sup>10</sup> *Hist. of Earld. of Suthr.*, 200. <sup>11</sup> Blk. ms., also papers *penes* Lord Reay. <sup>12</sup> *Book of Mackay*, 310-320.

4. *Annas*, married John Sinclair of Brims, 29 September 1618, and on 14 February 1657 they both obtained the lands of Ribigill, Tongue, in wadset, for 7000 merks.<sup>1</sup> Anna was alive on 16 August 1666, but her husband was dead.
5. *Mary*, married, first,<sup>2</sup> at Tongue, July 1619, to Hector Munro, afterwards Sir Hector of Foulis, with issue. She married, secondly,<sup>3</sup> Alexander Gunn of Killearnan, with issue.

I. DONALD MACKAY, who had assisted in executing various commissions of the Privy Council, was knighted in 1616,<sup>4</sup> and thereafter was sometimes styled 'of Farr,' but oftener 'of Strathnaver.' On a warrant, 3 March 1626, from King Charles I., to raise a regiment for service on the Continent, he collected 3600<sup>5</sup> men before the 15 May, passed over with them to Denmark, and took service under King Christian IV. During the following year he greatly distinguished himself, especially at the Pass of Oldenburg,<sup>6</sup> where his regiment lost heavily, and where he was himself wounded. He was created a Baronet of Nova Scotia 2 November 1628,<sup>7</sup> with remainder to heirs-male whatsoever, and a Peer of Scotland by the title of LORD REAY, with remainder to his heirs-male bearing the name and arms of Mackay, on 20 June 1628.<sup>8</sup>

In 1629 he took service under Gustavus Adolphus, King of Sweden, and returning home for more troops, rejoined his regiment in 1630, to lead it throughout the campaign<sup>9</sup> that year in Germany with much distinction. When Gustavus fell at the battle of Lutzen (1632) Lord Reay was in Britain raising more troops.

In the struggle between King Charles I. and his subjects Lord Reay took the side of the Royalists,<sup>10</sup> but a ship carrying arms to him was captured by the Covenanters at Peterhead in April 1639. He joined Seaforth in a secret

<sup>1</sup> Papers *penes* Lord Reay, in which Sinclair is designated John, although Gordonston calls him Alexander in *Hist. of Earld. of Suthr.*, 360. <sup>2</sup> *Hist. of the Munros*, 84. <sup>3</sup> Blk. ms. <sup>4</sup> *Hist. of Earld. of Suthr.*, 335. <sup>5</sup> *P. C. Reg.*, i. 2nd ser., 22 August 1626. <sup>6</sup> *An Old Scots Brigade*, 36-41. <sup>7</sup> Mylne's List. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *An Old Scots Brigade*, 92-94. <sup>10</sup> Gordon's *Scots Affairs*, i. 61.

bond of a Royalist character 7 June 1639,<sup>1</sup> and the following year both were warded<sup>2</sup> at Edinburgh. When hostilities broke out again in 1643 Lord Reay embarked for Denmark,<sup>3</sup> whence he returned early in 1644 with ships bearing arms and treasure to Newcastle, shortly before it was invested by General Leslie. Along with Lord Crawford and others, he defended Newcastle<sup>4</sup> through the siege from February until 14 October, when the town was taken, and Lord Reay sent a prisoner to Edinburgh, where he had been proscribed by the Estates a little earlier.<sup>5</sup>

After the battle of Kilsyth (August 1645) he was released<sup>6</sup> and returned home to Strathnaver, but became embroiled in a conflict with the Earl of Sutherland, who appealed to Parliament. 'The parliament stood fast<sup>7</sup> to the earl of Southerland, as for one who had stuke hard for them,' and 500 soldiers were put at the Earl's disposal to deal with Lord Reay.<sup>8</sup> The following year he embarked for Denmark, and died at Bergen in the spring of 1649, whence a frigate carried his body over<sup>9</sup> for burial in the family vault at Tongue. As may be supposed, he died heavily burdened with debt.

He married, first, in August 1610, Barbara, eldest daughter of Kenneth Mackenzie, first Lord Kintail, who bore him six children: 10—

1. *Iye*, died young in 1617.
2. JOHN, second Lord Reay.
3. *Hew*, alive in 1637.<sup>11</sup>
4. *Angus*, a lieutenant-colonel in the service of Denmark,<sup>12</sup> married (contract 1 May 1659) his cousin Catherine, daughter of Alexander Gunn of Killearnan, with issue. He was alive 1699, but died before 1703. He became progenitor of the Melness Mackays.<sup>13</sup>
5. *Jane*.
6. *Mary*, married, as his first wife, to Sir Roderick Macleod of Talisker.<sup>14</sup>

<sup>1</sup> *Book of Mackay*, App. No. 40. <sup>2</sup> *Hist. of Earld. of Suthr.*, 501. <sup>3</sup> *Spalding Memorials*, ii. 259. <sup>4</sup> *Britanes Distemper*, 50, 118. <sup>5</sup> *Acta Parl. Scot.*, vi. pt. i. 112, 126. <sup>6</sup> *Britanes Distemper*, 146. <sup>7</sup> *Hist. of Earld. of Suthr.*, 535. <sup>8</sup> *Acta Parl. Scot.*, vi. pt. i. 817. <sup>9</sup> *An Old Scots Brigade*, 252. <sup>10</sup> *Hist. of Earld. of Suthr.*, 267. <sup>11</sup> *Book of Mackay*, App. No. 35. <sup>12</sup> *Spalding Memorials*, ii. 259. <sup>13</sup> *Book of Mackay*, 321-328. <sup>14</sup> Blk. MS.

He married, secondly, about 1632,<sup>1</sup> Elizabeth, daughter of Robert Thomson of Greenwich, Keeper of the Queen's Wardrobe, and by her had, with others, a daughter,

7. *Ann*, married to Alexander, brother of Sir James Macdonald of Sleat.<sup>2</sup>

He married, thirdly, Marjory,<sup>3</sup> daughter of Francis Sinclair of Stirkoke, with issue:—

8. *William*, had sasine of the lands of Kinloch 4 January 1669; married *Ann*,<sup>4</sup> daughter of Colonel Hugh Mackay of Scourie, with issue a son, *George*.

9. *Charles*, progenitor of the Sandwood Mackays,<sup>5</sup> married Elizabeth, daughter of Captain William Mackay of Borley, and to her gave sasine on disposition in life-rent of his lands of Sandwood, etc., 28 May 1679.<sup>6</sup>

10. *Rupert*, a twin brother of Charles.

11. *Margaret*, died at Thurso in 1720, unmarried.

12. *Christina*, married to Alexander Gunn of Killearnan.<sup>7</sup>

A Mrs. Rachel Winterfield or Harrison claimed to be the wife of Lord Reay, and was successful in a suit of maintenance which she brought before the Privy Council in 1637; but Lord Reay maintained that forged documents<sup>8</sup> were used to secure this verdict, and Gordon of Sallachy records that the judges had a personal grudge against him.<sup>9</sup>

He had a natural son by Mary Lindsay, daughter of David, eleventh Earl of Crawford.<sup>10</sup> Complaint was made by his wife to the Privy Council in 1617 as to Lord Reay's ill-treatment of her in connection with his intimacy with Mary Lindsay.<sup>11</sup>

II. JOHN, second Lord Reay, an ardent Royalist, was captured<sup>12</sup> in Aberdeen along with Huntly in 1639 and carried prisoner to Edinburgh. In 1644 he entertained the Marquess of Huntly in Strathnaver, and assisted him in furthering the King's cause.<sup>13</sup> Early in 1649 he joined Mackenzie of Pluscarden, Sir Thomas Urquhart of Cromarty, etc., captured the town of Inverness and demonstrated in Strathspey;<sup>14</sup> but in May was taken prisoner at Balveny

<sup>1</sup> *Hist. of Earld. of Suthr.*, 458. <sup>2</sup> Blk. MS. <sup>3</sup> Papers penes Lord Reay. <sup>4</sup> *Ibid.* <sup>5</sup> *Book of Mackay*, 329-338. <sup>6</sup> *Inverness Sas.*, v. 1. <sup>7</sup> *The Gunns*, 156-158; *Book of Mackay*, 124 n. <sup>8</sup> *Ibid.*, App. No. 35. <sup>9</sup> *Hist. of Earld. of Suthr.*, 485. <sup>10</sup> Cf. vol. iii. 31. <sup>11</sup> *P. C. Reg.*, xi. 2. <sup>12</sup> *Hist. of Earld. of Suthr.*, 490. <sup>13</sup> *Suthr. Book*, i. 238. <sup>14</sup> *Wardlaw MS.*, 339.

Castle<sup>1</sup> and brought to Edinburgh. The Earl of Sutherland and others reported to Parliament that their losses at Reay's hands amounted to over £30,000, and asked that they might be recouped out of his estate. The request was granted, and Reay ordered to underlie the law until due satisfaction was rendered.<sup>2</sup> In this way he was practically denuded of his estate for the time being, and did not leave prison until Cromwell took Edinburgh in 1650.

Colonel Bampffield wrote<sup>3</sup> to King Charles II. on 9 September 1653 suggesting that Lord Reay be appointed one of a committee of sixteen 'for the government of affairs in the kingdom of Scotland'; and in the rising under Middleton next year he took a prominent part, not capitulating until May 1656.<sup>4</sup> During these operations his house of Tongue was burned to the ground.

Lord Reay, who was alive at the close of 1680, married, in 1636, first, Isabel,<sup>5</sup> daughter of George, Earl of Caithness, and by her had:—

1. *George*, who was alive in 1656.<sup>6</sup>
2. *Jane*, married (contract 14 November 1665), first, to Robert Gordon,<sup>7</sup> third son of John, Earl of Sutherland, without issue. She married, secondly, with issue, Hugh Mackay, second of Strathy, and had from him a disposition in liferent of the lands of Strathy 3 March 1676.<sup>8</sup>

He married, secondly, Barbara, daughter of Colonel Hugh Mackay, second of Scourie, to whom he gave sasine on a charter in liferent of lands in Durness 1 January 1652,<sup>9</sup> with issue:—

3. *Donald*, who was killed in the Reay Forest 1680; married (contract<sup>10</sup> 22 August 1677) Ann, daughter of Sir George Munro of Newmore and Culrain,<sup>11</sup> and had by her an only son,

(1) GEORGE, third Lord Reay.

4. *Aeneas*, joined the Scots Brigade in the service of Holland, returned home in 1688, and was imprisoned<sup>12</sup>

<sup>1</sup> *Hist. of Earld. of Suthr.*, 549. <sup>2</sup> *Acta Parl. Scot.*, 4 August 1649. <sup>3</sup> Firth's *Scot. and Commonwealth*, 218. <sup>4</sup> *Book of Mackay*, App. No. 42. <sup>5</sup> *Hist. of Earld. of Suthr.*, 484. <sup>6</sup> *Book of Mackay*, App. No. 42. <sup>7</sup> *Sutherland Book*, i. 5. <sup>8</sup> *Inverness Sas.*, iv. 396. <sup>9</sup> *Ibid.*, vii. 138. <sup>10</sup> *Paper penes Lord Reay*. <sup>11</sup> *History of the Munros*, by Alexander Mackenzie, 176-193. Sir George also had Culcainn. <sup>12</sup> *P. C. Reg.*, 10 December 1688.

in Edinburgh on suspicion of intriguing for the Prince of Orange. He served under his uncle, General Mackay, during the campaign of 1689-90 in Scotland, afterwards in Ireland, and then returned to the Continent, where he rose to the rank of brigadier-general. Aeneas, who died in 1697, married, in 1692, Margaret, daughter of Lieut.-Col. Baron Francis von Puckler, and by her, who died 14 February 1761, aged ninety, had an only child,<sup>1</sup>

- (1) *Colonel Donald*, who fell at Tournay in 1745, married his cousin, Baroness Arnolda Margaret van den Steen, with issue:—
- i. COLONEL AENEAS, of whom follows.
  - ii. *Major-General Frans*, married Baroness Maria Adelheid van Heeckeren van Enghuizen, and died without issue 1817.
  - iii. *Captain John*, died unmarried.
  - iv. *Major Donald*, who died 1782, married Baroness Isabella Constantia de Geer van Rynhuyzen, Dowager Countess de Quadt, without issue.
  - v. *Frances Jacoba*, married to Baron Vygh of the Snor and Appelenburg, President of the Court of Justice, Guelderland, with issue.
- COLONEL AENEAS MACKAY, of Mackay's Scots Regiment in the Dutch service, married Baroness Ursulina Philippina van Haeften, with issue:—
- (i) *Captain Donald*, of Mackay's Scots Regiment, died at Edinburgh 1787, unmarried.
  - (ii) *Ensign Frans*, died 1787, unmarried.
  - (iii) *Cornelis Anne*, a captain of the Dutch Royal Navy and a member of the Provincial States, was created a Baron of the Netherlands by King William in 1822, and died, without issue, 1841.
  - (iv) BARTHOLD JOHAN CHRISTIAN, of whom follows.  
The daughters were:—
  - (v) *Margaret*.
  - (vi) *Theodora*.
  - (vii) *Arnolda*.
  - (viii) *Reinera*.

BARTHOLD JOHAN CHRISTIAN, Director of the Post-Office at Rotterdam, was created a Baron of the Netherlands by King William 4 June 1822.<sup>2</sup> Baron Mackay of Ophemert, who died at his château of Ophemert, Guelderland, 24 November 1854, in his eighty-first year, married Baroness Anna Magdalena Frederica Henriette van Renesse, and had issue:—

a. BARON AENEAS MACKAY, tenth Lord Reay.

<sup>1</sup> Blk. ms.    <sup>2</sup> Up to this point the account of the descendants of Brigadier-General Aeneas, son of the second Lord Reay, is based upon the Blk. ms.

*b. Baron Johan François Hendrik Jacobus Ernestus*, born 13 March 1807; married, 1835, Baroness Margaretha Clara Françoise van Lynden, and died 27 July 1846. She died 8 October 1869, and had issue:—

(a) *Baron Aeneas*, born 29 November 1838, ex-Prime Minister, ex-President of the Second Chamber, a Minister of State in the Netherlands, and G.C. of the Order of the Lion of the Netherlands. He married, 17 July 1869, Baroness Elizabeth Wilhelmina van Lynden, issue one son:—

a. *Baron Eric*, born 2 April 1870; married, 7 November 1901, Baroness Maria Johana Bertha Christina de Dedem, with issue:—

(a) *Maria Christina Elizabeth*, born 17 October 1904.

(β) *Aeneas Alexander*, born 25 December 1905.

(γ) *Alexander Willem Rynhard*, born 7 December 1907.

(b) *Baron Theodoor Philip*, born 24 April 1840, member of the Chamber of Accounts and ex-member of the Second Chamber of the Netherlands; married, 15 July 1868, Baroness Juliana Anna van Lynden, with issue:—

a. *Johan Jacob*, born 2 November 1869, died 22 November 1902.

β. *Constantyn Willem Ferdinand*, born 31 December 1870; married, 30 September 1898, Petronella Hoeufft, and has issue.

γ. *Aeneas*, born 1 January 1872; married, 2 March 1899, Hermina Clasina den Beer Poortugael, with issue:—

(a) *Daniel*, born 16 June 1900.

(β) *Reinhard Alexander*, born 28 April 1903.



(γ) *Louisa Wilhelmina Elizabeth Amarantha.*

- δ. *Edward*, born 23 December 1873; married, 18 June 1902, Ina Petronella Lycklama a Nyeholt. She died 10 October 1903.
- ε. *Dirk Rynhard Johan*, born 19 December 1876; married, 5 July 1906, Johanna Elizabeth Blaaw.
- ζ. *Daniel*, born 17 March 1878; married, 14 June 1906, Helene Hommel.
- η. *Norman*, born 7 March 1882.
- θ. *Margaretha Clara Françoise*, born 16 January 1873; died 5 October 1907.
- ι. *Maria Jacoba*, born 1 August 1875.

(c) *Baron Willem Karel*, born 17 August 1843; married, 13 September 1869, Nicoline Engelvaart. She died 2 February 1905, and had issue:—

- a. *Barthold*, born 14 May 1871; married, 17 February 1898, Alpheda Louise van der Wyck, with issue.
- β. *Catharina Wilhelmina*, born 21 August 1873; died 1 May 1903.
- γ. *Margaretha Johanna*, born 30 May 1876; died 25 February 1877.

5. *Robert*, a captain in a Scots regiment, was present at Killiecrankie, where he was severely wounded;<sup>1</sup> afterwards served in Ireland and on the Continent. He died at Tongue unmarried in 1696, holding the rank of colonel.<sup>2</sup>
6. *Joanna*, married (contract<sup>3</sup> dated 21 April 1684) to William Fraser of Struy, Strathglass.
7. *Anna*, married (contract<sup>4</sup> dated 12 April 1687) to Captain Hugh Mackay of Borley, as his first wife; no issue.

<sup>1</sup> Major-General Mackay's *Memoirs*, 58. <sup>2</sup> *Papers penes* Lord Reay.  
<sup>3</sup> *Inverness Sas.*, v. 275. <sup>4</sup> *Ibid.*, 457.

8. *Sibylla*, married (contract<sup>1</sup> dated 25 October 1687), first, to Lauchlin Macintosh of Aberador, Inverness-shire. She married, secondly, Alexander Rose, a baillie of Inverness (contract 25 October 1689<sup>2</sup>), and died 17 October 1691, aged twenty-seven.

III. GEORGE, third Lord Reay, born towards the end of 1678, was educated in Holland,<sup>3</sup> where he became weaned from the earlier Jacobite sympathies of his family. When the rising under Mar took place in 1715 he strongly supported the Government,<sup>4</sup> and when he saw the rebellion of 1745 looming he banded himself with the Earl of Sutherland to support the King on the throne.<sup>5</sup> In his zealous efforts to promote religion he got the district of Strathnaver erected into a new Presbytery called Tongue in 1725,<sup>6</sup> and also did much to foster schools among the people. He was an F.R.S.,<sup>7</sup> and died at Tongue 21 March 1748.

He married, first, Margaret (contract<sup>8</sup> December 1702, at Bommel, Holland), daughter of Lieut.-General Hugh Mackay of Scourie, and by her had,

1. DONALD, fourth Lord Reay.

He married, secondly, Janet, daughter of John Sinclair of Ulbster,<sup>9</sup> and widow of Benjamin Dunbar, younger of Hempriggs, and by her had:—

2. *Hugh* of Bighouse, a major in the Earl of Sutherland's Regiment 1759;<sup>10</sup> married, first (contract<sup>11</sup> 15 July 1728), Margaret Mackay, coheirress of Bighouse, and by her, who died at Bighouse 26 March 1769, had:<sup>12</sup>—

- (1) *Hugh*, an ensign in the Earl of Sutherland's regiment, died in 1751,<sup>13</sup> unmarried.
- (2) *Colin*, died a child.
- (3) *Janet*, married to Colin Campbell of Glenure, murdered in 1752, with issue.
- (4) *Mary*, married to William Bailie of Rosehall, with issue; died at Peterhead 21 September 1808.
- (5) *Robina*, died at Harrogate 10 August 1762, unmarried.

He married, secondly, 14 April 1770, Isabella,<sup>14</sup> daughter of Alexander Mackenzie of Lentrán, and

<sup>1</sup> *Inverness Sas.*, v. 450. <sup>2</sup> Blk. Ms. <sup>3</sup> Papers *penes* Lord Reay. <sup>4</sup> The Earl of Sutherland's account of the northern campaign under himself, *Sutherland Book*, i. 333. <sup>5</sup> *Book of Mackay*, App. No. 53. <sup>6</sup> *Ibid.*, 183-184. <sup>7</sup> Wood's *Peerage*. <sup>8</sup> Papers *penes* Lord Reay. <sup>9</sup> *Ibid.* <sup>10</sup> Wood's *Peerage*. <sup>11</sup> Inventory of Bighouse *penes* Blk. Ms. <sup>12</sup> Issue given in Blk. Ms. <sup>13</sup> *Old Ross-shire*, 120. <sup>14</sup> Wood's *Peerage*.

died at Bath 12 November 1770, without issue by his second marriage.

3. *Ann*, who died 24 November 1780; married (contract<sup>1</sup> 7 September 1725) to John Watson of Muirhouse, Edinburghshire, with issue.

Lord Reay married, thirdly, 11 August 1713, *Mary*, daughter of John Doull of Thuster, co. Caithness,<sup>2</sup> writer, Edinburgh, with issue:—

4. *George*, of Skibo, an advocate 18 January 1737; inherited Skibo<sup>3</sup> from his uncle Patrick Dowell of Winterfield; was captain of one of Loudon's independent companies in the '45; elected M.P. for Sutherland 1747 and 1754; and died at Tongue 25 June 1782. He married,<sup>4</sup> at Embo, 13 December 1766, *Anne*, who was born 1750, and died 15 March 1833, third daughter of Eric Sutherland, only son of the attainted Lord Duffus, by whom he had issue:—

(1) *George*, died, unmarried, 12 December 1790.

(2) *ERIC*, seventh Lord Reay.

(3) *ALEXANDER*, eighth Lord Reay.

(4) *Donald*, born 31 December 1780; an officer of the Royal Navy; became Vice-Admiral of the Blue in 1849; married, 1848, *Helen Martha*, only child of William Twinning, of the Bengal Medical Service, and died at London, without issue, 26 March 1850.<sup>5</sup>

(5) *Patrick*, died in infancy.<sup>6</sup>

(6) *Elizabeth*, died, unmarried, 10 April 1788.

(7) *Mary*, died, unmarried, at Bath, 24 November 1843.

(8) *Harriet*, died in infancy.

(9) *Anne*, died, unmarried, at Bath, 11 September 1849.

5. *Alexander*, raised an independent company for Loudon's Highlanders in 1745, and was taken prisoner at Prestonpans; became M.P. for Sutherland 1761, and Commander-in-chief of the Forces in Scotland in 1780. He married, at Forde, 24 December 1770, *Margaret*, daughter of Sir William Carr of Etal, Bart., and died, without issue, 31 May 1789.<sup>7</sup> She survived him, and married, secondly, 4 October 1792, *James Farquharson* of Invercauld.

6. *Mary*, died, at Edinburgh, unmarried, 31 October 1780.<sup>8</sup>

<sup>1</sup> Paper penes Lord Reay. <sup>2</sup> *Caithness Family Hist.*, 324. <sup>3</sup> Reay Papers. <sup>4</sup> Blk. ms. <sup>5</sup> *Ibid.* <sup>6</sup> For details of 5, 6, 7, 8, 9, Blk. ms. <sup>7</sup> *Ibid.* <sup>8</sup> *Scots Mag.*

7. *Harriet*, died at Restalrig, unmarried, 5 November 1766.
8. *Christina*, married,<sup>1</sup> 15 June 1746, to the Rev. John Erskine, D.D., Edinburgh, son of John Erskine of Carnock. She died 20 May 1810, leaving issue.
9. *Marion*, died at Edinburgh, unmarried, in 1812.

IV. DONALD, fourth Lord Reay, after a liberal education at home, travelled on the Continent for some time, and especially in Holland.<sup>2</sup> He died at Durness 18 August 1761.<sup>3</sup>

He married, first, Marion (contract<sup>4</sup> 23 August 1732), daughter of Sir Robert Dalrymple of Castleton, son of Sir Hugh Dalrymple, Bart. (President of the Court of Session), and by her, who died December 1740, had issue:—

1. GEORGE, fifth Lord Reay.
2. HUGH, sixth Lord Reay.

He married, secondly, 21 December 1741, Christian,<sup>5</sup> daughter of James Sutherland of Pronsy. By her, who died at Edinburgh 12 July 1790,<sup>6</sup> he had issue:—

3. *Margaret*, died young, at Edinburgh, 18 January 1762.
4. *Mary*, who died 21 November 1813,<sup>7</sup> married Major Thomas Edgar of the 25th Foot.

V. GEORGE, fifth Lord Reay, succeeded his father in 1761, and took steps to make the entail of his estate secure. While in Edinburgh attending to this matter,<sup>8</sup> he died 27 February 1768, aged thirty-four, and is buried in Holyrood.

He married, at Tongue, 6 January 1758, first, Marion,<sup>9</sup> daughter of the Hon. Hugh Mackay of Bighouse, but by her, who died 12 March 1759, had no surviving issue. He married, secondly, at Edinburgh, 1 October 1760, Elizabeth,<sup>10</sup> daughter of John Fairley, collector of the customs of Ayr. She died November 1800,<sup>11</sup> having had issue:—

1. *Jane*, died 16 February 1773, aged ten.<sup>12</sup>

<sup>1</sup> Papers *penes* Lord Reay. <sup>2</sup> *Ibid.* <sup>3</sup> Wood's *Peerage*. <sup>4</sup> Brief in action of declarator against heirs of entail by Eric, seventh Lord Reay, 1825. <sup>5</sup> *Ibid.* <sup>6</sup> Wood's *Douglas* gives the date as 18 January 1763, but this must be a mistake. Both the *Scots Mag.* and the *Gent.'s Mag.* give the date in the text, the latter describing the lady as sister of Sir William Gordon, Bart. Now her mother, also a Christian Sutherland, married, after the death of her first husband, Sir John Gordon of Embo, Bart., and Lady Reay would therefore be half-sister to her son, Sir William. <sup>7</sup> Papers *penes* Lord Reay. <sup>8</sup> *Ibid.* <sup>9</sup> *Ibid.* <sup>10</sup> *Ibid.* <sup>11</sup> Holyrood Reg. <sup>12</sup> *Ibid.*

2. *Marianne*, married to William Fullarton of Fullarton, M.P. for Ayrshire, and died *s.p.* 28 March 1838.<sup>1</sup>
3. *Georgina*, born at Tongue 30 April 1766, died, unmarried, at Bathampton, co. Somerset, 2 August 1847.<sup>2</sup>

VI. HUGH, sixth Lord Reay, was a bright, clever youth, very fond of music, but had a fall in boyhood, which hurt his head so severely that he eventually became fatuous.<sup>3</sup> When he succeeded to the estate curators were appointed to manage it,<sup>4</sup> and he went to reside at the house of Mr. James Mackay of Skerray, where he died 26 January 1797, unmarried.

VII. ERIC, seventh Lord Reay, born in December 1773, succeeded his cousin in 1797, and before doing so, rendered some assistance in raising the Reay Regiment of Fencibles, which was embodied in 1795.<sup>5</sup> He afterwards became hon. colonel of the Sutherland Volunteers,<sup>6</sup> of which there were several companies in the county. In 1825 he was successful in an action of declarator brought against the heirs of entail to the Reay estate, and having thus secured his lands in fee-simple, sold the same to the Countess of Sutherland in 1829 for £300,000.<sup>7</sup> He died, unmarried, 8 July 1847, but leaving a natural daughter *Erica*, married, at Goldings, Herts, 29 August 1835, to Sir Walter Minto Townsend Farquhar, Bart., and died 1899.

VIII. ALEXANDER, born in 1775, who succeeded his brother as eighth Lord Reay, served for a time in the Gordon Highlanders, but upon the formation of the Sutherland Highlanders in 1800 joined the latter regiment.<sup>8</sup> He took part in the capture of Cape Town from the Dutch in 1805, and retired with the rank of major in 1817.<sup>9</sup> He afterwards became Barrack-Master of Malta,<sup>10</sup> and died 18 February 1863.

He married,<sup>11</sup> 8 April 1809, Marion, daughter of Colonel

<sup>1</sup> Wood's *Peerage*. <sup>2</sup> Blk. ms. <sup>3</sup> *Ibid.* <sup>4</sup> Papers *penes* Lord Reay. <sup>5</sup> *Autobiographical Journal of John Macdonald*, 1770-1830, 89. <sup>6</sup> Inscription on tombstone of Captain John Mackay of Skerray in the cemetery of Skerray, Tongue. <sup>7</sup> *Book of Mackay*, App. No. 62. <sup>8</sup> General Stewart of Garth's *Scotch Highlanders*, ii. App. No. 7. <sup>9</sup> *Ibid.* <sup>10</sup> Ms. Notes of John Mackay, Ben Reay. <sup>11</sup> *Ibid.*

Gall, and widow of David Ross, Calcutta, eldest son of Lord Ankerville, a judge of the Court of Session, and by her, who died 2 July 1865, had issue :—

1. *George Alexander*, died 1811.
2. ERIC, ninth Lord Reay.
3. *Anne Marion Erskine*, died, unmarried, 23 June 1852.
4. *Sophia*, married, 10 August 1853, to Charles Arthur Aylmer, and died in London, without issue, 24 September 1866. She was re-interred in the Reay vault, within the church of Tongue, 9 September 1867.<sup>1</sup>
5. *Mary*, died, unmarried, 18 January 1852.
6. *Clara*, born 1822; died, unmarried, 17 March 1862.
7. *Elizabeth Granville*, died, unmarried, 19 November 1874.
8. *Charlotte*, married, in July 1852, to John Drever, of the Indian Medical Service, who died in February 1873. She died 3 February 1902, without issue.

IX. ERIC, succeeded his father as ninth Lord Reay. He served for some time in the 60th Rifles, but eventually retired, and died, unmarried, 2 June 1875.

X. BARON ÆNEAS MACKAY of Ophemert in the Netherlands, succeeded his cousin as tenth Lord Reay. He was a Minister of State, Vice-President of the Council of State, and a G.C. of the Order of the Lion of the Netherlands. He was born 13 January 1806, and died at the Hague 6 March 1876. He married, 27 October 1837, Mary Catherine Anna Jacoba, daughter of Baron James Fagel, and by her, who died 22 May 1886, had issue :—

1. DONALD JAMES, eleventh Lord Reay.
2. *John Jacob*, born 30 October 1842, and died, unmarried, 2 June 1859.
3. *Ann Agnes*, born 1838, and died 2 March 1839.

XI. DONALD JAMES, eleventh Lord Reay, Baron Mackay of Ophemert in the Netherlands, born 22 December 1839, and naturalised by Act of Parliament 17 May 1877, was created BARON REAY of Durness, in the Peerage of the United

<sup>1</sup> *Funeral Sermon* by Rev. M. Mackay, LL.D., (Maclaren, Edinburgh, 1867).

Kingdom, 8 October 1881. He is a Baronet of Nova Scotia, a Privy Councillor, Lord-Lieutenant of Roxburghshire, a D.L. of Berwick and Selkirk, an LL.D. of the four Scottish Universities (Edinburgh, Glasgow, St. Andrews, and Aberdeen), D.Litt. of the Universities of Oxford and Cambridge, a G.C.I.E. and a G.C.S.I. Elected Rector of St. Andrews University 1884, Governor of Bombay 1885-90, Under-Secretary of State for India 1894-95, Chairman of London School Board 1897, and first President of the British Academy. He was a plenipotentiary delegate to the Second Peace Conference at the Hague in 1907; Chairman of a Committee on Agricultural Education in England, and of a Committee on Oriental Studies; President of the Royal Asiatic Society and of the Franco-Scottish Society, and Ex-President of the Institute of International Law.

He married, 5 June 1877, Fanny Georgina Jane, C.I., daughter of the late Richard Hasler, Esq. of Aldingbourne, Sussex, and widow of Captain Alexander Mitchell, of Stow, M.P.

CREATIONS.—Baron Reay of Reay, in the Peerage of Scotland, 20 June 1628; and Baron Reay of Durness, in the Peerage of the United Kingdom, 8 October 1881.

ARMS.—Not recorded in Lyon Office, but given in various MSS. as:—Azure, on a cheveron or, between three bears' heads coupéd argent, muzzled gules, a roebuck's head erased, between two hands grasping daggers, the points turned towards the buck's head, all proper.

CREST.—A dexter arm erect, coupéd at the elbow, the hand grasping a dagger, also erect, proper.

SUPPORTERS.—Dexter a man in armour, girded with a sword and spurred, holding a spear with butt-end on the ground in the exterior hand; sinister, a man in armour, girded with a sword, holding a musket with butt-end on the ground in the exterior hand.

MOTTO.—*Manu Forti.*

[A. M.]

## ROLLO, LORD ROLLO



ACCORDING to Chalmers,<sup>1</sup> the Rollos derive their origin from Richard de Rollo, an Anglo-Norman who settled in Scotland during the reign of King David I.,<sup>2</sup> and who, it is asserted, was a witness to charters of that monarch. But of this there is no corroborative evidence—a Richard Rollos, so-called from a place in Normandy, does indeed occur in charters in France of King Henry I. of England,<sup>3</sup> but the name does not appear then or later either in English or Scottish record, nor is there any proof that the Scottish Rollos are of the same stock. Rollo as a surname in the Scottish records first occurs in the beginning of the fourteenth century, when a

*Willelmus de Rollok* appears in the muster-roll of Berwick as an Esquire in 1312.<sup>4</sup>

*Adam Rolok* of Scotland was, by order of the English King, dated 24 September 1328, released from prison. He had been taken prisoner with other Scots in a ship touching at Brunham in the 'late' reign.<sup>5</sup>

<sup>1</sup> *Caledonia*, i. 541. <sup>2</sup> Douglas's *Peerage*, 572. <sup>3</sup> *Cal. of Docs., France*, 190, 191. <sup>4</sup> *Cal. Doc. Scot.*, iii. 415. <sup>5</sup> *Ibid.*, 965.



*Robert Rauloc* is mentioned in the accounts of the Burghs of Kyntor and Perth 1329.<sup>1</sup>

*Walter Rauloc* is mentioned in the Accounts of the Burgh of Perth, 1343.<sup>2</sup>

ROBERT ROLLOCHE received from David II. charters of the lands of Threepwood in Lanarkshire, and of certain lands in Perthshire.<sup>3</sup> Some one of these last three may have been the ancestor of

JOHN ROLLO of Duncrub.<sup>4</sup> 'John Rollok' was one of the Bailies of Perth, 1361-66.<sup>5</sup> In 1368 he held the office of 'communis clericus' of the burgh of Edinburgh.<sup>6</sup> On 23 July 1369 David II. granted him a charter of a tenement in the burgh,<sup>7</sup> and on 13 February following he represented the burgesses in a Parliament held at Perth.<sup>8</sup> He was also in the royal service, for, in 1369, he received £5 for extra services to the King, and in 1370 he had, by command of the King, a grant of £10 per annum until he was provided with the same amount of lands.<sup>9</sup> About the same time he was appointed Clerk of the Cocket in Edinburgh, for which office he frequently received augmented payment, and eventually, in addition to the usual fee, he had by special gift of the King one penny per sack of wool passing through the cocket, the yield of which averaged about £5 per annum. In 1388 the penny per sack was granted to him for life, with reversion to his son Duncan for life. Latterly he was employed in the Exchequer, for he is found assisting at an audit of the Chamberlain's accounts, and taking custody of the balance in the Chamberlain's hands.<sup>10</sup>

John Rollo also acted as secretary to Robert, Earl of

<sup>1</sup> *Exch. Rolls*, i. 157, 176. <sup>2</sup> *Ibid.*, 524. <sup>3</sup> Robertson's *Index*, 30, 31.

<sup>4</sup> Sir John Rollo—evidently a cleric—clerk of the diocese of Moray, was notary to the instrument taken on the settlement of the Crown by Parliament in the Abbey at Scone 27 March 1371 (*Nat. MSS.*, ii. 35, 36, No. xliiia; *Acta Parl. Scot.*, i. 546, and he was master of Queen Euphemia's household at St. Germans, clerk of her wardrobe, and her chamberlain during the years 1373-76 (*Exch. Rolls*, ii. 445 and per indicem).

<sup>5</sup> *Exch. Rolls*, ii. 62. <sup>6</sup> *Reg. Sancti Egidii*, 2, 275. <sup>7</sup> Wood's *Douglas's Peerage*. <sup>8</sup> *Acta Parl. Scot.*, i. 150. <sup>9</sup> *Exch. Rolls*, ii. 359, 395, etc.

<sup>10</sup> *Ibid.*, ii. and iii. *passim*.

Fife and Menteith<sup>1</sup> (afterwards Duke of Albany and Governor of the Realm), and as chancellor and secretary to David, Earl Palatine of Strathearn and Earl of Caithness, sons of Robert II.<sup>2</sup> From the latter he received a charter, of 13 February 1380-81, of the lands of Fyndony with park of Dunyn and the lands of Drumcroube and Ladcathy in the earldom of Stratherne within the sheriffdom of Perth, to him and the heirs-male of his body, whom failing, to his son Duncan. This charter was confirmed by King Robert II. at Methven on 14 February 1380-81.<sup>3</sup>

John Rollo died in 1390<sup>4</sup> and was succeeded by his son,

DUNCAN ROLLO of Duncrub, who was also a burges of Edinburgh<sup>5</sup> and a man of considerable eminence. He succeeded his father in the lands of Duncrub, in the tene-ment in Edinburgh,<sup>6</sup> and as Cocket Clerk.<sup>7</sup> Between 20 June 1394 and 21 March 1398-99 Duncan Rollo and others received safe-conducts from Richard II. to come and go between Scotland and England, and to ship for foreign parts.<sup>8</sup> In 1410 he was appointed an auditor of the State accounts, and acted as such till his death.<sup>9</sup> In the same year Duncan Rollo of Edinburgh received a grant of £30 for his labours and expense in the service of the State. In 1412 he received a similar grant.<sup>10</sup> He died about June 1419,<sup>11</sup> leaving issue:—

1. ANDREW<sup>12</sup> of Duncrub, who, however, may have been a grandson of Duncan.
2. *Robert* of Bello, who was also probably a son or grandson of Duncan. He was a burges of Dundee, and was the ancestor of the Rollos of Dundee, a family which quickly attained eminence in civic life. One of them, James Rollo, was Provost of Dundee and entertained King James IV.<sup>13</sup> Robert Rollo also founded the Bello or Balloch and Menmuir branch.

<sup>1</sup> Skene, *De Verborum Significatione*, 9; *Red Book of Menteith*, i. 258; *Reg. Mag. Sig.*, 13 February 1430-31. <sup>2</sup> *Exch. Rolls*, ii. and iii. *passim*; *Reg. Hon. de Morton*, ii. 121. <sup>3</sup> *Reg. Mag. Sig.* The original charter and another charter of confirmation, dated 4 February 1381-82, are in the British Museum. <sup>4</sup> *Exch. Rolls*, iii. 204, 220. <sup>5</sup> *Reg. Sancti Egidii*, 38. <sup>6</sup> *Ibid.*, 285. <sup>7</sup> *Exch. Rolls*, iii. *passim*. <sup>8</sup> *Cal. Doc. Scot.*, iv., and *Rotuli Scotie*, ii. <sup>9</sup> *Exch. Rolls*. <sup>10</sup> *Ibid.* <sup>11</sup> *Ibid.*, iv. 322. <sup>12</sup> Crawford's *Peerage*. <sup>13</sup> *Exch. Rolls*, x. 532.

On 31 December 1443 Robert Rollo, burghess of Dundee, received a charter of a piece of land in Dundee.<sup>1</sup> He represented the burgh in Parliament, and was a Lord Auditor of Causes 9 October 1466.<sup>2</sup> By charter of date 25 December 1466 James III. granted him 'terras quarte partis totius ville de Petty, etc., Forfar';<sup>3</sup> and on 22 October 1470 'Robert Rollo, burghess of Dundee,' received a charter from Thomas Ogilvy of Clova of certain lands in security of the lands of 'Bellouch' in the lordship of 'Alicht,' Perthshire, which he had purchased from Ogilvy.<sup>4</sup> He died between 22 May 1472 and 10 March 1480-81. He had with other issue:—

- (1) *David* of Bello, who was served heir to his father Robert Rollok, burghess of Dundee, 10 March 1480-81.<sup>5</sup> He was a burghess and bailie of Dundee. On 23 October 1473 James III. granted to David Rollok, burghess of Dundee, and his heirs, part of the lands of Balfour, Balconquhaile, Petmedy, and Balyorde, in the barony of Menmuir.<sup>6</sup> He was one of the Lords Auditors 'ad causas pro commissionerariis burgorum,' 18 March 1481-82.<sup>7</sup> On 16 January 1497-98 an instrument was taken by Sir Thomas Maule of Panmure 'in hospitio Davidi Rollok, burgensis de Dundee.'<sup>8</sup> He died before 1510. He seems to have married, first, c. 1460, Elizabeth, daughter of Patrick, Master of Gray;<sup>9</sup> and, secondly, ante 15 February 1491-92, Marjory, daughter of Robert Berclay of Strovane.<sup>10</sup>

By his first wife he had issue:—

- i. '*David Rollo* of Menmure, son and heir of the late David Rollo, burghess of Dundee.' He was custumar of Dundee, 1489-92. In 1510 he had sasine of Balfour, Baucounate, Petmedy, Bawkello, and Petty.<sup>11</sup> He had an annualrent of 6 merks from the lands of Haltoun, etc., 12 July 1513.<sup>12</sup> He was alive in 1522, but dead before 31 October 1532.<sup>13</sup> He married Elizabeth Ogilvy, widow of Haliburton of Gask,<sup>14</sup> and had at least one son,

- (i) *David* of Menmuir and Bello, who granted a precept of clare constat 5 August 1528.<sup>15</sup> In 1532 he paid £150 of composition of non-entry and relief 'terrarum de Bellow, orientalis partis terrarum de Leitfee et

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<sup>1</sup> Duncrub Inventory. <sup>2</sup> *Acta Auditorum*, 3. <sup>3</sup> *Reg. Mag. Sig. Laing Charters*, 163. <sup>4</sup> Rollo Writs. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Acta Auditorum*, 95. <sup>7</sup> *Reg. de Panmure*, ii. 262. <sup>8</sup> *Ibid.*, i. xxviii. ; *Scots Peerage*, iv. 275. <sup>9</sup> *Acta Auditorum*, 167. <sup>10</sup> *Exch. Rolls*, xiii. 661. <sup>11</sup> *Reg. Mag. Sig.*, 12 July 1513. <sup>12</sup> *Laing Charters*, 334; *Reg. Mag. Sig.*, 27 May 1533. <sup>13</sup> *Ibid.*, 16 March 1524-25. <sup>14</sup> Duncrub Inventory.

decem marcarum annui redditus de Leit-fee.<sup>1</sup> On 27 September 1535 he received a Crown charter of the superiority of the lands of Bello 'called David-Rollokis-Ballo.'<sup>2</sup> He died before 27 October 1537, leaving one child,

*Marion*, who received sasine of the lands of Bello, Petty, and Balkello on payment of relief of £40, 13s. 4d., 27 October 1537.<sup>3</sup> Married to Andrew Rollo of Duncrub.<sup>4</sup>

He also had a natural son,

*Thomas*, who received legitimation, 31 May 1525.<sup>5</sup>

ii. *Elizabeth*, married, previous to 14 March 1490-91, to Sir Thomas Maule of Panmure,<sup>6</sup> and died before 1509.

iii. Another daughter, married to Collace of Balnamoon.<sup>7</sup>

ANDREW ROLLO of Duncrub, succeeded his father<sup>8</sup> or grandfather Duncan. In the account of the 'marus' of Strathearn for the period 9 September 1450 to 15 June 1452, there is record of ten pounds being paid to Andrew Rollo 'by the King's order.'<sup>9</sup> Between 1465 and 1467 he claimed, in virtue of a royal charter, the lands of Ardkelly, in the lordship of Methven.<sup>10</sup> The claim was sustained; in the year 1480-81, in the account of the lordship of Methven, there is a memorandum that the lands of Ardkelle, Balnagounie et Quhitbank are granted heritably to Andrew Rollok by charter from the King, and are tenandries of Methven worth yearly xj lib., as appears in the old rental.<sup>11</sup> This grant was probably in implement of the promise to his grandfather of a £10 land.<sup>12</sup> On the 21 April 1471 'Andrew Rollhoc, Laird of Duncroub,' Robert, his son and heir-apparent, and David, also son of the said Andrew, entered into an agreement with Laurence, Lord Oliphant.<sup>13</sup> Andrew Rollo died before 9 July 1481,<sup>14</sup> and had issue at least two sons:—

1. ROBERT.

2. *David*, of Findony.<sup>15</sup>

<sup>1</sup> *Accounts of Lord High Treasurer*, vi. 10. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *Exch. Rolls*, xvii. 745. <sup>4</sup> *Accounts of Lord High Treasurer*, vi. 377. <sup>5</sup> *Reg. Sec. Sig.*, i. 3341. <sup>6</sup> *Reg. de Panmure*, i. xxviii. <sup>7</sup> *Ibid.* <sup>8</sup> *Crawfurd's Peerage*. <sup>9</sup> *Exch. Rolls*, v. 584. <sup>10</sup> *Ibid.*, vii. 408, 480. <sup>11</sup> *Ibid.*, ix. 576. <sup>12</sup> *Ibid.*, ii. 395. <sup>13</sup> *Oliphants in Scot.*, 17. <sup>14</sup> *Crawfurd's Peerage*. <sup>15</sup> *Macfarlane's Gen. Coll.*, ii. 103.

ROBERT ROLLO. Beyond the fact that he entered into the agreement mentioned above there is no record of him. He died in his father's lifetime, and was the father of

WILLIAM ROLLO of Duncrub. On the 24 September 1476, as 'Vilzham Rowok of Ffyndone,' he entered into an agreement with Laurence, Lord Oliphant.<sup>1</sup> He was served heir of his grandfather, Andrew, of Duncrub, on 9 July 1481.<sup>2</sup> In 1481 he got sasine of part of the lands 'Balngaw' [Ballingal], in Fifeshire.<sup>3</sup> By charter, dated at Cupar 12 June 1489, William Rollok of Fyndenew and laird-portioner of Ballingale, granted a charter of his part of the lands of Ballingale, Fifeshire, to Walter Heriot of Lathone.<sup>4</sup> William Rollok of Duncrub is mentioned in a charter of date 21 August 1504.<sup>5</sup> On 26 August 1511 the King granted to William Rollok of Duncrub a charter incorporating the lands of Duncrowb, Laidcaty, Pettinskeich, the Kirkton of Dunnyng, and Fyndonny into the free barony of Duncrub, and erecting the lands of the Kirkton of Dunnyng into a free burgh of barony.<sup>6</sup> William Rollo took sasine in terms of this charter in the following year, 1512,<sup>7</sup> and it was ratified in Parliament by Charles II. on 12 July 1661.<sup>8</sup> He died between 1512 and 28 October 1513, and may have been slain with his son at the battle of Flodden, 9 September 1513.<sup>9</sup> He married a lady of the family of the Oliphants.<sup>10</sup> He had issue:—

1. ROBERT of Duncrub.

2. *Humphrey*, who is first mentioned in 1508.<sup>11</sup> On 25 January 1526-27 Walter Bonar of Kelty, and others were respited for oppression of Andrew of Duncrub, and 'Umfredus Rollok.'<sup>12</sup> In 1535 he received an assedation and letters of bailiary, bestowing on him the keeping of the castle of Kildrummie and the bailiary of the barony for nine years from Whitsunday 1535.<sup>13</sup> Humphrey thereupon ejected John Elphin-

<sup>1</sup> *Oliphants in Scot.*, 20. <sup>2</sup> *Crawfurd's Peerage*. <sup>3</sup> *Exch. Rolls*, ix. 681. <sup>4</sup> *Reg. Mag. Sig.*, 14 July 1489. <sup>5</sup> *Ibid.*, 20 April 1505. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Exch. Rolls*, xiii. 664. <sup>8</sup> *Laing Charters*, 2550; *Acta Parl. Scot.*, vii. 248. <sup>9</sup> *Wood's Douglas's Peerage*. <sup>10</sup> *Crawfurd's Peerage*; *Wood's Douglas's Peerage*. <sup>11</sup> *Reg. Sec. Sig.*, i. 1930. <sup>12</sup> *Ibid.* <sup>13</sup> *Elphinstone Book*, i. 81, 82.

stone who held these offices. 'Umphrey Rollok in Findoun' was depute of William, Lord Ruthven, Sheriff of Perth, 27 November 1546,<sup>1</sup> and of Patrick, Lord Ruthven, 30 March 1555-56.<sup>2</sup> He married, before 22 December 1541, Jonet Graham,<sup>3</sup> and he and his wife were both alive in 1552.<sup>4</sup>

3. — a daughter, married to Walter Drummond of Broich and Balloch.<sup>5</sup>

ROBERT ROLLO of Duncrub. He first appears as witness to a charter at Fornoth on 21 August 1504, wherein he is designed as son and heir-apparent of William Rollo of Duncrub.<sup>6</sup> He was slain at the battle of Flodden, 9 September 1513, for his son Andrew, who succeeded him, received sasine of Duncrub on 28 October following, while he was still a minor, a privilege which was granted by Act of Parliament on 28 August preceding the battle to the sons of those who should fall in the campaign.<sup>7</sup> He married Jonet Grahame, who is said to be a daughter of William, Lord Graham, by his wife Annabella, daughter of John, Lord Drummond.<sup>8</sup> By his wife, who survived him, he had at least two sons and one daughter:<sup>9</sup>—

1. ANDREW of Duncrub.
2. William, 'patruus' of George Rollo of Duncrub, who witnessed a charter to his nephew of the lands of Petmady, etc., at Perth, 18 March 1572.<sup>10</sup>
3. — a daughter, probably *Beatrix*, married to Oliver Sinclair of Quhitkirk.<sup>11</sup>

Robert Rollo of Duncrub was probably also the father of

4. *David*, of Kinledie and Powis. 'Mr. David Rowok,' notary public, witnessed a charter at Edinburgh, 5 December 1537.<sup>12</sup> By charter dated 4 June 1556, the Provost of Trinity College Church, Edinburgh, granted to Mr. David Rollok and Mariota Livingstone, his wife, and their heirs-male, etc., whom failing, to William Rollok, natural brother of Mr. David, 'the

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Seventh Rep. Hist. MSS. Com.*, 714. <sup>3</sup> Duncrub Inventory. <sup>4</sup> Protocol Book, Robert Rollok, f. 52; Cal. Reg. Ho. Charters, Nos. 1559, 1560. <sup>5</sup> *House of Drummond*, 60. <sup>6</sup> *Reg. Mag. Sig.*, 20 April 1505. <sup>7</sup> *Acta Parl. Scot.*, ii. 278; *Scot. Antiquary*, xiii. 16S. <sup>8</sup> See *Records of Parliament*, 135. <sup>9</sup> *Ibid.* <sup>10</sup> *Reg. Mag. Sig.*, 22 December 1574. <sup>11</sup> *Ibid.*, 10 July 1574. <sup>12</sup> *Ibid.*, 13 December 1537.

lands of Pows,' in the barony of Plane, Stirlingshire.<sup>1</sup> Sometime before 1563 'The Kerklands of the parochin of Donyn callit Kincladie and teind schavis thair of' were 'set in few to Mr. David Rollok.'<sup>2</sup> By charter of date 1 May 1573 the Canon of Glasgow, etc., granted to him and his wife the lands called 'the Personis Croft,' etc., in the city of Glasgow.<sup>3</sup> He died 14 March 1578.<sup>4</sup> By his wife, Marion Livingstone, he had, with four daughters:—

- (1) *David*, of Powis, who carried on the line of Powis, of which the late Hugh James Rollo, W.S., was heir-male.<sup>5</sup>
- (2) *Hercules*, master in the High School of Edinburgh, and writer of Latin verses.<sup>6</sup>
- (3) *Robert*, a celebrated divine, and first Principal of the University of Edinburgh, who died 8 January 1598-99, having married Helen, daughter of James, Baron of Kinnaird, merchant, Edinburgh, by whom he had one daughter, *Jean*,<sup>7</sup> married to Robert Balcanquhal.
- (4) *Thomas*, advocate, married Annabel Forrester, relict of James Sinclair of Banks, and had, among other issue,<sup>8</sup>
  - i. *Henry*, of Woodside, minister in Edinburgh, who married Helen Elphinstone, fourth daughter of Alexander, Lord Elphinstone, and widow of Sir William Cockburn of Langton, and died 2 June 1649, leaving issue.<sup>9</sup> The Woodside branch ended in the male line with his grandson Sir Henry Rollo of Woodside, whose eldest daughter, *Mary*, married Robert, fourth Lord Rollo, 4 June 1702.

ANDREW ROLLO of Duncrub was under age when he succeeded his father. In virtue of the Act of Parliament referred to above,<sup>10</sup> he, notwithstanding his nonage, obtained sasine of Duncrub on 28 October 1513.<sup>11</sup> On 25 November 1513, John, Lord Drummond, became surety for 'Jonet Grahame,' relict of Robert Rollo of Duncrub, that the profits of the lands and goods of the said Robert should be preserved for the benefit of Andrew and his 'brethir and sister.'<sup>12</sup> In 1526 Walter Bonar of Kelty and others were indicted for forethought felony and oppression done by them to Andrew Rollo of Duncrub and his friends in coming to the Parish Church of Dunnyne.<sup>13</sup> On 21 May 1540 the lands

<sup>1</sup> *Reg. Trin. Coll. Church* (Bannatyne Club), 118. <sup>2</sup> *Liber Insule Missarum*, 99. <sup>3</sup> *Reg. Mag. Sig.*, 10 January 1579-80. <sup>4</sup> Stirling Tests. <sup>5</sup> Stodart's *Scottish Arms*, ii, 297. <sup>6</sup> *Dict. Nat. Biog.* <sup>7</sup> *Ibid.* <sup>8</sup> Gibson's *Larbert and Dunipace*, 64. <sup>9</sup> *Elphinstone Book*, i, 167. <sup>10</sup> *Acta Parl. Scot.*, ii, 278. <sup>11</sup> *Exch. Rolls*, xiv, 519. <sup>12</sup> *Records of Parliament*, 535. <sup>13</sup> Pitcairn, i, 240.

of Bello, Bakello, and Petty, the patrimony of his wife, were incorporated by royal charter in the barony of Duncrub, which on his resignation was granted to him in life-rent, and to his son and heir-apparent George in fee.<sup>1</sup> In 1547 he bought the lands and barony of Edindonyng from Alexander Thane.<sup>2</sup> On 27 August 1560, he purchased from the chaplains and vicars of the Metropolitan Church of Glasgow and Culross the lands of Easter Rossy in Perthshire, which had been held by him and his predecessors on leases beyond the memory of man.<sup>3</sup> He died in December 1565,<sup>4</sup> having married Marion, daughter and heir of David Rollo of Menmure<sup>5</sup> (she is so styled in 1551<sup>6</sup>), and had issue:<sup>7</sup>—

1. GEORGE of Duncrub.
2. JAMES of Duncrub.
3. *Sir Walter*, successively of Petmady, of Lawton, of Gairdin, tutor of Duncrub. On 23 March 1576-77 he received a charter of the lands of Petmadie, etc., resigned in his favour by Lawrence, Lord Oliphant.<sup>8</sup> On the death of his brother James of Duncrub, in May 1584, he became tutor of James' son and heir, Andrew of Duncrub.<sup>9</sup> On 13 July 1592, James Stirling of Feodallis, tutor-dative to Marion Creichtoun, daughter of the late Mr. Robert Creichtoun of Eliok, complained to the Privy Council that, on 29 June previous, Robert Creichtoun of Cluny and his friends, including Walter Rollok, tutor of Duncrub, violently carried away the said Marion from the house of Henry Stirling of Ardoch. Failing to answer the charge, they were denounced rebels.<sup>10</sup> On 25 September following, they found caution to produce the said Marion and to answer the complaint on 12 October next.<sup>11</sup> 'The richt honorabill Walter Rollok of Pitmedden, tutour of Duncrub, Petir, bishope of Dunkeld, Williame Rollok of Balbegy, and Andro Rollok of Corstoun, breither to the said Walter, Umphra Rollok at the

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.*, 18 July 1547. <sup>3</sup> *Ibid.*, 4 November 1579. <sup>4</sup> *Acts and Decrees*, xxxvii. 196; *Exch. Rolls*, xx. 455. <sup>5</sup> *Accounts of Lord High Treasurer*, vi. 372. <sup>6</sup> *Acts and Decrees*, v. 246. <sup>7</sup> *Reg. of Deeds*, xxii. 69. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *Acts and Decrees*, cvi. 328. <sup>10</sup> *P. C. Reg.*, iv. 770. <sup>11</sup> *Ibid.*, 570.



mylne of Fyndany, Robert Rollok of Muretoun, and Robert Rollok of Bakak [? Polcak], the chief men and principallis of our kin,' consented to letters of slains by John and George Rollok of Dundee to George Ross of Balnagowan for the slaughter of their brother Patrick, servitor to Sir Thomas Lyon of Auldbar, knight, Master of Glamis, by Nicholas Ross of Pitcalnie, dated at Dundee 10 August and 22 March 1595.<sup>1</sup> There were also letters in the same terms dated at Edinburgh and Dundee July 1596, but the chief men of the Rollos are given as follows: 'Petir, Bischope of Dunkeld, Walter Rollok of Pitmeday, tutour of Duncrub, William Rollok of Balbegye and James Rollok, his son, and Mr. Thomas Rollok, advocate.'<sup>2</sup> In 1596 he was knighted, and about the same time acquired the lands of Lawtoun, for on 24 May 1596 he is described as 'Walter Rollok of Lawtoun, knight.'<sup>3</sup> On 25 February 1597-98 he entered into a contract of excambion, by which, in exchange for a sum of money and his lands of Lawton, in the barony of Kinbrachmonthe, he received the barony of Gardin,<sup>4</sup> of which he obtained a Crown charter, to him and the heirs-male of his marriage with Jean Stewart, on 19 September 1601; and on 17 October 1601 he entered into another contract by which Gardin was to be exchanged for 'Airlywicht,' but the contract was not carried out till after his death.<sup>5</sup> He died on 27 May 1603.<sup>6</sup> He seems to have been twice married. By his first wife, whose name has not been ascertained, he had issue:—

- (1) *George*. 'George, eldest lawfull son of umquhill Sir Walter Rollo of Gairdin,' was ordered to be apprehended for a civil debt 30 May 1605.<sup>7</sup>
- (2) *John* of Pitmeadie and Piltoun. He is frequently designated 'nephew' of Peter, Bishop of Dunkeld, to whose lands he succeeded as heir of provision. On 17 March 1604 Pitmeadie had been granted to Mr. Thomas Rollock, advocate,<sup>8</sup> and by charter of date 23 April 1607, proceeding on Thomas Rollok's resignation, the lands of Pitmeadie, etc., were granted to

<sup>1</sup> *Sixth Rep. Hist. MSS. Com.*, 717. <sup>2</sup> Hutton MS., ix. 39; see also Pitcairn, ii. 63. <sup>3</sup> *Reg. Mag. Sig.*, 16 January 1601. <sup>4</sup> Warden's *Angus*, iv. 72. <sup>5</sup> *Reg. Mag. Sig.*, 18 September 1606 and 1 July 1607. <sup>6</sup> Edin. Tests. <sup>7</sup> *P. C. Reg.*, vii. 52. <sup>8</sup> *Reg. Mag. Sig.*

Mr. John Rollok and Cristina Justice, his wife,<sup>1</sup> He passed as an advocate on 6 January 1608,<sup>2</sup> and was subsequently appointed commissary of Dunblane and later Sheriff-Depute of Stirling.<sup>3</sup> He lived to a great age, being still alive in 1661, when he petitioned to be reinstated in his office,<sup>4</sup> of which he had been deprived under the Commonwealth. He married, 8 January 1607, Christian Justice, daughter of William Justice, merchant burghess of Edinburgh,<sup>5</sup> and had issue:—

- i. *Peter* of Pilton, who was on the committee of war for Edinburghshire, 1649.<sup>6</sup> He died in April 1653.<sup>7</sup> He married, first, Elizabeth, daughter of James Haliburton of Kirkton of Essie, merchant burghess of Edinburgh, by whom he had a daughter,
  - (i) *Christian*.  
He married, secondly, Marie Stirling, by whom he had a son,
  - (ii) *John* of Pilton. On 27 July 1654 the lands of Pilton and others were appraised from him and his sister Christian.<sup>8</sup>
- ii. *Walter*, who graduated at Edinburgh University 15 April 1645.<sup>9</sup>

He married, secondly (contract 10 October 1591), Jean Stewart, youngest daughter of James, fifth Lord Innermeath<sup>10</sup> (who married, secondly, Sir Alexander Jardine of Applegarth), by whom he had issue:—

- (3) *Andrew*, who, on 14 January 1604, was served heir-male to his father by his wife, Jean Stewart, in the barony of Gairdin.<sup>11</sup> On the same date his uncle, William of Balbegy, was served tutor to him.<sup>12</sup> In terms of the contract of excambion made by his father he disposed the barony of Gardin to Sir Robert Crichton of Cluny, assignee of William Ruthven of Ballindene; and he also assigned Airlywicht to Sir Robert.<sup>13</sup> He chose curators on 12 March 1607,<sup>14</sup> the next-of-kin on the father's side being Mr. Peter Rollok, Bishop of Dunkeld, and Mr. John Rollok of Pitmeadie. He died without issue before 5 August 1635.<sup>15</sup>
- (4) *Peter*.<sup>16</sup> Captain Peter Rollo was charged with complicity in the burning of Frendraucht, and, on 3 February 1631, he appeared personally before the Privy Council and obliged himself to appear again at any time before the end of March on intimation being made at the domicile of Mr. Peter Rollock of Piltoun, his uncle, under pain of 5000 merks. The charge against him was, however, withdrawn.<sup>17</sup> On 5 August 1635 he was served heir to his

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<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> Faculty List. <sup>3</sup> *P. C. Reg., passim.* <sup>4</sup> *Justiciary Records*, Scot. Hist. Soc., i. 19. <sup>5</sup> Edin. Marr. Reg. <sup>6</sup> *Acta Parl. Scot.*, vi. <sup>7</sup> Edin. Tests. <sup>8</sup> *Reg. Mag. Sig.*, 28 July and 4 August 1654. <sup>9</sup> Sir T. Hope's *Diary*, 217. <sup>10</sup> *Reg. of Deeds*, xlvi. 452. <sup>11</sup> *Forfar Retours*, 38. <sup>12</sup> *Inq. Tut.*, 42. <sup>13</sup> *Reg. Mag. Sig.*, 1 July 1607. <sup>14</sup> *Acts and Decrets*, cxxvi. 143. <sup>15</sup> *Gen. Retours*, 2153. <sup>16</sup> Sir Walter's Test. <sup>17</sup> *P. C. Reg.*, 2nd ser., iv. 135, etc.

father, Sir Walter Rollo of Lawton.<sup>1</sup> He married, after 1626 and before 11 February 1634, Mary Stewart, daughter and coheirress of John, fifth Earl of Atholl, and relict of James, second Earl of Atholl of the Innermeath line.<sup>2</sup>

(5) *Elsbeth*.<sup>3</sup>

(6) *Christian*.<sup>4</sup>

4. *William* of Croftis and Balbegie, burghess of Dundee.

As nearest agnate he was served tutor to Andrew, son of Sir Walter of Gardin, 14 January 1604. In 1604 there was turmoil in Dundee, caused by a clique, headed by William Rollo of Balbegie, ambitiously aspiring to the government of the burgh. William Rollo was elected Provost, but the Privy Council declared the election void, and confined him in Stirling for two years.<sup>5</sup> He died between 12 April 1610 and 13 December 1612.<sup>6</sup> He was twice married, but the name of his first wife does not appear. He married, secondly, after 1588, Elizabeth, daughter of Peter Hay of Megginch, and widow of Gilbert Gray of Bandirran.<sup>7</sup> She died 1 April 1600.<sup>8</sup> He had issue:—

(1) *James* of Balbegy, married Euphame Ramsay,<sup>9</sup> with issue:—

i. *James* of Monkisholm, who married Margaret, daughter of William Goldman, bailie of Dundee,<sup>10</sup> and died before 22 February 1656.<sup>11</sup>

ii. *Euphame*, married to Andrew, eldest son of Charles Rollo, burghess of Perth.

(2) *George*.<sup>12</sup>

(3) *Robert*, burghess of Dundee.<sup>13</sup>

(4) *Jonet*.<sup>14</sup>

(5) *Isobel*, married to George, son of Peter Hay of Rattray.<sup>15</sup>

5. *Andrew* of Corstoun was, with his brothers, accused

by Lord Elphinstone of oppression on 26 August 1579.<sup>16</sup> On 17 May 1584 Andro Rollok, brother of the Laird of Duncrub, was one of thirty-nine guilty or suspected persons charged to appear and answer before the Council when warned, under pain of rebellion.<sup>17</sup> He was living 26 July 1611.<sup>18</sup>

6. *Peter* of Pilton, Bishop of Dunkeld, and Lord of Session.

<sup>1</sup> *Gen. Retours*, 2153. <sup>2</sup> *Scots Peerage*, i. 448. <sup>3</sup> Sir Walter's Test.; Edin. Tests., 26 October 1603. <sup>4</sup> *Ibid.* <sup>5</sup> *P. C. Reg.*, vii. 292, 735. <sup>6</sup> *Ibid.*, viii. 452; ix. 509. <sup>7</sup> *Scots Peerage*, v. 220. <sup>8</sup> Edin. Tests. <sup>9</sup> *Reg. Mag. Sig.*, 7 February 1621. <sup>10</sup> *Laing Charters*, 2352. <sup>11</sup> *Forfar Retours*. <sup>12</sup> *Reg. Brechin*, ii. 362. <sup>13</sup> *Reg. of Deeds*, cclxxviii. 131. <sup>14</sup> *P. C. Reg.*, ix. 509. <sup>15</sup> *Reg. of Deeds*, vol. cclxxx, 18 January 1619. <sup>16</sup> *P. C. Reg.*, iii. 220, 225. <sup>17</sup> *Ibid.*, 664. <sup>18</sup> *Reg. Mag. Sig.*, 3 March 1612.

He was educated for the law both at home and abroad, and passed advocate prior to 1573.<sup>1</sup> His Majesty's licence for election [as titular Bishop of Dunkeld] was granted to the Dean and Chapter 28 February 1584, and his letter for consecration 26 March 1585.<sup>2</sup> The General Assembly in 1586 appointed a commission of ministers to try him, 'if they found any occasione of slander in his life and conversatione and doctrine.'<sup>3</sup> As the patrimony and rent of the bishopric had become exhausted by the grants of his predecessors, an Act of Parliament was passed, on 8 June 1594, whereby in consideration of 'the service and guid offices done be the said Piter, bischoip of Dunkeld, in the publict affaires of the kirk and commoun weill of this countrie' the superiority of the temporality of the bishopric was granted to him for life.<sup>4</sup> In July 1587 he was appointed a member of the Privy Council.<sup>5</sup> On 8 March 1595 the King put him on a leet of three for a vacant judgeship in the Court of Session, but he was not elected by the Lords of Session.<sup>6</sup> On 19 May of the following year, however, he was admitted an Extraordinary Lord on the resignation of the Earl of Montrose.<sup>7</sup> He accompanied the King to England in 1603,<sup>8</sup> and was naturalised there, and had an appointment as Comptroller of the Household.<sup>9</sup> He returned to Scotland before March 1605,<sup>10</sup> when negotiations were in progress for obtaining his surrender of the bishopric of Dunkeld. On 19 January of that year the lords commissioners of the kirk pointed out to the King that the bishopric was held by one who had no public function in the kirk and that it was an exceedingly poor see, scarcely worth 400 merks Scots, and asked that it might be conferred on a clergyman, James Nicolson. Lord Balmerino and the Laird of Lauriston were deputed to treat with Rollock, to whom the King proposed to grant the deanery of

<sup>1</sup> *Dict. Nat. Biography*, citing 'Books of Sederunt.' <sup>2</sup> *Fasti*, i. 837.

<sup>3</sup> *Book of the Universal Kirk*, 667, 690. <sup>4</sup> *Acta Parl. Scot.*, iv. 76.

<sup>5</sup> *Ibid.*, iii. 444. <sup>6</sup> Brunton and Haig, citing 'Books of Sederunt.' <sup>7</sup> *Ibid.*

<sup>8</sup> Spottiswoode, 476. <sup>9</sup> Keith's *Bishops*, 98; *Fasti*, ii. 837. <sup>10</sup> *P. C. Reg.*, vii. 24.

York by way of compensation.<sup>1</sup> Eventually Rollock demitted the bishopric in February 1607, receiving £20,000 Scots in lieu of the deanery of York,<sup>2</sup> and was thenceforth known as Mr. Peter Rollock of Pilton.<sup>3</sup> On 20 December 1609 he was deprived of his office as an Extraordinary Lord of the Session, and Mr. John Spotswood, Bishop of Glasgow, put in his place.<sup>4</sup> Rollock wrote to the King, claiming to have served him faithfully, and praying for a renewal of the royal favour.<sup>5</sup> The whole Scottish bench of fifteen Lords supported Rollock's appeal, in a joint letter to the King of date 11 January 1610.<sup>6</sup> On 5 April 1610 the King by letter 'restored him to his place extraordinary,' and on 16 May he took his seat with the title of Lord Piltoun,<sup>7</sup> and continued in his post till 1 February 1620, when he resigned, and was succeeded by Lord Erskine.<sup>8</sup>

An attempt was made on his life on 21 September 1611. Two sons of Matthew Finlayson of Killeith, with whom he had a lawsuit, waylaid him at the back of Inverleith on his way from Restalrig to Pilton House, and shot at him with pistols, which, however, missed fire.<sup>9</sup> On 30 April 1616 he was re-admitted to the Privy Council,<sup>10</sup> from which he had been removed in 1610, and attended its deliberations with great regularity till 25 September 1625.<sup>11</sup> He died between 31 March 1631 and 30 June 1632.<sup>12</sup> He married, first, c. 1594, Christian Cant, sister of Captain David Cant, and widow of Colonel Sir Henry Balfour and of Captain John Balfour;<sup>13</sup> and, secondly, Elizabeth Weston, widow of John Fairlie of Bruntsfield, who was his future wife 1 September 1607, and who died October 1621.<sup>14</sup> He had no lawful issue, but left a natural son, *Walter*, who was with his father when the above-mentioned attempt on his life was made.

<sup>1</sup> *Original Letters relating to the Ecclesiastical Affairs of Scotland*, i. 11, 359\*. <sup>2</sup> *Fasti*, ii. 837. <sup>3</sup> *P. C. Reg.*, vii. xix. <sup>4</sup> Calderwood, vii. 53. <sup>5</sup> *Original Letters, ut supra*, 223. <sup>6</sup> *Ibid.*, 225; *Melrose Papers*, 76. <sup>7</sup> Brunton and Haig; see also *Letters, etc., of James VI.*, 186. <sup>8</sup> Brunton and Haig, citing Pitmedden ms. <sup>9</sup> *P. C. Reg.*, ix. 260. <sup>10</sup> *Ibid.*, x. <sup>11</sup> *Ibid.*, 2nd ser., i. 136. <sup>12</sup> *Ibid.*, 2nd ser., iv. 193; *Reg. Mag. Sig.*, 30 June 1632. <sup>13</sup> *Lairg Charters*, 3314; *Scots Brigade in Holland*, i. 43. <sup>14</sup> *P. C. Reg.*, ix. 84.

7. *Marjorie*, married, first, about 1555,<sup>1</sup> to George Graham of Inchbrakie; and, secondly, about 1579,<sup>2</sup> to John Graham of Balgowne. She died 24 February 1625.<sup>3</sup>
  8. *Mary*, married to Laurence Oliphant of Newton, and had issue.<sup>4</sup>
  9. *Janet*, who, on 20 March 1554-55, was offered in marriage to John Callander, grandson and heir of Robert Callender of Maner.<sup>5</sup> She was married to Andrew Blair of Rossieochill.<sup>6</sup>
  10. *Margaret*, married to William Drummond of Belliclou.<sup>7</sup>
- Andrew Rollo of Duncrub had also two illegitimate sons,
11. *Humphry*, 'at the Mylne of Findone,' who received letters of legitimation 14 January 1588-89.<sup>8</sup> He died in France 12 June 1601.<sup>9</sup> He married Christiane Chalmer, with issue one son, *Humphry*.
  12. *Charles*, burges of Perth,<sup>10</sup> who witnessed the Letters of Slains mentioned above.

GEORGE ROLLO of Duncrub was infeft in the barony of Duncrub on his father's resignation in 1540,<sup>11</sup> and was served heir of his father in the barony of Edindonyng 1 November 1573, and received sasine of the same, which had been eight years in non-entry, 12 March 1573-74.<sup>12</sup> On 5 November 1569 he sold the lands of Balkello to Gilbert Ogilvy of Ogilvy.<sup>13</sup> He acquired the lands of Petmady and others in the stewardry of Strathearn, and received a Crown charter of these lands to himself in liferent, and to his brother Walter and his heirs in fee, of date 23 March 1576-77.<sup>14</sup> He got a confirmation of a charter, formerly granted to the late Andrew Rollo of Duncrub, of the lands of Easter Rossie, etc., dated 4 November 1579.<sup>15</sup> He died 6 May 1581.<sup>16</sup> He married, about November 1549, Isobella,

<sup>1</sup> *Or and Sable*, 20. <sup>2</sup> *Ibid.*, 27. <sup>3</sup> St. Andrews Tests., 11 March 1625.  
<sup>4</sup> *Oliphants in Scotland*, lxxii. <sup>5</sup> Protocol Book of J. Harlaw in Register House. <sup>6</sup> Condie Charters. <sup>7</sup> *House of Drummond*, 163; *Liber Insule Missarum*, 133. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> Edin. Tests. <sup>10</sup> *Reg. Mag. Sig.*  
<sup>11</sup> *Ibid.* <sup>12</sup> *Perth Retours*, 32; *Exch. Rolls*, 20, 455. <sup>13</sup> *Reg. Mag. Sig.*, 24 November 1569. <sup>14</sup> *Ibid.* <sup>15</sup> *Ibid.* <sup>16</sup> *Crawfurd; Exch. Rolls*, xxi. 474.

only daughter of Sir William Moncreiff of that Ilk,<sup>1</sup> but had no issue, and was succeeded by his brother James.

JAMES ROLLO of Duncrub. In 1534 he held a position in the Royal Household.<sup>2</sup> Between 1541 and 1546 he acquired from Alexander Thane certain lands in the barony of Edindonyng, and from them is sometimes designated as of Thanesland.<sup>3</sup>

He succeeded his brother George in May 1581, and on 1 June 1582 he took sasine of the baronies of Duncrub and Edindonyng.<sup>4</sup> On 21 May 1582 he was served heir of his brother George in an annualrent of six merks of lands of Haltoun of Inneraritie in Over-Corstoun, in Mill of Cambistoun in the barony of Downie, and in an annualrent of 40s. of the lands of Balkerrie in the barony of Essie. He died in May 1584.<sup>5</sup> He married (contract 5 January 1569-70<sup>6</sup>) Agnes, daughter of Robert Collace of Balnamoon (who married, secondly, Peter Oliphant of Turings), by whom he had issue:—

1. ANDREW, first Lord Rollo.
2. *Archibald*.
3. *Marion*, married (charter in implement of contract 1 January 1608) to Sir James Bruce of Powfoulis, and died 24 December 1642.<sup>8</sup>
4. *Elizabeth*, married, as second wife (contract 31 July 1598), to Sir James Stewart of Ballechin, and had issue.<sup>9</sup>

I. ANDREW ROLLO of Duncrub was born in 1577, and being in pupillarity on his father's death in 1584, his uncle, Sir Walter Rollo of Garden, administered his affairs. He received sasine of the baronies of Duncrub and Edindonyng on attaining majority on 29 January 1598-99.<sup>10</sup> On 9 July 1603 John Grahame of Balgowne became cautioner for him in £100 to buy from Sir Michael Balfour the legal outfit of arms.<sup>11</sup> He was knighted by James VI. before 1613. On 12

<sup>1</sup> *Reg. Mag. Sig.*, 28 February 1552-53. <sup>2</sup> *Accounts of Lord High Treasurer*, vi. 203. <sup>3</sup> *Laing Charters*, 451; *Third Rep. Hist. MSS. Com.*, 406. <sup>4</sup> *Exch. Rolls*, xxi. 474. <sup>5</sup> *Forfar Retours*, 565. <sup>6</sup> *Crawfurd*. <sup>7</sup> *Deeds*, xiii. 124. <sup>8</sup> *Stirling Tests*; *Proc. of Soc. of Antiq.*, xiii. 168. <sup>9</sup> *Reg. of Deeds*, cxxii. 1 September 1606; *Douglas's Baronage*, 489; *Stewart's Hist.*, 109; *Reg. Mag. Sig.*, 21 February 1604. <sup>10</sup> *Exch. Rolls*, xxiii. 423. <sup>11</sup> *P. C. Reg.*, vi. 795.

November 1613 he was appointed a Justice of the Peace for Perthshire.<sup>1</sup> He was one of the Commissioners of the Barons in the Parliaments of 1621 and 1630;<sup>2</sup> and voted for the ratification of the Articles on 4 August 1621.<sup>3</sup> On 13 June 1622 he and his eldest son James received a licence to go abroad for three years.<sup>4</sup> In 1633 he was appointed Sheriff of Perthshire. On 24 September 1638 he was appointed a Commissioner to superintend the subscribing of the King's Covenant in the county. He does not appear to have taken an active part in the civil wars owing to advancing years. At first his sympathies were with the Covenanters, but after the execution of Charles I. he joined the Royalist party. By letters patent, dated at Perth 10 January 1651, Charles II. created him LORD ROLLO OF DUNCRUB,<sup>5</sup> with remainder to his heirs-male whomsoever.

In 1654 he was fined by Oliver Cromwell £1000 sterling,<sup>6</sup> for his adherence and attachment to the royal family. He added considerably to the family estates. In 1615 he purchased Kincladie from David Rollo of Powis; on 26 June 1621 he received a Crown charter of the barony of Rossie;<sup>7</sup> on 5 February 1639 he purchased the lands of Kippans, etc., in the barony of Gleneagles, Perthshire;<sup>8</sup> and in 1644 he obtained a Crown charter of the barony of Tillicultrie in Clackmannanshire, which was united to the barony of Duncrub.<sup>9</sup> He died on 22 May 1659,<sup>10</sup> having married Catharine Drummond, youngest daughter of James, first Lord Maderty,<sup>11</sup> and had (besides four children who died young):—

1. JAMES, second Lord Rollo.

2. *Sir John*, of Bannockburn, born 22 February 1602.<sup>12</sup> On 25 July 1636 Charles I. granted to John Rollo, second son of Sir Andrew Rollo of Duncrub, knight, and Isabella Cockburn, his wife, a charter of the lands of Bannockburn and Skeok in Stirlingshire. The charter incorporated these lands into the free barony

<sup>1</sup> *P. C. Reg.*, x, 168. <sup>2</sup> *Acta Parl. Scot.*, iv, 593b; v, 208a. <sup>3</sup> *P. C. Reg.* xii, 549, 558. <sup>4</sup> *Ibid.*, xii, 738. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Acta Parl. Scot.*, vi, pt. ii, 320. <sup>7</sup> *Reg. Mag. Sig.* <sup>8</sup> *Ibid.* <sup>9</sup> *Ibid.* <sup>10</sup> Family ms. <sup>11</sup> *Ibid.*; *House of Drummond*, 185. <sup>12</sup> Family ms. Hereafter, unless otherwise stated, details of births, deaths and marriages are derived from a Family ms.



of Bannockburn.<sup>1</sup> In 1643 'John Rollo of Bannockburn' was one of the Commissioners for Stirlingshire,<sup>2</sup> and he sat on committees of war 1643-44 and 1648-49. In 1652 'Sr. Jo. Rolock of Bannockburne' is one of the signatories to a commission appointing two representatives of Stirlingshire to a congress, whose object was the incorporation of Scotland in England.<sup>3</sup> He was therefore knighted between 1649 and 1652, probably by Charles II. on his visit to Scotland. In 1661-63 Sir John Rollo of Bannockburn is mentioned among the Commissioners of Supply for Stirlingshire.<sup>4</sup> He was one of those who were excepted from the full benefits of the Act of Indemnity 1662, and was fined £600 for his disloyalty during the recent troubles.<sup>5</sup> In 1663 he was appointed a Justice of the Peace. He died in March 1666, and leaving no issue-male he was succeeded in the barony of Bannockburn by his nephew Andrew, Lord Rollo, who was served heir-male and conquest-special to him in the same on 14 March 1672. In this retour he is described as 'miles baronettus,' but this is an error. He married, first (contract 10 September 1635),<sup>6</sup> Isabella, daughter of Sir William Cockburn of Langton, knight, by whom he had issue:<sup>7</sup>—

- (1) *Marion*, married, first, to Robert Forrest, minister at Abbotshall; and, secondly, to James Bruce, *alias* Forsyth of Garvell.<sup>8</sup>
- (2) *Helen*, married to James Pearson of Kippenross, and had issue.
- (3) *Anna*, married to George Graham of Pitcairns, afterwards of Monzie, and had issue.

Sir John married, secondly, Annabel, daughter of Sir John Buchanan of that Ilk,<sup>9</sup> by whom he had issue:—

- (4) *Annabella*, married, on 27 February 1677, by Robert, Bishop of Brechin, within the North-East Kirk, to David Drummond of Invermay.<sup>10</sup> She died in February 1693, and was buried in Holyrood Abbey Church.<sup>11</sup>

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<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Acta Parl. Scot.*, vi. <sup>3</sup> *Stirlings of Keir*, 458. <sup>4</sup> *Acta Parl. Scot.*, vii. <sup>5</sup> *Ibid.*, vii. 427a. <sup>6</sup> *Reg. of Deeds*, cccxci. f. 447. <sup>7</sup> Rollo Writs. <sup>8</sup> *Fasti*, ii. 520; *Mor. Dict.*, 5796, where she is, however, incorrectly called sister of Lord Rollo. <sup>9</sup> *Gen. Reg. Inhib.*, 26 July and 7 August 1667. <sup>10</sup> *Edin. Marr. Reg.* <sup>11</sup> *Greyfriars Reg.*

He married, thirdly (contract 27 August 1654), Helen, daughter of Sir William Sinclair of Roslin,<sup>1</sup> by whom he had:—

(5) *Joanna*, married, in 1678, to Sir Alexander Innes of Cockstoun.<sup>2</sup>

(6) *Isabella*, who died, unmarried, before 8 May 1683.<sup>3</sup>

3. *Laurence* of Rossy, born 15 March 1604.<sup>4</sup> In a Crown charter, dated 5 February 1639, he is described as 'Master Laurence Rollo, third lawful son of Sir Andrew Rollo of Duncrub, knight.'<sup>5</sup> He was a Royalist, and taken prisoner by the Covenanters and lodged in St. Andrews in December 1645.<sup>6</sup> On 28 July 1662 'Mr. Laurence Rollo of Rossie' was appointed on a commission for trying witches.<sup>7</sup> He married Catherine, daughter of Alexander Peebles, Provost of Perth.<sup>8</sup>

4. *Andrew*, born March 1605.<sup>9</sup> Graduated at St. Andrews in 1626. He was appointed minister of Duns in 1637; was deposed by the General Assembly, 1638, for signing a declination of their authority, but on declaring his recantation in the parish church was reponed. In July 1649 he was again deposed, but this sentence was taken off by the Synod of Perth and Stirling on 13 October 1652.<sup>10</sup> In the same year he became minister of Dunning. He married, first, Isabella, daughter of Mr. David Lindsay of Dunkenny, Bishop of Edinburgh;<sup>11</sup> secondly, in May 1654, Helen Oliphant, eldest daughter of William Oliphant of Pitlochrie, widow of Mr. Patrick Murray of Woodend, who had died before May 1648;<sup>12</sup> thirdly, on 2 June 1659, Helen Mercer, widow of James Crichton of Wester Aldie.<sup>13</sup> He died in May 1668, leaving issue:<sup>14</sup>—

(1) *Andrew*, who died, without issue, before 4 January 1672.<sup>15</sup>

(2) *David*, apprenticed to Mungo Wood, merchant in Edinburgh, 9 September 1663.<sup>16</sup> He married, on 15 September 1668, Bethia, daughter of Mr. Robert Laurie, Bishop of Brechin.<sup>17</sup>

<sup>1</sup> *Gen. Reg. Inhib.*, *ut supra*. <sup>2</sup> Riddell's *ms. Baronetage*. <sup>3</sup> Stirling Tests. <sup>4</sup> Rollo Writs. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Acta Parl. Scot.*, vi. pt. i. 488. <sup>7</sup> *P. C. Reg.*, 3rd ser., i. 245. <sup>8</sup> Rollo Writs; *Reg. of Deeds*, dxlvii. 429. <sup>9</sup> *Ibid.* <sup>10</sup> *Fasti*, ii. 757. <sup>11</sup> Rollo Writs. <sup>12</sup> *Perth Sasines*, viii. 26; Gask Charters at date. <sup>13</sup> *Perth Sasines*, i. 462. <sup>14</sup> Dunblane Tests. <sup>15</sup> *Gen. Retours*, 5335. <sup>16</sup> *Reg. Apprentices*. <sup>17</sup> *Edin. Reg.*

(3) *Isobel*, married to James Blair of Corbs.

(4) *Jean*, married (contract 5 September 1665) to John Stewart of Killiechassie.<sup>1</sup>

5. *Sir William Rollo*, born March 1613.<sup>2</sup> He graduated at the University of Glasgow, towards the library of which he contributed £20, c. 1635.<sup>3</sup> He was an active and consistent Royalist throughout the troublous times in which he lived. Despite a congenital lameness he joined the King's army, and when Montrose came to Durham on 15 March 1644 'Captain Mr. William Rollock, captain of General King's life-guard of horse,' finding his own commander too 'slow,' became 'Major with the Earl of Montrose.' For the rest of his life he was one of the most devoted and trusted of Montrose's officers. He took part in the abortive attempt on Scotland in the spring of 1644. Later in the summer he and Lord Ogilvy, meanly disguised, were despatched into Scotland, where they travelled for a fortnight, bringing back despairing news of the King's cause; and when Montrose decided to steal secretly into Scotland, disguised as a groom, Major Rollo was one of his two chosen companions and guides. On 1 September was fought the battle of Tippermuir, which resulted in a victory for Montrose, whose cavalry is said to have consisted of three horses, 'whereof two were for his own saddle, and the third for Sir William Rollock's, who being somewhat lame from his childhood, could not well march on foot.'<sup>4</sup> William Rollo had charge of the left wing at the battle of Aberdeen, 13 September 1644, after which he was probably knighted. Next day Montrose sent a despatch to the King by 'my worthy friend and your Majesty's brave servant, Sir William Rollock.' When returning from Oxford to the North Rollo fell into the hands of Argyll, and, according to Wishart, only obtained remission from a sentence of death by consenting to a proposition to murder Montrose. But it is more probable that he

<sup>1</sup> *Deeds*, Durie, 2 December 1671. <sup>2</sup> Rollo Writs; *Reg. Mag. Sig.* (1620-33), 1342. <sup>3</sup> *Mun. Univ. Glasg.*, iii. 478. <sup>4</sup> Guthry's *Memoirs*, 164.

was released through the intervention of his brother Sir James, who became cautioner for him in £20,000 to re-enter his person in ward by a certain date.<sup>1</sup> On being sent back to Montrose he disclosed the whole matter. On 11 February 1645 a decree of forfeiture was passed against James, Earl of Montrose, Captain William Rollo, and others.<sup>2</sup> With the Viscount of Aboyne he shared the command of the left wing at the battle of Alford, 2 July 1645. In the course of the march southwards he is reported to have put to flight 200 of the enemy with but ten horsemen. 'Sir Williame Rolloke' was one of few excepted by name from the benefits of an Act of amnesty passed 7 August 1645.<sup>3</sup> At the disastrous battle of Philiphaugh, 13 September 1645, Sir William Rollo was among the prisoners, and was executed at Glasgow on 21 October 1645.<sup>4</sup>

6. *Margaret*, born 10 January 1609, married to Sir John Drummond of Carnock,<sup>5</sup> and had issue.
7. *Jean*, born 13 February 1615, married, first (contract 30 September 1652), to Robert Rollo of Powhouse,<sup>6</sup> and had issue; and, secondly, to John Drummond of Pitkellonie.<sup>7</sup>
8. *Anna*, born 20 March 1619, married, first (contract 13 May 1633<sup>8</sup>), to William Mercer of Clavage, and had issue; and, secondly, to Major Drummond of Pitcairnis, and had issue. She died 21 October 1658.
9. *Isabell*, born 19 February 1621, married, as his second wife, to William Halliday of Tullibole, and had issue.
10. *Marion*, born 10 August 1627.

II. JAMES, second Lord Rollo, was born on 11 December 1600.<sup>9</sup> He had the honour of knighthood conferred on him by Charles I. on his visit to Scotland in 1633, and upon his father's resignation obtained from that King a charter of the barony of Duncrub, etc., 18 March 1642.<sup>10</sup> In 1622 he re-

<sup>1</sup> *Acta Parl. Scot.*, vi, pt. i. 587. <sup>2</sup> *Ibid.*, 313. <sup>3</sup> *Ibid.*, 465. <sup>4</sup> *Deeds of Montrose*, 157. <sup>5</sup> *House of Drummond*, 185. <sup>6</sup> *Deeds, Durie*, 27 February 1672. <sup>7</sup> *House of Drummond*, 185. <sup>8</sup> *Perth Sas.*, vi. 336. <sup>9</sup> Family ms. <sup>10</sup> *Reg. Mag. Sig.*

ceived a licence to go abroad with his father for three years.<sup>1</sup> On 18 September 1634 he was appointed a Justice of the Peace for Perthshire,<sup>2</sup> and in 1638 he was appointed to superintend the subscribing of the King's Covenant in that county.<sup>3</sup> Sir James was closely connected with the two great rivals in the fight between King and Covenant; his first wife was a sister of Montrose, and his second wife was a sister of Argyll. 'Thus he was brother-in-law to both Cæsar and Pompey.'<sup>4</sup> He sided with the Covenant, and was a colonel of horse in Perthshire, and served on Committees of War 1646-49.<sup>5</sup> In May 1643 'Sir James Rollok and Sir Mungo Campbell were, by the Marquess of Argyll and the rest, commissioned to go to Montrose, and to make offer that, if he would leave off his counter-working and comply with them, all his debts should be discharged, and himself preferred to the highest place of command next to General Lesley.'<sup>6</sup> Shortly after, at the interview between Mr. Alexander Henderson and Montrose, Sir James was also present. He was with Argyll during Montrose's campaign, and, on the day before the battle of Inverlochy, accompanied him on his barge.<sup>7</sup> He was a Commissioner for Revaluation of Clackmannanshire 1649;<sup>8</sup> a Commissioner of Supply for Perthshire 1655, 1656, 1659; a Commissioner of Excise 1661.<sup>9</sup> In 1661 an Act of Parliament was passed ratifying to him the barony of Duncrub and burgh of Doning.<sup>10</sup> He took a principal part in the obsequies of the remains of Montrose in 1661.<sup>11</sup> In 1662 he was fined £6000 for his part in the troubles beginning in 1637.<sup>12</sup> In 1663 he was appointed a Justice of the Peace. He attended Parliament 1661-63, 1665.<sup>13</sup> 'The Lord Rollocke departed out of this life att his dwelling-house, and was interred att Dinnen or thereby, the 12 of June [1669] att night.'<sup>14</sup>

He married, first, on 24 April 1628, Dorothea Graham, third daughter of John, Earl of Montrose, by his wife Margaret Ruthven, daughter of William, Earl of Gowrie. The great Marquess was present, and 'the feasting upon this occasion . . . was scarcely less than at the funeral of

<sup>1</sup> *P. C. Reg.*, xii. 738. <sup>2</sup> *Ibid.*, 2nd ser., v. 385. <sup>3</sup> *Ibid.*, vii. 77. <sup>4</sup> Napier's *Mem.*, 381. <sup>5</sup> *Acta Parl. Scot.*, vi. pt. i. 516 *et passim*. <sup>6</sup> Guthry's *Mem.*, 129. <sup>7</sup> *Ibid.*, 178. <sup>8</sup> *Acta Parl. Scot.*, vi. pt. ii. 2436. <sup>9</sup> *Ibid.*, vi. *passim*. <sup>10</sup> *Ibid.*, vii. 348. <sup>11</sup> *Chiefs of Colquhoun*, i. 273. <sup>12</sup> *Acta Parl. Scot.*, vii. 427b. <sup>13</sup> *Ibid. passim*. <sup>14</sup> Lamont's *Diary*, 209.

her father, and lasted from 22 to 29 April.<sup>1</sup> She died *s.p.* 16 May 1638, and was interred at Holyrood the 8 of June.<sup>2</sup> He married, secondly, on 20 March 1642, Mary Campbell, daughter of Archibald, seventh Earl of Argyll, by his second wife Anne, fourth and youngest daughter of Sir William Cornwallis of Broome (by Lucy, his wife, third daughter and coheir of John Nevil, Lord Latimer), by whom he had issue:—

1. ANDREW, third Lord Rollo.
2. *Archibald*, a major in the Army. He was alive 7 September 1682.<sup>3</sup>
3. *Margaret*, married (contract 7 September 1682) to Sir George Olyphant of Newton.<sup>4</sup>
4. *Mary*.<sup>5</sup>

III. ANDREW, third Lord Rollo, succeeded his father in 1669. He was an active member of Parliament, and frequently acted as Commissioner of Supply for Perthshire.<sup>6</sup> On 14 March 1672 he was served heir-male and conquest of Sir John Rollo of Bannockburn, knight, his uncle, in the lands of Bannockburn and Skeoch.<sup>7</sup> In the same year the lands and barony of Duncrub were ratified to him by Act of Parliament,<sup>8</sup> and by another Act he was allowed to hold a yearly fair at Doning.<sup>9</sup> In the Revolution he favoured William of Orange, and was one of the signatories to the Act declaring the legality of the meeting of the Estates, 1689, and took the oath of allegiance.<sup>10</sup> He was captain of a troop of horse and was stationed in Dundee,<sup>11</sup> when Viscount Dundee, coming up to the town, 'had almost surprized the Lords Rollo and Kylsith. . . . Rollo on the first alarm made his escape.'<sup>12</sup> He suffered considerably in his property, and his case for reparation was remitted to the Privy Council 1693.<sup>13</sup> He signed the Association for defence of King William in 1696.<sup>14</sup> He died 4 March 1701, and was interred in the Church of Dunning.<sup>15</sup>

'Before Martinmas [1670], the Lord Rollock, a young

<sup>1</sup> Canongate Mar. Reg.; Napier's *Mem.*, 35. <sup>2</sup> Balfour's *Annals*.  
<sup>3</sup> *House of Drummond*; Douglas's *Peerage*. <sup>4</sup> *Perth Sasines*, ix. 71; Douglas's *Peerage*. <sup>5</sup> *Mor. Dict.*, 5796. <sup>6</sup> *Acta Parl. Scot.* <sup>7</sup> *Stirling Retours*, 261. <sup>8</sup> *Acta Parl. Scot.*, 376. <sup>9</sup> *Ibid.*, 446. <sup>10</sup> *Ibid.*, ix. 9b; 100a. <sup>11</sup> *Ibid.*, ix. 27a, 54a, b. <sup>12</sup> *Mem. of Lochiell*, 238. <sup>13</sup> *Acta Parl. Scot.*, ix. App. 92b. <sup>14</sup> *Ibid.*, x. 10b. <sup>15</sup> Lamont's *Diary*.

man, married Mistris [Margaret] Balfour, the Lord Burley (who married Sr William Balfowr, Knight of the Black Rod att London, his daughter) his eldest daughter; the mariage feast stood at Burley, the busines being accomplished sudenlie.<sup>1</sup> By her (who died at Edinburgh 20 October 1734, and was interred at Greyfriars) he had issue (besides eight children who died in infancy):—

1. *John*, Master of Rollo, cornet in Colonel Cunningham's Regiment of Dragoons. He was killed by Patrick Graham, younger of Inchbrakie, 20 May 1695. They were visiting at Invermay, where words passed betwixt the Master and Graham about drinking King James's health.<sup>2</sup> Going home on horseback after supper they had an encounter. One of the witnesses swore that he found the Master lying mortally wounded, supported by Clevedge, who cried out, 'Such a horrid murder was never seen'; Edmonston said, 'I think not so; I think it was fairly done'; and he assisted Graham to make his escape. Graham was by the Court of Justiciary, 11 November 1696, fugitated for the murder and slaughter of umquhile John, Master of Rollo.<sup>3</sup>
2. *ROBERT*, fourth Lord Rollo.
3. *David*, born July 1689, died 1707, and was buried at Greyfriars.
4. *Emilia*, born 4 July 1676. She was married to William Irving of Bonshaw, 25 August 1698, and died his widow at Bonshaw, 20 March 1747, aged seventy-one, leaving issue.<sup>4</sup>
5. *Isabella*, married, before February 1703, to Robert Johnston of Wamphray, and had issue. She died before 1 June 1742.<sup>5</sup>
6. *Jean*, born 11 December 1680. In December 1746 an order had been issued against the wearing of tartan. 'Mrs. Jean Rollo, an old maiden lady in the Canon-gate, and sister of the present Lord Rollo, was the only prisoner, and was brought before the Justice-Clerk and

<sup>1</sup> Lamont's *Diary*, 223. <sup>2</sup> *Cal. of State Papers, Domestic*, 1695, pp. 336, 339; Maclaurin's *Crim. Cases*, 10. <sup>3</sup> Wood's *Douglas's Peerage*, ii. 398. See a somewhat different version of the story in *Or and Sable*, 226. <sup>4</sup> Bonshaw MS. <sup>5</sup> Dumfries Tests.

Lord Albemarle, and after some very silly trifling questions being asked about her tartan gown she was dismissed.'<sup>1</sup> She died at Inchdairnie 21 April 1760.

7. *Susanna*, married, 1 May 1710, to Hugh Gillespie of Chirriebelly in Ireland, and had issue.

IV. ROBERT, fourth Lord Rollo, was born on 12 June 1679,<sup>2</sup> and succeeded his father in 1701. He took the oath and his seat in Parliament 11 May 1703 and voted for the Treaty of Union. He was a Commissioner of Supply 1702<sup>3</sup> and 1704.<sup>4</sup> He assisted at the great council of the Jacobites 26 August 1715.<sup>5</sup> He took an active part in the rising, being appointed to command the Perthshire squadron in spite of the opposition of Mar, who supported his brother-in-law, Colonel Hay.<sup>6</sup> He was at Sheriffmuir, but surrendered in the following spring, and was lodged in Inverness. General Wightman writing from there, under date 10 March 1716, says: 'General Cadogan writes me word there is a man of warr will be forthwith orderd to this place to carry Lord Rawloe, and all the rest of the gentlemen prisoners to Edinburgh . . . and I wish with all my heart I was just taking my leave of them here, for they are a dam'd plague to me.'<sup>7</sup> He was prisoner in Edinburgh so late as 6 May 1717, but eventually received a pardon. In 1747 a pension of £200 was granted to him. He died at Duncrub on 8 March 1758, and was buried in Dunning Church.

He married, 4 June 1702, Mary, eldest daughter of Sir Henry Rollo of Woodside, by Margaret, eldest daughter of Sir John Young of Lenzie; and by her (who died at Perth 16 April 1765, aged eighty) he had issue (besides five children who died in infancy):—

1. ANDREW, fifth Lord Rollo.
2. *Henry*, born at Blackness Castle (of which Sir Harry Rollo was governor) on 12, and baptized there 26, June 1705.<sup>8</sup> He died *s.p.* at London 2 July 1745, having married, 25 July 1724, Anne, daughter of Colonel

<sup>1</sup> *Lyon in Mourning*, ii. 111. <sup>2</sup> Family ms. <sup>3</sup> *Acta Parl. Scot.*, xi. 404b. <sup>4</sup> *Ibid.* <sup>5</sup> Rae's *Hist.* <sup>6</sup> Sinclair's *Memoirs*, 80. <sup>7</sup> *Chiefs of Grant*, ii. 99. <sup>8</sup> Carriden Reg.



James Johnstone and Isabel Ruthven, Baroness Ruthven. She is said to have married, secondly, Frederick Bruce of Bunzeon, Fife.<sup>1</sup>

3. JOHN, sixth Lord Rollo.
4. *James*, born 26 August 1713. Died 26 March 1732.
5. *Clement Sobieski*, born 24 May 1720. Died 14 January 1762,<sup>2</sup> having married, 4 August 1756, Amelia Maria, eldest daughter of John Irving of Bonshaw, and had
  - i. *Mary*, born 16 May 1757. Died at Perth 12 October 1776.
  - ii. *Robert*, born 28 November 1758. Captain in 42nd Regiment of Foot, who settled in America about 1784. He married Janet, daughter of James Graeme of Garvock.<sup>3</sup>
  - iii. *John*, born 7 January 1761. Barrack-master at Perth, and died there 29 December 1821.
6. *William Robert Dunbar*, born 25 December 1729. Died 8 April 1744.
7. *Mary*, born 25 June 1709. Married, 11 February 1731, to David Drummond of Pitkellonie, and had issue. Died at Duncrub 3 July 1739, and interred at Muthil.
8. *Jean*, born in the Castle of Edinburgh, 'where the Lord Rollo, her father, was then prisoner for serving his King and countrey,' 6 May 1717.<sup>4</sup> Married, 29 August 1749, to her cousin-german, Captain Robert Johnstone of Wamphray (who became a colonel in the service of the States of Holland), and had issue. She died at London 9 January 1780; her husband 20 February 1780.
9. *Isobel*, born 22 November 1718. Married, at Duncrub, to John Aytone of Inchdairnie, 29 September 1746, and had issue. Died at Inchdairnie 24 November 1751.

V. ANDREW, fifth Lord Rollo, born at Duncrub 18 November 1703. He entered the Army at the age of forty. He was at the battle of Dettingen 1743, and behaved so well in that engagement that he was promoted to a company in the 22nd Regiment of Foot, of which he had the appointment of major 1 June 1750, and of lieutenant-colonel 26 October 1756. He afterwards served in the West Indies

<sup>1</sup> Wood's *Douglas's Peerage*. <sup>2</sup> Musgrave's *Obituary*. <sup>3</sup> Burke's *Commoners*, iv. 126. <sup>4</sup> Family MS.

with great distinction, and had the rank of colonel in the Army 19 February 1762, also that of brigadier-general in America. His health being greatly impaired by his exertions and the unhealthy climate, he was obliged to leave Cuba in July 1762. He arrived in England in October, and dying at Leicester 2 June 1765, was buried with military honours in St. Margaret's Churchyard there, where a black marble tomb with warlike trophies commemorates his services. He married, first, on 22 April 1727, Catharine Murray, daughter of Lord James Murray of Dowally, third son of John, Marquess of Atholl, and by her (who died at Bristol 28 July 1763) he had (besides five children who died young):—

1. *John*, Master of Rollo, born 6 December 1736. He had an ensign's commission in the 22nd Regiment of Foot 1752; a lieutenancy in the same regiment 1756; a company in the 77th Foot 1760; was major of brigade to his father in the West Indies, and died at Martinique 24 January 1762, unmarried.
2. *Anna*, born 24 October 1729, died at Mahon, in Minorca, 9 December 1746.

He married, secondly, at Edinburgh, 16 February 1765, Elizabeth, second daughter of James Moray of Abercairney, but had no issue by her, who died at Abercairney 6 May 1781.

VI. JOHN, sixth Lord Rollo, was born on 6 February 1708. He succeeded his brother Andrew in 1765. He died at Duncrub 26 March 1783. He married, first, Cecilia, daughter of James Johnstone, merchant in Edinburgh, and sister of Chevalier Johnstone.<sup>1</sup> She died in Banff 21 June 1746. By her he had (besides five children who died young):—

1. JAMES, seventh Lord Rollo.
2. *Joanna*, born 29 July 1745, married to John Carmichael in Blairsroar.

He married, secondly, Mary, daughter of Mr. John Kennedy, Minister of Peterculter. By her he had no issue. He married, thirdly, Jane Watson, daughter of Alexander Watson, merchant in Aberdeen, but by her had no issue. She died at Perth 19 April 1784.

<sup>1</sup> Lang's *Prince Charles Edward*, 84.

VII. JAMES, seventh Lord Rollo, was born 8 March 1738. He succeeded his father in 1783. He was an officer in the Marine Forces, and served at the taking of Pondichery and Manilla. He died at Duncrub 14 April 1784. He married, at Edinburgh, 4 December 1765, his cousin-german, Mary, eldest daughter of John Aytoun of Inchdairnie, in Fife, and by her (who died at her house in Albany Street, Edinburgh, 24 April 1817<sup>1</sup>) had issue:—

1. JOHN, eighth Lord Rollo.

2. *Roger*, born 6 April 1777, was an officer in the Royal Regiment of Artillery, and thereafter collector of the customs at Ayr. He died 5 March 1847. He married, at Glasgow, 24 February 1801, *Eliza*, youngest daughter of Captain Hunt of the 6th Regiment of Foot, and grand-daughter of John Bowman of Ashgrove, and by her (who died at Ayr 12 August 1826<sup>2</sup>) had issue:—

(1) *James* (major), born 28 December 1801, died 15 February 1844. Married, 21 April 1834, *Mary Anne Keogh*, and by her (who died 18 July 1877) had issue:—

i. *Andrew FitzJames Cunninghame Rollo Bowman Ballantine*, of Ashgrove and Castlehill, born 1 February 1835, died 1891. Married *Annie Harriet Curzon*, only child of Lieut.-Colonel John Chalmers, and had a son,

(i) *James Cunningham*, born 6 August 1865, died, unmarried, 1892.

ii. *Robert Roger*, died 16 August 1864.

iii. *Eliza*, married, 1861, to James C. Howden, M.D.

iv. *Annabella*, married, 1862, to William Vost, and has issue.

(2) *John Ballantine*, born 12 July 1803, died 1887. He married, first, 16 April 1833, *Williamina*, daughter of Robert Robinson of Duncanzemere, by whom he had,

i. *Williamina Eliza*.

He married, secondly, 10 February 1839, *Janet*, daughter of John Grey of Kilmarnock, and by her, who died 23 June 1868, had issue:—

ii. *John*, born 20 February 1847, married, 1888, *Frances Anne Payne*.

iii. *Cecilia Anne*, married, 13 July 1869, to James Thomson, and has issue.

iv. *Jessie*, married, 3 April 1866, to Archibald Currie.

v. *Jemima*.

(3) *Roger*.

(4) *Mary Isabella*, married, 15 July 1836, to General William M'Pherson, and died 1882, leaving issue.

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<sup>1</sup> *Scotsman*, No. 15.   <sup>2</sup> *Ibid.*, No. 699.

- (5) *Margaret Bowman*, married, first, 2 January 1841, to Joseph Harriman of Tivoli, Cumberland, and had issue; secondly, 3 January 1856, to Charles Edouard Napoleon Dörr, grandson of Comtesse de Mont Louis; and died 5 February 1908. She was the last survivor of the guests at the Eglinton Tournament.
3. *James*, born 1778, died 21 November 1801.
  4. *Isabella*, born 8 October 1766, died 5 February 1842.<sup>1</sup>
  5. *Jane*, born 29 September 1768. Died October 1838. Married, at Edinburgh, 31 March 1795, to Captain Patrick Hunter of the Bengal Infantry, and had issue.
  6. *Mary*, born 15 December 1770, and died 3 May 1840.
  7. *Elizabeth Cecilia*, born 30 November 1771. Married, at Edinburgh, 14 November 1799, to James Carstairs Bruce of Balchristie, in Fife. She died 6 April 1861.
  8. *Margaret*, born 16 June 1774, died young.
  9. *Barbara*, born 3 September 1775, died at her house in Albany Street, Edinburgh, 9 March 1824.<sup>2</sup>

VIII. JOHN, eighth Lord Rollo, born 22 April 1773, succeeded his father 1784; had an ensign's commission in the 3rd Regiment of Foot Guards 17 February 1790; served on the Continent during the campaigns of 1793, 1794, and 1795; and quitted the Army April 1796, being then a lieutenant in that regiment. He died at Edinburgh 24 December 1846,<sup>3</sup> having married there, 12 June 1806, Agnes, daughter of William Greig, Gayfield Place, Edinburgh, and by her (who died 3 February 1855) had issue:—

1. *James*, born 15 May 1808, died 7 September 1812.
2. WILLIAM, ninth Lord Rollo.
3. *John*, born 1812, died 30 November 1876. He married, first, 7 March 1854, Jane Hay, daughter of Robertson James Paterson; she died June 1873, leaving issue:—
  - (1) *John*, born March 1856, married, 29 April 1903, Mary, daughter of Colonel Maitland, 72nd Bengal Native Infantry.
  - (2) *James Arthur*, born 1860.
  - (3) *Robert William Ernest Hay*, born 1865, died 25 March 1889.
  - (4) *Martha Hay Paterson*.

He married, secondly, on 25 September 1876, Jane, daughter of Major James Marshall, H.E.I.C.S. She died 7 March 1892.

<sup>1</sup> *Scotsman*, No 2307. <sup>2</sup> *Ibid.*, No. 438. <sup>3</sup> *Index of Services of Heirs*.

4. *Robert*, born 26 May 1814. Entered the Black Watch as an ensign in 1832, and promoted to rank of lieutenant-colonel in 1854 for distinguished service in the field. For ten years was Adjutant-General and Military Secretary in Canada; colonel Sutherland Highlanders 1880; general 1881; Legion of Honour and Fifth Class of the Medjidieh; K.O.B., 1905. He died 25 February 1907. He married, 20 March 1851, Harriet Anne, eldest daughter of General Sir Henry Ferguson-Davie, Bart., but had no issue.
5. *Mary*, married, at Duncrub, on 27 March 1833,<sup>1</sup> to Captain Robert Knox Trotter, 17th Lancers, younger of Ballindean, and had issue. Died 9 October 1886.
6. *Martha*, married, 20 September 1850, to Major-General Richardson Robertson, C.B., of Tulliebelton, Ballathie, and Kinnaird. Died 17 September 1857.

IX. WILLIAM, ninth Lord Rollo, born 28 May 1809. He died 8 October 1852.<sup>2</sup> He married, at Edinburgh, 21 October 1834, Elizabeth, only daughter of John Rogerson of Dumcrieff, Dumfriesshire,<sup>3</sup> and by her (who died 10 June 1836) had an only son,

X. JOHN ROGERSON, tenth and present Lord Rollo, born 24 October 1835; educated at Trinity College, Cambridge (M.A. 1856); a Representative Peer for Scotland, 1860-68; J.P. and D.L. for Perthshire and Dumfriesshire. On 29 June 1869 he was created a Peer of the United Kingdom with the title of BARON DUNNING OF DUNNING AND PITCAIRNS, in the county of Perth.

He married, 15 October 1857, at the British Embassy, Paris, his cousin Agnes Bruce, daughter of Lieut.-Colonel Trotter of Ballindean, and by her (who died 2 May 1906) has issue:—

1. *William Charles Wordsworth*, Master of Rollo, born 8 January 1860; lieut.-colonel 3rd Batt. Black Watch. He married, 21 March 1882, Mary Eleanor, daughter of Beaumont Williams Hotham, Esq., and has,

*Rosalind Mary Agnes*, born 18 June 1896.

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<sup>1</sup> *Scotsman*, No. 1380. <sup>2</sup> *Index of Services of Heirs*. <sup>3</sup> *Scotsman*, No. 1544.

2. *Eric Norman*, born 17 February 1861; Inspector, Board of Agriculture. Married, 30 April 1888, Constance Maud, daughter of Henry Booth Hohler of Fawkham Manor, Kent, and has:—

- (1) *John Eric Henry*, born 9 January 1889.  
 (2) *William Hereward Charles*, born 23 June 1890.  
 (3) *Torfrida Henrietta Louisa*, born 17 September 1891.  
 (4) *Gylla Constance Susan*, born 1 August 1899.

3. *Herbert Evelyn*, born 6 October 1864. Died at Christchurch, New Zealand, 11 April 1893.  
 4. *Bernard Francis*, born 19 December 1868; M.A. (Camb.); manager of the National Bank of Egypt, Alexandria, 1899-1900, and in London 1901-6.  
 5. *Gilbert de St. Croix*, born 13 August 1872; married 24 August 1904, Margaret Freda Evelyn, second daughter of Robert Craufurd Antrobus, and has:—

- (1) *Malcolm Rogerson*, born 26 October 1906.  
 (2) *Glory Evelyn*, born 11 July 1905.

6. *Agnes Catherine*, born 3 October 1858; married, 31 January 1883, Rev. Robert Melvill Gore Browne, son of the Bishop of Winchester, and has issue.  
 7. *Constance Agnes*, born 28 October 1862.  
 8. *Cecily Agatha Agnes*, born 2 September 1870.  
 9. *Elizabeth Theresa Agnes*, born 23 June 1874; died 1 September 1875.

CREATIONS.—Lord Rollo of Duncrub, 10 January 1651, in the Peerage of Scotland; Baron Dunning of Dunning and Pitcairns, in the county of Perth, 29 June 1869, in the Peerage of the United Kingdom.

ARMS.—No arms have been recorded in the Lyon Register, and they vary considerably in the different Armorial mss. Sir James Balfour (c. 1630) is the sole authority for the following blazon: Argent, a chevron engrailed sable between three tigers' heads erased gules: in the Workman (Adv. Lib.) MS. the same coat is given with boars' instead of tigers' heads. In a seventeenth-century Armorial belonging to Lord Crawford the arms are blazoned, Gules, a chevron or between three boars' heads coupé argent. In

the Seton Armorial, probably of a still older date, they are given as, Argent, on a chevron azure between three boars' heads erased sable a mullet of the field; and this mullet appears in the version given in 'Gentlemen's Arms' MS. for Rollo of Duncrub, Argent, on a chevron between three boars' heads erased azure a mullet of the field. The 'Peers' Arms' (Lyon Office) MS. gives, Or, a chevron azure between three boars' heads erased sable. The arms apparently borne at the present day are, Or, a chevron between three boars' heads erased azure.

CREST.—In 'Peers' Arms' this is given as a hind's head coupé argent, but is now borne as a stag's head coupé proper.

SUPPORTERS.—These are given in 'Peers' Arms' as two hinds argent unguled or, but two stags proper are now used.

MOTTO.—*La Fortune passe partout.*

[R. F. I.]

## PRIMROSE, EARL OF ROSEBERY



HE surname Primrose occurs early both in England and Scotland. The Scottish family are supposed to have taken their name from the lands of Primrose, near Dunfermline. But the Earl of Rosebery's descent is from a branch settled before the Reformation in the neighbourhood of Culross Abbey. The earliest recorded is—

HENRY PRIMROSE, born not later than 1490, who is mentioned in Culross charters in 1543<sup>1</sup> and onwards. He was father<sup>2</sup> of

1. *William*, burghess of Dysart, who married Margaret Sandis,<sup>3</sup> and died 2 December 1592.<sup>4</sup> His brothers Archibald, in Culross, and Duncan were his executors-dative.
2. *Archibald*, a monk of Culross 20 February 1539-40,<sup>5</sup> and onwards. After the dissolution he was Chamberlain of Culross, being still styled *Dene Archibald* in 1567.<sup>6</sup> He died 2 March 1593-94,<sup>7</sup> having married Alison Pett.<sup>8</sup> Issue:—

<sup>1</sup> *Reg. Mag. Sig.*, 8 December 1586. <sup>2</sup> *Acts and Decrees*, lxiii. 379.  
<sup>3</sup> *Ibid.*; in *Reg. Mag. Sig.* she is called Margaret Strang. <sup>4</sup> Edin. Tests.  
<sup>5</sup> *Laing Charters*, 442. <sup>6</sup> *Acts and Decrees*, xl. 171. <sup>7</sup> Edin. Tests.  
<sup>8</sup> Charge of the Temporality of Kirklands, North side of Forth, ms. in Gen. Reg. Ho., fol. 281.





Rosebery



- (1) *Mr. James*, who in 1586 obtained a feu-charter of two-thirds of the lands of Barhill and Barcruike,<sup>1</sup> and was styled portioner of Barhill and burghess of Culross.<sup>2</sup> In 1615 he was resident in London,<sup>3</sup> and in 1616 was granted the monopoly in Scotland of printing and selling a loyal book entitled *God and the King*,<sup>4</sup> which involved him in much litigation before the Privy Council. He died before 29 September 1624.<sup>5</sup> His wife was Margaret Maistertoun, mistress nurse to Prince Henry,<sup>6</sup> and he left two sons:—
- i. *Edward*, who in 1627 was a lieutenant in the Earl of Morton's Regiment, and had the misfortune to kill a brother officer, for which he had a remission 10 July 1630.<sup>7</sup> He married Elizabeth Merschell,<sup>8</sup> and had issue.
  - ii. *Harry*, mentioned 1619.<sup>9</sup>
- (2) *Margaret*, married to James Coneway in Leith;<sup>10</sup> she and her sister Agnes were executrices-dative to their father.
- (3) *Agnes*, married to James Aitkin, merchant burghess of Culross, afterwards styled of Middle Grange. They had a sasine 26 December 1611.<sup>11</sup>
- (4) *Sara*, died young.<sup>12</sup>

3. *Duncan*, bailie in Culross 1580-81,<sup>13</sup> who married Helen Smyth;<sup>14</sup> she was alive 1597, being then over eighty, and blind.<sup>15</sup> Issue:—

- (1) *Gilbert*, admitted burghess of Edinburgh 19 February 1565-66; appointed chirurgeon to King James VI., with a pension of £100 Scots, 26 November 1576.<sup>16</sup> There was another letter making him 'cheif and principall chirurgeon to our soverane lord' with £200 Scots yearly, 30 August 1577,<sup>17</sup> which was ratified by a third letter 1 June 1578:<sup>18</sup> this office he held till his death, at the age of eighty, 18 April 1616.<sup>19</sup> He married, in or before 1568, Alison, daughter of John Grahame of Claverhouse,<sup>20</sup> by whom he had a daughter Marion, married, first (contract dated 8 August 1588), to David Gourlay, burghess of Edinburgh;<sup>21</sup> secondly, to Sir Alexander Clerk of Pittencrieff, Provost of Edinburgh. She died in June 1637, leaving issue by both marriages.<sup>22</sup>
- (2) *Peter*, minister of Mauchline.<sup>23</sup> He was father of Peter Primrose, minister of Crossmichael,<sup>24</sup> of Margaret Primrose, wife of William Spottiswood of Foular,<sup>25</sup> and perhaps of Duncan

<sup>1</sup> 7 November, *Abbreviatio Cartarum Feudifirme terrarum ecclesiasticarum*, ms. in Gen. Reg. Ho., ii. 333; confirmed 24 November, *Reg. Sec. Sig.*, liv. 123. <sup>2</sup> Protocol Book of James Primrose, ms. in Gen. Reg. Ho. <sup>3</sup> *Ibid.* <sup>4</sup> *P. C. Reg.*, x. 538. <sup>5</sup> *Deeds*, ccclxxx. 218. <sup>6</sup> *P. C. Reg.*, v. 200. <sup>7</sup> *Reg. Mag. Sig.* <sup>8</sup> *Edin. Baptism Reg.* <sup>9</sup> *Deeds*, cccii. 368. <sup>10</sup> *Ibid.*, cxxii. 53. <sup>11</sup> Protocol Book of James Primrose. <sup>12</sup> *Deeds*, cxxii. 53. <sup>13</sup> *Inverkeithing Burgh Writs*. <sup>14</sup> *Reg. Mag. Sig.*, 1 October 1586. <sup>15</sup> *P. C. Reg.*, v. 392. <sup>16</sup> *Reg. Sec. Sig.*, xliii. 127. <sup>17</sup> *Ibid.*, xlv. 97. <sup>18</sup> *Ibid.*, xlv. 66. <sup>19</sup> *Edin. Tests*. <sup>20</sup> *Reg. of Deeds*, ix. 275. <sup>21</sup> *Ibid.*, xxx. 348. <sup>22</sup> *Edin. Tests*.; *Macfarlane's Gen. Coll.*, i. 11. <sup>23</sup> *P. C. Reg.*, ix. 695; *Test. of Gilbert Primrose*. <sup>24</sup> *Scott's Fasti*, i. 719. <sup>25</sup> Original letter of Peter Primrose in Gen. Reg. Ho.; will of William Spottiswood, Glasgow Tests.

Primrose, who succeeded his uncle as chirurgion to the King, and of Henry, Duncan's brother,<sup>1</sup> who was a notary in Mauchline,<sup>2</sup> and married Bessie Rodger.<sup>3</sup>

- (3) *Duncan*, a witness in 1580.<sup>4</sup>
- (4) *Henry*, who in 1586 had a gift of the prebend of Pitcairn, in the collegiate church of Abernethy; which did not take effect, the benefice being found not vacant.<sup>5</sup> He had a sasine 4 November 1614, being then styled mariner, son of Duncan and brother of Gilbert.<sup>6</sup>
- (5) *Katherine*, married to Alexander Coustoun, merchant burghess of Culross.<sup>7</sup> She and her son Robert are mentioned in the chirurgion's will.

4. DAVID, of whom below.

5. *Mause*, married to Andrew Gibson in Culross. She died in November 1570;<sup>8</sup> her brothers Archibald and David were her executors.

Peter Primrose, portioner of Kincardine, ancestor of the Primroses of Burnbrae, who died in July 1584,<sup>9</sup> may have been another son; and James Primrose of Newlands and Fodsmill, Clerk of Culross, whose Protocol Book in the Register House gives much information about the Primroses, was perhaps son of an unrecorded son of Henry.

DAVID PRIMROSE, in Culross, whose paternity is inferred from the occurrence of his name in the testament of Mause Primrose above mentioned, died before 1574, having married Janet Blaw, said to have been of the Castlehill family, who survived him.<sup>10</sup> Issue:—

1. *Henry*, eldest son, was a burghess of Culross, and died 31 August 1621;<sup>11</sup> having married (contract 19 May 1574) Margaret, daughter and coheir of Peter Reidoch of Aberlednock.<sup>12</sup> By her, who died in February 1619, he had issue:—

- (1) *David*, who graduated at Edinburgh University in 1602, and became an advocate. He died in 1651, his will being dated 22 April that year.<sup>13</sup> He married, first, 5 June 1608,<sup>14</sup> Marion Purdie, sister and coheir of James Purdie of Kinnaldie, Islay Herald, and widow of William Marjoribanks,

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<sup>1</sup> See Test. of Gilbert Primrose. <sup>2</sup> *Laing Charters*, 1940. <sup>3</sup> *P. C. Reg.*, ix. 250. <sup>4</sup> *Reg. of Deeds*, lxxxii. 178. <sup>5</sup> *Acts and Decrees*, ciii. 403. <sup>6</sup> Protocol Book of James Primrose. <sup>7</sup> Dunblane Tests. <sup>8</sup> Edin. Tests. <sup>9</sup> *Ibid.* <sup>10</sup> *Acts and Decrees*, lxxvi. 422. <sup>11</sup> Edin. Tests. <sup>12</sup> *Acts and Decrees*, lxxvi. 422. <sup>13</sup> Edin. Tests. <sup>14</sup> Edin. Reg.

merchant burghess of Edinburgh,<sup>1</sup> with whom he had a sasine 8 May 1610,<sup>2</sup> in which he is styled eldest son of Henry; secondly, Margaret Forrester, who died before 9 October 1638, when their son *David* was baptized;<sup>3</sup> thirdly (contract 4 July 1639), Alison, daughter of Andrew Logan of Coatfield and Greenlaw;<sup>4</sup> fourthly, 15 April 1651, Christian Ross.<sup>5</sup> For notice of his issue, see Wood's *Douglas's Peerage*.

- (2) *Archibald*, merchant burghess of Edinburgh.<sup>6</sup> He married, 23 June 1608, Christian Gillespie,<sup>7</sup> and had a son Archibald and a daughter Katherine.<sup>8</sup>
- (3) *Henry*, who had sasines 28 May 1612, 4 December 1613, and 20 March 1614. He died *s.p.*<sup>9</sup> His brother Adam had sasine as his heir 28 August 1617.<sup>10</sup>
- (4) *Adam*, who had a sasine 28 May 1612.<sup>11</sup> He married Jean Clayhills; they had a sasine 16 March 1622.<sup>12</sup> He was his father's and mother's executor.
- (5) *Euphame*, in Leith.<sup>13</sup>
- (6) *Marion* or *Marjory*, married to Robert Coustoun, burghess of Culross;<sup>14</sup> they had a sasine 21 June 1617.<sup>15</sup>
- (7) *Agnes*, in 1598 styled third daughter.<sup>16</sup>

2. *Archibald*, Writer in Edinburgh, Clerk of Taxations and Clerk of Mines; styled Henry's brother in sasines of 28 March 1614 and 12 March 1618.<sup>17</sup> He was buried in August 1629;<sup>18</sup> having married, 11 October 1598, Katherine Andro,<sup>19</sup> who survived him; her testament confirmed 25 October 1649.<sup>20</sup> Issue:—

- (1) *Mr. James*, who died *s.p.* in June 1673.<sup>21</sup>
- (2) *Archibald*, alive 1641.<sup>22</sup>
- (3) *Janet*, baptized 7 December 1600,<sup>23</sup> died young.
- (4) *Katherine*, baptized 24 January 1602.<sup>24</sup> She is styled eldest daughter.<sup>25</sup> On 10 August 1639 she was about to go abroad for the recovery of her health;<sup>26</sup> and she died before 22 August 1640, when Mr. James was served heir to her.<sup>27</sup>
- (5) *Alison*.<sup>28</sup>
- (6) *Jean*, married, 26 October 1648, to James Christie, W.S.<sup>29</sup> She was buried in the Greyfriars 27 October 1669. Her son, Mr. James Christie, was served heir of Mr. James Primrose, his uncle, 12 August 1674.<sup>30</sup>

<sup>1</sup> *Edin. Inhibs.*, xi. 76, xiv. 53, xxxvii. 403. <sup>2</sup> Protocol Book of James Primrose. <sup>3</sup> Canongate Reg. <sup>4</sup> *Reg. of Deeds*, DXXX. 169. <sup>5</sup> *Edin. Reg.* <sup>6</sup> Protocol Book of James Primrose, 5 January 1613 and 4 November 1614. <sup>7</sup> *Edin. Reg.* <sup>8</sup> *Edin. Baptism Reg.* <sup>9</sup> Protocol Book of James Primrose. <sup>10</sup> *Ibid.* <sup>11</sup> *Ibid.* <sup>12</sup> *Ibid.* <sup>13</sup> Test. of David Primrose. <sup>14</sup> *Ibid.* <sup>15</sup> Protocol Book of James Primrose. <sup>16</sup> *Deeds*, lxv. 48. <sup>17</sup> Protocol Book of James Primrose. <sup>18</sup> Canongate Reg. <sup>19</sup> *Edin. Reg.* <sup>20</sup> *Edin. Tests.* <sup>21</sup> *Ibid.*; he was buried in the Greyfriars 25 June. <sup>22</sup> *Deeds*, DXXX. 139. <sup>23</sup> *Edin. Reg.* <sup>24</sup> *Ibid.* <sup>25</sup> *Deeds*, ccclxxiii. 416. <sup>26</sup> *Ibid.*, DXXII. 448. <sup>27</sup> *Retours, Gen.*, 2523. <sup>28</sup> *Acts and Decrees*, ccccl. 367. <sup>29</sup> *Edin. Reg.* <sup>30</sup> *Retours, Gen.*, 5744.

3. JAMES, of whom below.
4. — another son, resident in London in 1625,<sup>1</sup> may have been *Gilbert*, minister previously at Bordeaux, then of the French congregation in London. Douglas states that he was the son of Gilbert, the King's chirurgion (see *ante*, p. 213), but he is not mentioned in his elaborate will.
5. *Katherine*, married to Andrew Clayhills, minister of Monifieth. Her brother Archibald was his executor.<sup>2</sup>
6. *Euphame*, wife of Sir George Bruce of Carnock, is said to have been a sister of the Clerk of Privy Council.

JAMES PRIMROSE, brother of Archibald.<sup>3</sup> In 1596 he is styled servitor to John Andro, Clerk to the Privy Council,<sup>4</sup> and on 1 February 1598-99, on Andro's resignation, he was himself admitted to that office,<sup>5</sup> which he held, alone or conjointly with one of his sons, till his death, 21 February 1640.<sup>6</sup> He married, first, before 12 June 1593,<sup>7</sup> Sibylla Miller, and, secondly, Catherine, daughter of Richard Lawson, bookseller, Edinburgh. She died 1651.<sup>8</sup> By his first wife he had issue:—

1. *Gilbert*, born 28 September 1595. He graduated at the University of Edinburgh in 1615,<sup>9</sup> and, nominally at least, practised as a physician. At an early period he seems to have assisted his father in the duties of his office, and in 1625 he went to London, probably with the view of getting himself officially appointed joint Clerk along with his father.<sup>10</sup> In this he was successful, as he took the oaths as conjunct Clerk to the Privy Council 13 March 1627.<sup>11</sup> He died *v.p.* in 1637, aged forty-two, having married, 21 June 1621, Janet, eldest daughter of George Foulis of Ravelston, and by her, who was born 18 April 1604, had issue. See Wood's Douglas's *Peerage*.
2. *Robert*, a witness in January 1625.<sup>12</sup> In 1627 he accom-

<sup>1</sup> *P. C. Reg.*, 2nd ser., i. 652. <sup>2</sup> *Deeds*, cccv. 243; St. Andrews Tests. <sup>3</sup> *P. C. Reg.*, ix. 696, and 2nd ser., i. 644, and ii. 636. It does not appear which was the elder of the two. <sup>4</sup> *P. C. Reg.*, v. 671. <sup>5</sup> *Ibid.*, 520. <sup>6</sup> Edin. Tests. <sup>7</sup> *Reg. of Deeds*, lii. 331. <sup>8</sup> Edin. Tests., 16 October 1651. <sup>9</sup> Cat. of Graduates Univ. of Edin., 29. <sup>10</sup> *P. C. Reg.*, 2nd ser., i. xi. Some very interesting letters from him to his father are printed, pp. 643-656. <sup>11</sup> *Ibid.*, 545. <sup>12</sup> *Ibid.*, xiii. 687, 688.

panied an embassy to Gustavus Adolphus.<sup>1</sup> He died in December 1631.<sup>2</sup>

3. *Alison*, married, 24 August 1609, to George Heriot, the well-known goldsmith and founder of Heriot's Hospital.<sup>3</sup> She died in 1613.
4. *Janet*, born 10 September 1598, married (contract 20 May 1616) to Gilbert, eldest son of David Gourlay, burghess of Edinburgh, by Mary, daughter of Gilbert Primrose, the King's chirurgion.<sup>4</sup>
5. *Nicholas*, born 3 October 1599.
6. *Grisel*, born 14 December 1600.
7. *Sibylla*, born 22 November 1601.
8. *Margaret*, married (contract 5 April 1621<sup>5</sup>) to Thomas Young of Leny, W.S.
9. *Elizabeth*, born 30 November 1606, married, 17 July 1623, to George Mackmoran.<sup>6</sup>
10. *Katherine*, born 6 June 1610.

By his second wife James Primrose had issue :—

11. ARCHIBALD, of whom presently.
12. *Mr. James*, born 28 January 1619. He signed a deputation by his father to his brother Archibald to act as Clerk 15 November 1638.<sup>7</sup> He was appointed Clerk to the Conservers of Peace 4 July 1643,<sup>8</sup> and sole Clerk to the Privy Council, in room of his brother, 13 June 1649.<sup>9</sup> He was buried in the Greyfriars 17 September 1668, having married, about 1646, Nicholas, daughter of Sir James Mercer of Aldie. She died 1675, leaving issue one daughter, *Christian*, afterwards married to Walter, sixth Lord Torphichen.
13. *Alexander*, born 22 November 1625.
14. *Thomas*, born 24 March 1627.
15. *Peter*, born 28 April 1630.
16. *Agnes*, born 12 September 1613, married, 19 June 1638, to Alexander Menteith, merchant.<sup>10</sup>

<sup>1</sup> *P. C. Reg.*, 2nd ser., ii. 558-559. <sup>2</sup> *Edin. Tests.* <sup>3</sup> *Edin. Reg.* <sup>4</sup> *Prot. Book of James Primrose.* <sup>5</sup> *Reg. of Deeds*, dxxiii. 185. <sup>6</sup> *Edin. Reg.* There is no evidence to show whether Nicholas, Grisel, Sibylla, and Elizabeth were daughters of the Clerk of Privy Council or of James Primrose the notary. Each is styled writer in the *Edin. Reg.* The notary is known to have had a daughter Sibylla. <sup>7</sup> *P. C. Reg.*, 2nd ser., vii. 90. <sup>8</sup> *Ibid.*, viii. 63. <sup>9</sup> *Ibid.*, 19; *Acta Parl. Scot.*, vi. pt. ii. 410. <sup>10</sup> *Edin. Reg.*

17. *Katherine (secunda)*, born 22 January 1615.
18. *Magdalene*, married, 28 March 1644, to George Robertson, goldsmith. She was sole executrix-dative to her mother.<sup>1</sup> She was buried in Greyfriars, Edinburgh, 2 November 1684.<sup>2</sup>
19. *Eupheme*, born 8 July 1621.
20. *Marion*, born 7 July 1622.
21. *Alison*, born 24 June 1623.
22. *Christian*, twin with *Alison*.
23. *Nicholas*, born 18 July 1624.

SIR ARCHIBALD of Carrington was born 16 May 1616. He acted as deputy to his father in his office of Clerk to the Privy Council during his last illness, and on 2 September 1641 was himself appointed to that post, in place of James Philip, who had succeeded his father but had only held the office a few months.<sup>3</sup> It is stated by Douglas 'that after the battle of Kilsyth he joined the Marquess of Montrose and was taken prisoner at Philiphaugh, 13 September 1645; that he was tried by the Parliament at St. Andrews, 1646, and found guilty of treason, but that his life was spared on the intercession of the Marquess of Argyll. But it is doubtful if this is correct. He was certainly performing his duties as Clerk to the Council in May 1645 and in June 1647. It is also said that on his release he repaired to the Scottish army at Newcastle and was there knighted by the King.

There is no doubt that Primrose was a fervid Royalist, and he was one of the 'Engagers' for the rescue of the King in 1648. This led to his being deprived of his office of Clerk to the Council, 13 June 1649.<sup>5</sup> His place was filled up by the election of his brother James.<sup>6</sup> Primrose accompanied Charles II. in his expedition into England, and was, by patent dated 1 August 1651, created a Baronet. After the battle of Worcester his estates were sequestrated, and he lived in retirement until the Restoration. He was then, on 7 August 1660, appointed Lord Clerk Register,<sup>7</sup> and on 13 February 1661 made one of the ordinary Lords of Session under the title of Lord Carrington. He was an

<sup>1</sup> Edin. Tests., 16 October 1651. <sup>2</sup> Greyfriars Burials. <sup>3</sup> *Reg. Mag. Sig.*, 2 September 1641. <sup>4</sup> *Peerage*, ii. 402. <sup>5</sup> *P. C. Reg.*, viii. 194. <sup>6</sup> *Ibid.* <sup>7</sup> *Acta Parl. Scot.*, vii. 21.



able and experienced politician and man of affairs, and took a leading part in the public business of the day. Although a supporter of Middleton, he was independent enough to oppose the Balloting Act. After Middleton's fall he ultimately found the hostile influence of Lauderdale and his wife too much for him, and he was forced to resign both his offices, and to accept, 'sore against his heart,' the much less lucrative post of Justice-General, to which he was appointed 11 June 1676. Even this he was before long compelled to relinquish, Sir George Mackenzie of Tarbat being nominated his successor 30 September 1678.<sup>1</sup> He visited London the following year in a vain attempt to adjust the differences between 'the country party' and the Court. This was his last public appearance, and he died 27 November 1679, being buried at Dalmeny.

Sir Archibald amassed a considerable fortune, and made extensive purchases of land. In 1662 he acquired from the Earl of Haddington the barony of Barnbogle and Dalmeny, which still remains the principal seat of the family.

He married, first, Elizabeth, daughter and coheirress of Sir James Keith of Benholm, second son of George, fifth Earl Marischal; and, secondly, Agnes, daughter of Sir William Gray of Pittendrum, and widow of Sir James Dundas of Newliston. She was buried in Greyfriars 15 December 1669.<sup>2</sup>

By his first wife Sir Archibald had issue:—

1. *Sir James* of Barnbogle, born 5 February 1645, and died *vitâ patris*. He married Elizabeth, born 17 June 1650, eldest daughter of Sir Robert Sinclair of Longformacus, Baronet, and by her had issue:—

(1) *Elizabeth*, born 9 November 1669, buried in Greyfriars, Edinburgh, 17 July 1674.<sup>3</sup>

(2) *Margaret*, born 7 August 1671, married, 26 March 1691, to George Home of Kimmerghame,<sup>4</sup> and died in childbirth the following year.

2. *Sir William*, whose son was created Viscount of Primrose. (*See that title.*)
3. *Alexander*, born 29 March 1650, died young.
4. *Archibald*, born 16 January 1653, died young.

<sup>1</sup> *Reg. Mag. Sig.*, Paper Reg., x. 69. <sup>2</sup> Greyfriars Reg. <sup>3</sup> *Ibid.*  
<sup>4</sup> Edin. Marriage Reg.

5. *Gilbert*, entered the Army, and got a commission as lieutenant in the King's First Regiment of Foot Guards 31 October 1680,<sup>1</sup> of which he was appointed adjutant 19 March 1686. On 21 March 1692 he was promoted to be captain, and to rank as youngest lieutenant-colonel of Foot.<sup>2</sup> On 1 March 1703 he got brevet rank as colonel of Foot. He was wounded at Schellenberg when he commanded the battalion. He was second major of the Foot Guards 24 March 1705; brigadier-general 1 January 1707; colonel of the regiment, afterwards the 24th Foot, 9 March 1708; major-general 1 January 1710, and retired from the army in 1717.<sup>3</sup> Died 3 September 1731.<sup>4</sup>
6. *Margaret*, born 31 December 1641,<sup>5</sup> married, at the Tron Church, Edinburgh, 5 September 1661, at eight o'clock p.m., to John Foulis, afterwards Sir John Foulis of Ravelston, Bart.,<sup>6</sup> with issue. She died 1690. Sir Archibald settled the estate of Dunipace on the sons of Lady Foulis, but the eldest, Archibald, died *s.p.* 1684 and was succeeded by his next brother, George, who married Margaret, daughter of Sir John Cunninghame of Caprington. They had a son, Sir Archibald Foulis Primrose, Bart., who married, first, Margaret, daughter of John, sixth Earl of Wigtoun; and, secondly, Mary, daughter of the first Earl of Rosebery. He was implicated in the rebellion of 1745, and was executed at Carlisle 15 November 1746, leaving ten daughters, and one son, who died unmarried at Edinburgh 28 January 1747.<sup>7</sup>
7. *Catherine*, married, as his first wife (contract 29 October 1663), to Sir David Carnegie of Pitarrow,<sup>8</sup> and had issue five sons and four daughters. She died in October 1677 and was buried on the ninth of the same month within the new church of Montrose.<sup>9</sup>
8. *Elizabeth*, born 7 January 1644,<sup>10</sup> died unmarried.

By his second marriage Sir Archibald had issue:—

9. ARCHIBALD, first Earl of Rosebery.

<sup>1</sup> Dalton's *Army Lists*, i. 276. <sup>2</sup> *Ibid.*, iii. 237. <sup>3</sup> *Ibid.*, v. pt. ii. 30.  
<sup>4</sup> *Gent. Mag.* <sup>5</sup> Edin. Reg. <sup>6</sup> *Ibid.*; *Foulis' Account Book*, Scot. Hist. Soc., lvi. <sup>7</sup> Gibson's *Larbert and Dunipace*, 99-114. <sup>8</sup> *Hist. of the Carnegies*, ii. 253. <sup>9</sup> *Ibid.* <sup>10</sup> Edin. Reg.

10. *Mary*, born 23 August 1657.
11. *Grisel*, born 19 September 1661, married, first, 30 April 1681, to Francis, eighth Lord Sempill.<sup>1</sup> She survived him, and was married, secondly, in 1693, to Colonel, afterwards Brigadier-General, Richard Cunningham. She died at Dalry, near Edinburgh, 22 June 1723.<sup>2</sup>

I. ARCHIBALD PRIMROSE of Dalmeny, the only son of his father by his second marriage, was born 18 December 1664.<sup>3</sup> His father left him a large portion of his estate, including that of Dalmeny. He went abroad in 1680 and served with the Imperial Army in Hungary. He did not, however, remain long abroad. In 1688 he was in opposition to the policy of King James, and was cited before the Privy Council on a charge of leasing-making on the Chancellor, and of sowing discord among the officers of state. Through the influence of the Duke of Berwick he obtained a countermand of the process, and it is said that to secure himself he 'declared Popish.'<sup>4</sup> At the revolution in 1688 he was appointed one of the Gentlemen of the Bedchamber to Prince George of Denmark; and at the Prince's death in 1708 his salary of £600 a year was continued to him for life. In 1695 he entered Parliament as one of the members for the county of Edinburgh, and was a steady supporter of the Government. On 1 April 1700 he was created a Peer under the title of VISCOUNT OF ROSEBERY, LORD PRIMROSE AND DALMENY, with remainder to the heirs-male of his body, whom failing, to the heirs-female of his body, whom failing, to the heirs of entail in the lands of Rosebery.<sup>5</sup> He got further advancement on the accession of Queen Anne, being, by patent dated 10 April 1703, created EARL OF ROSEBERY, VISCOUNT OF INVERKEITHING, and LORD DALMENY AND PRIMROSE, with remainder to the heirs-male and heirs-female of his body.<sup>6</sup> At the same time he was made a Privy Councillor, and he also was appointed the Queen's Chamberlain of Fife and Strathearn, an office which he held till her death. Lord Rosebery was one of the Commissioners for the Union, and when that measure was

<sup>1</sup> Edin. Reg. <sup>2</sup> Edin. Tests. <sup>3</sup> Edin. Reg. <sup>4</sup> *Fountainhall*, i. 508.  
<sup>5</sup> *Acta Parl. Scot.*, x. 199. <sup>6</sup> *Ibid.*, xi. 119.

carried out he was chosen one of the sixteen Scottish Representative Peers, and was re-elected in 1708, 1710 and 1713. He died 20 October 1723, having married, in February 1690, Dorothea, only child and heiress of Everingham Cressy of Birkin, co. York. She survived him. By her he had issue:—

1. JAMES, second Earl of Rosebery.
2. *Everingham*, upon whom in 1694 his father settled the barony of Leny, co. Edinburgh, but he died young, before 1698.
3. *Richard*, died *vitâ patris* unmarried.
4. *John*, storekeeper of Edinburgh Castle, died, unmarried, at London in September 1742.<sup>1</sup>
5. *Henry*, born 22 March 1697,<sup>2</sup> died in infancy.
6. *Henry (secundus)*, born 5 May 1704, died young.<sup>3</sup>
7. *Elizabeth*, born 2 March 1696,<sup>4</sup> died young.
8. *Grisella*, born 19 February 1698,<sup>5</sup> died young.
9. *Anne*, born 2 March 1699,<sup>6</sup> died young.
10. *Mary*, married, 19 November 1724, to Sir Archibald Primrose of Dunipace, Bart., and died 17 November 1746.<sup>7</sup>
11. *Margaret*, married at Durham, 15 February 1738, to Alexander, ninth Earl of Caithness,<sup>8</sup> and died at Hermitage, near Leith, 7 October 1785.
12. *Dorothea*, died, unmarried, at London, 6 November 1768.<sup>9</sup>

II. JAMES, second Earl of Rosebery, was born about the end of 1690, and succeeded his father in 1723. He also, on the death of Hugh, Viscount of Primrose, in 1741, inherited his estates and the title of Baronet. The estates, it is said, afterwards passed to his son through a contravention of the entail. It is not certain that he succeeded to the title of Viscount of Primrose, Lord Primrose and Castlefield. That Peerage had been granted to Sir James Primrose, and the heir-male of his body, whom failing, to the heir-male of his father. The question turns upon whether this carelessly expressed destination is to be read as heirs-male of *the body* of his father or heirs-male whatsoever of

<sup>1</sup> *Scots Mag.*    <sup>2</sup> Dalmeny Reg.    <sup>3</sup> *Ibid.*    <sup>4</sup> *Ibid.*    <sup>5</sup> *Ibid.*    <sup>6</sup> *Ibid.*  
<sup>7</sup> Edin. Reg., 220.    <sup>8</sup> Cf. vol. ii. 346.    <sup>9</sup> *Scots Mag.*

the same.<sup>1</sup> The Earl was a very eccentric person, and numerous stories are told of his doings. He was in continual litigation with other members of his family, and was ultimately declared a lunatic. He died at Edinburgh 26 November 1755, in his sixty-fifth year, and was buried at Dalmeny. He married Mary, daughter of the Hon. John Campbell of Mamore, and sister of John, fourth Duke of Argyll. By her, who died at Barnbogle 7 May 1756, in her sixty-second year, he had issue:—

1. *Archibald*, born 31 March 1717, died young.

2. *John*, styled Lord Dalmeny, was born in 1725, and is said to have been a young man of much promise. Having succeeded to the estate of the Viscount of Primrose, through an alleged contravention of the entail by his father, he obtained, in 1749, an Act of Parliament enabling him to make provision out of that estate for his mother, brother and sister, who had apparently been left without any provision by the second Earl. Lord Dalmeny was the hero of a very romantic episode in his life. In 1748, when he was twenty-four, he met a lady, Catherine Canham, the daughter of a wealthy Essex yeoman. She was four years his senior, but being endowed with much personal attraction he fell in love with her, and they were privately married. After the marriage they went to the Continent, where they lived happily together for four years under an assumed name. The lady then took ill and died, but before her decease she confessed to Lord Dalmeny that before he had met her she had been for three years the wife of the Rev. Alexander Gough, Vicar of Thorpe-le-Soken, in Essex, and she begged that she might be buried at Thorpe. Lord Dalmeny therefore had the body embalmed and taken to England, but on arrival the coffin was detained and opened by the customs officials. It remained in the church of Hythe for some days, and the body was at last identified as that of the wife of Mr. Gough by a stranger. The lawful husband was first inclined to take the strongest measures against Lord Dalmeny, but an amicable

<sup>1</sup> Cf. Riddell's *Peerage, etc., Law*, ii. 898.

meeting was after a short time arranged. He found that Dalmeny was innocent of all intention to wrong him, and the end of the matter was that hand in hand they both accompanied the coffin containing the remains of the woman they had each loved to its last resting-place in Thorpe churchyard. No monument marks the spot, and the nave of the church was rebuilt in 1875, to the obliteration, it is said, of some interesting landmarks.<sup>1</sup> Lord Dalmeny seems to have been deeply affected by the death of this lady, and did not long survive her, dying at Edinburgh 11 August 1755, a few months before his father. He was buried at Dalmeny. There are portraits both of him and Catherine Canham at Barnbogle.

3. *James*, died young.
4. *NEIL*, third Earl of Rosebery.
5. *Mary*, died, unmarried, before 1749.
6. *Dorothea*, married, at Barnbogle, 22 November 1766, to Sir Adam Inglis of Cramond, Bart., and died, without issue, at Bath, 3 December 1783.

III. *NEIL*, third Earl of Rosebery, was born in 1729, and being a younger son, went to London and took up a mercantile career. The death of his elder brother, however, and very shortly afterwards that of his father, opened to him the succession to the earldom in 1755, while still a young man. After travelling some time on the Continent, he returned home, and was in 1768 elected one of the Representative Peers for Scotland, an honour which was repeated at the elections of 1774 and 1780. He was created a Knight of the Order of the Thistle 4 March 1771; he died at Barnbogle 25 March 1814, aged eighty-five. He married, first, at St. George's, Hanover Square, 19 May 1764, Susan, daughter and heiress of William Randall of Yarmouth. She died at Bexley Hall, without issue, 20 August 1771. He married, secondly, in London, 17 July 1775, Mary, only daughter of Sir Francis Vincent of Stoke d'Abernon, Bart.

<sup>1</sup> *General Evening Post*, 15 August 1752; *St. James's Gazette*, 21 March 1794.

By her, who died at Somerset House, Portman Square, 9 March 1823, he had issue :—

1. ARCHIBALD JOHN, fourth Earl of Rosebery.
2. *Francis Ward*, born at Barnbogle, 13 February 1785, admitted barrister-at-law by the Society of Lincoln's Inn July 1808, and died 26 May 1860, having married, 10 November 1829, Percy, third daughter of Colonel Ralph Gore of Barrowmount, Ireland: she died 30 August 1864, and had issue three sons and three daughters.
3. *Charlotte*, born at Holland House 27 August 1776, married, first, 27 May 1800, Kenneth Alexander Howard, first Earl of Effingham, who died 30 January 1845. She married, secondly, 30 April 1858, being then in her 82nd year, at Preston, near Brighton, Thomas Holmes, a Scripture reader. She died 17 September 1864.
4. *Mary*, born 31 December 1777, died 7 January 1847, having married, 11 April 1808, Henry John Shepherd, who died in May 1855.
5. *Dorothea Arabella*, born 31 January 1779, died 16 November 1825, having married, 1 September 1801, William Hervey, of Bodvel, co. Carnarvon, who died 5 May 1863.
6. *Hester Amelia*, born at Barnbogle 17 June 1786, and died there 10 April 1787.

IV. ARCHIBALD JOHN, fourth Earl of Rosebery, was born at Barnbogle 14 October 1783. After leaving Cambridge, where he graduated in 1804, he was in the following year elected member of Parliament for Helstone, and at the general election of 1806 was returned for the city of Cashel. Shortly after succeeding to his father he was, in 1817, elected Provost of the Burgh of Queensferry, that ancient seaport town which lies close to Barnbogle. In 1818 he was chosen as one of the Representative Peers for Scotland, an honour which was also done him in 1820 and 1826. He had the degree of LL.D. conferred on him by the University of Cambridge 5 July 1819. On 26 January 1828 he was created a Peer of the United Kingdom under the title of BARON ROSEBERY of Rosebery, co. Midlothian.

He was admitted a Privy Councillor in 1831, was created a Knight of the Order of the Thistle 18 March 1840, and was Lord-Lieutenant of Linlithgowshire 1843-63. He died in London 4 March 1868, in his eighty-fifth year. He married, first, 20 May 1808, at St. Marylebone, Harriet, second daughter of the Hon. Bartholomew Bouverie, third son of William, first Earl of Radnor. She, who was born 14 October 1790, was divorced by Act of Parliament in 1815. In the same year she married, at Würtemberg, Sir Henry Carew St. John Mildmay, Bart., the widower of her deceased sister Charlotte. She died at Nice 9 December 1834. Lord Rosebery married, secondly, 12 August 1819, Anne Margaret, eldest daughter of Thomas, first Viscount Anson of Shugborough and Orgrave. She, who was born 3 October 1796, died in London 19 August 1882, and was buried at Dalmeny.

By his first wife the Earl had issue:—

1. ARCHIBALD, Lord Dalmeny, of whom presently.
2. *Bouverie Francis*, C.B., born 19 September 1813; was lieutenant-colonel Queen's Edinburgh Rifle Volunteer Brigade, D.L. for Edinburgh, and Secretary to the Board of Trustees for Manufactures. He died 20 March 1898, having married, 21 April 1838, Frederica Sophia Anson, a younger sister of his father's second wife. By her, who died 11 October 1867, he had issue:—

- (1) *Francis Archibald*, born 29 October 1843; married, 12 November 1872, Jane, daughter of George King of Waratah, N.S.W., and has issue.
- (2) *Sir Henry William*, K.C.B., C.S.I., I.S.O., born 22 August 1846, Secretary to the Office of Works 1886-95; Chairman of Board of Customs 1895-99; Chairman of the Board of Inland Revenue 1899-1907. Married, 2 November 1888, Helen Mary, daughter of Gilbert M'icking of Miltonise, co. Wigton, and has issue.
- (3) *Gilbert Edward*, born 27 February 1848; married, 13 May 1893, Jessie Catherine, daughter of Lieutenant Costelloe of Lackeen Castle, co. Tipperary.
- (4) *George Anson*, born 21 September 1849; entered the Navy, and rose to the rank of vice-admiral; married, 30 April 1889, Mary Cecilia Violet, daughter of Thomas Kenny, M.P., and has issue.
- (5) *Arthur John*, Bengal C.S., born 18 June 1853; died unmarried 13 September 1888.
- (6) *Edward Neil*, born 19 November 1854.



- (7) *Margaret Sophia*, born 24 May 1839; died unmarried 26 December 1858.
- (8) *Anna Frances*, born 30 September, and died 10 October, 1840.
- (9) *Alice Jane*, born 14 March 1842; married, first, 16 April 1868, to George William Mercer Henderson of Fordel. He died *s.p.* 17 October 1881, and she was married, secondly, 27 December 1887, to John, second son of William Stewart, Bellingham.
- (10) *Frederica Mary*, born 21 March 1845.
- (11) *Charlotte Henrietta*, born 18 October 1851; married, 10 January 1878, to Carlton Tufnell, commander R.N., who died 10 January 1893.
3. *Harriet*, born 13 October 1810, married, as his second wife, 29 December 1835, to Sir John Dunlop, Bart. He died 3 April 1839, and she survived till 8 March 1876.
4. *Mary Anne*, born 23 April 1812, died 19 May 1826.  
By his second marriage the Earl had issue:—
5. *Anne*, born 22 August 1820, married, 30 May 1848, the Right Hon. Henry Tufnell, M.P., who died 15 June 1854. She died 17 September 1862, leaving issue.
6. *Louisa*, born 4 May 1822, died unmarried 23 March 1870.

ARCHIBALD, styled Lord Dalmeny, was born 2 October 1809; M.P. for Stirling Burghs 1833 to 1847, and a Lord of the Admiralty 1835-37. Died *vitâ patris* 23 January 1851, having married, 20 September 1843, Catherine Lucy Wilhelmina, daughter of Philip Henry, fourth Earl Stanhope. She married, secondly, 2 August 1854, Henry George, fourth Duke of Cleveland, and died 8 May 1901, having had issue by her first husband:—

1. ARCHIBALD PHILIP, fifth Earl of Rosebery.
2. *Edward Henry*, born 8 September 1848, colonel Grenadier Guards; military attaché at Vienna; died unmarried, in Egypt, 9 April 1885.
3. *Mary Catherine Constance*, born 1844, married, 8 October 1885, to Henry Walter Hope of Luffness, with issue.
4. *Constance Evelyn*, born 1846, married, 15 July 1867, to Henry, second Lord Leconfield, who died 6 January 1901, leaving issue.

V. ARCHIBALD PHILIP, fifth Earl of Rosebery, was born 7 May 1847. He has taken a leading part in the public life

of his day. He was first chairman of the London County Council 1889-90, and in 1892; Lord Rector of Aberdeen University 1878-81, of Edinburgh University 1882-85, of Glasgow University 1899-1902; Chancellor of London University since 1902, and Glasgow University since 1908; LL.D. Glasgow 1879, Aberdeen 1881, Edinburgh 1882, and Cambridge 1888; Knight of the Garter 1892; Knight of the Thistle 1895; Under-Secretary for the Home Department 1881-83; Lord Privy Seal and First Commissioner of Works 1885; Secretary of State for Foreign Affairs 1886 and 1892-94; Prime Minister, First Lord of the Treasury, and Lord President of the Council, 1894-95. He is Lord-Lieutenant of the counties of Midlothian and Linlithgow, an Elder Brother of Trinity House, an elected Trustee of the British Museum, and a Brigadier of the Royal Company of Archers, the King's Bodyguard for Scotland. Lord Rosebery won the Derby in two successive years, 1894-95, those in which he was Prime Minister, and again in 1905. He married, 20 March 1876, Hannah, only daughter and heiress of the Baron Meyer Amschel de Rothschild of Mentmore, Bucks, and by her, who died 19 November 1890, has issue:—

1. ALBERT EDWARD HARRY MEYER ARCHIBALD, Lord Dalmeny, born 8 January 1882, late Lieutenant Grenadier Guards, and M.P. for Midlothian since 1906. Married, 15 April 1909, Dorothy Alice Margaret Augusta (born 22 August 1890), second daughter of Lord Henry George Grosvenor, third son of Hugh, first Duke of Westminster.
2. *Neil James Archibald*, born 14 December 1882.
3. *Sybil Myra Caroline*, born 18 December 1879, married, 28 March 1903, to Captain Charles John Cecil Grant, Coldstream Guards, and has issue.
4. *Margaret Etrenne Hannah*, born 1 January 1881, married, 20 April 1899, to Robert (Crewe-Milnes), first Earl of Crewe.

CREATIONS.—Viscount of Rosebery, Lord Primrose and Dalmeny, 1 April 1700; Earl of Rosebery, Viscount of Inverkeithing, Lord Dalmeny and Primrose, 10 April 1703, in the Peerage of Scotland; Baron Rosebery of Rosebery,

26 January 1828, in the Peerage of the United Kingdom.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, vert, three primroses within a double tressure flory counterflory or, for *Primrose*; 2nd and 3rd, argent, a lion rampant double queued sable, for *Cressy*.

CREST.—A demi-lion gules holding in his dexter paw a primrose proper.

SUPPORTERS.—Two lions vert.

MOTTO.—*Fide et fiducia.*

[J. B. P.]

## THE ANCIENT EARLS OF ROSS



ROSS was not one of the ancient provinces or earldoms of Scotland, but was comprehended in the great district of Moray, and was ruled by the same Jarls or Earls as that territory.<sup>1</sup> But in a writ dated between November 1160 and September 1162 there appears on record

I. MALCOLM, Earl of Ross, to whom King Malcolm IV. directed a letter placing the monks of Dunfermline under his protection.<sup>2</sup> Some doubts have been cast on his identity, but there is good reason to believe that he is identical with Malcolm MacEth, who also appears before 1160 as a witness to one of King Malcolm's charters.<sup>3</sup> He had, for former insurrection against David I., been imprisoned in Roxburgh Castle, but in 1154 Somerled, Lord of Argyll, with his nephews, Malcolm's sons, invaded Scotland, and caused a civil war, which lasted until the King released Malcolm in 1157<sup>4</sup> and, according to an English chronicler, 'gave him a certain province.' Mr. Skene, in his *Celtic Scotland*, expresses an opinion that this was Ross, part of the terri-

<sup>1</sup> Vol. vi. of this work, 230. <sup>2</sup> *Reg. de Dunfermelyn*, 25; Ernald, Bishop of St. Andrews, is a witness, which determines the date. <sup>3</sup> *Ibid.*, 24. <sup>4</sup> *Chron. Sancti Crucis*.

tory of Moray, from the ancient rulers of which he claimed descent. He is not to be confounded with the Wimund whose remarkable career is narrated by William of Newburgh.<sup>1</sup> If, as is probable, he was made Earl of Ross in 1157, he may have been the 'Gillandres,' one of the six Earls who, according to Wyntoun, joined in the opposition to Malcolm IV. after his return from Toulouse.<sup>2</sup> 'Gillandres' has been supposed to be a different Earl of Ross, but as 'Gillandres' or 'Ghilleanrias' was the patronymic of the Earls of Ross in the time of Wyntoun, it is not improbable that he applied it to Malcolm. The latter died 23 October 1168.<sup>3</sup>

Malcolm married a sister of Somerled, Lord of Argyll, and had issue, with others, a son *Donald*, who was imprisoned with his father, and a daughter *Gormlath*, or *Hvarfleda*, married to Harald, Earl of Caithness. (*See that title, and also Moray and Reay.*)

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FLORENCE III., Count of Holland, was created Earl of Ross on his marriage to William the Lion's sister in 1161, but it is doubtful if he ever possessed more than the title, as his descendant complained in 1291 that the earldom was detained from him without reason, and he had never been forfeited.<sup>4</sup> After this the earldom remained in the hands of the Crown until Alexander II. bestowed it upon Ferquhard, Earl of Ross. (*See next article.*)

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I. FERQUHARD, first Earl of Ross, who is said to have been Ferquhard Macintagart, son of the lay parson of the territory of the monastery of Applecross, which had passed into the hands of a family of lay abbots called Sagarts or Priests of Applecross, and he was therefore a powerful Highland chief.<sup>5</sup> When Alexander II., soon after his acces-

<sup>1</sup> *Chronicles of Stephen, etc.*, Rolls ser., i. 72-75; cf. *Scot. Hist. Review*, vii. 32. <sup>2</sup> Wyntoun, Laing's edition, ii. 196. <sup>3</sup> *Chronicle of Holyrood*. <sup>4</sup> Palgrave's *Illustrations*, 20, 21; *The Clan Donald*, i. 147. <sup>5</sup> Skene's *Celtic Scotland*, i. 482, 483. It was probably to his family that the patronymic 'Ghilleandrias' applied. In another place he is said to be of the Celtic family of O'Beolan; *Collectanea de Rebus Albanicis*, 304.

sion, was forced, in 1215, to suppress an insurrection in Moray and Ross, Ferquhard, siding with him, seized the insurgent leaders, beheaded them, and presented their heads to the King, 15 June 1215, and was knighted by him.<sup>1</sup> He was, at a later date, created Earl of Ross, appearing as such in a writ dated probably after June 1226.<sup>2</sup> The charter was at one time upon record, but the roll is now lost.<sup>3</sup> He may have been Earl in 1225, but this is not certain. He founded the Abbey of Ferne, in the parish of Edderton, some time before 1230,<sup>4</sup> the first Abbot being installed in that year. In 1235 he greatly assisted King Alexander II. in suppressing the insurrection in Galloway.<sup>5</sup> In 1237 he was witness to an agreement between the Kings of England and Scotland, in presence of Odo, the Legate.<sup>6</sup> Dominus Fercardus, Comes de Ross, is a witness to a composition between Andrew, Bishop of Murray, and Walter Cumyn, Earl of Menteith, concerning the lands of Kincardine in 1234,<sup>7</sup> to a composition between the Chapter of Moray and Alexander de Stryvelene concerning the half davach of land in Devath in 1234;<sup>8</sup> and in 1244 he was one of those who informed the Pope of the treaty of peace made with the King of England.<sup>9</sup> He died about 1251, and was buried in the Abbey he had founded, where the stone effigy of a warrior is said to mark his grave. He had:—

1. WILLIAM, his successor.
2. *Malcolm*, named in a confirmation by King Alexander of the donation made by Malcolm, son of Ferquhard, Earl of Ross, to William de Bysset of the lands Craigarn, 24 December and twelfth of reign.<sup>10</sup>
3. *Euphemia*, married to Walter de Moravia, knight, Lord of Duffus, 1224-62.

<sup>1</sup> *Chron. de Mailros*, 117. <sup>2</sup> *Reg. Moraviense*, 333, cf. 77, 78. <sup>3</sup> Cf. *Antiquarian Notes*, by C. F. Mackintosh. <sup>4</sup> The Abbey was, not long after its foundation, removed from its original site to another a few miles distant; hence it was often called Abbacia de Nova Farnia. In 1597 part of the Abbey lands was erected into the temporal lordship of the barony of Geanies, and in 1607 the remaining lands were annexed by Act of Parliament to the Bishopric of Ross; *Statistical Account of Scotland*. <sup>5</sup> Fordun à Goodall, ii. 61. <sup>6</sup> *Fœdera*, Record ed., i. 233. <sup>7</sup> *Registrum Moraviense*, 99, No. 85. <sup>8</sup> *Ibid.*, No. 86. <sup>9</sup> *Cal. Doc. Scot.*, i. No. 1655. <sup>10</sup> *Antiquarian Notes*, by C. F. Macintosh, Inverness. The King is not defined in the note of the charter, and the date may either be December 1225 or December 1260.

4. *Christina*, said to have been third wife of Olaus, fifth King of Man and the Isles, who died 1237.

II. WILLIAM, second Earl of Ross, described as son of Earl Ferquhard, when he witnessed a charter in September 1232.<sup>1</sup> He confirmed his father's donations to the Abbey of Ferne, 1258, and made a grant to the religious in Moray, witnessed by Robert, Bishop of Ros, who died 1270.<sup>2</sup> He was Justiciary of Scotland north of the Forth, as appears by a precept from him to David Wemys, Sheriff of Fife, 7 October 1239, commanding David Wemys to pay the eighth part of the amercements of Fife imposed in the Justice Ceire of Cupar to the Abbot of Dunfermline, according to his rights.<sup>3</sup> In the time of Archibald, Bishop of Moray, who was consecrated 1253, and died 5 December 1298, it seems that William, Earl of Ross, had done some injury to the church of Pettie and to the prebendary of Brachlie, for the reparation of which he gave the lands of Catboll in Ross and other lands to the Bishop and canons of Moray.<sup>4</sup> On 18 March 1258-59 he and other Scottish nobles entered into an offensive and defensive alliance with the Prince of Wales and other Welsh magnates that, without their consent, 'they would make neither peace nor truce henceforth with the King of England or any magnates of his realm, who were adverse and rebels to the Welshmen and the granters, unless they were all similarly bound with themselves.'<sup>5</sup> In 1264 a fine imposed upon him was remitted by the King.<sup>6</sup> He obtained a grant of the Isles of Skye and Lewis from Alexander III., and he died at Earles Allane May 1274,<sup>7</sup> having married Jean, daughter of William Comyn, Earl of Buchan, by his first wife.<sup>8</sup> He had issue, so far as known, one son,

III. WILLIAM, third Earl of Ross. In 1283 he was one of the nobles who acknowledged the Maid of Norway as heir to the Crown.<sup>9</sup> He appeared in the convention of Brigham 12 March 1289-90, when the marriage of Queen Margaret with Prince Edward of England was proposed.<sup>10</sup> He sided

<sup>1</sup> *Chartulary of Moray*, 89. <sup>2</sup> *Ibid.*, 312-317. <sup>3</sup> *Chartulary of Dunfermline*.

<sup>4</sup> Shaw's *History of Moray*, 170. <sup>5</sup> *Cal. Doc. Scot.*, i. 2155; Rymer's *Fœdera*, i. 653. <sup>6</sup> *Exch. Rolls*, i. 20. <sup>7</sup> *Kalendar of Fearn*. <sup>8</sup> *Ante*, i. 505. <sup>9</sup> *Acta Parl. Scot.*, i. 424. <sup>10</sup> *Fœdera*, ii. 471, 555, 572, 592, 643.

alternately with the English and Scottish parties; did homage to Edward I., as overlord, at Berwick 1 August 1291.<sup>1</sup> He was one of the auditors elected by Bruce and Baliol at the trial before Edward I. in 1292.<sup>2</sup> His seal is attached to one of the writings deposited in the Exchequer concerning the fealty done by John Baliol to Edward.<sup>3</sup> In 1292 his lands in Argyll were formed into the sheriffdom of Skye.<sup>4</sup> In 1296 he was one of the leaders of the Scottish army which made an incursion into England, devastating the country, and occupied the castle of Dunbar. On 20 April the Scots were defeated in battle, and on the following day the castle capitulated. The Earl was among the prisoners, and was sent to the Tower,<sup>5</sup> where the Sheriffs were ordered to pay 6d. a day for his maintenance.<sup>6</sup> His eldest son Hugh obtained a safe-conduct to visit him 28 August 1297.<sup>7</sup> On or about the 29 September 1303 an order for his escort to Scotland and guard, with minute directions for his journey, was issued.<sup>8</sup> He reached Perth 12 December, where he remained with the Prince of Wales until 3 February 1303-4, when he was sent home. In the following December he was with King Edward at Dunfermline, and received a horse, armour, and other presents from him. In 1305 he was appointed Warden beyond the Spey. In 1306 Bruce's Queen and daughter, Princess Marjory, on the advance of the English army, took refuge in the girth of St. Duthace at Tain, but the Earl, violating the sanctuary, delivered them up to the English.<sup>9</sup> They were sent prisoners to England, and not liberated till 1312.<sup>10</sup> Edward II. numbered the Earl of Ross among his adherents in Scotland, as on the 20 May 1308 he addressed a letter to William, Earl of Ross, and Hugh, son of the said Earl, thanking them for past services, and requesting their aid.<sup>11</sup> In 1308 Bruce and the Earl were reconciled at Auldearn; he did homage to Bruce as King, and was infeft in the lands of Dingwall and Ferncrosky.<sup>12</sup> In 1307-8 he reported to Edward II. the invasion of Ross by Robert the Bruce,<sup>13</sup>

<sup>1</sup> *Cal. Doc. Scot.*, ii. No. 508. <sup>2</sup> *Palgrave's Illust. Docs.*, 52, No. 18. <sup>3</sup> *Cal. Doc. Scot.*, ii. No. 660. <sup>4</sup> *Acta Parl. Scot.*, i. 447. <sup>5</sup> *Cal. Doc. Scot.*, iv. No. 1768. <sup>6</sup> *Stevenson's Hist. Docs.*, ii. 27. <sup>7</sup> *Hist. Docs. Scot.*, ii. <sup>8</sup> *Cal. Docs. Scot.*, ii. 357, No. 1395. <sup>9</sup> *Book of Pluscarden*, ii. 177. <sup>10</sup> *Fœdera*. <sup>11</sup> *Robertson's Index*, 101. <sup>12</sup> *Acta Parl. Scot.*, i. 477; *Robertson's Index*, 16, No. 17. <sup>13</sup> *Cal. Doc. Scot.*, iv. 399.



and asked aid in this and other matters troubling him, petitioning by his sons Hugh and John, and excusing his truce with Robert the Bruce.<sup>1</sup> In 1312 he witnessed, at Inverness, an agreement between the Kings of Scotland and Norway, and in 1320 he concurred in the Barons' letter to the Pope asserting the independence of Scotland.<sup>2</sup> He died at Delny 28 January 1322-23,<sup>3</sup> having married a lady named Euphemia, who warmly supported the English party.<sup>4</sup> He left issue:—

1. HUGH, his heir.
2. *Sir John* Ross, who married Margaret Comyn, second daughter and coheirress of John, Earl of Buchan. (*See that title.*) He had with her a half of the Earl of Buchan's heritage in Scotland.<sup>5</sup> Dying *s.p.*, the lands passed to his nephew, William, Earl of Ross.
3. *Sir Walter*, who was a scholar at Cambridge 1306, and on 4 June 1307 received a gift of 10 marks from King Edward.<sup>6</sup> He appears in 1312 as a witness to a charter by Henry Maule to John of Glasreth.<sup>7</sup> According to Barbour he was the friend of Edward Bruce, and fell at Bannockburn 23 June 1314.
4. *Isabella*, who obtained a dispensation from Pope John XXII., dated at Avignon, 1 June 1317, to marry Edward Bruce, Earl of Carrick, connected within the third and fourth degrees of affinity. He fell at the battle of Dundalk, *s.p.l.*, 5 October 1318. The marriage probably never took place.
5. *Dorothea*, said to have been married to Torquil M'Leod, second of Lewis.

IV. HUGH, fourth Earl of Ross. On 14 December 1307 he was asked to obey the Earl of Richmond as Warden.<sup>8</sup> Robert I. gave to Sir Hugh de Ross, knight, son and heir of William, Earl of Ross, the sheriffship and Burgh of Crumbathy, or Cromartie, 5 December 1316;<sup>9</sup> the third part of the fermes of Kirkcudbright was assigned to him.<sup>10</sup> He obtained, by various charters from the King,<sup>11</sup> the lands of

<sup>1</sup> *Cal. Doc. Scot.*, iv. 399. <sup>2</sup> *Acta Parl. Scot.*, i. 463, 474. <sup>3</sup> *Kalendar of Fearn.* <sup>4</sup> *Cal. Doc. Scot.*, ii. No. 920; also see Stevenson's *Hist. Docs.*, ii. <sup>5</sup> Robertson's *Index*, ii. 44. <sup>6</sup> *Cal. Doc. Scot.*, ii. No. 1937. <sup>7</sup> *Reg. de Panmure*, ii. 160. <sup>8</sup> *Cal. Doc. Scot.*, iii. 29. <sup>9</sup> *Exch. Rolls*, i. p. lxxxi. <sup>10</sup> *Ibid.*, 356. <sup>11</sup> Robertson's *Index*, 2, 56, 58, 59, 60.

Skye, Strathglass, Strathconan, etc. He succeeded to the title apparently on 28 January 1322-23, but certainly before 28 March 1324, when, as Hugh, Earl of Ross, he witnessed a charter of King Robert I. to Thomas de Carnoto.<sup>1</sup> The same year he was one of the guarantors of the marriage articles of Prince David of Scotland and the Princess Johanna of England.<sup>2</sup> Hugh, Earl of Ross, renounced to the King the advocation of the church of Philorth, in Buchan, 29 March 1330.<sup>3</sup> At the battle of Halidon Hill, near Berwick, fought on 19 July 1333, he led the reserve to attack the wing which Baliol commanded, but his troops were driven back and he himself slain.<sup>4</sup> The English found on his body the shirt of St. Duthace, supposed to possess miraculous powers, and restored it to the sanctuary at Tain.

He married, first, in 1308, Lady Maud Bruce, sister of the King.<sup>5</sup> By her he had issue:—

1. WILLIAM.

2. *John*, son of late Hugh, Earl of Ross; died 27 May 1364.<sup>6</sup>

3. *Marjory*, married, as his second wife, before 1334, to Malise, Earl of Strathearn, Caithness, and Orkney.<sup>7</sup>

The Earl of Ross married, secondly, before 24 November 1329, Margaret, daughter of Sir David Graham of Old Montrose;<sup>8</sup> dispensation granted at Avignon, on the discovery, long after they were married and had issue, of a canonical impediment, and legitimating the children.<sup>9</sup> She was married again, in 1341, to John de Barclay.<sup>10</sup> By her the Earl had issue:—

4. *Hugh* of Rarichies, first of Balnagown.

5. *Euphemia*, married, first, to John Randolph, third Earl of Moray, who fell at the battle of Durham, *s.p.*, 17 October 1346; secondly, as his second wife, to Robert, Earl of Strathearn, afterwards King Robert

<sup>1</sup> Drummond Writs, facsimile in the *Irvines of Drum*, by Col. Forbes Leslie, 20. <sup>2</sup> *Fœdera*, Record ed., ii. <sup>3</sup> *Acta Parl. Scot.*, i. 511. <sup>4</sup> *Exch. Rolls*, i. cxliv. <sup>5</sup> Robertson's *Index*, 2, 49; *Exch. Rolls*, i. pref. lxix; *The Book of Pluscarden*, ii. 103. <sup>6</sup> *Kalendar of Fearn*. <sup>7</sup> See vol. ii. 320, *ante*. <sup>8</sup> *Exch. Rolls*, iv. pp. clv, clvi. <sup>9</sup> *The Earls of Ross*, F. L. Reid. <sup>10</sup> It has been stated that in 1348 she was married to John de Moravia, but he married Margaret Graham of Menteith; see that title.

II.; dispensation granted by Pope Innocent VI., at Avignon, 2 May 1355.<sup>1</sup>

6. *Janet*, married, first, to Monymusk of that Ilk; and, secondly, to Sir Alexander Murray of Drumsergarth. An indenture was executed at Perth, 24 November 1375, between Queen Euphemia and her son Earl David of the one part, and Alexander Murray of Drumsergarth of the other part, agreeing that Alexander Murray should marry Lady Janet de Monymuske, sister of the Queen, who with the Earl promised to assist him in recovering his inheritance, and that Walter Murray, brother to Alexander, should, if he pleased, marry the elder daughter of Lady Janet.<sup>2</sup>
7. *Lilias*, said to be married to William Urquhart, Sheriff of Cromartie, but no corroborative evidence has been found.

V. WILLIAM, fifth Earl of Ross, Lord of Skye, Justiciar of Scotland north of the Forth, called in a charter of 1374 'frater regis,' was in Norway in 1333 when his father died, and did not take possession of his earldom until 1336.<sup>3</sup> In 1339 he joined the Steward of Scotland at the siege of Perth.<sup>4</sup> By the artifice of a mine he diverted the water from the fosse, and preparations were immediately made for storming the town, when the English governor capitulated, 17 August 1339.<sup>5</sup> William, Earl of Ross, son and heir of the deceased Hugh, Earl of Ross, granted a charter to Reginald, son of Roderick de Insulis, of ten davachs of land in Kennetale (Kintail), in North Argyll, dated 4 July 1342.<sup>6</sup> It was the same Reginald or Ronald MacRuari whom the Earl murdered in the monastery of Elcho in 1346, when King David assembled an army at Perth to invade England. The murderer then withdrew with his men to the mountains.<sup>7</sup> The Earl also granted certain lands of Culclochy to the chapel of St. Mary at Inverness.<sup>8</sup> In 1348 the

<sup>1</sup> *Book of Pluscarden*, ii. 238. <sup>2</sup> Anderson's *Dip. Scot.*, p. lix; *Earldom of Strathern*, Nicolas. <sup>3</sup> *The Scottish Antiquary*, iv. 6. <sup>4</sup> Dalrymple's *Annals*, ii. 224. <sup>5</sup> Fordun à Goodall, ii. 331. <sup>6</sup> Robertson's *Index*, 100. <sup>7</sup> *Eccl. Rolls*, i. p. clxxii; *Book of Pluscarden*, ii. 223. <sup>8</sup> This grant is referred to in the transcript of a charter of 1367 in the Hutton Coll., Adv. Lib.

Earl of Ross was accused of having interfered with the collection of the issues of Court.<sup>1</sup> Ten years after, in 1358, we find him denying this accusation ;<sup>2</sup> and in the same year he failed to give suit for Forgandenny ; in 1359 Inverlounan was in his hands.

King David was liberated in 1357 ; on the 8 May 1357 it was agreed at London that the Earl of Ross and two others should come to England and remain there in 'afforcement' of the hostages for the King's ransom.<sup>3</sup> On September 26, 1357 letters-patent were issued, sealed by him, and eleven others, appointing for themselves and the other magnates, and the community of Scotland, plenipotentiaries to treat with the English for the ransom of King David.<sup>4</sup> He received a safe-conduct to come to England 6 June 1358.

William, Earl of Ross, Lord of Skye, granted a charter of the lands of Gerloch, in Argyll, to Paul Mactyre, dated at Delgheni 5 April 1366, witnessed by Hugh de Ross, his brother.<sup>5</sup> The Earl resigned to King David II. all right and claim he had to the forest of Plater, in the lands of Fathynevent, with the advocacy of the church of the same ; but that resignation not having been made with his will, he had a charter to that effect from the King 6 May 1369.<sup>6</sup>

In 1366 the northern lords threw off their allegiance, and refused to contribute their rate towards the payment of the King's ransom and other burdens. Among the principal leaders were the Earl of Ross and Hugh his brother. The Earl remained absent from the Parliaments of 1366 and 1367, but in 1368 he was obliged to find security to keep the peace,<sup>7</sup> and engaged within his territories to administer justice and to assist the officers in collecting taxes.<sup>8</sup> In 1350, with the approval of his sister Marjory, Countess of Caithness and Orkney, and on condition of obtaining the King's consent, he appointed his brother Hugh his heir.<sup>9</sup> On the death of his uncle, Sir John le Ross, he inherited half of the lands of the earldom of Buchan.<sup>10</sup> King David favoured the marriage of the Earl's daughter, Euphemia,

<sup>1</sup> *Exch. Rolls*, i. 543. <sup>2</sup> *Ibid.*, 546. <sup>3</sup> *Cal. Doc. Scot.*, iii. No. 1629.

<sup>4</sup> *Ibid.*, No. 1651. <sup>5</sup> *Reg. Mag. Sig.*, fol. vol. 62, 65, 74. <sup>6</sup> *Ibid.*, 65, No. 215.

<sup>7</sup> *Acta Parl. Scot.* <sup>8</sup> Tytler, ii. 83. <sup>9</sup> *Origines Par. Scot.*, ii. pt. 11, p. 487.

<sup>10</sup> *Acta Parl. Scot.*

with Sir Walter de Lesley, without her father's sanction, and in 1370, probably remembering the Earl's conduct at Elcho, compelled him to resign all his possessions for re-infeftment. Therefore a new charter was, on 23 October 1370, granted of the earldom of Ross and lordship of Skye, and of all his lands except those which belonged to the earldom of Buchan, to be held first to the Earl and to the heirs-male of his body; whom failing, to Sir Walter de Lesley, Euphemia, his spouse, and their heirs; whom failing, to his youngest daughter Joanna or Janet, and her heirs.<sup>1</sup> After his brother Hugh's death he addressed a Querimonia, dated 24 June 1371,<sup>2</sup> to Robert II., in which he styles himself 'humilis nepos,' complaining of the way in which all his possessions, and also those of his brother Hugh lying within Buchan, had been taken from him by force and fraud and given by the late King to Sir Walter de Lesley. This complaint met with no result, and a few months later he died at Delny 9 February 1371-72.<sup>3</sup> William, fifth Earl of Ross, married (in terms of Papal dispensation dated 25 May 1342<sup>4</sup>) Mary, daughter of Angus Og, Lord of the Isles. He had issue:—

1. *William*, proposed in 1354 as one of the hostages for payment of the King's ransom,<sup>5</sup> but in August 1357 he was too ill to travel,<sup>6</sup> and must have died before the end of the year.
2. *EUPHEMIA*, who became Countess of Ross.
3. *Joanna* or *Janet*, married, in 1375, to Sir Alexander Fraser of Cowie, ancestor of Lord Salton, and died *ante* 1400.

VI. *EUPHEMIA*, Countess of Ross, succeeded on the death of her father. Previous to this, however, she had, as indicated, married Sir Walter Leslie, a younger (probably third) son of Sir Andrew Leslie of that Ilk. He is said to have been one of the foremost knights of his time, and served with great distinction against the Saracens. He had with his elder brother Norman a safe-conduct through England on their way to Prussia on 20 August 1356.<sup>7</sup> He soon returned, but again set out for foreign parts in October

<sup>1</sup> *Antiq. of Aberd. and Banff*, ii. 386. <sup>2</sup> *Ibid.* <sup>3</sup> *Kalendar of Fearn.*  
<sup>4</sup> *Reg. Avenionensis*, 67 f. 30. <sup>5</sup> *Acta Parl. Scot.* <sup>6</sup> *Cal. Doc. Scot.*, iii. p. 435. <sup>7</sup> *Rotuli Scotie*, i. 797.

1358.<sup>1</sup> He is said to have entered the French service and fought for them against the English. He must indeed have gone frequently to France, as he is specially said to have contributed to the defeat of the English at Pontvalain (in 1370), and Charles v. of France granted him, by a letter dated 1 October 1372, a yearly pension of 200 gold francs, as a reward of his services.<sup>2</sup> He was apparently in Scotland on 14 October 1363, when King David II. granted him a pension of £40 sterling.<sup>3</sup> He again left Scotland, and was, with his brother Norman, one of the knights who under the King of Cyprus attacked the city of Alexandria on 9 October 1365, and despoiled the Saracens.<sup>4</sup> He married in the following year, when, on 13 September 1366, he had a charter to himself and Eufamia de Ross, his spouse, of the new forest in the shire of Dumfries.<sup>5</sup> They had a Papal dispensation on 24 November 1366, but were evidently married before that date.<sup>6</sup> After this he appears to have remained in Scotland for a time, as he took some part in public affairs and was a frequent witness to royal charters up to 1370, when, as indicated above, he was in France for a time. On 23 October of that year he and his wife were secured in their title to the earldom of Ross,<sup>7</sup> and in or about 1372 they succeeded to the estates, Sir Walter Leslie calling himself in numerous charters 'Dominus' or Lord of Ross, though he is styled Earl of Ross by others, notably the King of France.<sup>8</sup> The Earl died at Perth 27 February 1381-82.<sup>9</sup> It is important to note that in no writ except a charter of 8 August 1394<sup>10</sup> does she style herself Countess of Ross. She and her first husband are designed as 'Domina' or 'Dominus' of Ross. And the seal of the Countess attached to the above writ is identical with a seal of 1381, bearing the legend 'Sigillum Eufamie Lescely dne de ros.'<sup>11</sup>

<sup>1</sup> *Rotuli Scotiae*, i. 830. <sup>2</sup> *Historical Records of the Family of Leslie*, i. 66. <sup>3</sup> *Reg. Mag. Sig.*, fol. ed., 32, No. 75. <sup>4</sup> *Fordun à Goodall*, ii. 488 n. <sup>5</sup> *Reg. Mag. Sig.*, fol. ed., 53, No. 162. <sup>6</sup> *Cal. of Papal Letters*, iv. 59. <sup>7</sup> *Historical Records*, *ut supra*, i. 70. <sup>8</sup> His seal bears, quarterly, 1st and 4th, on a bend three buckles; 2nd and 3rd, three lions rampant (Ross). The shield is supported on the breast of an eagle displayed. Legend . . . Lesley domini de Ros. An earlier seal shows only the bend and buckles of Lesley (*Scottish Armorial Seals*, Nos. 1610, 1611). <sup>9</sup> *Cronicle of the Earls of Ross*, 9. <sup>10</sup> *Rose of Kilravock*, 123. <sup>11</sup> *The Frasers of Philorth* ii. 329.

The Countess married, secondly, Alexander Stewart, Earl of Buchan, known as the 'Wolf of Badenoch,' the marriage taking place about 24 or 25 July 1382.<sup>1</sup> But this union was not a happy one. The Earl deserted his wife, and was ordered by an Ecclesiastical Court on 2 November 1389 to adhere to her.<sup>2</sup> On 9 June 1392 Pope Clement VII. issued a commission to dissolve her marriage with the Earl, and again on 5 and 15 December to grant a divorce *a mensa et thoro*.<sup>3</sup> The Countess is said to have become a nun, but the evidence is doubtful,<sup>4</sup> and she appears to have died in 1394, a date often assigned as the date of her second husband's death, but he survived till after March 1404-5. (See title Buchan.) The Countess was still alive on 5 September 1394, and it is possible that 20 February 1394-95, usually assigned as the date of her husband's death, was that of her own decease.

By her first husband the Countess of Ross had issue:—

1. ALEXANDER, who became Earl of Ross.
2. MARGARET or MARY, married to Donald, Lord of the Isles.

VII. ALEXANDER LESLEY, Earl of Ross, succeeded his mother about 1394, though he is, on 5 September of that year, described as heir-apparent of the earldom.<sup>5</sup> He was certainly Earl of Ross before 5 February 1398-99, when he resigned the barony of Fythkill (now Leslie) in favour of his cousin Sir George Leslie of Rothes; and he also, on 8 November 1398, granted to Sir George the lands of Woodfield, Pitnamoon, and others, in return for 200 merks lent to the Earl to relieve his lands and earldom out of the

<sup>1</sup> *Historical Records, ut supra*, i. 76. <sup>2</sup> *Reg. Moraviense*, 353. <sup>3</sup> *Reg. Avenionensis*, vols. 269, f. 391; 272, f. 569. <sup>4</sup> It has been asserted (*Hist. of the Priory of Beaulieu*, 197) that the Earl of Buchan being dead in 1394, the Countess took the veil and became Prioress of Elcho, and afterwards built the chapel aisle in Ross Cathedral. But the Earl did not die in that year, and the Countess was alive on 8 August 1394, when as Countess she granted a charter to her 'brother,' Sir George Leslie of Rothes; *Family of Rose of Kilravock*, 122. Besides, the alleged nunship is founded on a mistake, a seal of Euphemia Leslie, Abbess of Elcho, about 1532 and later, being misinterpreted to be that of the Countess and dated in 1394. See the fallacy exposed in *Scottish Armorial Seals* by W. Rae Macdonald, No. 1620; cf. Laing's *Seals*, ii. No. 1141, where an engraving is given, showing a very different seal from that of the Countess; *Scottish Armorial Seals*, No. 2333. <sup>5</sup> *Registrum Moraviense*, 355.

hands of the Crown. He did not, however, live long to enjoy it, as he died at Dingwall on 8 May 1402.<sup>1</sup> Married before 1398 Isabel, elder daughter of Robert Stewart, Earl of Fife and Duke of Albany, Regent of Scotland, third son of Robert II. She married, secondly, before February 1407-8, Walter of Haliburton.<sup>2</sup> The Earl had issue :—

VIII. EUPHEMIA, *de jure* Countess of Ross—not, however, so styled in the only charters containing her name, but only as daughter and heiress of Alexander Leslie, Earl of Ross—seems to have had a somewhat unfortunate career. From a precept of 11 July 1405, it would appear she was then the ward of her grandfather, Robert, Duke of Albany, who then styles himself Lord of the ward of Ross.<sup>3</sup> It is stated by some historians of the family that she was deformed, or ‘crouch backed,’<sup>4</sup> and she was probably in consequence of a weakly constitution. In any case, her uncle by marriage, Donald, Lord of the Isles, claiming to be Earl of Ross through his wife Margaret or Mary Leslie, thought it a good opportunity to set the heiress aside, and marched, in 1411, with a large army to enforce his rights. The battle of Harlaw, on 24 July 1411, frustrated his purpose, and the earldom remained in the hands of the heiress or her guardians. She is said to have entered the convent of North Berwick and become a professed nun, and to have been induced by flattery and threats to give up her rights to the Governor’s second son.<sup>5</sup> It has been alleged in a recent work that one or both of these causes prompted the attempt of the Lord of the Isles,<sup>6</sup> but dates will not admit of this. His attempt was in 1411, whereas the Countess did not resign the earldom till June 1415. Not only so, but in that year it was proposed that she should marry Thomas Dunbar, afterwards third Earl of Moray, heir-apparent of Thomas, second Earl of Moray. The parties applied to the Pope (Benedict XIII.) for a dispensation on the alleged ground that they were related in

<sup>1</sup> *Cronicle of the Earlis of Ross*, 9; *Kalendar of Fearn*. <sup>2</sup> *Reg. Mag. Sig.*, fol. ed., 232; cf. vol. iv. 334. <sup>3</sup> *Thanes of Cawdor*, 5. <sup>4</sup> *Roths mss.* and *ms. Hist. of the Earls of Ross*, in the Advocates’ Library, cited in *The Clan Donald*, i. 149 n. <sup>5</sup> *The Clan Donald*, i. 151 n.; *Coll. de Rebus Albanicis*, 500. <sup>6</sup> *The Clan Donald*, i. 149-151.



the third and fourth degrees of consanguinity, and that, by the advice of their kin and friends, they desired to marry.<sup>1</sup> The Pope issued a commission, dated 3 June 1415, for the usual dispensation, but on 12 June, probably before the Papal writ reached Scotland, she had resigned the earldom, and on 15 June 1415 the Duke of Albany granted the lands resigned, the earldom of Ross, the lands of Strathglass and others named, in favour of Euphemia Leslie herself, who is not designed Countess of Ross; and failing her, to his own second son John, Earl of Buchan; whom failing, to his own third son Robert; whom failing, to pass to the King and his heirs.<sup>2</sup> On the same day Euphemia resigned the lands of Kingedward in Buchan, which were granted only to John, Earl of Buchan, and his heirs. She is not styled Countess in this writ either.<sup>3</sup> After this, John Stewart, Earl of Buchan, bore the double title of Earl of Buchan and Ross until his death at the battle of Verneuil, 17 August 1424, but of Euphemia Leslie we hear no more, and it is possible she, as is said, entered a cloister.

IX. MARGARET or MARY LESLEY, on the death of her brother Alexander, Earl of Ross, became heir-presumptive to her niece Euphemia in the earldom. She is frequently called Margaret, but her true name was Mary, as appears from Celtic records.<sup>4</sup> She had married Donald, Lord of the Isles, and he, in his wife's name, claimed the earldom, and proceeded to seize it by force, as already stated, but in consequence of the battle of Harlaw the Lord of the Isles, though unconquered, abandoned his enterprise, if he did not abandon his pretensions, and the earldom of Ross, as stated, remained in the Governor's hands. Donald died at Isla about 1423. His wife died in 1440.<sup>5</sup> They had issue:—

1. ALEXANDER, who became Earl of Ross, whose career, with his marriages and descendants, will be found under the Lords of the Isles. (*See that title* for other descendants of Donald of the Isles.)

<sup>1</sup> *Reg. Avenionensis*, vol. 347, f. 356. <sup>2</sup> Original charter in Gen. Reg. Ho., No. 243; Lord Hailes' Sutherland Case, v. 29. <sup>3</sup> Father Hay's Collection, Advocates' Library, 34.1.10, i. 528. <sup>4</sup> Skene's *Celtic Scotland*, iii. 408. <sup>5</sup> *Ibid.*

One daughter, however, is omitted there, *Mariota*, married to Alexander Sutherland of Dunbeath, as appears from an obligation by her brother Alexander, Lord of the Isles, in 1439.<sup>1</sup>

ARMS.—The third Earl bore on his seal three lions rampant. Hugh, fourth Earl, bore on a chevron between three lions rampant as many crosses patée. William, fifth Earl, bore three lions rampant within a royal tressure.<sup>2</sup>

[J. A.]

<sup>1</sup> *The Thaness of Cawdor*, 16; Donald, Lord of the Isles, had other children, but they were not by the Countess Mary. <sup>2</sup> Macdonald's *Armorial Seals*, 2326-30.

## STEWART, DUKE OF ROSS



THE title of Duke of Ross has only been held by two members of the Royal Family. The first of these was

I. JAMES STEWART, second son of King James III. He is said to have been born in March 1475-76,<sup>1</sup> but, on the other hand, it is stated that he was eighteen when he was made Archbishop of St. Andrews in 1487.<sup>2</sup> He was created at his baptism Marquess

of Ormond.<sup>3</sup> On 23 January 1480-81 he got from his father a charter of the lands of the earldom of Ross, which had fallen to the Crown on the forfeiture of John, Lord of the Isles.<sup>4</sup> This apparently carried the title of Earl of Ross with it, for though he is only called Marquess of Ormond in a charter a few weeks later, 5 April 1481, conveying to him the lands of Brechin, Ardmannach, and others, yet in a confirmation of the above two charters on 12 April of the same year he is styled Marquess of Ormond, Earl of Ross, etc.<sup>5</sup> He was educated, in the first place, by George Shaw, Abbot of Paisley.<sup>6</sup> In 1487 negotiations were begun for a marriage between the Marquess and the Princess Catherine,

<sup>1</sup> *Treasurer's Accounts*, i. lxiv. <sup>2</sup> Eubel's *Hierarchia Catholica*.

<sup>3</sup> *Crawfurd's Lives*, 58. <sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *Ibid.* <sup>6</sup> *Ibid.*, 19 August 1488.

third daughter of Edward iv.,<sup>1</sup> but nothing came of them. On 29 January 1487-88 he was created DUKE OF ROSS, MARQUESS OF ORMOND, EARL OF EDERDALE, otherwise called ARDMANNACH, LORD OF BRECHIN AND NEVARE.<sup>2</sup> After his father's death he was committed to the guardianship of the Earl of Bothwell, Keeper of Edinburgh Castle, and he appears to have lived there for several years. Schevez, the Archbishop of St. Andrews, died in January 1497, and the Duke of Ross was nominated his successor. He is actually styled Archbishop in a charter to the University of Aberdeen 22 May 1497, but from a document emanating from the Vatican on 20 September he seems only to have been made Administrator of the Diocese till he had attained the legitimate age for a Bishop, which was nominally thirty. In December he went to Rome to get confirmation from the Pope, and it was probably when there that he seems to have been instituted to the Commendatorship of the Abbey of Holyrood.<sup>3</sup> He styles himself commendator on his archiepiscopal seal,<sup>4</sup> but there is evidence to show that Robert Bellenden was still Abbot 13 September 1498, if not later, as he is stated to have been sixteen years Abbot, and his predecessor died in the beginning of 1483.<sup>5</sup> In 1500 Stewart was translated to the Commendatorship of Dunfermline.<sup>6</sup> In 1501 he was made Chancellor of Scotland, and in the following year he got the Commendatorship of the rich Abbey of Arbroath, though the Papal Bull confirming him in it was not issued till 7 July 1503. He did not enjoy his honours long, in fact it is doubtful if he was ever consecrated as Archbishop. He died at Edinburgh 12, and was buried at St. Andrews 29, January 1503-4.<sup>7</sup>

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II. ALEXANDER STEWART, the posthumous son of King James iv., was born 30 April 1514,<sup>8</sup> and is said to have been styled Duke of Ross. He died an infant 18 December 1515.

[J. B. P.]

<sup>1</sup> *Fœdera*, xii. 329. <sup>2</sup> *Acta Parl. Scot.*, ii. 181. <sup>3</sup> Brady's *Episc. Succession*, i. 182. <sup>4</sup> Herkless's *Archbishops of St. Andrews*, 191. <sup>5</sup> *Liber Cartarum S. Crucis*, xxxi, xxxii. <sup>6</sup> Brady, i. 178. <sup>7</sup> *Treasurer's Accounts*, ii. 485; iv. 182. <sup>8</sup> Balfour's *Annals*, i. 238.

## ROSS, LORD ROSS



ROSS, as a surname, appears very early both in England and Scotland, and is said, perhaps with truth, to be derived from the place of that name in Yorkshire. The earliest of the name in Scotland, Godfrey de Ros, is said to have followed the fortunes of the Morevilles, from whom, about 1160, he obtained the lands of Stewarton and others in Ayrshire.<sup>1</sup> The number of Rosses who appear on record between that date and 1367, when John Ross the direct ancestor of the family of Halkhead, first acquired that estate, is very great, and it is difficult to set out the pedigree with accuracy. He had two brothers Godfrey and William, as appears from two safe-conducts to him in November of the years 1360 and 1362,<sup>2</sup> and they were the two elder sons of Sir Godfrey Ross, Sheriff of Ayr in 1335, who adhered to Edward Baliol, and was killed in Scotland before April 1344.<sup>3</sup> Godfrey, the elder son, remained in England a time, where he received visits from his brothers.

JOHN ROSS, perhaps the youngest brother, appears on record first in a writ of 25 October 1357, when he had a safe-conduct to pass into England.<sup>4</sup> He travelled at in-

<sup>1</sup> Nisbet's *Heraldry*, ii. App. 27. <sup>2</sup> *Rotuli Scotiae*, i. 852, 866. <sup>3</sup> *Cal. Doc. Scot.*, iii. Nos. 1432, 1435. <sup>4</sup> *Fœdera*, Record ed., iii. 381.

tervals into that country as already indicated, but little else is recorded of him. In 1367 he received a grant of the lands of Hacket or Halkhead, in the barony of Renfrew, from Robert, Earl of Strathearn, who styles himself 'consanguineus,' or kinsman, to the grantee.<sup>1</sup> It is not certain when the first Ross of Halkhead died, but he was succeeded by

SIR JOHN DE ROSS, who was a witness, in 1392 and 1397, as Johannes de Ross, miles, dominus de Halkhead,<sup>2</sup> on 28 October 1405 as Johannes de Ross de Haukheid miles,<sup>3</sup> and under the same designation on 13 October 1409.<sup>4</sup> On 14 December 1413 he was a party to a notarial instrument as 'dominus Johannes de Ross miles dominus de Haukheid.'<sup>5</sup> He was succeeded by Sir John Ross of Halkhead, probably his son.

SIR JOHN ROSS of Halkhead was a witness on 6 August 1447, as 'Jon Rosse de Haukede.'<sup>6</sup> He was appointed heritable constable of the castle of Renfrew, with a grant of the customs at the principal fairs of that borough.<sup>7</sup> He was succeeded by another Sir John Ross of Halkhead, probably his son.

I. SIR JOHN ROSS of Halkhead first achieved distinction as one of the combatants in the tournament held on 25 February 1448-49, in the presence of James II., between two knights and an esquire of Scotland and the same of Burgundy, the other two Scots representatives being James Douglas, brother of the Earl of Douglas and James Douglas, brother of Lochleven.<sup>8</sup> He had a charter, 'Johanni le Rosse de Haukhede militi,' of the lands of Tarbert in Ayrshire and Auchinbak in Renfrewshire, on the resignation of Robert Rosse of the monastery of Holyrood on 17 January 1450-51.<sup>9</sup> He had a safe-conduct on 12 May 1451 to John Ross, knight, to pass through England with William, Earl of Douglas,<sup>10</sup>

<sup>1</sup> Nisbet's *Heraldry*, ii., *Ragman Roll*, 27. <sup>2</sup> Chartulary of Paisley, 228; Crawford's *Renfrewshire*, 515. <sup>3</sup> *Antiq. of Shires of Aberd. and Banff*, iv. 87. <sup>4</sup> *Reg. Mag. Sig.*, fol. vol. 243, 1. <sup>5</sup> Fraser's *Maxwells of Pollok*, 147. <sup>6</sup> *Reg. Mag. Sig.*, 10 August 1450. <sup>7</sup> Crawford's *Renfrewshire*, 44. <sup>8</sup> Asloan ms. 18, 40; Pinkerton, i. 207; *Douglas Book*, by Sir W. Fraser, i. 478-479. <sup>9</sup> *Reg. Mag. Sig.* <sup>10</sup> *Cal. Doc. Scot.*, iv. 1232.

another to John de Rose (*sic*), Lord of Halkhed, 27 May 1459.<sup>1</sup> He had charters of Starlaw and Denys in the barony of Bathgate<sup>2</sup> and of Lochtilow in the same barony.<sup>3</sup> He was made Sheriff of Linlithgow in succession to Archibald Dundas of that Ilk; and his account as Sheriff rendered in June 1471 seems to show that he was superseded in that office by Henry Livingston in 1468, and restored to it again on 3 August 1469.<sup>4</sup> He was reappointed Sheriff on 9 March 1472-73.<sup>5</sup> From 1463 to 1468 inclusive he had an annuity from the customs of Linlithgow or Edinburgh as keeper of Blackness Castle.<sup>6</sup> His pension does not occur in the accounts of 1469 and immediately succeeding years; but in 1474 his salary as keeper of Blackness again begins to be regularly paid from the farms of Bonnington and Blackness.<sup>7</sup> Between 1471-73 he was appointed bailie of the barony of Melville by his daughter-in-law Agnes Melville, heiress of Thomas Melville.<sup>8</sup> He was one of the ambassadors to England to whom a safe-conduct was granted 24 August 1473.<sup>9</sup> On 8 November 1482 he joined with Andrew Stewart, Bishop-elect of Moray, John [Stewart], Earl of Atholl, and others, in a bond of relief for 6000 ducats to the Provost and community of Edinburgh in the event of the Bishop being promoted to the Archbishopric of St. Andrews.<sup>10</sup> On the 21 September 1484 he was conservator for a truce between England and Scotland till 29 September 1487.<sup>11</sup> He occurs among the barons in the Parliament 3 February 1489-90.<sup>12</sup> He had a charter, to John Ross of Halkhead, knight, of part of Auchinbothy Wallace 17 February 1490-91.<sup>13</sup> He is found under a similar designation in a charter of 19 February 1492-93.<sup>14</sup> He was created LORD ROSS of Halkhead some time before 31 May 1499, when, as such, he granted a charter of Walterstoun, Linlithgow, to John Ross de Malevyn, knight, his heir-apparent.<sup>15</sup>

<sup>1</sup> *Fœdera*, xi. 420. <sup>2</sup> *Reg. Mag. Sig.*, 16 July 1468. <sup>3</sup> *Ibid.* <sup>4</sup> *Exch. Rolls*, viii. 12, 13. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Exch. Rolls*, vii. 365, 404, 500, 506, 589. <sup>7</sup> *Ibid.*, ix. 15, 173; viii. 213, 214, 305, 333, 404, 511, 602; x. 33. <sup>8</sup> *Fraser's Melville Book*, i. 21. <sup>9</sup> *Fœdera*, xi. 775. <sup>10</sup> Charters, etc., relating to the Burgh of Edinburgh, 154-156. Sir John's seal, still attached to this document, shows on a shield couché, a chevron chequy, between three water budgets. Crest, on a helmet with mantling, a hawk's head erased. Legend (imperfect), 'S . . . JOHIS . . .' <sup>11</sup> *Cal. Doc. Scot.*, iv. 1505. <sup>12</sup> *Acta Parl. Scot.*, ii. 216. <sup>13</sup> *Reg. Mag. Sig.* <sup>14</sup> *Ibid.* <sup>15</sup> *Ibid.*, 25 August 1499.

He died between 12 December 1500 and 16 October 1501, when his successor had a precept of sasine from John, Lord Sempill, in the lands of Craiggrossy.<sup>1</sup> He married, first, Marjory, daughter of John Mure of Caldwell, and their effigies are represented on a fine recessed tomb in the parish church of Renfrew.<sup>2</sup> After 1491 he married Marion Baillie, widow of John, third Lord Somerville, from whom he obtained a divorce.<sup>3</sup> He had issue:—

1. ROBERT.

2. *Giles*, married to James, son of Sir John Auchinleck<sup>4</sup> of Auchinleck, contract dated 3 March 1480.<sup>5</sup>

ROBERT ROSS, predeceased his father, having married, before 1471, Agnes Melville, daughter and heiress of Thomas Melville of that Ilk. She died before 1478,<sup>6</sup> leaving a son *John*, who succeeded his grandfather.

II. JOHN, second Lord Ross, was retoured heir of his mother in the barony of Melville on 16 May 1496,<sup>7</sup> and obtained a charter under the Great Seal, dated 11 March 1501-2, confirming a donation of the King 'to the late John, Lord Ross of Halkhede, knight, grandfather of the present John, Lord Ross of Halkhede, knight, of the island of King's Inche in Clyde.'<sup>8</sup> He had charters to John, Lord Ross of Halkhead, of the lands of Dikbar, Castlebar, and Matthewbar, 30 July 1502, and of Railston, Renfrew, 11 February 1505-6.<sup>9</sup> In 1502 sasine was granted to him of Halkheid, Leys, Thurscrag, Rochmoshil, Arthurle, and Auchenbonkis, as John Ross, and of Rosholmes, Hill de Dunlope, Clontriplak, Culgrowte, Ynch, Tarbart, Overauchenbak, and others.<sup>10</sup> On 1 April 1506 he was visited by King James IV. at Halkhead, when he appears to have been engaged on some building operations, as the King gave drink silver to his masons.<sup>11</sup> In February and March 1507-8 he was playing 'the Irish game,' cards, and shooting the culverin with the King.<sup>12</sup> He had

<sup>1</sup> *Haddington Book*, by Sir William Fraser, ii. 242; ms. 35.4.16. Adv. Lib. i. 231. <sup>2</sup> *Proc. Soc. of Antiq. Scot.*, xxix. 370. <sup>3</sup> *Acta Dom. Conc.*, xv. 148. <sup>4</sup> *Reg. Mag. Sig.*, 3 March 1480-1 (ii. No. 1483). <sup>5</sup> *Douglas Book*, iii. 113. <sup>6</sup> *Fraser's Melville Book*, i. 21. <sup>7</sup> *Ibid.*, i. 22. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *Ibid.*, 4 March 1502-3, 12 February 1505-6. <sup>10</sup> *Exch. Rolls*, xii. 711, 712. <sup>11</sup> *Treasurer's Accounts*, iii. 192. <sup>12</sup> *Ibid.*, iv. 101, 102, 105.



charters, to John Ross of Melville and Christian Edmonstone, his wife, of the lands of Tortrevane, in the county of Edinburgh, 27 September 1490,<sup>1</sup> and of the lands of Walters-toun in Linlithgow, 'Johanni Ross de Malevyn militi, suo haeredi apparenti,' from his grandfather John, Lord Ross of Halkhead, 31 May 1499.<sup>2</sup> He also had charters to John, Lord Ross of Halkhead, of the lands of Melville, Stane-house, and Mosshouse, in the county of Edinburgh; Tortrevane, Prestoun, Walterstoun, and Morningside, in the counties of Linlithgow and Stirling. These lands were incorporated into the free barony of Mailvile.<sup>3</sup> He was killed at the battle of Flodden 9 September 1513. He married, before 27 September 1490, Christian, second daughter of Sir Archibald Edmonstone of Duntreath,<sup>4</sup> who survived him and married Mr. George Knollis, but the marriage was annulled about 1515, on account of her relationship to his first wife, Grizel Rattray.<sup>5</sup> She survived until May 1551.<sup>6</sup> Lord Ross had issue:—

1. NINIAN, third Lord Ross.
2. *Andrew*, who had a charter of the lands of Wardlaw, co. Linlithgow, from his brother Ninian, and was the ancestor of the Rosses of Wardlaw.<sup>7</sup>
3. *Mr. Thomas* Ross, styled brother to Ninian, Lord Ross, in a writ, dated 29 March 1557,<sup>8</sup> relating to his sister.
4. *Helen*, married to John Blair of that Ilk.

III. NINIAN, third Lord Ross, had sasine of the lands and barony of Mailvil, lands in Renfrew, and of Tarbert, on 24 October, 24 November 1513, and 24 February 1513-14 respectively.<sup>9</sup> He was frequently present in the Parliaments of King James v. between 1515 and 1540.<sup>10</sup> He was one of the Scottish nobles who, in 1515, despatched ambassadors to France to endeavour to get Scotland included in the pacification with England.<sup>11</sup> He ratified a treaty with England 30 June 1534.<sup>12</sup> He died in February 1555-56.<sup>13</sup> He married,

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.*, 25 August 1499. <sup>3</sup> *Ibid.*, 21 February 1508-9. <sup>4</sup> *Gen. Acct. of the Family of Edmonstone*, 35, App. n. 38. <sup>5</sup> *Liber Officialis S. Andree*, 5. <sup>6</sup> *Acts and Decrees*, xiv. f. 228. <sup>7</sup> Sheriff Court Book of Linlithgow, 9 June 1542. <sup>8</sup> *Acts and Decrees*, xiv. f. 228. <sup>9</sup> *Exch. Rolls*, xiv. 515, 529, 537. <sup>10</sup> *Acta Parl. Scot.*, ii. 281, 285, 292, 322, 335, 356, 368. <sup>11</sup> *Fœdera*, xiii. 509. <sup>12</sup> *Ibid.*, xiv. 540, 541. <sup>13</sup> *Acts and Decrees*, xxiv. f. 142.

first, Janet Stewart, third daughter of John, Earl of Lennox;<sup>1</sup> secondly (contract 12 December 1523), Elizabeth, youngest daughter of William, first Lord Ruthven, and widow of William, fifth Earl of Erroll.<sup>2</sup> He married, thirdly (contract 9 December 1529), Elizabeth Stewart, widow of John, Earl of Lennox, and daughter of John, Earl of Atholl.<sup>3</sup> He married, fourthly, Janet Montgomery, who survived him.<sup>4</sup> He had issue:—

1. *Robert*, Master of Ross; killed at the battle of Pinkiecleuch 10 September 1547.<sup>5</sup> He married Agnes Moncrief, relict of Thomas Scott of Abbotshall,<sup>6</sup> by whom he left a daughter *Elizabeth*,<sup>7</sup> who married, 10 May 1562, Lord Fleming.<sup>8</sup>
2. JAMES, who succeeded.
3. *Hugh*, witness to a contract by Lord Ross on 11 November 1573.<sup>9</sup>
4. *William*, designed 'brother and servand' to James, Lord Ross, on 4 February 1560-61.<sup>10</sup>
5. *Christian*,<sup>11</sup> married, in 1543 (dispensation 10 July 1538), to John Mure of Caldwell, but was divorced from him, and married, secondly, 5 November 1552, Nicolas Ramsay of Dalhousie,<sup>12</sup> whom she survived, and thirdly, before 8 July 1555, John Weir, and died between that date and February 1556-57.<sup>13</sup>

Lord Ross also had an illegitimate son *John*,<sup>14</sup> who had the lands of Tartraven granted to him.<sup>15</sup>

IV. JAMES, fourth Lord Ross, is said, in a contemporary account of the Peers of Scotland, to be descended from Hugh Rosse, whose son Walter was Earl of Rosse; 'they have been men of good stomach and hardy; their power

<sup>1</sup> *Ante*, v. 350. <sup>2</sup> *Reg. Mag. Sig.*, 12 December 1523; *ante*, iii. 568. <sup>3</sup> *Acta Dom. Conc.*, xli. ff. 25, 30. His marriage-contract with the Countess was probably that of date 9 December 1529 ascribed to the Countess of Erroll in the *Complete Peerage*. <sup>4</sup> *Acts and Decrees*, xx. f. 270. <sup>5</sup> See his will, Edin. Tests. <sup>6</sup> St. Andrews Tests., 13 January 1549-50. <sup>7</sup> See his will, Edin. Tests. <sup>8</sup> *Cal. of State Papers, Scot.*, i. 622. <sup>9</sup> Fraser's *Melville Book*, i. p. xlii. <sup>10</sup> *Acts and Decrees*, xx. f. 299. <sup>11</sup> Wood, in his Douglas, assigns to Lord Ross a daughter Margaret, said to be married to Andrew Murray, apparent of Balvaird, but she was a daughter of John Ross of Craigie; *Liber Officialis S. Andree*, 97. <sup>12</sup> See vol. iii. 93. <sup>13</sup> *Acts and Decrees*, xiv. f. 104. <sup>14</sup> *Reg. Mag. Sig.*, 13 April 1553. <sup>15</sup> Protocol Book of Gilbert Grote, ms., 1.

and living not great; assistant and allies ever to the house of Lennox, this house is now descended to a dau[ghter].'<sup>1</sup>

On 13 September 1548 he obtained a Great Seal charter of Halkhead.<sup>2</sup> In a document under date 1560, being a 'list of all noblemen of the congregacion of Sc[otland],'<sup>3</sup> he is described as neutral.<sup>3</sup> He was present at the convention of the nobility held at Stirling, which unanimously approved of Queen Mary's marriage to Darnley,<sup>4</sup> and at a meeting of the Privy Council at Glasgow on 5 September 1565.<sup>5</sup> On the same day he signed the 'Band of the Lordis and Baronis of the West cuntre,' promising to faithfully serve Mary and Darnley against the insurgent lords.<sup>6</sup> On 10 October 1565 he was ordered to accompany the vanguard of the Queen's army in pursuit of the rebels.<sup>7</sup> Queen Mary occasionally visited him at Melville, bringing Riccio with her; and so frequent were his visits there that Melville came to be called Riccio's house. Lord Ruthven, as the chief actor in his murder, upbraided the Queen on the ground that Riccio had caused her to put Lord Ross out of his whole land because he would not give over the lordship of Melville to Riccio.<sup>8</sup> He was on a jury for the trial of Bothwell 12 April 1567.<sup>9</sup> He signed the Band of the Nobility to Bothwell, commonly called 'Aynesleyes Supper,' and dated 19 April 1567, to which the Queen gave her consent the night before her marriage to Bothwell on the 14 May 1567, and in which the signatories pledged themselves to maintain his quarrel with their bodies, goods, and gear.<sup>10</sup> On the 8 May 1568 he signed a bond for defence of the Queen at Hamilton.<sup>11</sup> He was taken prisoner at Langside by the Regent Moray.<sup>12</sup> On 28 July 1568 he signed a letter to Argyll and other adherents of Queen Mary asking for Queen Elizabeth's assistance in the cause of the Scottish Queen.<sup>13</sup> On 18 September 1570 he appears in a list of noblemen adhering to the King,<sup>14</sup> but on the 26 August 1571 he is described as neutral but 'na force,'<sup>15</sup> and again in 1578 he appears in a list of nobles adhering to the Queen, and not very attached to Calvinism.<sup>16</sup>

<sup>1</sup> *Cal. of State Papers, Scot.*, v. 260. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *Hamilton Papers*, ii. 748. <sup>4</sup> *P. C. Reg.*, i. 335. <sup>5</sup> *Ibid.*, 362. <sup>6</sup> *Ibid.*, 363. <sup>7</sup> *Ibid.*, 379. <sup>8</sup> *Fraser's Melville Book*, xxxvii, xxxviii. <sup>9</sup> *P. C. Reg.*, xiv. lxvii. <sup>10</sup> *Cal. of State Papers, Scot.*, ii. 322. <sup>11</sup> *Ibid.*, 403. <sup>12</sup> *Ibid.*, 405-407. <sup>13</sup> *Ibid.*, 467-468. <sup>14</sup> *Ibid.*, iii. 351. <sup>15</sup> *Ibid.*, 667. <sup>16</sup> *Ibid.*, v. 329.

He was present in Parliament on 27 and 30 April 1573.<sup>1</sup> He was a Roman Catholic.<sup>2</sup> On the 20 June 1573 he and his brother-in-law, Lord Semple, were excommunicated.<sup>3</sup> On 5 March 1574 he was appointed a Commissioner of Musters.<sup>4</sup> He was present at the Parliament of 20 October 1579, which proscribed the Hamiltons.<sup>5</sup> He died 2 April 1581,<sup>6</sup> having married Jean, daughter of Robert, third Lord Semple, who survived him,<sup>7</sup> and died 28 February 1592-93,<sup>8</sup> by whom he had issue:—

1. ROBERT, fifth Lord.
2. WILLIAM, tenth Lord Ross (*see* p. 257).
3. *Elizabeth*, married (contract 20 November 1582<sup>9</sup>) to Allan Lockhart, son and heir-apparent of Quintigern or Mungo Lockhart of Oleghorn.<sup>10</sup>
4. *Jean*, married, first, to Sir James Sandilands of Calder; secondly (contract dated 29 July 1580), to Henry Stewart of Craighall.<sup>11</sup>
5. *Dorothy*.<sup>12</sup>
6. *Alison* or *Alice*, called also *Helen*, married to Sir John Melville of Carnbee.<sup>13</sup>
7. *Grisel*, married (contract 18 March 1589-90) to Sir Archibald Stirling of Keir.<sup>14</sup> She died on 3 October 1618.<sup>15</sup>

V. ROBERT, fifth Lord Ross, had sasine of the lands of Halkhead on 30 October 1581,<sup>16</sup> and of those of Brumelandis and Roisholm 15 May 1583,<sup>17</sup> he was present at the Parliament in Edinburgh on 19 May at which Angus, Mar, Glamis and their numerous adherents were declared guilty of treason, and forfeited.<sup>18</sup> He appears to have been of profligate habits.<sup>19</sup> In 1590 he had sasine of Tarbert.<sup>20</sup> In September of 1591 he was in rebellion against his sovereign, as on 30 September 1591 James VI. wrote to Lord Hamilton that Lord Ross continues in rebellion, and directed that

<sup>1</sup> *Cal. of State Papers, Scot.*, iv. 553-555. <sup>2</sup> *Ibid.*, iii. 459. <sup>3</sup> *Ibid.*, iv. 590. <sup>4</sup> *Acta Parl. Scot.*, iii. 92. <sup>5</sup> *Ibid.*, 122. <sup>6</sup> *Edin. Tests*. <sup>7</sup> *Ibid.* <sup>8</sup> *Ibid.* <sup>9</sup> *Reg. of Deeds*, xxi. f. 204. <sup>10</sup> Cf. also *Reg. Mag. Sig.*, 23 March 1582-83. <sup>11</sup> *Reg. of Deeds*, xviii. f. 48. <sup>12</sup> See her father's will, *Edin. Tests*. <sup>13</sup> Cf. *Reg. of Deeds*, xxvi. f. 367; *Reg. Sec. Sig.*, lvii. f. 124. <sup>14</sup> *Stirlings of Keir*, by W. Fraser, 45; cf. *Reg. of Deeds*, xxvi. f. 368; xl. f. 290. <sup>15</sup> *Dunblane Tests*, 12 July 1619. <sup>16</sup> *Exch. Rolls*, xxi. 458. <sup>17</sup> *Ibid.*, 487. <sup>18</sup> *Acta Parl. Scot.*, iii. 290. <sup>19</sup> *P. C. Reg.*, iv. 34, 637. <sup>20</sup> *Exch. Rolls*, xxii. 440.

steps should be taken to bring him to justice.<sup>1</sup> He died October 1595, having married Jean Hamilton, daughter of Gavin Hamilton of Raploch.<sup>2</sup> By her, who married, secondly, before 24 February 1601,<sup>3</sup> Sir Robert Melville of Burntisland, afterwards second Lord Melville of Monimaill,<sup>4</sup> and died May 1631, he had issue:—

1. JAMES, sixth Lord Ross.

2. *Robert*, second son, so described in 1607.<sup>5</sup> He died in March 1617.<sup>6</sup>

Lord Ross had also a natural daughter *Elspeth*, who was married to Mr. James Miller, advocate.<sup>7</sup>

VI. JAMES, sixth Lord Ross, was retoured heir of his father on 13 September 1615 in Tortreven, Watterstoun,<sup>8</sup> Morningsydis,<sup>9</sup> Prestoun, and of his grandfather, on 13 February 1600,<sup>10</sup> and also in Brumelandis, and others.<sup>11</sup> He was present in the Parliament of 22 June 1617; and on 4 August 1621 voted against the ratification of the Articles of Perth by the Estates.<sup>12</sup> He was present at the Conventions of 27 October 1625<sup>13</sup> and 28 July 1630,<sup>14</sup> and at a meeting of the Privy Council<sup>15</sup> on 20 April 1626.<sup>16</sup> He was on commissions to search for Papists on 25 October 1626,<sup>17</sup> 25 July and 3 November 1629.<sup>18</sup> He had charters of Easter Stanelie on 16 July 1631,<sup>19</sup> Corsbar and Inglistoun on 3 November 1632,<sup>20</sup> of Craig and Balgone on 16 January 1632.<sup>21</sup> He made his will 13 October, and died 17 December, 1633, and was buried at Renfrew,<sup>22</sup> having married (contract 19 December 1614 and 30 January 1615) Margaret, daughter of Walter, first Lord Scott of Buccleuch,<sup>23</sup> and by her, who married, secondly, about 1643, Alexander, sixth Earl of Eglington, and died 5 October 1651 at Hull,<sup>24</sup> he had issue:—

1. JAMES, seventh Lord Ross.

<sup>1</sup> Fraser's *Melville Book*, ii. 11. <sup>2</sup> *Ibid.*, i. 132; Reg. Ho. Cal., No. 2973; *Reg. of Deeds*, 34, f. 210. <sup>3</sup> *P. C. Reg.*, vi. 214. <sup>4</sup> See *ante*, vol. vi. 99. <sup>5</sup> *P. C. Reg.*, xiv. 532; vii. 436. <sup>6</sup> Canongate Reg. of Burials. <sup>7</sup> *Reg. of Deeds*, 495, p. 270; Edin. Tests., 24 October 1648. <sup>8</sup> *Retours, Linlithgow*, 92. <sup>9</sup> *Retours, Stirling*, 83. <sup>10</sup> *Retours, Ayr*, 29. <sup>11</sup> *Reg. Mag. Sig.*, 3 November 1632; *Retours, Ayr*, 131; *Retours, Edin.*, 354. <sup>12</sup> *P. C. Reg.*, xii. 557 n. <sup>13</sup> *Acta Parl. Scot.*, v. 166; *P. C. Reg.*, 2nd ser., i. 150. <sup>14</sup> *Acta Parl. Scot.*, v. 208. <sup>15</sup> *P. C. Reg.*, 2nd ser., i. 271. <sup>16</sup> *Ibid.*, 277. <sup>17</sup> *Reg. Mag. Sig.* <sup>18</sup> *P. C. Reg.*, 2nd ser., iii. 239 and 323. <sup>19</sup> *Reg. Mag. Sig.* <sup>20</sup> *Ibid.* <sup>21</sup> *Ibid.* <sup>22</sup> Edin. Tests. <sup>23</sup> Cf. *ante*, vol. ii. 233. <sup>24</sup> Fraser's *Scotts of Buccleuch*, i. 240.

2. WILLIAM, eighth Lord Ross.
3. ROBERT, ninth Lord Ross.
4. *Margaret*, born 19 December 1615,<sup>1</sup> married to Sir George Stirling of Keir; died at her father's house in Niddry Wynd, Edinburgh, and was buried at Holyrood 27 March 1633,<sup>2</sup> leaving one daughter *Margaret*, who died 11 May 1633.
5. *Mary*, was served, along with her sister Jean, heir-portioner of line of her brother-german Robert, Lord Ross, in the church lands of Melville.<sup>3</sup> She was married to John Hepburn of Waughton, and had a charter along with her husband, on 5 August 1646, of the lands of Wenterfield and others.<sup>4</sup>
6. *Jean*<sup>5</sup> and her sister Mary were served heirs-portioners of line of Robert, Lord Ross, William, Lord Ross, and James, Lord Ross, their brothers-german, and of Jean Hamilton, Lady Ross, their grandmother, 6 February 1649;<sup>6</sup> married to Sir Robert Innes of Innes, Baronet.

VII. JAMES, seventh Lord Ross, was served heir of his father in the lordship and barony of Melville, and in Broome-landis and other lands,<sup>7</sup> and of his grandmother Jean Hamilton,<sup>8</sup> on 18 September 1634. He had charters of Halkhead, Craig, and Balgone 25 January 1636,<sup>9</sup> also of Easter Stanley in Renfrewshire. He died unmarried in March 1636 at Jaffa.<sup>10</sup>

VIII. WILLIAM, eighth Lord Ross, was served heir of his brother James, Lord Ross, in Broomelandis and others,<sup>11</sup> and in Melville, Stanehouse and others, 8 September 1636.<sup>12</sup> He died unmarried August 1640.

IX. ROBERT, ninth Lord Ross, was served heir of his brother William, Lord Ross, in Broomelandis and others,<sup>13</sup> and in Melville,<sup>14</sup> Craig and Balgone, 3 June 1641 and 9 March

<sup>1</sup> *Stirlings of Keir*, 51. <sup>2</sup> Funeral entry, Lyon Office. <sup>3</sup> *Retours, Edin.*, 1005-6. <sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *Melville Book*, i. 131. <sup>6</sup> *Retours, Gen.*, 3505-3512. <sup>7</sup> *Retours, Ayr*, 295; *Retours, Edin.*, 753. <sup>8</sup> *Retours, Edin.*, 754. <sup>9</sup> *Reg. Mag. Sig.* <sup>10</sup> See his test, *Edin. Tests*, 'Quha deceist outwith this kingdom at Joppa within the kingdom of — [Palestine?], in the month of December 1636.' The correct date of March is given from the *Retour* of his son. <sup>11</sup> *Retours, Ayr*, 314. <sup>12</sup> *Retours, Edin.*, 797. <sup>13</sup> *Retours, Ayr*, 358. <sup>14</sup> *Retours, Edin.*, 863.

1643,<sup>1</sup> was on Committee of War for Edinburgh 2 February 1646,<sup>2</sup> and in 1648 was Colonel for the shires of Ayr and Renfrew.<sup>3</sup> He died unmarried August 1648, and the succession then opened to his granduncle and heir-male Sir William Ross of Muriston, younger son of James, fourth Lord Ross of Halkhead.

X. WILLIAM, tenth Lord Ross. Previous to his succession to the Peerage he was known as William Ross of Torphin, or as Sir William Ross of Muriston or Newriston. He was on the Committee of War for the county of Renfrew 26 August 1643<sup>4</sup> and 24 July 1644.<sup>5</sup> He was knighted by King Charles I. 12 July 1633.<sup>6</sup> He was Sheriff of the county in 1646; succeeded to the Peerage in 1648, and was again on the Committee of War and Colonel for the shires of Ayr and Renfrew in 1648 and 1649.<sup>7</sup> He was served heir to his grandnephews William and Robert 20 March 1649.<sup>8</sup> In the last-mentioned year he was a commissioner for the plantation of kirks.<sup>9</sup> After his succession he petitioned against Lady Ross, Countess of Eglinton, for exhibition of the charter-chest of the house of Ross and for suspension of the services by the heirs of line of the last Lord Ross until the titles were exhibited to himself.<sup>10</sup> He was fined in 1654 £3000 under Cromwell's Act of Grace and Pardon, a sum afterwards reduced to £750.<sup>11</sup> He died in 1656, having married, first, Elizabeth, widow of John Whitefoord, who died in 1606, and daughter of Sir Patrick Houston of that Ilk, with whom he had a charter 11 June 1624,<sup>12</sup> and a sasine of Muriston and others 25 June 1628,<sup>13</sup> and, secondly, Margaret, eldest daughter of Sir James Forrester of Torwoodhead.<sup>14</sup> By his second wife only he had issue at least one son:—

GEORGE, eleventh Lord Ross.

XI. GEORGE, eleventh Lord Ross, was present at the first Parliament of Charles II. which passed 'The Act Re-

<sup>1</sup> *Retours, Had.*, 191. <sup>2</sup> *Acta Parl. Scot.*, vi. pt. i. 561. <sup>3</sup> *Ibid.*, pt. ii. 30, 55. <sup>4</sup> *Ibid.*, pt. i. 54. <sup>5</sup> *Ibid.*, 202. <sup>6</sup> *Shaw's Knights*, i. lxiii. <sup>7</sup> *Acta Parl. Scot.*, vi. pt. ii. 34, 55, 189. <sup>8</sup> *Retours, Ayr*, 436, 437. <sup>9</sup> *Acta Parl. Scot.*, vi. pt. ii. 300. <sup>10</sup> *Ibid.*, 142. <sup>11</sup> *Ibid.*, 820, 845. <sup>12</sup> *Reg. Mag. Sig.* <sup>13</sup> *Part. Reg. of Sas., Edin.*, xiv. 11. <sup>14</sup> Cf. vol. iv. 92, where she is erroneously called Helen, daughter of George, first Lord Forrester of Corstorphine.

scissory,<sup>1</sup> and attended Parliament with regularity till the close of his life.<sup>2</sup> He was made a Justice of the Peace for Ayr and Renfrew on 9 October 1663.<sup>3</sup> He was appointed a Commissioner for the Collection of the Excise on 23 January 1667,<sup>4</sup> and on the 3 September 1668 a commissioner of Militia for Ayr and Renfrew.<sup>5</sup> On 25 July 1674 he was in Paris,<sup>6</sup> and on 25 August in the same year he had a commission as captain in one of the three newly raised troops of Horse in Scotland.<sup>7</sup> He was lieutenant-colonel of the Guards on the Scottish establishment 1 November 1677.<sup>8</sup> He was in command at Glasgow when Claverhouse was defeated at Drumclog 1 June 1679, and brought him supports when he fell back on that town. Of the attack on Glasgow the next day by the Covenanters, Ross says in a despatch to Lord Linlithgow, written the same evening, 'I am sure this was the warmest day I saw the year.'<sup>9</sup> He died at Halkhead in April 1682, having married, first (contract dated 1, 10, and 11 October 1653<sup>10</sup>), Grizel Cochrane, only daughter of William, first Earl of Dundonald; she was buried 1 February 1665,<sup>11</sup> and he married, secondly, shortly after,<sup>12</sup> Jean Ramsay, eldest daughter of George, second Earl of Dalhousie. She survived him and was married, secondly (contract 26 December 1684), to Robert, Viscount Oxfuird, and died November 1696. Lord Ross had issue by his first wife:—

1. WILLIAM, twelfth Lord Ross.
2. *Grizel*, married to Sir Alexander Gilmour of Craigmillar, who died October 1731; she died at the Inch 10, and was buried at Liberton 14, June 1732<sup>13</sup> leaving issue.

Lord Ross had by his second wife:—

3. *Charles Ross* of Balnagowan, colonel of the 5th or Royal Irish Regiment of Dragoons from 1695-1715, and again from 1729-1732; he ranked as General in the Army from 1 April 1712. He entered heartily into the Revolution, but engaged in Sir James Mont-

<sup>1</sup> *Acta Parl. Scot.*, vii. 4. <sup>2</sup> *Ibid.*, *passim*. <sup>3</sup> *Ibid.*, 506. <sup>4</sup> *Ibid.*, 544. <sup>5</sup> *Memorials of the Montgomeries*, ii. 330. <sup>6</sup> *The Red Book of Grandtully*, by Sir W. Fraser, ii. 223. <sup>7</sup> *Dalton's Scots Army*, 99. <sup>8</sup> *Ibid.*, 25. <sup>9</sup> *Ibid.*, quoting *Lauderdale Papers*, iii. 166. <sup>10</sup> *Gen. Reg. Sas.*, vi. f. 338. <sup>11</sup> Funeral entry, Lyon Office. <sup>12</sup> Birthbrief, Lyon Office. <sup>13</sup> Funeral Entry, Lyon Office.



gomery's plot for the restoration of the abdicated family in 1690, and was committed to the Tower. He was one of the lessees of the Poll Tax 1693; was M.P. for Ross-shire 1707-1732, supported the Tory administration, and in consequence was deprived of his grant on the accession of George I.

He was one of the secret committee of the House of Commons to inquire into the conduct of the South Sea directors 1720, when Mr. Vernon, M.P. for Whitechurch, making corrupt application to him on behalf of Mr. Aislabie, a director, General Ross brought his conduct to the notice of the House, for which he received their thanks, and Mr. Vernon was expelled 12 May 1721.<sup>1</sup> Soon after the accession of George II. General Ross was restored to the command of his regiment. In 1712, on the death of David Ross of Balnagowan, he succeeded to those estates by separate destination. Although of the same name, no relationship between the two families can now be traced.<sup>2</sup> He died unmarried at Bath 5 August 1732,<sup>3</sup> and was buried at Fern in Ross-shire.

4. *Anna*.

5. *Jean*, married, as his first wife, to William, sixth Earl of Dalhousie, and had issue.

6. *Euphame*.

7. *Margaret*: all these four daughters being named in a writ of 27 March 1689.<sup>4</sup>

XII. WILLIAM, twelfth Lord Ross, was born about 1656,<sup>5</sup> had a charter of Melville, Halkhead, etc., 10 August 1669 as Master of Ross.<sup>6</sup> He had commissions as lieutenant 27 September 1678, and as captain 4 September 1680, in Lord Home's troop of horse; as captain in Claverhouse's regiment of horse 26 December 1682, and as major and captain in the same regiment 4 August 1686,<sup>7</sup> but three days afterwards he resigned.<sup>8</sup> He seems to have been an intimate friend of Claverhouse, and was one of the witnesses to his marriage in 1684. He was actively employed in the pro-

<sup>1</sup> *Gent. Mag.*, i. 382; ii. 929. <sup>2</sup> *Ane breve Cronicle of the Earlis of Ross*, App. 44, 45. <sup>3</sup> *Gent. Mag.*, ii. 929. <sup>4</sup> *Reg. of Deeds*, Durie, at date. <sup>5</sup> *Gent. Mag.*, viii. 165. <sup>6</sup> *Acta Parl. Scot.*, vii. 600. <sup>7</sup> *Dalton's Scots Army*, 110, 111, 135, 136. <sup>8</sup> *Ibid.*

ceedings against the Covenanters, and in 1685 was wounded in an action during the pursuit of Argyll.<sup>1</sup> He was present in the first Parliament of King William, and signed the declaration that it was a free and lawful meeting of the Estates.<sup>2</sup> He was one of the Commissioners chosen by the Scottish Estates to go to London to give the King an account of their proceedings. He took an active share in public business, and was one of the Commissioners appointed by Parliament in 1689 to consider the question of a Union.<sup>3</sup> On 18 May 1689 he was created a Privy Councillor. On the plea of pressure of Parliamentary duties he got himself excused from joining the Army raised against his old friend and commander Claverhouse.<sup>4</sup> Notwithstanding his apparent loyalty to the Revolution he was probably dissatisfied at not receiving some reward for his political services, and he became a member of the Society called 'the Club,' which had been formed by some discontented spirits. He went to London with the Earl of Annandale and Sir James Montgomerie, and not making way with the King there he took part in the 'Montgomerie Plot.' A patent as an Earl and a commission as colonel of the Horse Guards were actually sent him, it is said, by King James.<sup>5</sup> But the plot failed. Ross offered to make confession, and was sent by Melville to Queen Mary. He was ultimately sent to the Tower in July 1690,<sup>6</sup> but was liberated without prosecution, and returned to Scotland, where he seems to have taken up his Parliamentary duties with much assiduity. On 29 February 1704 he was appointed Lord High Commissioner to the General Assembly.<sup>7</sup> About 1707 he seems to have made an attempt to obtain a grant of the ancient earldom of Ross, much to the indignation of the old Earl of Cromartie, who styles him in a letter to Mar, then Secretary of State, a 'hot headed fool,' who has had 'his head turned round ever since he meddled with Bellnagowan,' and who had no more relation to the old Earls of Ross, directly or indirectly, 'than the miller of Carstairs has to the Prince of Parma.'<sup>8</sup> He died at Edinburgh on 15 March 1738, aged eighty-two,<sup>9</sup>

<sup>1</sup> *Twelfth Rep. Hist. MSS. Com.*, viii. 22. <sup>2</sup> *Acta Parl. Scot.*, ix. 9.

<sup>3</sup> *Ibid.*, 60. <sup>4</sup> *Melville Papers*, 195; *Fraser's Annandale Book*, cclxiv.

<sup>5</sup> *Ibid.*, cclxix. <sup>6</sup> *Luttrell's Short Relation*, 78. <sup>7</sup> *Annandale Book*, ii. 21.

<sup>8</sup> *Fraser's Earls of Cromartie*, i. clx-clxii. <sup>9</sup> *Gent. Mag.*, viii. 165.

having married, first, 7 February 1679, Agnes, daughter and heiress of Sir John Wilkie of Fouldean; secondly, Margaret, widow of Major Dunch, and then of Sir Thomas Sulyarde, and daughter of Philip, fourth Lord Wharton; thirdly, Anne Hay, eldest daughter of John, second Marquess of Tweeddale; fourthly (contract 16 June 1731), Henrietta, daughter of Sir Francis Scott of Thirlestane. She died at Edinburgh 16 January 1750.<sup>1</sup> By his first wife he had:—

1. GEORGE, thirteenth Lord Ross.
2. *John*, born 13 July 1687, died young.<sup>2</sup>
3. *Euphame*, born 10 November 1684,<sup>3</sup> married, first, about 1700, to William, third Earl of Kilmarnock; and, secondly, after 1717, John Murray.<sup>4</sup> She died shortly before July 1729.
4. *Mary*, born 18 July 1687;<sup>5</sup> married (contract 26 June 1710) to John, first Duke of Atholl.
5. *Grizel*, born 29 May 1662,<sup>6</sup> married, in or before 1715, to Sir James Lockhart of Carstairs, and died at Lockhartall in November 1749.<sup>7</sup>

By his second wife he had no children. By his third wife he had

6. *Anne*, who died unmarried.

By his fourth wife he had no issue.

XIII. GEORGE, thirteenth Lord Ross, born 8 April 1681.<sup>8</sup> He was a Commissioner of Supply as Master of Ross for Renfrew on 19 June 1702,<sup>9</sup> and for Edinburgh and Renfrew 5 August 1704.<sup>10</sup> In 1727 and in 1728 he was elected Lord Rector of Glasgow University.<sup>11</sup> In March 1738 he succeeded his father and was in the following June appointed Governor of Edinburgh Castle.<sup>12</sup> He was appointed a Commissioner of Customs and Salt on 13 February 1744, 29 October 1746, and 20 July 1751.<sup>13</sup> He succeeded, on the death of his son Charles, to the estate of Balnagowan in 1745.<sup>14</sup> He died at Ross House, Edinburgh, 17 June 1754.<sup>15</sup>

<sup>1</sup> *Gent. Mag.*, xx. 43. <sup>2</sup> Crawford's *Renfrew*, 519. <sup>3</sup> *Ibid.* <sup>4</sup> Cf. vol. v. 177. <sup>5</sup> Crawford's *Renfrew*. <sup>6</sup> *Ibid.* <sup>7</sup> Funeral entry, Lyon Office. <sup>8</sup> Crawford's *Renfrew*, 519; *Gent. Mag.*, xxiv. 292. <sup>9</sup> *Acta Parl. Scot.*, xi. 22. <sup>10</sup> *Ibid.*, 139, 144. <sup>11</sup> Fraser's *Maxwells of Pollok*, 96. <sup>12</sup> *Gent. Mag.*, viii. 325. <sup>13</sup> *Ibid.*, xiv. 109; xvi. 613; xxi. 333. <sup>14</sup> Ane breif Cronicle of the Earlis of Ross, App. 46. <sup>15</sup> *Edin. Tests.*; Ross House was on the site of the present gardens of George Square.

He married, about 1711, Elizabeth Ker, third daughter of William, second Marquess of Lothian,<sup>1</sup> and by her, who died 22 May 1758, he had:—

1. WILLIAM, fourteenth Lord Ross.
2. *Charles*, born 9 February 1721,<sup>2</sup> succeeded in 1732 to the estate of Balnagowan in virtue of an entail executed by his uncle 1727; M.P. for Ross-shire 1741; was an officer in the Army, and fell at the battle of Fontenoy 30 April 1745.
3. *George*, born 7 September 1722.<sup>3</sup> He predeceased his father.<sup>4</sup>
4. *Jane*, born 10 December 1719,<sup>5</sup> married, 28 July 1755, to John Mackye of Polgowan, advocate, M.P. for Lanark 1741-47, and for Kirkcudbright 1747-68, who assumed the name of Ross. She succeeded her brother William, last Lord Ross, in the estates of Hawkhead, and died without issue, at Clifton, 19 August 1777.<sup>6</sup> Her husband died in London in October 1797, aged ninety-one.
5. *Elizabeth*, born 16 April 1725, married, 7 July 1755, to John, third Earl of Glasgow,<sup>7</sup> and succeeded to her father's estate of Hawkhead on the death of her sister.<sup>8</sup> She died in London 9 October 1791,<sup>9</sup> and was buried at Renfrew.<sup>10</sup>
6. *Mary*, born 1730, died in London 22 October 1762, unmarried. She was one of the last persons in Scotland supposed to be 'possessed' of an evil spirit.
7. *Margaret*, born 1731, died unmarried.

XIV. WILLIAM, fourteenth and last Lord Ross, born about 1720;<sup>11</sup> was an officer in the Royal Army commanded by Lord Loudon at Inverness, where he arrived from Harwich 14 December 1745.<sup>12</sup> He was a Commissioner of Customs.<sup>13</sup> He succeeded his father in June 1754, but only survived him two months, dying at Mount Teviot, the seat of his uncle, the Marquess of Lothian, on 19 August 1754, unmar-

<sup>1</sup> *The Maxwells of Pollok*, ii. 356, 359. <sup>2</sup> *Crawfurd's Renfrew*, 219. <sup>3</sup> *Ibid.*, 519. <sup>4</sup> See will of George, thirteenth Lord Ross, in which William is described as his only son. <sup>5</sup> *Crawfurd's Renfrew*, 519. <sup>6</sup> *Ante*, iv. 215. <sup>7</sup> *Ibid.* <sup>8</sup> *Ibid.* <sup>9</sup> *Scots Mag.*, liii. 518. <sup>10</sup> See *ante*, iv. 216. <sup>11</sup> *Crawfurd's Renfrew*, 519. <sup>12</sup> Sir W. Fraser's *Chiefs of Grant*, ii. 194. <sup>13</sup> See his will.

ried.<sup>1</sup> Upon his death the title became extinct; the estate of Balnagowan went to his cousin Sir James Ross Lockhart, and his other property devolved on his sisters.

CREATION.—Lord Ross of Halkhead, 1502.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, or, a chevron chequy sable and argent between three water budgets of the second, for *Ross*; 2nd, gules, three crescents within a bordure argent charged with eight roses of the first.

CREST.—A hawk's head erased or.

SUPPORTERS.—Two gos-hawks proper, belled or.

MOTTO.—*Think on.*

[E. G. M. C.]

<sup>1</sup> Edin. Tests.

## LESLIE, EARL OF ROTHES



ESLIE, a barony or parish in the district of the Garioch, Aberdeenshire, was the earliest recorded possession of, and gave name to, the family, upon a cadet branch of which was afterwards bestowed the dignity of Earl of Rothes. The first-named ancestor and undoubted founder of the family was a certain

BERTOLF or Bartholomew, round whose name various traditions have formed, which need not be dwelt upon here, the rather that they are to be found in a work entirely devoted to the family.<sup>1</sup> So far as record goes, however, his name is known only from charters in which his son Malcolm is referred to, but he was probably of Flemish origin. He is said to have flourished at the court of King Malcolm III., and to have married a sister of that King. He is also said to have received the lands of Leslie for his services, and to have died, an old man, in 1121. Nothing of all this is authenticated, and it will be shown that he probably lived

<sup>1</sup> *Historical Records of the Family of Leslie*, by Colonel Leslie, K.H., of Balquhain, 3 vols. 8vo, 1869, referred to hereafter as *Hist. of Leslies*. It is to be noted, however, that evidence which the Colonel never saw, in the recently published *Chartulary of Lindores*, throws a different light on the earlier pedigree.



Roths





much later, while it is very doubtful if he ever possessed Leslie. He had issue :—

1. MALCOLM, son of Bertolf, of whom below.
2. *Norman*, son of Bertolf, a witness to a charter dated between 1200 and 1207, by Norman, son of Malcolm, granting the patronage of the church of Leslie to the monks of Lindores,<sup>1</sup> was possibly another son.

MALCOLM, son of Bertolf, the next on record, is said to have succeeded his father in 1121. But as he first appears in a charter which cannot be earlier than 1172, and may be after 1178, it is probable that he did not succeed so early. The charter is by Earl David, afterwards Earl of Huntingdon, and grants to Malcolm, son of Bertolf, and his heirs his land in Lesslyn [Leslie], as it was perambulated to or for him in presence of Matthew, Bishop of Aberdeen,<sup>2</sup> by the Earl's good men or tenants. This clause of the writ plainly shows that it is the first grant of the lands from which the family surname was derived, as the boundaries required to be walked over and settled. The other lands named in the writ, Achnagart, etc., are not referred to in the same terms, but are granted according to their right divisions, as if these had been already possessed by Malcolm or his father, and Leslie must therefore have been a new acquisition. The property was of importance, as the charter gave the power of pit and gallows, and the reddendo was the service of one knight. Malcolm is said by the family history to have died about 1176, but this is erroneous, and he must have been a much younger man at that date than he has been assumed to be. He is a witness to a charter granted by Earl David to the monks of Arbroath, which cannot be earlier than 1190,<sup>3</sup> and he appears also in other writs, which may be dated respectively in 1195, 1199, and 1200.<sup>4</sup> He died probably in 1200, as his son Norman granted the church of Leslie to the Abbey of Lindores between that and 1207. Malcolm had issue at least one son, perhaps two.

<sup>1</sup> *Chart. of Lindores*, Scot. Hist. Soc., 88. <sup>2</sup> *Hist. of Leslies*, i. 147; *Fourth Rep. Hist. MSS. Com.*, App. 493, where the witnesses are correctly given. Matthew became Bishop of Aberdeen in 1172. <sup>3</sup> *Hist. of Leslies*, i. 148; *Reg. Vet. de Aberbrothoc*, 56. <sup>4</sup> *Chartulary of Lindores*, Scot. Hist. Soc., 17, 81, and *Prior. S. Andree*, 266, 267.

1. NORMAN, who succeeded.
2. *Malcolm*, brother of the Constable, appears as a witness between 1243 and 1250.<sup>1</sup> He is said to have been 'killed in the Crusades,'<sup>2</sup> but no date is given nor any authority cited.

NORMAN, son of Malcolm, is first so designed in a charter by Earl David to the Abbey of Lindores, dated not earlier than 1200 and not later than 1207. He also appears in another charter dated about 1202-3 to the same monks,<sup>3</sup> as well as in a charter by Matthew, Bishop of Aberdeen, for the erection of St. Peter's Hospital, near Aberdeen, dated between 1182 and 1199,<sup>4</sup> where he is designed Constable of Inverury, an office which was long in his family. Colonel Leslie states that his father Malcolm was the first Constable, but the authority given has not been found to bear out the statement. Norman, son of Malcolm, some time between 1200 and 1207, granted to the monks of Lindores the church of Leslie, with all its emoluments, for the souls of Earl David and Matilda, his wife, and also for himself and A——, his wife. This writ was confirmed about the same date by Earl David himself, and at a later period by the granter's son.<sup>5</sup> Norman, son of Malcolm, had also a renewal of the grant of his lands of Leslie and others from his superior, John, Earl of Huntingdon, son of Earl David, at a date between 1219 and 1237. The grant of the church of Leslie by Norman to Lindores is specially safeguarded and an increase to his estate is made by the bestowal of the lands of Caskieben.<sup>6</sup> In charters by Earl John about same date Norman is styled Constable.<sup>7</sup> He died before August 1243, as appears from a charter of that date by his son and successor. His wife's name is unknown, her initial only being given in the grant of the church cited above.<sup>8</sup> He had issue:—

1. NORMAN, who succeeded.

<sup>1</sup> *Chart. of Lindores*, 62. <sup>2</sup> *Hist. of Leslies*, i. 10. <sup>3</sup> *Chart. of Lindores*, Scot. Hist. Soc., 8, 11. <sup>4</sup> *Registrum Aberdonensis*, i. 11; cf. also *Hist. of Leslies*, i. 149, 150, where the date is given as 1165-69, but it cannot be earlier than is stated in text. <sup>5</sup> *Chart. of Lindores*, 88-90. <sup>6</sup> *Fourth Rep. Hist. MSS. Com.*, App. 493. <sup>7</sup> *Chart. of Lindores*. <sup>8</sup> Colonel Leslie says this Norman married the daughter of a Stewart of Lorn. There was then no Stewart of Lorn, and a possible connection with the ancient Lords of Lorn is not substantiated.

2. *John*, who is referred to as brother of Norman in the latter's grant confirming the church of Leslie to Lindores.<sup>1</sup>

A Sir Andrew de Lescelin (or Leslie), knight, appears as a witness in Norman Leslie's charter of 1253, cited below.

NORMAN, son of Norman, succeeded. He is, in the earliest known reference to him, as a witness to a charter (dated before 1211) by Fergus, Earl of Buchan, to John, son of Uchtred,<sup>2</sup> called 'Norin, son of Norman,' 'Norino' by Colonel Leslie, but in dated charters granted by himself on 25 August 1243 and 12 July 1253 he styles himself 'Norman, son of Norman the Constable,' and 'Norman of Lescelin, son of Norman the Constable.' In the earlier writ he confirms to the monks of Lindores the grant made by his father of the church of Leslie; and in the later writ he hands over to them all rights of bondship over a certain man and his issue, and quitclaims his rights in favour of the abbey.<sup>3</sup> Between these two dates, in the year 1248, he had a grant from King Alexander II. allowing him to hold his lands of Leslie and the wood of Leslie in free forest. This was done at the request of his immediate superiors, Isobel, the second daughter of Earl David, and her son Robert Bruce, who had succeeded *inter alia* to the Earl's lands. In this charter he is also styled 'Norin,' son of Norman the Constable,<sup>4</sup> and is referred to as their 'tenant' in the lands. Norman or Norin was the first to assume the surname of Leslie, and he styles himself Norman of Leslie, son of Norman, in the charter of 12 July 1253 already cited. How long after this he lived has not been ascertained. It has been stated that he married the heiress of Teases and other lands in Fifeshire, whose name, according to Colonel Leslie, was Blair. But the evidence advanced is not conclusive.

Colonel Leslie states that Norman was father of a

<sup>1</sup> *Chart. of Lindores*, 90. Colonel Leslie names a *Leonard* and a *Bartholomew* as sons, but there does not appear to be any authentic proof of their existence. <sup>2</sup> *Antiq. of Aberdeen, etc.*, i. 409; vol. ii. of this work, 251, 252. <sup>3</sup> *Chart. of Lindores*, 90, 91. <sup>4</sup> *Fourth Rep. Hist. MSS. Com.*, App. 493. It would appear, however, that 'Norin' is either a contraction or a misreading for 'Norman.'

*Leonard* Leslie and *William*, Abbot of Cupar, but there is no evidence as to *Leonard*, and though there was a *William*, Abbot of Cupar, from 1258 to 1272, whose surname is unknown, there is nothing to show that he was a Leslie. A *Simon de Lescelyn* or Leslie appears in 1278 as a witness to a writ signed in the Castle of Edinburgh, but nothing further is known of him.<sup>1</sup> The only issue of Norman, so far as known, was one son,

SIR NORMAN, who succeeded, though at what date is not certain, but he is styled Sir Norman of Leslie, knight, as a witness to a charter in the Register of Arbroath, of uncertain date, but not later than 1269.<sup>2</sup> There is no other mention of Sir Norman until 1296, when he did homage to King Edward I. at Aberdeen on 15 July in that year, and again on 28 August.<sup>3</sup> He appears in the earlier part of the struggle for independence to have joined the English party, as Edward I. appointed him Sheriff of Aberdeen, and he was summoned to the English Parliament as such in 1305.<sup>4</sup> He is said, however, to have joined Bruce before December 1314. He was apparently alive on 19 June 1317, and died between that date and 1320, when his son was Lord of Leslie. His wife is not certainly known. One authority asserts that he married Elizabeth Leith, heiress of Edengarioch, while another alleges that he married the heiress of Rothés. He had issue, so far as recorded, one son,

SIR ANDREW, who succeeded.

According to the family historians, Sir Norman had two daughters, *Margaret*, married to Sir John Innes of Innes, and *Ann*, married to Sir Alexander Dunbar of Westfield, but dates will not admit of this.

SIR ANDREW, who succeeded, appears only twice on record. He was Lord of Leslie in 1320, when he, with other Barons of Scotland, signed the letter to Pope John xxii. dated from Arbroath, declaring the Independence of Scot-

<sup>1</sup> *Reg. de Dunfermelyn*, 52, 53. <sup>2</sup> *Reg. Vet. de Aberbrothoc*, 337. *Freskin de Moravia*, also a witness, died in 1269. <sup>3</sup> *Cal. Doc. Scot.*, ii. 195, 203. <sup>4</sup> *Ibid.*, 458. His seal [Plate II. No. 17] shows six shields in a circle, conjoined in base, each charged with three round buckles on a bend. Legend: 'S. Normanni de Lecelin, militis.

land. Nothing of any public interest is recorded of him, but on 19 June 1317, he, with consent of his wife, obliged himself to infest Sir William Lindsay, Rector of Ayr, in twenty-four merks of land in his tenement of Cairney, co. Forfar.<sup>1</sup> Sir Andrew died sometime between April 1320 and 28 November 1324, when his widow received a dispensation for a second marriage. Sir Andrew married Mary Abernethy, daughter and coheirress with her sister Margaret, Countess of Angus, of Sir Alexander Abernethy. She survived him, and married, secondly, Sir David Lindsay of Crawford. (*See title* Crawford.) They had issue:—

1. *Sir Andrew*, who succeeded to the estates, before 28 November 1324. It is not known whom he married, but he is said to have died before 1353, certainly before 1365. He had issue:—

- (1) *Andrew* Leslie, who succeeded.
- (2) *Margaret*, married to David de Abercromby, who had from his brother-in-law, on 30 May 1391, a charter of the lands of Achquhorties and Blairdaff, co. Aberdeen.<sup>2</sup>

*Andrew Leslie of that Ilk* is found about 1365 and 1373 granting charters in which Walter Leslie, afterwards Earl of Ross, is styled his uncle.<sup>3</sup> It is unnecessary here to give particulars of his history, except that a year or so before his death, and sometime after the death of his eldest son, as stated below, he, on 24 October 1396, disposed of his cousin George of Leslie, Laird of Rothies, all his rights in the barony of Cairney in Perthshire.<sup>4</sup> He died about 1398. The name of his wife has not been ascertained, but he had issue, so far as known, one son,

- i. *Norman Leslie*, who in 1389 had a resignation from his father of the estates, and executed an entail, followed by a Crown charter, on 18 August 1390, of the lands to himself and his heirs-male, whom failing, to Sir George Leslie of Rothies.<sup>5</sup> He joined with his father in an agreement, 24 November 1390, with Andrew Leslie, Laird of Balquhain, when they also obliged themselves to procure the confirmation of Sir George in the premises. He died, *v.p.*, between 30 May 1391 and 7 January 1391-92, when Sir George Leslie was retoured to him as heir of tailzie.<sup>6</sup> Norman, however, whose wife was apparently a daughter of Sir Thomas Hay of Erroll (*see title* Erroll) had a son,

*David Leslie of that Ilk*, who was absent from Scotland so long that he was believed to be dead, and, as stated, Sir

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<sup>1</sup> *The Douglas Book*, iii. 391. <sup>2</sup> Charter quoted in *Hist. of Leslies*, i. 155.  
<sup>3</sup> *Ibid.*, i. 24, 25. <sup>4</sup> *Fourth Rep. Hist. MSS. Com.*, 494. <sup>5</sup> *Reg. Mag. Sig.*, i. No. 808. <sup>6</sup> *Fourth Rep. Hist. MSS. Com.*, 503.

George Leslie of Rothés or of Fithkill was served heir to his father Norman in January 1392. But on David's return he obtained possession of the lands, and confirmed the entail of 1390 in favour of Sir George Leslie.<sup>1</sup> He renewed this confirmation in 1438 in favour of Norman Leslie, son of Sir George, and died in March 1438-39.<sup>2</sup> He is said to have married Margaret, daughter of Sir Robert Davidson, Provost of Aberdeen, and to have left a daughter, on whom he settled the barony of Leslie in the Garioch. His other estates went in terms of the entail to Norman Leslie of Rothés, of whom later. The daughter was, it is said, married to Alexander, second son of Sir Andrew Leslie, third of Balquhain, from whom descended the Leslies of that Ilk. Her name, according to Colonel Leslie was *Elizabeth*, but it was probably *Joanna*, as there is a seal, of date 1427, with impaled arms; dexter, on a bend three buckles; sinister, on a bend sinister, three buckles. Legend: Joan . . . Lesle lady of. . .<sup>3</sup>

2. *Norman*, who appears first on record on 10 May 1356, when, as Norman Leslie 'Domicellus' of Scotland, he is a witness to the commission by Robert, Steward of Scotland, appointing ambassadors to treat on behalf of the ransom of King David II.<sup>4</sup> He and his brother Walter, afterwards Earl of Ross, had a joint safe-conduct to pass to Prussia in August 1356.<sup>5</sup> Norman returned to Scotland before May 1358, was appointed one of the Scottish ambassadors to Rome, acted as Deputy Chamberlain of Scotland, and also in 1359 as a commissioner to treat with England.<sup>6</sup> In May 1359 he accompanied Sir Robert Erskine on a special mission to France.<sup>7</sup> On 1 September that year he had an indult from Pope Innocent VI. to Norman de Lesly, laic, and Margaret his wife, both of St. Andrews diocese, to choose a confessor.<sup>8</sup> He appears later in various public matters, the last

<sup>1</sup> *Fourth Rep. Hist. MSS. Com.*, 503. <sup>2</sup> *Ibid.* <sup>3</sup> *Scottish Armorial Seals*, by W. Rae Macdonald, No. 1615. <sup>4</sup> *Fœdera*, Record ed., iii. part ii. 329. This Norman Leslie is to be distinguished from another of the same name, a Mr. Norman Leslie, who in 1342 held the church of Flisk, co. Fife, but was to resign it on being provided to a canonry in Moray. In 1344, he was allowed to remain at a university for three years, and to draw the revenue of the rectory of Douglas for his support. He is named as a witness to a transaction affecting the church of Auchtermuchty in December 1350 (*Cal. Papal Letters*, iii. 59, 172, 540), and it was he, and not the layman, who had a grant of certain rents in 1348 from the High Steward of Scotland (*Exch. Rolls*, i. 543). <sup>5</sup> *Rotuli Scotiae*, i. 797. <sup>6</sup> *Ibid.*, 823, 827. <sup>7</sup> *Exch. Rolls*, ii. p. xlvi. <sup>8</sup> *Reg. Avenionensis*, 140 f. 381.

record of him in Scotland being as a witness to the High Steward's submission to King David II. at Inchmurdoch on 14 May 1363.<sup>1</sup> One chronicle, however, states that he and his brother Walter took part in the successful assault of Alexandria by the Christians against the Saracens on 9 October 1365.<sup>2</sup> He died or was killed between that date and 11 February 1366-67, when King David II. confirmed an undated charter by Margaret Leslie, relict of the late Norman Leslie. Her maiden surname is not given, but she describes herself as the great-granddaughter<sup>3</sup> of the late Sir Alexander Lamberton, knight, and grants to her cousin or kinsman William Guppyld and his son Norman, certain lands which had come to her in right of her great-grandfather.<sup>4</sup> This writ has been founded on<sup>5</sup> as showing that Norman Leslie and his wife had no children, but the evidence is not sufficient to prove this, as the lady is dealing not with the Leslie estates but with her own property, which she for some reason wished to go to her own relatives. The writ does not exclude the possibility of Norman Leslie having issue, and though no corroborative evidence is forthcoming, it may be suggested that he was the father of

*George Leslie of Rothés, the heir of entail of the family estates.*<sup>6</sup>

3. *Walter*, apparently Norman's younger brother, as when they are named together, Walter is named last. He married, in 1366, Euphemia Ross, Countess of Ross, and became through her Earl of Ross. (*See that title.*)
4. *George*, the reputed ancestor of the Leslies of Balquhain.

SIR GEORGE LESLIE, the first of his family who is clearly

<sup>1</sup> Fordun à Goodall, ii. 369, 370. <sup>2</sup> *Ibid.*, 488 n. <sup>3</sup> Colonel Leslie inadvertently styles her 'granddaughter.' <sup>4</sup> *Reg. Mag. Sig.*, i. No. 247. <sup>5</sup> *Hist. of Leslies*, i. 22. <sup>6</sup> Macfarlane (*Gen. Coll.*, ii. 457) expresses the same opinion, founded, as he alleges, on a charter in the Chartulary of Arbroath, but that charter has not been found. The various mss. which Macfarlane quotes mix up the members of the Leslie family inextricably, so that not much reliance can be placed upon their testimony.

known to have possessed Rothes, the property which afterwards gave name to the earldom, is usually asserted to be, and probably was, the grandson of Sir Andrew Leslie and Mary Abernethy, already referred to, but who his father was has not been clearly ascertained. Colonel Leslie leaves the name of his immediate ancestor blank, but it is not impossible that, as already indicated, he was the son of Norman Leslie who died about 1366, though it may be noted that Euphemia, Countess of Ross, widow of Walter Leslie, Earl of Ross (*see that title*), calls Sir George Leslie her 'brother' in a charter of 8 August 1394.<sup>1</sup> In any case, Sir George was heir of entail to his cousin or kinsman Norman Leslie, eldest son of Sir Andrew Leslie of that Ilk, under a charter by King Robert III. 18 August 1390, proceeding on a resignation of the lands of Ballinbreich in Fife, Lour and Dunlappie in Forfarshire, and Cushnie and Rothienorman in Aberdeenshire, made in the hands of King Robert II. by Norman Leslie in favour of himself and his heirs-male, whom failing, to Sir George Leslie.<sup>2</sup> Norman Leslie died in 1391, in the lifetime of his father Sir Andrew, and Sir George Leslie was duly served to him as heir of entail. He did not, however, enter into possession of the lands, as Sir Andrew, the liferenter, did not die till 1398, while his grandson David, who had been believed dead, returned to Scotland and obtained possession of the family estates. The entail, however, took effect in the lifetime of Sir George's son, as will appear later.

Sir George Leslie is first on record in April 1387, and is so designed, but is for the first time styled 'of Rothes' on 26 April 1392, when he was a party to a contract of marriage between his niece Elizabeth Elphinstone and 'Eliseus' Kinninmont, son and heir of the late Alexander Kinninmont of that Ilk.<sup>3</sup> Between 1387 and 1411 he appears very frequently as a witness to Crown charters, especially after the death of King Robert III.<sup>4</sup> About 1400 he changed his designation to 'Sir George Leslie of Fythkill,' having, on 5 February 1397-98, received a royal charter of the barony of Fythkill in Fife (now known as Leslie) resigned

<sup>1</sup> *Family of Rose of Kilravock*, 122. <sup>2</sup> *Fourth Rep. Hist. MSS. Com.*, 503.

<sup>3</sup> *Ninth Rep. Hist. MSS. Com.*, App. 188. <sup>4</sup> *Reg. Mag. Sig.*, (1406-11), *passim*.



in his favour by his 'cousin' Alexander Leslie, Earl of Ross.<sup>1</sup> The same Earl, also in 1400, made other grants of lands in co. Kincardine in Sir George's favour.<sup>2</sup> The last date on which Sir George Leslie's name appears on record is 5 February 1411-12. He married Elizabeth Hay, daughter of Sir Thomas Hay of Erroll, by Elizabeth, daughter of King Robert II. (*See title Erroll.*) They had, so far as recorded, one son,

NORMAN LESLIE, who succeeded his father, and first appears on record in December 1423, when he received a safe-conduct to attend King James I. on his return from captivity. On 16 July 1425 he became one of the hostages for payment of the King's ransom, but on 9 November 1425 Henry Douglas of Lochleven took his place. He appears to have been styled sometimes 'of Fythkill,' sometimes 'of Rothés.' In 1439, after the death of his 'cousin,' Sir David Leslie of that Ilk, he succeeded to the barony of Ballinbreich and the other lands named in the entail of 1390 made by Sir David's father as already stated. He was on 19 May 1439, at Cupar, in Fife, duly retoured to his cousin Sir David, as the nearest lawful heir of entail,<sup>3</sup> but appears to have died soon afterwards, certainly before February 1439-40.<sup>4</sup> He married, in terms of a papal dispensation, dated 2 September 1416,<sup>5</sup> Christian Seton, daughter of Sir John Seton of Seton, and had issue, so far as known, one son,

1. GEORGE, who succeeded.

He had also a natural son *John*, who on 22 July 1442 received from his brother George a grant of the lands of Foulis-Mowat, in the earldom of Mar, as stated below.

I. GEORGE LESLIE, who succeeded, is said to have been born about 1417, and was retoured heir to his father in the lands of Innergellie, held of the Bishop of St. Andrews, on 3 February 1439-40. He is then styled Lord of Leslie. Under the same designation he entered into an agreement of excambion with Sir Walter Ogilvy of Beaufort of the

<sup>1</sup> *Fourth Rep. Hist. MSS. Com.*, App. 494. <sup>2</sup> *Ibid.*, 494-495. <sup>3</sup> *Ibid.*, 503. <sup>4</sup> *Ibid.*, 495. <sup>5</sup> *Ibid.*, 506, 507, where and by Colonel Leslie the year (22 Benedict XIII.) is erroneously given as 1414.

lands of Dunbog for those of Fettercairn in co. Forfar, dated at Lindores 23 March 1441-42.<sup>1</sup> On 22 July 1442, as Lord of Fythkill, he granted a charter to his brother natural, John Leslie, of the lands of Foulis-Mowat, in the earldom of Mar, reserving to the granter the top of the hill on the north side of the dwelling-house as a place for holding his courts, a grant confirmed by Robert Erskine, Earl of Mar, on 10 August 1442.<sup>2</sup> A few years later George Leslie was created a Lord of Parliament, under the title of LORD LESLIE upon Leven. According to an old, if not contemporary, chronicle, he was so created in 1445,<sup>3</sup> and this is so far corroborated by two charters granted by him as Lord Leslie, in May 1448, to Luke Stirling of the lands of Keir and others.<sup>4</sup> He appears as Lord Leslie in various writs up to 5 November 1457, when as George, Lord Leslie, he was one of the Privy Council who decided against Thomas, Lord Erskine, the question of his right to the earldom of Mar,<sup>5</sup> and between that date and 20 March 1457-58 he was raised to the dignity of EARL OF ROTHES, LORD LESLIE. On the latter date he is styled Earl by King James II. in a charter granting and confirming to him the lands and barony of Ballinbreich, and the other lands previously named, united into one free barony to be called the barony of Ballinbreich.<sup>6</sup> On the following day, 21 March, his town of Leslie Green was erected into a free burgh of barony.<sup>7</sup>

It is unnecessary to recount here all the transactions recorded by his family biographer, but one or two special items may be noted. In July 1464 the Earl was accused of traitorously forging an acquittance by King James II. for the sum of 200 merks, but after a trial before Gilbert, Lord Kennedy, as Justiciar, the young King James III. being present, he was, on 15 October 1464, triumphantly acquitted.<sup>8</sup> Perhaps the charge of forgery rose out of an incident of the year 1461, though after the death of James II. On or about 2 March 1460-61, while Parliament, begun on 22 February, was sitting, the Earl made intimation at the Cross of Edinburgh that he had lost a box containing his

<sup>1</sup> *Fourth Rep. Hist. MSS. Com.*, 495; *Hist. of Leslies*, ii. 19. <sup>2</sup> *Ibid.*, 19, 20. <sup>3</sup> Fordun à Goodall, ii. 452. <sup>4</sup> *Stirlings of Keir*, 221, 222. <sup>5</sup> *Mar Minutes*, 95-99. <sup>6</sup> *Hist. of Leslies*, ii. 17, 18. <sup>7</sup> *Fourth Rep. Hist. MSS. Com.*, App. 495, 503. <sup>8</sup> *Ibid.*, 507, 508; *Reg. Mag. Sig.*, 15 October 1464.

seal, which he did not recover for the space of a night and part of the next day. Therefore, in case of misuse of his seal, he appointed a date when any deeds or writs granted by him would be ratified. Deeds produced after that date sealed with the lost seal would be void, as he made it known that his seal would be altered.<sup>1</sup> On 10 February 1486-87 he was the object of a curious summons on the part of King James III. commanding him to allow his grandson George, Master of Rothes, sufficient sums of money to furnish himself with servants, horses, and other necessaries that he might remain with the King and give due service; failing this the Earl was to ward himself in the Castle of Dumbarton.<sup>2</sup> He did not take much part in public affairs, but appears to have frequently attended Parliament between October 1467 and April 1481. He also sat in the first Parliament of King James IV. held in October 1488. He died between 31 August 1489 and 24 May 1490, at which last date a precept was issued for infefting his heir in an annualrent of five merks from lands in the barony of Lathrisk.

The first Earl of Rothes married, first, about 1435, Margaret Lundin, daughter of John Lundin of that Ilk in Fife; secondly, about 1440, Christian, daughter of Walter Halyburton of Dirleton, by Lady Isabel Stewart, daughter of Robert, Duke of Albany. In 1459 the Earl raised an action of divorce against his wife, on the plea of relationship within the forbidden degrees. On 16 May 1459 the matter was put to arbitration by the parties concerned, when it was decided, on 22 May, that the divorce should go on, but that, first, the Earl should take action against all having any knowledge of or concealing the papal dispensation, if such had been obtained, and secondly, he should declare on oath that he knew of the impediment within the past year, but before that, for thirteen years after the birth of his youngest child then alive, he was not aware of it.<sup>3</sup> The Earl married, thirdly, Elizabeth Campbell, who survived him, and was still alive on 17 May 1491. His issue were:—

1. ANDREW, Master of Rothes.

<sup>1</sup> *Fourth Rep. Hist. MSS. Com.*, App. 507. <sup>2</sup> *Ibid.*, 508. <sup>3</sup> *Ibid.*, 507.

2. *Margaret*, only child of first marriage. She was contracted, about 10 July 1458, to William Leslie, son and apparent heir of Alexander Leslie of that Ilk, but it is uncertain if the marriage took place. Later she married Alexander Cumming of Earnside, as appears from an assignation dated 9 August 1488.<sup>1</sup>
3. *Elizabeth*, by second marriage, married (contract dated 14 October 1485, and tocher 1000 merks) to William, third Earl of Erroll, with issue; surviving him, she married, secondly, Sir William Edmonstone of Duntreath, and died between May 1509 and August 1511.<sup>2</sup>
4. *Christian*, married (dispensation dated 29 April 1458) to William, eldest son of William, Earl of Orkney and Caithness, and had issue.<sup>3</sup> (*See title Sinclair.*) According to Colonel Leslie she was also married to George Leslie of that Ilk, but he founds on a writ of 20 May 1478, whereas she was still Sinclair's wife on 20 July 1487.<sup>4</sup> She was still alive, and apparently a widow, on 20 February 1491-92.<sup>5</sup>

*Christian*, also a daughter of the same name, if not illegitimate, is said to have been married to George Leslie of that Ilk.

ANDREW, Master of Rothes, appears on record only once or twice. He was already a knight on 16 November 1458 when he received from King James II. a charter of the lands of Teasses in Fife and Rothienorman, co. Aberdeen, resigned by his father.<sup>6</sup> He died in the lifetime of his father, before January 1477-78, when his son is named as heir to his grandfather. He married Elizabeth, daughter of William, Earl of Orkney and Caithness. She survived him and died about 1508.<sup>7</sup> He had issue:—

1. *John Leslie*, styled of Balmain. Little or nothing is known of his personal history except that as grandson

<sup>1</sup> *Hist. of Leslies*, ii. 27. <sup>2</sup> Vol. iii. of this work, 566; *Edmonstones of Duntreath*, 82. <sup>3</sup> Vol. ii. of this work, 334; cf. *Acta Dom. Conc.*, ms. xxi. f. 31. <sup>4</sup> *Hist. of Leslies*, i. 48; ii. 28; *Reg. Mag. Sig.*, 20 July 1487. <sup>5</sup> *Acta Auditorum*, 168. <sup>6</sup> *Hist. of Leslies*, ii. 31. <sup>7</sup> Her name is usually given as Marjory, but it appears as Elizabeth in the retour of her son George to his father, 17 April 1509; *Hist. of Leslies*, ii. 212; cf. also Protocol Book of James Young, 10 September 1497.

and apparent heir of George, Earl of Rothes, he had, on 21 January 1477-78, a charter to him and his wife of the lands of Balmain in Kincardine, and he died, comparatively young, between May 1478 and 23 June 1481, when his widow renounced her terce. He died without issue, having married, before 16 January 1477, Janet Keith, daughter of William, first Earl Marischal. She survived him, and married, secondly, about 23 June 1481, Thomas Stewart, second Lord Innermeath,<sup>1</sup> and had issue. (*See that title.*)

2. GEORGE, second Earl of Rothes.

3. WILLIAM, third Earl of Rothes.

II. GEORGE, second Earl of Rothes, succeeded to his grandfather the first Earl between 31 August 1489 and 24 May 1490. The following day a precept was issued for infefting him in the barony of Ballinbreich, including the lands already named on a previous page (272), with the addition of Balmuto in Fife.<sup>2</sup> A few months later, on 22 October 1490, the Lords of Council found that at his service as heir, certain of his lands had been undervalued by the jury. He was also on the same day directed to pay a considerable sum of money in name of nonentry.<sup>3</sup> On 16 April 1492 a precept was issued for infefting him in the lands and barony of Leslie in Fife. In 1498 he was accused of the murder of a man named George Leslie, and summoned to underlie the law with others his accomplices, but refusing to appear, he was fined at intervals considerable sums of money. This apparently led to the representation made in 1506 by his brother and next heir, William Leslie, to King James IV. that the Earl was losing his ancient heritage in disinheriting his heir, contrary to Divine law. The petitioner begged for a remedy, and the King granted to him and other relatives full licence to remain with the Earl, and give him good council that he might not be misguided and his lands wasted.<sup>4</sup> It would appear that the Earl had already, so

<sup>1</sup> *Hist. of Leslies*, ii. 31, 32, where Lord Innermeath is called 'John'; but cf. *Acta Dom. Conc.*, ms. vol. xix. f. 211, where she appears as wife of Earl Thomas. <sup>2</sup> *Ibid.*, 33. <sup>3</sup> *Acta Dom. Conc.*, 153, 154. <sup>4</sup> *Fourth Rep. Hist. MSS. Com.*, App., 508.

early as 1495, been interdicted from alienation of his lands, a fact which he pleaded in bar of an action against him.<sup>1</sup> It must be admitted, however, that the Earl's patrimony suffered a good deal from the claims of the Crown in the form of processes of recognition. On 3 March 1507-8 the Lords of Council declared his lands of Balmain to have been in the hands of the Crown for eighty years, and a decree was issued apprising the lands for £2210 Scots,<sup>2</sup> after which the King, on 13 May 1510, granted them to Sir John Ramsay. Other portions of the Earl's estates were also granted away by the King, redeemable on payment of the Crown casualties, and this tended to diminish his rental for the time. On 17 April 1509 he was retoured heir of his father, Andrew Leslie, in the lands of Rothienorman, co. Aberdeen, which had now come into the King's hands by the death of his mother, Elizabeth Sinclair, who must have died shortly before.<sup>3</sup> He died some time between August 1511 and 31 March 1513, without surviving issue, and was succeeded by his brother William. George, second Earl of Rothes, is said to have died unmarried, but this was not quite the case, though his married life was brief. He married, as Master of Rothes, between 1484 and October 1488, Jane, or Janet, Douglas,<sup>4</sup> fifth daughter of George, fourth Earl of Angus, and widow of David Scott, younger of Buccleuch, and by her appears to have had a son, though this is not certain.<sup>5</sup> She was dead before 10 July 1494, when her brother Archibald, Earl of Angus, was acting as her executor.<sup>6</sup>

III. WILLIAM, third Earl of Rothes, succeeded his brother sometime before 31 March 1513, but the family affairs seem to have been in too great a confusion to allow him to make

<sup>1</sup> *Acta Dom. Conc.*, 411. <sup>2</sup> *Ibid.*, xix. ff. 198, 238; *Fourth Rep. Hist. MSS. Com.*, App., 497, 498. <sup>3</sup> *Retour, Hist. of Leslies*, ii. 213. <sup>4</sup> *Acta Dom. Conc.*, 88. <sup>5</sup> *Ibid.*, 293, where there is reference to a contract of 2 October 1492 as to her terce from the Earl's lands, and 'sustentation' for her and her son, but this may have been her son by her first husband; *Scotts of Buccleuch*, i. 57, ii. 70. Macfarlane, however (*Gen. Coll.*, ii. 426), quotes an 'old ms.' to the effect that the Earl had by his wife 'a son Walter, who for his beautie was called the fair Master of Rothes,' whom for his prodgality the Earl imprisoned in Lochleven. The young man, it is said, took it so much to heart that he died soon after his release, without issue. <sup>6</sup> *Acta Dom. Conc.*, 370.

good his title, and he was killed at Flodden before he had received proper legal possession of the estates. He appears first on record on 3 June 1490, when he entered into a bond of manrent with William, Earl of Erroll, to serve him for two years.<sup>1</sup> As already stated, in 1506 he made an effort to check the dismembering of the family inheritance, and received the King's licence to that effect. On 7 August 1511 he had a royal charter of the lands of Easter Fithie in the barony of Fithie, co. Forfar. Earl George had by his conflicts with the Crown alienated much of his land, and his chief barony of Ballinbreich was, in 1510, made the subject of an agreement with the High Treasurer. It was really adjudged from the Earl, but he was to redeem it by paying 2000 merks Scots, of which the Earl paid 1400 before his death. On 31 March 1513, after the Earl's death, Parliament ratified the agreement and declared that it must be kept in every point, anything done by the King in prejudice of it to be void. A few months later, on 29 June 1513, the King granted to William Leslie, as brother and heir to the late George, Earl of Rothes, a gift of the nonentry duties, rents and profits of the barony of Ballinbreich, with powers to hold courts and as freely as his late brother did, and as freely as he himself might do, if he were entered heir to his brother in the lands.<sup>2</sup> On 14 July same year the King issued a signature narrating the agreement of 1510, and expressing his desire that it should be fulfilled to William Leslie, and granting to the latter and his heirs the lands and barony of Ballinbreich in heritage, as if the grantee had a charter under the Great Seal. This writ would no doubt have been followed by charter and sasine, but that within a few weeks later, on 9 September, King and subject were both killed at Flodden.

William Leslie married Jonet,<sup>3</sup> daughter of Sir Michael Balfour of Montquhanie, and had issue:—

1. GEORGE, fourth Earl of Rothes.
2. *John Leslie*, who held the rectory of Kinnore in

<sup>1</sup> Spalding Club *Miscellany*, ii. 259. <sup>2</sup> *Reg. Sec. Sig.*, i. No. 2501. <sup>3</sup> She is usually called Margaret, but her name appears as *Jonet* Balfour, Countess of Rothes, in an action between her and Elizabeth Wemyss, widow of John Strang, in Teasses, begun on 14 August 1518, and continued until submitted to arbitration (Sheriff-Court Book of Fife, 1514-22, 40-43).

Aberdeenshire. He had a charter of the lands of Parkhill, with meadow and orchard, in Fife, on 24 March 1537-38,<sup>1</sup> and a renewal, with additions, on 10 July 1542, to himself and his wife.<sup>2</sup> As John Leslie, brother of the Earl of Rothes, he appears as one of the Royal Household, and receiving grants of livery in 1534 and 1538, up to 1541.<sup>3</sup> He was taken prisoner at the rout of Solway on 24 November 1542, but was released on 1 July 1543, on payment, it is said, of 200 merks sterling.<sup>4</sup> He took an active part in the assassination of Cardinal Beaton, along with his nephew, Norman Leslie, and his estates were forfeited by Parliament on 14 August 1546.<sup>5</sup> His lands of Parkhill were, on 25 October 1557,<sup>6</sup> granted to John Grant of Freuchie, but were restored to him by Parliament in 1563, and resigned to him by Grant on 8 August 1567.<sup>7</sup> John Leslie, like his fellow-conspirators, took refuge in the Castle of St. Andrews, but ere long went up to London with Mr. Henry Balnaves to negotiate for aid from England. He seems to have preceded Balnaves, as the latter writes to the Protector Somerset from Berwick, on 18 April 1547, asking that John Leslie be well treated and amused with hunting or hawking until he himself can reach London.<sup>8</sup> Later, in 1558 and 1564, he appears in the north as a witness to charters by his friend, John Grant of Freuchie, and others.<sup>9</sup> On 3 July 1575 he received a formal discharge or remission from the friends of the slain cardinal.<sup>10</sup> In the years 1583-85 he is found dealing largely with the rents of the lands of Naughton and Bogie in Fifeshire, belonging to his niece, Janet Leslie, wife of John Grant of Freuchie,<sup>11</sup> and he died on 6 September 1585.<sup>12</sup>

He married Euphemia Moncrieff, said to be second daughter of Sir John Moncrieff. It is said they were

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.*, at date. <sup>3</sup> *Accounts of Lord High Treasurer*, vols. vi., vii. and viii. <sup>4</sup> Rymer's *Fœdera*, xiv. 797. <sup>5</sup> Knox, *Hist. of Reformation*, Wodrow ed., i. 175 *et seq.*; *Acta Parl. Scot.*, ii. 467, 468. <sup>6</sup> *Reg. Mag. Sig.*, at date. <sup>7</sup> *Hist. of Leslies*, ii. 151. <sup>8</sup> *Cal. of Scot. Papers*, i. 6; cf. 102. <sup>9</sup> *The Chiefs of Grant*, iii. 126, 132. <sup>10</sup> *Fourth Rep. Hist. MSS. Com.*, 504. <sup>11</sup> *The Chiefs of Grant*, iii. 289, 290. <sup>12</sup> *Edin. Tests.*, 15 June 1586.



married in 1526, but as on 22 October 1541 he as one of the Royal Household received £50 to buy garments for his marriage,<sup>1</sup> and she is named as his wife first on 10 July 1542, it is probable they were married between these two dates. They had issue two daughters only :—

- (1) *Joan*, married, about 1560, to Sir Alexander Dunbar of Cumnock, knight, with issue two sons and a daughter. She married, secondly, Sir Patrick Gordon of Auchindown, and died on or shortly after 23 August 1579, when she made her will at Naughton in Fife.<sup>2</sup>
- (2) *Euphemia*, married, in 1572, to Alexander Bruce of Earlshall, and died 4 March 1587-88, leaving issue.<sup>3</sup>

John Leslie had also a natural son, *James*.

3. *James*, who appears in 1532 as brother of George, Earl of Rothes, and rector of Aberdour.<sup>4</sup> But on 8 June 1548 he appears as a witness under the style of 'late rector of Aberdour,'<sup>5</sup> and it is probably he who, as Mr. James Leslie, was rector of Rothes in February 1563-64.<sup>6</sup> Shaw, in his *History of Moray*, gives 13 October 1576 as the date of his death, from the inscription on his tombstone in Rothes churchyard.
4. *Grisel*, designed sister of George, Earl of Rothes, in a marriage-contract, dated at Haddington 8 June 1529, between him, on her behalf, and John Wardlaw of Torry and Henry Wardlaw, his son and apparent heir, for her marriage with the latter. She was apparently the widow of Walter Heriot of Burnturk.<sup>7</sup>

IV. GEORGE, fourth Earl of Rothes, succeeded his father on 9 September 1513, and on 1 April 1517 he had a charter to himself and to Margaret Crichton his affianced spouse, first, of a certain part of the lands and barony of Ballinbreich, which had been appraised to the late King for £1605, 6s. 8d. Scots of Crown casualty, and sold to Andrew Barton and his son. These lands had been redeemed by Margaret Crichton by payment of the money and 200 merks more, and they were specially granted to

<sup>1</sup> *Treasurer's Accounts*, viii. 31. <sup>2</sup> *Reg. Mag. Sig.*, 27 October 1561; Edin. Tests., 15 March 1584-85. <sup>3</sup> *Ibid.*, 19 March 1593-94; *Genealogist*, vii. 134. <sup>4</sup> *Reg. Mag. Sig.*, 4 March 1532-33. <sup>5</sup> Cal. Reg. Ho. Charters, No. 1435. <sup>6</sup> *Reg. Mag. Sig.*, 26 April 1567. <sup>7</sup> *Acta Dom. Conc.*, xl. f. 54.

her and to the Earl and their lawful heirs-male born in marriage. The Earl was also granted by the same writ the lands and barony of Ballinbreich in Fife, and all other lands belonging to the late George, Earl of Rothes, and the Crown renounced all rights and casualties from the lands.<sup>1</sup> Little is recorded of him for the next few years, and he is chiefly mentioned as rendering accounts to Exchequer of the various rents under his charge. He also appears as witness to various royal charters, and as receiving royal grants between 1520 and 1532.<sup>2</sup> He took his seat in Parliament in 1524, and attended with some regularity, taking his share in the public service, his last personal appearance being in 1554.<sup>3</sup> He sailed to France with King James v. when he went there in 1536,<sup>4</sup> but he appears to have returned to Scotland in October with others of the suite.<sup>5</sup> In July 1543 he was one of the Commissioners sent by the Governor Arran to Cardinal Beaton to bring about an arrangement between the conflicting parties in Scotland.<sup>6</sup> In November of the same year he was taken prisoner by Arran at the instance of the Cardinal and warded in the Castle of Craignethan, whence, however, he was soon released.<sup>7</sup> He was, in May 1544, accounted one of the adherents of the Earl of Angus and favourable to the English alliance, but in June 1545, a year later, both Angus and he are found signing a bond against England.<sup>8</sup> On 29 May 1546 Cardinal Beaton was assassinated, and as John Leslie of Parkhill, the Earl's brother, and Norman Leslie, his eldest son, were both present and taking active part, the Earl himself was accused of complicity. He had apparently paid a visit to Hungary, and on his return was formally charged, and a special commission was granted for his trial, which took place in presence of the Governor, the Earl of Huntly, Chancellor, and others, on the banks of the river Yarrow on 15 July 1547. He denied the charge against him, and was fully acquitted by the jury.<sup>9</sup>

As stated, the Earl seems to have been at one time favourable to the English party, but he changed his mind,

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Hist. of Leslies.* <sup>3</sup> *Acta Parl. Scot.*, ii. 285-603 *passim.* <sup>4</sup> *Diurnal of Occurrents*, 21. <sup>5</sup> *Treasurer's Accounts*, vi. 453. <sup>6</sup> *Hamilton Papers*, i. 584. <sup>7</sup> *Ibid.*, ii. 187, 244. <sup>8</sup> *Ibid.*, 396; *Acta Parl. Scot.*, ii. 696. <sup>9</sup> *Fourth Rep. Hist. MSS. Com.*, 504.

and in November 1547 took part with the Governor in his operations against Broughty Castle, then held by the English. Later, as Lord-Lieutenant of Fife, he undertook to defend the coast against the English, but vainly endeavoured to raise men for his purpose, and he threatened, it is said, to forsake them all and go to Denmark, leaving them to get another leader.<sup>1</sup> When M. Dessé came to Scotland as Lieutenant of the King of France in 1548, the Earl took part in his ceremonial reception, and 'delivered' the sword of state on 7 July of that year.<sup>2</sup> But in August he was reported to be one of those who were favourable to the English proposals, if they were 'honestly entyrtaynit.'<sup>3</sup> In 1558 a memorandum in French refers to the Earl of Rothes as a 'puissant seigneur pour le pays.'<sup>4</sup> It was in this year he died under peculiar circumstances. The Scots Parliament, on 14 December 1557, appointed him one of six ambassadors accredited to France to carry out the marriage of Mary Queen of Scots with the Dauphin of France. The envoys embarked at Kirkcaldy in several ships about 6 February 1557-58,<sup>5</sup> and had a very misadventurous voyage. A storm arose, and ere they reached St. Abbs Head the vessel in which the Earl's steed was placed sank to the bottom. The storm increased, with thunder and lightning, and the Earl's own ship was nearly driven on shore near the forelands of Kent. By a bold effort he left the ship for a 'floit bot' which was brought to his assistance, and, with the Bishop of Orkney, reached land somewhere to the east of Calais, only themselves and their writings being saved. Their ship was lost before their eyes with many of their attendants, their jewels, their silver money, and their apparel.<sup>6</sup> Unhappily the Earl had on 27 February borrowed £1000 Scots, in preparation for his journey.<sup>7</sup> The marriage was finally celebrated at Notre Dame on 24 April 1558. Later, when the rejoicings were over, the French Chancellor raised the question of the Scottish Crown being conferred on the Queen's husband. The Commissioners declined to pledge themselves to this,

<sup>1</sup> *Cal. Scot. Papers*, i. 44, 48, 87.   <sup>2</sup> *Hamilton Papers*, ii. 604.   <sup>3</sup> *Cal. Scot. Papers*, i. 163.   <sup>4</sup> *Ibid.*, 207.   <sup>5</sup> *High Treasurer's Accounts*, at date.  
<sup>6</sup> See graphic account of their adventures, Pitscottie, *Scot. Text Soc.*, ii. 121-123.   <sup>7</sup> *Fourth Rep. Hist. MSS. Com.*, App. 508.

and Pitscottie, perhaps because Rothes was a Fife man, puts into his mouth the principal speech of the occasion, with which the others are said to concur. The Earl and his fellow-Commissioners were on their way home to Scotland when they were all seized with violent illness at Dieppe, when three died, including Rothes, on 28 November 1558, while a fourth died at Paris, and the fifth, afterwards Earl of Moray, felt the evil effects during the rest of his life. An accusation of poisoning was made against the French Government, but the tragedy is as likely to have arisen from eating unwholesome food, perhaps shellfish.

The Earl was the recipient of many charters, all fully set forth in the family history, and he, so late as November 1557, made special arrangements about the settlements of his lands and baronies, which will be noted later, in their own place.<sup>1</sup>

The marriages of this Earl have given cause for some confusion, but in the light of modern research the more doubtful points have been cleared up. His first wife was Margaret Crichton, illegitimate daughter of William, third Lord Crichton, by the Princess Margaret Stewart. Some of her history has been noted on a previous page under her father's title,<sup>2</sup> and only her relations to the Earl of Rothes need be considered here. From the wording of the first charter to them, on 1 April 1517, it would appear that they came together at first without marriage, but they were married before August 1517, when Margaret is styled Countess of Rothes.<sup>3</sup> The marriage was dissolved by decree of divorce on 27 December 1520.<sup>4</sup> But as already stated, Margaret Crichton had a liferent secured to her over certain lands, because of money advanced by her, and as holding that liferent, she is named in nearly every principal charter of the earldom up to October 1542.<sup>5</sup> It

<sup>1</sup> This Earl had one or two seals showing, 1st and 4th quarters, on a bend three buckles, 2nd and 3rd, a lion rampant. Legends imperfect; *Scottish Armorial Seals*, Nos. 1603, 1604. <sup>2</sup> Vol. iii. 66, 67. In supplement, however, to what is there stated, it may be noted that her first husband George Todrik and she had a sasine in conjunct fee on 9 September 1506. He was dead and she the wife of George Halkerstoun ere 13 July 1507; Protocol Book of J. Foular at date, City Chambers. <sup>3</sup> *Reg. Mag. Sig.*, 1 April 1517; *Exch. Rolls*, xiv. 270. <sup>4</sup> Riddell's *Remarks upon Scottish Peerage Law*. <sup>5</sup> *Reg. Mag. Sig.*

has been asserted by Macfarlane in his *Collections*, and by Sir Robert Douglas and Wood in their respective *Peerages*, unfortunately followed by Mr. Riddell, the well-known Peerage lawyer, that she and the Earl were reunited in wedlock in the years 1541 and 1542, and Mr. Riddell refers to a charter of 21 October 1541, in which he names her 'wife of the Earl.'<sup>1</sup> But these words are Mr. Riddell's only; they are not in the charter, the true date of which is 21 October 1542. She is indeed, in a royal charter of 31 May 1542, described as Margaret Crichton, Countess of Rothes, but that is a grant to herself personally, and the Earl has no place in the writ, which only repeats a former designation. There is no charter evidence which can be made to support Mr. Riddell's view, which has been followed by Colonel Leslie and others.<sup>2</sup> Further evidence also tending to discredit the second marriage will be stated below. By Margaret Crichton the Earl seems to have had five children, three sons and two daughters.

The Earl married, secondly, Elizabeth Gray,<sup>3</sup> daughter of Andrew, second Lord Gray (*see that title*), and widow (1) of John, Lord Glamis, and (2) of Alexander, third Earl of Huntly. The Earl granted her, as his wife, a charter on 5 June 1525. She died between 26 June and 4 October 1527.<sup>4</sup> He married, thirdly, before 29 January 1529-30,<sup>5</sup> Agnes Somerville, daughter of Sir John Somerville of Cambusnethan, and widow of John, second Lord Fleming. The date of her death is not exactly known, but she was alive on 18 August 1541, and she was dead some time before 10 April 1543, at which date the Earl and his fourth wife, Isobel Lundy, widow of David, eighth Earl of Crawford (*see that title*), who had died on 27 or 28 November 1542, were infeft as husband and wife in the lands of Fynmonth.<sup>6</sup> The dates here recited add to the improbability of a reunion with Margaret Crichton. It would appear that the Earl made a fifth attempt at mar-

<sup>1</sup> *Remarks upon Scottish Peerage Law*, 184 n. <sup>2</sup> Cf. vol. iii. of this work, 67, which was written before new evidence came to light. Douglas's *Peerage* (both editions) and Colonel Leslie, who also interpolates words in the charters he quotes, make her have five children after 1541. <sup>3</sup> *Reg. Mag. Sig.*, 9 June 1525, where her name is given as 'Grayme.' <sup>4</sup> *Reg. Sec. Sig.*, i. 3883. <sup>5</sup> *Reg. Mag. Sig.*, at date. <sup>6</sup> Protocol Book of J. Androsoun, 43, Adv. Lib., 7.1.1.

riage, as on 2 February 1549-50 he, with consent of his son Andrew, granted the lands of Hiltassess to Christian Wood, Lady Balcaskie, relict of George Strang, younger of Balcaskie, and the heirs to be begotten between him and her.<sup>1</sup> But the marriage did not apparently take effect.

The Earl of Rothes had issue by his first wife:—

1. *Norman*, Master of Rothes, to whom, besides other grants to him, his father resigned his lands and barony of Ballinbreich, and received a letter of reversion of the lands upon payment of various sums of money. He was, as stated, a leader in the attack upon Cardinal Beaton, and his estates were forfeited. After the second siege of St. Andrews, Norman Leslie was carried to France, and for a time was a prisoner in Mont St. Michel, from which he and his comrades made their escape.<sup>2</sup> He entered the French service, and was grievously wounded, after a brilliant display of valour, at the battle of Renti on 31 August 1554, dying fifteen days afterwards.<sup>3</sup> He married (contract 13 December 1546<sup>4</sup>) Isobel, daughter of John, fifth Lord Lindsay of the Byres,<sup>5</sup> but died without lawful issue.

*Robert* and *John* Leslie, sons natural of Norman Leslie, were legitimated on 25 February 1553-54.<sup>6</sup>

2. *William*, who, though not actually a participant in the murder of Cardinal Beaton, joined the conspirators in the Castle of St. Andrews, and was carried to France, where he and his brother Robert were imprisoned in Cherbourg, and from there in Mont St. Michel, from which they escaped, and the brothers went to Rouen.<sup>7</sup> William was in Scotland in 1550, when he was charged with complicity in an attack on Alexander Cumming of Altyre, but the result is not stated.<sup>8</sup> As will be referred to later, his father

<sup>1</sup> *Acts and Decrees*, xviii. 179. <sup>2</sup> *Scot. Hist. Review*, iii. 506. <sup>3</sup> Norman Leslie's seal shows a shield couché, 1st and 4th, on a bend three buckles; 2nd and 3rd, a lion rampant. *Crest*, On a helmet a dexter hand and arm erect holding a sword. *Supporters*, Two lions. *Legend*, Sigillum Normani de Leslie; *Scottish Armorial Seals*, No. 1605. <sup>4</sup> *Acta Dom. Conc. et Sess.*, xiv. 34. Cf. also *Reg. Mag. Sig.*, at date. <sup>5</sup> Cf. for her other husbands vol. v. 398, where at note<sup>6</sup> for xxxii. read lxxxii. <sup>6</sup> *Reg. Sec. Sig.*, xxvi. 64. <sup>7</sup> Calderwood's *History*, i. 243, 244. <sup>8</sup> Pitcairn's *Trials*, i. 357\*.

in 1548 alienated his lands in favour of his son Andrew, and the latter in 1560 was served heir to his father. William, however, asserted his claims, and submitted them to the decree arbitral of Queen Mary, who on 15 January 1564-65, decided that Andrew should possess the earldom of Rothes, though if he died without issue it was to revert to William; while the latter was to receive the lands of Cairney in the Carse of Gowrie, to revert to the Earl if William had no heirs. William, however, is still, in 1571 and later, described as a pretender to the title.<sup>1</sup> William does not appear to have had issue, and he sold Cairney in 1570.<sup>2</sup> In 1571 he was frequently in France, and engaged in affairs with John Leslie, Bishop of Ross, and apparently is referred to in March 1572-73,<sup>3</sup> but disappears from history after that date.

3. *Robert*, of Ardersier and Findrassie, is stated by the *Peerages* to be the son of George, Earl of Rothes, by his reunion with his first wife Margaret Crichton, and therefore born about 1541. He was certainly her son, but must have been much older, as John Knox, who knew all the brothers well, refers to him in 1546 as taking an active part at St. Andrews, and speaks of him as brother of William Leslie,<sup>4</sup> and he was probably born about 1519 or 1520. William and he, when taken to France, escaped from their prison and went to Rouen.<sup>5</sup> In 1556 and 1557 he had charters of the lands of Ardersier, Duglie, and others from David Pantar, Bishop of Ross, to his brother Robert Leslie.<sup>6</sup> He is, in 1560, mentioned by Ran-

<sup>1</sup> *Cal. Scot. Papers*, iii. 617; iv. 141. <sup>2</sup> *Hist. of Leslies*, ii. 61, 62. <sup>3</sup> *Cal. Scot. Papers*, iii.; iv. 521. <sup>4</sup> Knox's *Hist. of Reformation*, i. <sup>5</sup> Calderwood, i. 244. <sup>6</sup> *Reg. Mag. Sig.*, 8 December 1557. This fact and the relationship stated below of Janet Leslie to the Bishop, prove indubitably that, as Mr. Riddell suggests, there had been a *liaison* between Margaret Crichton and Mr. Patrick Pantar, secretary to King James iv.; *Scottish Peerage Law*, 191, 193. Another corroboration is a grant on 18 September 1543, by the Bishop, when Commendator of Trail (St. Mary's Isle), to his brother James Halkerston, who was Margaret's lawful son; *Reg. Sec. Sig.*, xvii. 93; iii. of this work, 66, 67. The Bishop was legitimated on 12 August 1513 as natural son of Mr. Patrick Pantar (*Reg. Mag. Sig.*, 19 January 1539-40), and was then no doubt some years old, and his birth

dolph the English envoy, as a pretender to the earldom of Rothes, and a 'mortal enemy to our cause.' He was employed by Queen Mary as one of her commissioners to Scotland in January 1560-61, and he went north to consult with Lord James Stewart, the Earl of Atholl, and other northern lords.<sup>1</sup> In 1565 he is described as Chamberlain of St. Andrews and Pittenweem, and also as Captain of the Castle of St. Andrews.<sup>2</sup> In March 1565-66 he went to Randolph and bade him leave the country, which, after much protest, the envoy had to do.<sup>3</sup> The latter's opinion of Leslie was that he did not always 'byde by that he speakethe.' He was probably the Robert Leslie who, in 1569, with other northern gentlemen, signed the bond acknowledging the infant King James VI.<sup>4</sup> Besides the lands of Ardersier, he also held the lands of Findrassie, near Elgin. He died on 22 September 1588.<sup>5</sup> He married Janet, fourth daughter of Alexander, Lord Elphinstone, born 16 March 1534-35. She survived him, and married, secondly, between 15 August and 17 November 1590, as his second wife, Alexander Bruce of Earlshall. This marriage, it is said, was not a very happy one. She was alive in 1598, but apparently died before 26 August 1599, as she is not named in her husband's will of that date.<sup>6</sup>

They had issue :—

- (1) ROBERT, who carried on the line of Findrassie.<sup>7</sup>  
 (2) *George* of Burdsbank.  
 (3) *John*. (4) *Joanna*. (5) *Agnes*.

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may have taken place before 8 February 1505-6, when Margaret had married William Todrig; *Exch. Rolls*, xii. 465, 466. Mr. Patrick Pantar (who is by some writers described as of Montrose, and, erroneously, as a layman and Margaret's husband) became the King's Secretary about that time, but he had been introduced to the Court some years before as tutor to the King's natural son Alexander, Archbishop of St. Andrews. This suggestion is also in accordance with the short space between her first and second marriages; *ante*, p. 284 n. These facts, however, do not imply illegitimacy on the part of Robert Leslie, who, as stated above, was recognised by his contemporaries as brother of Norman and William Leslie. <sup>1</sup> *Cal. Scot. Papers*, i. 481, 506, 520. <sup>2</sup> *P. C. Reg.*, i. 368, 390. <sup>3</sup> See Randolph's dramatic account, *ibid.*, ii. 261. <sup>4</sup> *P. C. Reg.*, i. 654, 655. <sup>5</sup> *Edin. Tests.*, 17 November 1590. <sup>6</sup> *Ibid.*, 3 September 1601. <sup>7</sup> For him and his brothers and sisters see *Hist. of Leslies*, ii. 161.



4. *Janet*, styled sister of David Pantar, Bishop of Ross, and therefore the daughter of Margaret Crichton. She was married to David Crichton of Naughton, before 11 March 1540-41,<sup>1</sup> when Sir Peter Crichton of Naughton, David, his grandson, and Janet Leslie, David's wife, had a tack in feufarm of the lands of Bogy and others. David Crichton died about 1553, and on 6 January 1553-54 the nonentry duties were gifted to David, Bishop of Ross, who, on 25 January, regranted them to his 'lovit sister,' Janet Leslie, relict of David Crichton.<sup>2</sup> She was married, secondly, before 15 May 1557,<sup>3</sup> to John Grant of Freuchie, who died in 1585, and whom she survived, marrying as her third husband, before 6 August 1587, James Elphinstone, brother of Robert, third Lord Elphinstone. She died at Kirkcaldy 17 December 1591.<sup>4</sup>
5. *Helen*, also, according to Macfarlane,<sup>5</sup> a daughter of Margaret Crichton. She married, first, Gilbert Seton, younger of Parbroath, and had a charter, as his future wife, 10 October 1542, while Norman Leslie obliged himself to pay 300 merks of her tocher because Andrew Seton of Parbroath, Gilbert's father, had given acquittance to Dame Margaret Crichton in name and behalf of the Earl of Rothes, in part payment of 400 merks.<sup>6</sup> Gilbert and Helen had only one daughter, *Janet*, married, as his second wife (contract 30 April 1567), to James Hamilton of Samuelston, with issue.<sup>7</sup> Helen Leslie was married, secondly, before 30 April 1567, to Mr. Mark Ker, Commendator of Newbattle<sup>8</sup> (*see title* Lothian), and had issue. She survived him and died 26 October 1594, having made her will at Prestongrange, a month before, on 25 September.<sup>9</sup>

In addition to the three sons here named, a MS. pedigree of the Rothes family, formerly in possession of Camden, assigns other two sons to the Earl and Margaret Crichton,

<sup>1</sup> *Reg. of Deeds*, ii. 159, where a progress of writs is given. <sup>2</sup> *Acts and Decrees*, xxvi. ff. 243, 244. <sup>3</sup> *Reg. of Deeds*, ii. f. 157. <sup>4</sup> *Chiefs of Grant*, i. 152, 153; Edin. Tests., 28 June 1593. <sup>5</sup> *Gen. Coll.*, ii. 428. <sup>6</sup> Protocol Book J. Androsoun, 40; Adv. Lib., 7.1.1. <sup>7</sup> *Reg. of Deeds*, ix. f. 77; Anderson's *House of Hamilton*, 372. <sup>8</sup> *Reg. of Deeds*, ix. f. 77. <sup>9</sup> Edin. Tests., 18 August 1596.

thus: (1) George, who died young *s.p.*; (2) Norman; (3) William; (4) John, died young *s.p.*; (5) Robert, the youngest. But this list appears to be doubtful.

By Agnes Somerville the Earl had issue:—

6. ANDREW, who became fifth Earl of Rothes.

7. *Peter*, named in 1535 in a charter by his father, and later with his brother James in various writs between that and 1542.<sup>1</sup> He is designed parson of Rothes in an action in which he and his brothers were concerned, 17 January 1558-59.<sup>2</sup>

8. *James*, named with his brother in charters between 1539 and 1542.<sup>3</sup> Little is recorded of him, but in 1574, James Leslie, described as brother of Norman Leslie, in an Admiralty Court in Shetland, was with others convicted of plundering a ship from Emden, and taking money and goods. They were pardoned after being two hours at the gallowsfoot with a rope round their necks.<sup>4</sup> He is said to be the ancestor of the Leslies of Ballybay in Ireland.<sup>5</sup>

9. *Euphemia*, married to George Learmonth of Balcomie some time before 18 August 1548, when her marriage-contract was ratified by her father.<sup>6</sup> He died in June 1585, and she married, secondly, John Cunningham of West Barns. She died in April 1588.<sup>7</sup>

10. *Agnes*, married (contract 26 November 1554,<sup>8</sup> when she was under marriageable age) to William Douglas of Lochleven, afterwards Earl of Morton. (*See that title.*) The daughters of this marriage are said to have been very beautiful.

11. *Beatrice*,<sup>9</sup> contracted, 22 June 1560, to Andrew Wardlaw, younger of Torrie,<sup>10</sup> but the marriage apparently did not take place, and she married (contract 14 March 1560-61<sup>11</sup>) David Beaton of Creich, with issue a daughter, *Anna* or *Agnes*, married, according to Macfarlane, to Sir James Chisholm of Cromlix.

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Acts and Decrees*, xviii. f. 449. <sup>3</sup> *Reg. Mag. Sig.*  
<sup>4</sup> *Cal. Scot. Papers*, v. 208. <sup>5</sup> *Hist. of Leslies*, ii. 153 n. <sup>6</sup> Protocol Book of J. Androsoun, f. 77, Adv. Lib., 7.1.1. <sup>7</sup> Edin. Tests., 23 November 1590. <sup>8</sup> *Reg. of Deeds*, i. 48. <sup>9</sup> *Euphemia*, *Agnes*, and *Beatrice* are named in this order in an action in which they and their brothers were concerned (*Acts and Decrees*, xviii. f. 449). <sup>10</sup> *Reg. of Deeds*, iii. 381. <sup>11</sup> *Ibid.*, iv 122.

According to the same authority the spouses were divorced, and Beatrix married, secondly, John Auchmoutie of that Ilk.<sup>1</sup>

12. *Elizabeth*, contracted, before 25 June 1545, to marry David Barclay, younger of Cullernie, but he refused, and, in 1557, she was the wife of Patrick Crichton, younger of Lugton.

The Earl had also various natural children:—

*Walter Leslie* of Cowcairn. He married, before June 1542, Elizabeth Wardlaw, the eldest of six coheir-esses of the lands of Otterston in Fife, as appears from a charter of part of the lands on 14 June 1542.<sup>2</sup> He is styled natural son of the Earl of Rothes in an agreement with Isabella Wardlaw, his sister-in-law, as to the purchase of her share of Otterston, of date 27 June 1554.<sup>3</sup> He had issue by his wife, who died before 29 January 1578-79.<sup>4</sup>

*Robert*, natural son of George, Earl of Rothes, legitimated on 28 October 1557.<sup>5</sup> His history cannot be certainly traced.

*Katherine*. On 11 September 1527 Earl George contracted with Sir John Oliphant of Kellie that the latter's son, Alexander, as yet a pupil, should marry one of the Earl's lawful daughters by Margaret Crichton. Afterwards, however, the Earl fraudulently married young Oliphant to Katherine Leslie, his illegitimate daughter by Helen Forsyth, a woman of low birth, affirming that she was legitimate. On this and other more personal grounds the marriage was annulled by the Official of St. Andrews on 25 September 1550.<sup>6</sup>

*Christian* or *Christina*, daughter natural of George, Earl of Rothes, legitimated 10 November 1553.<sup>7</sup> She was probably identical with the Christian Leslie, natural daughter of the Earl, who received a charter in 1555,<sup>8</sup> and whose mother was Christian Wood, Lady Balcaskie, before named. She was married (contract

<sup>1</sup> *Gen. Coll.*, i. 32, 33. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *Acts and Decrees*, x. f. 293.  
<sup>4</sup> Cf. *Reg. Mag. Sig.*, at date. <sup>5</sup> *Ibid.* <sup>6</sup> *Liber Officialis Sancti Andree*, Abbotsford Club, 107-110, where the circumstances are narrated at length. <sup>7</sup> *Reg. Sec. Sig.* <sup>8</sup> *Acts and Decrees*, xxv. f. 345.

dated 26 January 1570-71) to James Kincaid, younger of that ilk.<sup>1</sup> He and she, on 6 July 1592, renounced her rights, conferred by her father, over a tenement and lands in the burgh of Cupar, in exchange for £1000 Scots paid by Andrew, Earl of Rothes.<sup>2</sup> James Kincaid died in January 1606 leaving issue by his wife, who survived him.<sup>3</sup>

V. ANDREW, fifth Earl of Rothes, who succeeded, is first referred to as Andrew Leslie of Kilmany in a charter of 31 January 1539-40, and he bore that designation until after June 1548, when he is styled Master of Rothes, though his brother Norman was then alive. The latter was infeft in the barony of Ballenbreich, but was forfeited for the murder of Cardinal Beaton, and the Earl, his father, ran a risk of losing his lands.<sup>4</sup> On 6 September 1547, however, the Governor, notwithstanding the forfeiture, granted the barony to the Earl, who, on 30 May 1548, alienated the same to Andrew Leslie, his lawful son, and his heirs-male, and also the lands and barony of Leslie. The reason given for thus passing over Norman and his brothers is not the forfeiture or any incapacity on their part, but that Andrew Leslie and his kinsmen on his mother's side had advanced money to the Earl in his urgent need, in name of and with a view of defending the kingdom against England, and specially the bounds of Fife where the Earl was Sheriff. The transaction therefore took the aspect of a sale of the lands, which was confirmed by the Crown on 7 June 1548.<sup>5</sup> The lands, however, were still technically in the hands of the Crown, and it is said that when Mary, the Queen-Dowager, was in France in 1551, plotting to gain the regency from Arran, she proposed, among other things, to bestow the earldom of Rothes upon the young son of Lord Huntly, Arran's grandson.<sup>6</sup> Later, in 1557, the Earl went through the form of consigning so much money for the redemption of the lands and obtained full possession<sup>7</sup> so that at his death his son Andrew succeeded direct to the

<sup>1</sup> *Acts and Decrees*, xlv. f. 414. <sup>2</sup> *Reg. of Deeds*, xl. f. 329. <sup>3</sup> Cf. *Edin. Tests.*, 28 May 1606. <sup>4</sup> *Reg. Mag. Sig.*, at date. <sup>5</sup> *Ibid.* <sup>6</sup> Calderwood's *History*, i. 272. <sup>7</sup> *Fourth Rep. Hist. MSS. Com.*, 500; *Hist. of Leslies*, ii. 59-61.

earldom. Andrew's elder brother, William, however, laid claim to the title, and it was not until their claims had been submitted to Queen Mary as arbiter, and her decision was given in Andrew's favour, that the matter was settled on 15 January 1564-65.<sup>1</sup> Another disturbing element was a contest between the Earl and Patrick, Lord Lindsay of the Byres, as to who should hold the office of Sheriff of Fife. The dispute was referred to arbiters, who, on 9 May 1573, decided that the Earl should redeem the office for 5000 merks, while a marriage was arranged between one of his daughters and the Master of Lindsay.<sup>2</sup>

The Earl took a considerable part in the affairs of his time. He early joined the Lords of the Congregation, and marched with them to Perth in June 1559. In April 1560 he was one of those who signed the 'band' against the Queen-Regent. In September 1561 Queen Mary spent a night in his house, and it was reported he lost some plate and other matter 'easye to be conveide.'<sup>3</sup> He approved of the murder of Riccio, but made his peace and was pardoned. After Mary's defeat at Langside and her flight to England he continued to adhere to her faction, and, in 1573, was severely commented on by Killigrew, the English ambassador, that while acting as a mediator between the Regent and the garrison of Edinburgh Castle, he encouraged the latter.<sup>4</sup>

The Earl received and granted a number of charters, but these are set forth in the family history and need not be specially dwelt upon here. The Earl died in 1611 and was succeeded by his grandson.<sup>5</sup>

Andrew, Earl of Rothes, married, first, Grisel Hamilton, daughter of Sir James Hamilton of Finnart, the contract being dated 28 June 1548.<sup>6</sup> For this union a dispensation was procured which cost £20. She was alive in September 1568, but died before 1573. He married, secondly, shortly after 3 October 1573, when she was still his future spouse

<sup>1</sup> *Hist. of Leslies*, 219-223, where the decret is given at length. <sup>2</sup> *Ibid.*, ii. 76; *Fourth Rep. Hist. MSS. Com.*, 500, 501. <sup>3</sup> *Cal. Scot. Papers*, ii. 555. <sup>4</sup> *Ibid.*, iv. 543. <sup>5</sup> His seal bears a shield couché, 1st and 4th, on a bend three buckles; 2nd and 3rd, a lion rampant. *Crest*, On a helmet with mantling and wreath a (griffin?) head. *Supporters*, Two griffins. *Legend*, 'S. Andree leslie Coitis de rothes'; *Scottish Armorial Seals*, No. 1606. <sup>6</sup> *Hist. of Leslies*, ii. 86.

(contract 18 August 1573), Jean, daughter of Patrick, third Lord Ruthven.<sup>1</sup> (*See title Gowrie.*) She died in September 1591, and the Earl married, thirdly (contract 15 June 1592), between 4 and 24 November 1592, Janet Durie, daughter of David Durie of that Ilk in Fife.<sup>2</sup>

By his first wife the Earl had issue:—

1. JAMES, Master of Rothés.
2. *Patrick*, ancestor of the Lords Lindores and Newark. (*See these titles.*)
3. *Sir Andrew Leslie* of Lumbany, which he received from his father. He also received the lands of Kilmany on 27 September 1568, reserving his mother's life-rent, but he renounced Kilmany to his father on 23 October 1586,<sup>3</sup> and died without issue in March 1603. His nephew, Patrick, Lord Lindores, was served heir to him in the lands of Lumbany on 9 April 1609.<sup>4</sup>
4. *Euphemia*, married (contract dated 9 May 1573), with a tocher of 5000 merks, to James, Master of Lindsay, eldest son of Patrick, Lord Lindsay of the Byres<sup>5</sup> (*see that title*). The spouses had a charter of certain lands in Fife on 16 February 1573-74.<sup>6</sup>
5. *Margaret*, contracted on 5 April 1565 to marry David Barclay, eldest son of David Barclay of Collairnie, both being then children.<sup>7</sup> This union did not take place, and she was married, on Christmas day 1575, to Archibald, eighth Earl of Angus, from whom she was divorced in 1587, because of an intrigue with the Earl of Montrose.<sup>8</sup>
6. *Isabella*, married to James, Master of Sinclair. Before marriage she had a charter to herself in life-rent from Henry, Lord Sinclair, confirmed 24 July 1577.<sup>9</sup> She has been styled the Earl's youngest daughter, but she was only the youngest by his first marriage. She had issue, her eldest son being born in 1581.

<sup>1</sup> *Fourth Rep. Hist. MSS. Com.*, 502; *Acts and Decrees*, liii. f. 61.

<sup>2</sup> *Deeds*, xl. f. 472; *Reg. Mag. Sig.*, 4 November 1592, where she is called his future spouse, but in a sasine of 24 and 25 November she is styled his wife (Orig. Sasine, Gen. Reg. Ho.). <sup>3</sup> Gen. Reg. Ho. Charters, No. 2130.

<sup>4</sup> *Retours, Fife*, No. 200. <sup>5</sup> *Fourth Rep. Hist. MSS. Com.*, 500. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Acts and Decrees*, xxxi. f. 352. <sup>8</sup> *Douglas Book*, ii. 337; cf. *Cal. Scot. Papers*, v. 645, 646. <sup>9</sup> *Reg. Sec. Sig.*, xlv. f. 87.

By his second marriage the Earl is said to have had issue:—

7. *Margaret*, married to Sir William Cunningham of Caprington.
8. *Mary*, married, as his second wife, to Sir Robert Melville of Murdocairny, afterwards first Lord Melville,<sup>1</sup> between 1586 and 1593. She died, without issue, in March or April 1605.<sup>2</sup>

By his third marriage the Earl had issue:—

9. *George* Leslie, who had a grant, on 16 June 1596, from his father of the lands of Newton, co. Fife, with remainder to his brothers John and Patrick. He died without issue in January 1614, and his brother John was, on 5 July 1620, served heir to him.<sup>3</sup>
10. *Sir John*, brother of George, on whom Newton was entailed in 1596. He married Elizabeth, daughter of Patrick, sixth Lord Gray, and had issue. His great-grandson became sixth Lord Lindores. (*See that title*, where a fuller notice of Sir John Leslie is given.<sup>4</sup>)
11. *Robert*, who is named, in charters of 1601 and 1604, as brother of George and John.<sup>5</sup> He is said to have died without issue.
12. *Elizabeth*, contracted (29 and 31 January and 12 February 1608), with a tocher of 20,000 merks, to David Wemyss, eldest son of Sir John Wemyss of that Ilk. He died in the following August. She renounced her rights over Wemyss in 1610, when she married (contract 13 and 17 February) James Ogilvy, afterwards first Earl of Findlater, he and she being then under age.<sup>6</sup>

JAMES, Master of Rothés, the eldest son of Andrew, fifth Earl of Rothés, by Grizel Hamilton, his first wife, does not appear very prominently in the family history, nor did he take much part in public life, as very little is recorded of him except that he was Sheriff of Fife and Provost of

<sup>1</sup> There is evidence of this marriage, but not of that of her sister Margaret. <sup>2</sup> *The Melville Book*, i. 124. <sup>3</sup> *Hist. of Leslies*, ii.; *Retours, Fife*, No. 309. <sup>4</sup> Vol. v. 386. <sup>5</sup> *Reg. Mag. Sig.*, 26 December 1601; 17 April 1612. <sup>6</sup> *Wemyss Book*, i. 200; ii. 311-313; vol. iv. of this work, 29.

Cupar. He died between January and March 1607, predeceasing his father.

James, Master of Rothes, married (contract 11 January and 21 February 1574-75) Margaret, daughter of Patrick, sixth Lord Lindsay of the Byres, and had issue. She died in or before 1594, in which year he married, secondly, Catherine Drummond, daughter of Patrick, third Lord Drummond.<sup>1</sup>

The Master of Rothes had issue by first marriage:—

1. *James*, who had a charter of the lands of Ballinbreich and others on 25 July 1598. He died, unmarried, in 1604, before his father.
2. *George*, who died, unmarried, before his father.
3. *Margaret*, married to John Moray, minister at Dunfermline, son of Robert Moray of Abercairney. She died 12 June 1620, leaving no surviving issue.<sup>2</sup>
4. *Isabel*, married (contract dated 6 February 1596-97) Robert Lundie, younger of that ilk, styled of Newhall.<sup>3</sup> He had no issue, and died abroad in October 1602, having made his will at Bordeaux 23 June in that year.<sup>4</sup> Before 1609 she married, secondly, Sir George Hamilton of Greenlaw (*see title* Abercorn). She was still alive in 1625.<sup>5</sup>
5. *Euphemia*, who is named in a writ of 12 July 1591, but was dead, unmarried, before June 1613.<sup>6</sup>
6. *Agnes*, married (contract dated 2 April 1605), with a tocher of 10,000 merks, to Andrew Wardlaw, younger of Torry.<sup>7</sup> She died before 24 February 1609, without issue, as her husband and her sisters Margaret and Isabel were called as her executors.<sup>8</sup>
7. *Grizel*, married (contract dated 27 October 1601), as his second wife, to Alexander, Lord Fyvie, afterwards first Earl of Dunfermline, and died 6 September 1606, leaving issue.<sup>9</sup> (*See title* Dunfermline.)

By his second wife the Master had issue:—

<sup>1</sup> *Fourth Rep. Hist. MSS. Com.*, 502, 503. <sup>2</sup> *Fasti Ecclesie Scoticanæ*, ii. 567; *Reg. of Deeds*, cclxxiii. f. 124. <sup>3</sup> *Hist. of Leslies*, ii. 90; *East Neuk of Fife*, 2nd ed., 56. <sup>4</sup> *Edin. Tests.*, 22 February 1604. <sup>5</sup> *Reg. of Deeds*, cclxxiii. f. 124. <sup>6</sup> *Ibid.* <sup>7</sup> *Reg. Mag. Sig.*, 13 May 1610. <sup>8</sup> *Edinburgh Commissariat Decrees*, 24 February 1609. <sup>9</sup> *Edin. Tests.*, 9 February 1609.



8. JOHN, who succeeded as sixth Earl of Rothes.
9. *Jean*, married (contract 22 and 25 June 1622) to Duncan Menzies, younger of Weem, son of Sir Alexander Menzies of Weem.<sup>1</sup>

VI. JOHN, sixth Earl of Rothes, succeeded his grandfather in 1611, when he was still under fourteen. His mother, Catherine Drummond, had acted as his tutor, but she resigned, and James, Earl of Perth, was appointed tutor to the young Earl. He was, on 9 April 1613, served heir to his eldest brother James in the lands and baronies of Rothienorman and Cushnie, co. Aberdeen.<sup>2</sup> He was also served heir of his great-grandfather, George, Earl of Rothes, in the lands and baronies of Cairney, Rothes, Parkhill, and others, on 28 February 1621.<sup>3</sup> A large number of land transactions on his part are also recorded in the Family History, but need not be detailed here. He was also made a burghess of various burghs: of Edinburgh, 26 June 1617; of Elgin, 26 August 1623; and of Glasgow, 5 May 1637.<sup>4</sup> He was still under age, or at least under curators, in February 1617,<sup>5</sup> but on 17 June of that year he was present at the Parliament presided over by King James VI. on his visit to Scotland, and carried the sword of state before the King.<sup>6</sup> He was also in the Parliament of 25 July 1621, which had the famous Five Articles of Perth under consideration.<sup>7</sup> For these Articles he refused to vote, thus taking up the position he ever after maintained as a strong opponent of Episcopacy. As a Scottish noble his interests were affected by the sweeping Revocation edict issued by King Charles I. after his accession, and he was one of a deputation of three young nobles sent to London to remonstrate with the King. Their journey was stopped by royal order for some days, but at last they were permitted to come to Court. The King was induced to receive them, and they won on his favour so much that

<sup>1</sup> *Fourth Rep. Hist. MSS. Com.*, 509; *Reg. Mag. Sig.*, 30 July 1622. In his notice of this contract Colonel Leslie (*Hist. of Leslies*, ii. 92) inadvertently interchanges the names of father and son. <sup>2</sup> *Retours, Aberdeen*, No. 533. <sup>3</sup> *Retours, Elgin*, No. 185; *Perth*, No. 1099; *Fife*, Nos. 1547-1549. <sup>4</sup> *Hist. of Leslies*, ii. 93. <sup>5</sup> *P. C. Reg.*, xi. 51. <sup>6</sup> *Acta Parl. Scot.*, iv. 524-526. <sup>7</sup> *Ibid.*, iv. 593.

they obtained special marks of regard—in Rothes's case mitigation of duties due to the Crown from a tobacco monopoly in which he had invested, and also a tack of feu-duties from the abbacy of Lindores.<sup>1</sup>

In 1633 he opposed the measures of King Charles I. in regard to the royal prerogative as bearing on the vestments to be worn by the churchmen, and is said to have challenged the accuracy of the voting in Parliament.<sup>2</sup> He was an active agent on behalf of the Covenant, and one of the most prominent leaders in the movement; but that is matter of general history. He was a colonel in the Scottish army which met at Duns Law, a warlike demonstration under General Alexander Leslie, which ended in a Pacification with the King.<sup>3</sup> He is said to have been the means of drawing his clansman, Sir Alexander Leslie, afterwards Earl of Leven, to join the party of the Covenanters, and that his first military act in Scotland was to drill the Earl's men in Fife.<sup>4</sup> The Earl was also in 1640 appointed one of the Commissioners from Scotland to manage Scots affairs in London. He remained there for some time, and appears to have impressed the Court very favourably. The Rev. Robert Baillie writes to the Earl's son-in-law, Lord Montgomery, on 2 June 1641, 'For the present your Goodfather is a good courteour; if it hold, he is lyke to be first both with King and Queen; but sundrie thinks it is so sudden and so great a change that it cannot hold.' In another letter the same idea is repeated, with the addition, 'if they goe on he is lyke to be the greatest courteour either of Scotts or English. Lykelie he will take a place in the Bed-chamber and be little more a Scottish man. If he please, as it seems he inclynes, he may have my Lady Devonshyre, a verie wise lady, with four thousand pounds sterling a year. The wind now blows fair in his topsaile: I wish it may long continue; bot all things here are verie changeable.'<sup>5</sup> This last came true in a sense not meant by the writer, as on 10 August Rothes was reported as 'dangerouslie sick,' and he died at Richmond-on-Thames, 23

<sup>1</sup> *P. C. Reg.*, 2nd ser., i. pp. clxxvi-clxxx. <sup>2</sup> Row's *Historie of the Kirk of Scotland*, Wodrow ed., 367, and authorities there noted. <sup>3</sup> Baillie's *Letters*, i. 211, 218. <sup>4</sup> Spalding's *History of the Troubles*, i. 88. <sup>5</sup> Baillie's *Letters*, i. 354.

August 1641, his body being brought to Scotland, and buried at the kirk of Leslie on 24 November following.<sup>1</sup>

The Earl married (contract 10, 21, and 28 December 1614<sup>2</sup>) Anna, second daughter of John Erskine, Earl of Mar, by his second marriage. Lady Rothés died 2 May 1640. They had issue:—

1. JOHN, who succeeded as Earl of Rothés.
2. *Mary*, eldest daughter, married (contract 17 and 24 December 1635), with a tocher of 25,000 merks Scots, and, as his second wife, to Hugh, styled Lord Montgomery, afterwards seventh Earl of Eglintoun. (*See that title.*)
3. *Margaret*, married, first (contract dated in 163[6],<sup>3</sup> where she is described as second daughter), to Colonel Alexander Leslie, fiar of Balgony, eldest son and heir of Sir Alexander Leslie, afterwards Earl of Leven, and had issue; secondly (contract dated 25 July 1646<sup>4</sup>), to Francis, second Earl of Buccleuch, with issue; and thirdly, as his third wife, on 13 January 1653 (contract 23 December 1652), to David, second Earl of Wemyss,<sup>5</sup> also with issue. She survived him, who died in July 1679, until February 1688, and was buried beside him at East Wemyss.<sup>6</sup>

VII. JOHN, seventh Earl of Rothés, was only about eleven years old when he succeeded his father on 23 August 1641, and his tutors were Alexander, Earl of Leven, to whom a grant of his ward and marriage was given on 20 June 1642,<sup>7</sup> and Archibald, Marquess of Argyll. On their petition a special commission was constituted on 10 February 1642, for serving him as heir to his father, and on 27 April it sat at Cupar and served him heir in all his lands, except the Inches of Lindores, to which he was served on 8 October 1642.<sup>8</sup> In recognition of his father's services, King Charles I.,

<sup>1</sup> Baillie's *Letters*, 384; Edin. Tests., 8 March 1644; Spalding's *History of the Troubles*, i. 356; Sir Thomas Hope, in noting the Earl's death, says he 'wes much lamentit'; *Diary*, 152. This Earl bore on his seal: 1st and 4th, on a bend three buckles; 2nd and 3rd, a lion rampant; above the shield a coronet, and around it the initials I. E. R. <sup>2</sup> *Fourth Rep. Hist. MSS. Com.*, 509. <sup>3</sup> *Ibid.* <sup>4</sup> *Scotts of Buccleuch*, i. 282, 283. <sup>5</sup> *Wemyss Book*, i. 264; ii. 236-240. <sup>6</sup> *Ibid.*, i. 293. <sup>7</sup> *Fourth Rep. Hist. MSS. Com.*, 509. <sup>8</sup> *Hist. of Leslies*, ii. 105, 106.

on 23 September 1641, made him a grant of £10,000 Scots yearly during life.<sup>1</sup> He waited on King Charles II. at his coming to Scotland in 1650, carried the sword of state at the King's coronation, and raised a regiment of horse in Fife, at the head of whom he marched into England in 1651. He was taken prisoner at the battle of Worcester, where he and his men fought with great bravery, on 3 September 1651, and was for a time in captivity in the Tower of London, and latterly in Newcastle. He was liberated in 1655, it is said at the request of the famous Elizabeth Murray, Countess of Dysart, and returned to Scotland, where, in January 1658, he was again imprisoned, this time in Edinburgh Castle, because of a quarrel with Viscount Howard. His estates were sequestrated by Cromwell in April 1658, and he was liberated in December, paying, on 2 February 1658-59, £4000 Scots, imposed on him under the Act of Pardon and Grace.<sup>2</sup>

On the Restoration the Earl went up to London to meet the King, and his fidelity was rewarded by the grant of a pension of £1000 sterling yearly, in place of the former pension of £10,000 Scots, while he was made President of the Privy Council of Scotland on 30 August 1660.<sup>3</sup> He was on 13 February 1661 appointed an Extraordinary Lord of Session,<sup>4</sup> and on 4 June 1663 was made Lord High Treasurer for life.<sup>5</sup> He was also appointed the King's High Commissioner to preside over the Parliament meeting at Edinburgh on 18 June 1663. In 1666 he was appointed General of the Forces in Scotland, and in October of the following year he was made Lord High Chancellor for life. On 4 June 1663 the Earl, on his own resignation, obtained a charter of the title, honour, and dignity of Earl of Rothes, Lord Leslie and Ballinbreich, with the whole earldom, lands, baronies and lordships named, to him and the heirs-male of his body, whom failing, to the eldest heir-female of his body, or of the body of his heirs-male, without division, on condition that the heir-female should marry a gentleman of the name of Leslie, or who should take the name of Leslie, and that the children of such heirs-female should bear the name and

<sup>1</sup> *Fourth Rep. Hist. MSS. Com.*, 505.    <sup>2</sup> *Hist. of Leslies*, ii. 109.  
<sup>3</sup> *Fourth Rep. Hist. MSS. Com.*, 505.    <sup>4</sup> *Acta Parl. Scot.*, vii. 124.  
<sup>5</sup> *Fourth Rep. Hist. MSS. Com.*, 505.

arms of Leslie; with remainder to the heirs-male of Margaret, Countess of Wemyss, sister of the Earl, by her first husband Alexander, Lord Balgony; whom failing, to the second son of the Earl's next sister Mary, by her husband Hugh, Earl of Eglintoun, and to her third and younger sons, and their respective heirs-male, it being provided that if any of them succeeded to the earldom of Eglintoun, the earldom of Rothes should go to the next heir of entail; whom failing, to Sir John Leslie of Newton, knight, and the heirs-male of his body; whom failing, to the Earl's heirs-male whomsoever; whom all failing, to his heirs and assignees whomsoever. This charter was ratified by the Scottish Parliament on 9 October 1663, but the substitution of heirs is not detailed in the Act.<sup>1</sup> On 29 May 1680 the Earl was created DUKE OF ROTHES, MARQUESS OF BAMBREICH, EARL OF LESLIE, VISCOUNT OF LUGTOUN, LORD AUCHMUTIE AND CASKIEBERRIE, to himself and the heirs-male of his body, without prejudice to the title of Earl of Rothes, so that the heirs of entail, who, failing the heirs-male of his body, might succeed, should enjoy the title of Earl of Rothes.<sup>2</sup> The Duke, however, did not long enjoy his accession of rank, as he died at Holyrood on 27 July 1681, and, on 23 August, his body was carried with the utmost pomp and ceremony from the church of St. Giles to Holyrood Abbey, whence next day it was removed to Leith, thence to Burntisland, and thence to Leslie, where he was buried.<sup>3</sup> His dukedom became extinct, but his eldest daughter succeeded as Countess of Rothes.

This Earl of Rothes married, when still under age (contract dated at Holyrood House 1 January and 4 February 1648), Anne Lindsay, daughter of John, Earl of Crawford and Lindsay, her tocher being £20,000 Scots.<sup>4</sup> By her, the Earl had issue:—

1. MARGARET, who succeeded as Countess of Rothes.
2. *Christian*, baptized 13 December 1661,<sup>5</sup> married, first

<sup>1</sup> *Acta Parl. Scot.*, vii. 518. The details in the text are given from Colonel Leslie's version of the charter. <sup>2</sup> *Reg. Mag. Sig.*, ms. Lib. 67, No. 117; *Fourth Rep. Hist. MSS. Com.*, 506. <sup>3</sup> Ms. description and engraving of funeral, Lyon Office. <sup>4</sup> *Fourth Rep. Hist. MSS. Com.*, 510.

<sup>5</sup> Canongate Reg. of Baptisms.

(contract dated 9 June 1681), to James, third Marquess of Montrose, with issue (*see that title*); secondly, in May 1687, to Sir John Bruce of Kinross, younger, and died, 21 April 1710, without issue.

VIII. MARGARET, elder daughter of the Duke of Rothes, succeeded him as Countess of Rothes under the entail of 1663, already cited, and she was served heir of her father in his various estates.<sup>1</sup> She had married, on 8 October 1674, Charles, fifth Earl of Haddington, and he joined with her in opposition to a claim made on 26 January 1682 to the titles and earldom of Rothes by John, Lord Lindores, as heir-male of the Duke. The claim was made to the Privy Council, who referred the whole matter to the Court of Session, and Lord Lindores did not press his petition before that tribunal. On 1 January 1684 the Countess executed an important entail, which was the basis of all following entails. She resigned and granted her estates of the earldom of Rothes in favour of herself and Charles, Earl of Haddington, her husband, and the longest liver of them in liferent during all the days of their lifetimes, and to John, Lord Leslie, their son, and the heirs-male or the eldest heir-female lawfully to be procreate of his body, whom failing, to the other heirs-male lawfully procreate or to be procreate betwixt the Countess of Rothes and the Earl of Haddington, her husband, and the heirs-male or eldest heir-female lawfully to be procreate of their body, whom failing, to the other heirs-male lawfully to be procreate of the said Countess of Rothes by any other marriage, and the heirs-male or eldest heir-female of their body, whom failing, to the eldest daughter or heir-female lawfully procreate or to be procreate betwixt the said Countess and the said Earl, and the heirs-male or eldest heir-female lawfully to be procreate of their body, whom failing, to the eldest daughter or heir-female to be procreate of the Countess by any other marriage, and the heirs-male or eldest heir-female lawfully to be procreate of their body, whom failing, to Christian, Marchioness of Montrose, her sister-german, and the heirs-male or eldest heir-female lawfully procreate or

<sup>1</sup> *Special Retours, Aberdeen*, No. 542; *Elgin*, No. 146; *Fife*, No. 1205; *Inverness*, No. 105; *Fraser's Earls of Haddington*, i. 235.

to be procreate of her body, the immediate heir-female, failing of the eldest and their heirs, always succeeding successive in all these cases and without division, whom failing, to Mr. Francis Montgomerie, brother-german to the Earl of Eglinton, and the heirs-male lawfully procreate or to be procreate of his body, whom failing, to John Leslie of Newtowne, and the heirs-male lawfully procreate or to be procreate of his body, whom failing, to the said Margaret, Countess of Rothes, her nearest and lawful heirs-male whatsoever, whom all failing, to her other heirs and assignees whatsoever heritably, the eldest daughter or heir-female successive always succeeding without division.<sup>1</sup> The Earl of Haddington died in May 1685,<sup>2</sup> while his wife survived till 20 August 1700. Their marriage-contract, on 7 October 1674, provided that if the Countess inherited her father's earldom, the eldest son of the marriage was to succeed to the earldom of Rothes, and the second son to the earldom of Haddington. If there was only one son he was to assume the name of Leslie, and arrangements were made for continuation of the succession through daughters if there were no sons.<sup>3</sup> The Countess and her husband had issue :—

1. JOHN, who became Earl of Rothes.
2. THOMAS, who under the provisions of the marriage-contract became Earl of Haddington. (*See that title.*)
3. *Mr. Charles*, described in 1688 by the Countess as her third son, but he appears to have died young.<sup>4</sup>
4. *Anna*, baptized at Tynninghame on 25 August 1676.<sup>5</sup>

IX. JOHN, eighth Earl of Rothes, was baptized on 21 August 1679, at Tynninghame,<sup>6</sup> and succeeded his mother in the earldom on 20 August 1700. He soon afterwards resigned his rights to the title of Haddington in favour of his younger brother Thomas, who received a new patent on 22 October 1702. He sold the estate of Rothes, on 24 January 1711, to John Grant of Elchies. He was chosen one of the Representative Peers of Scotland in 1708, 1715, and 1722. He was also in November 1715 appointed Vice-Admiral

<sup>1</sup> *Reg. of Entails*, vol. 18, 10 March 1775. <sup>2</sup> *Fraser's Earls of Haddington*, i. 221. <sup>3</sup> *Ibid.* <sup>4</sup> *Ibid.*, 238; *Fourth Rep. Hist. MSS. Com.*, 511. <sup>5</sup> *Earls of Haddington*, i. 238. <sup>6</sup> *Ibid.*, 235.

of Scotland, and he was Lord High Commissioner to the General Assembly of the Church of Scotland from 1715 to 1721. In the rising of 1715 he sided with the Government, and made an effort to save Perth from the Jacobites, but was too late. In that and other ways he made himself so obnoxious to the rebels that they attacked his house at Leslie, searched it for arms, and even broke into the family burying-place. He commanded the Volunteer Horse at the battle of Sheriffmuir, and fought, it is said, with great gallantry. He played a part in other public affairs, and took much interest in agriculture, being one of the first to introduce the cultivation of turnips, especially in the north of Scotland. He died on 9 May 1722. He married, on 29 April 1697, Jean Hay, daughter of John, second Marquess of Tweeddale, who survived him, dying on 4 September 1731, and had issue:—

1. JOHN, who succeeded as Earl of Rothes.
2. *Charles*, captain in a Scottish regiment in the Dutch service.<sup>1</sup> He rose to the rank of colonel, and died in London, unmarried, on 16 August 1769.
3. *Thomas*, an Equerry to Frederick, Prince of Wales, in 1742. He was a captain in the 46th Regiment of Infantry, and fought at the battle of Prestonpans in 1745, where he was wounded and made prisoner. He was M.P. for the Perth Burghs in 1743, 1747, and 1754. He had the lands of Stenton, co. Fife, from his brother John, Earl of Rothes, on 1 February 1740. He died in London 17 March 1772. He married, and had issue a daughter *Catherine*, who was served heir to him on 18 August 1813.
4. *James* of Milndeans, baptized 11 April 1703.<sup>2</sup> He was admitted as a member of the Faculty of Advocates on 5 July 1726.<sup>3</sup> On 1 February 1740 he had a grant of the lands of Milndeans from his brother the Earl of Rothes. He was appointed in 1748 Sheriff-depute of Fife, and was also Solicitor of Exchequer until 1757. He died at Clapton, in Middlesex, on 24 September 1761, and his niece *Catherine*, daughter of his brother *Thomas*, was served heir to him on 18 August 1813.

<sup>1</sup> *Scots Brigade in Holland*, ii. <sup>2</sup> Leslie Reg. of Baptisms. <sup>3</sup> Books of Sederunt, at date.



5. *David*, born 26 September 1705, died young.
6. *William*, major commandant of invalids in Ireland. He died unmarried in London 29 January 1764.
7. *Francis*, born 20 June 1709.
8. *Andrew*, born 4 August 1712. He became Equerry to the Dowager Princess of Wales. After the death of his nephew the tenth Earl of Rothes, he claimed the title and estates of Rothes as heir-male, but the Court of Session decided in favour of his niece Jane Elizabeth, Countess of Rothes, and the House of Lords, on 10 May 1774, affirmed the decision. Andrew Leslie died at Haddington 27 August 1776.
9. *Jane*, born 24 June 1707; died at Edinburgh 18 March 1771.
10. *Mary*, who died in infancy.
11. *Margaret*, born 5 November 1710; died at Fountain-bridge, Edinburgh, 23 February 1767.
12. *Anne*, born 9 September 1714, died young.

X. JOHN, ninth Earl of Rothes, succeeded his father on 9 May 1722, and on 30 August in that year was served heir of entail.<sup>1</sup> He had already entered the Army, and was a captain of Dragoons in 1715. He was made lieutenant-colonel of the 21st Regiment in 1719, and of the 25th in 1732. He was elected one of the Representative Peers of Scotland in 1723, and again in 1727, 1747, 1754, and 1761. He held various commands in the Army, and was a major-general at the battle of Dettingen. He was at the head of the cavalry, as colonel of the 6th Dragoons, at Rocoux on 1 October 1746, and at his death he was Commander-in-chief of the Forces in Ireland, besides holding other appointments. He was made a Knight of the Thistle 29 March 1753.<sup>2</sup>

It was during his time that the chief family residence, Leslie House, Fifeshire, was burned down by the igniting of a large central beam which crossed a chimney in one of the sleeping-rooms. This took place, it is said, on Christmas day 1763, and the action of the fire was accelerated by the boisterous character of the day, when snow fell thickly, and was driven by a strong wind. Every effort

<sup>1</sup> Services of Heirs, at date. <sup>2</sup> Nicolas's *Orders of Knighthood*.

was made to save the house, but without success, and it was wholly destroyed. 'The Library was at that time considered the most valuable in Scotland, and the plate and linen was also a peculiarly rich collection.'<sup>1</sup> Another account, which gives the date as Wednesday, 28 December, states that no lives were lost, and that most of the rich furniture was destroyed. Some jewels, plate, and fine paintings were saved.<sup>2</sup> The mansion, however, was rebuilt before 1767. To enable him to rebuild the house, the Earl sold his estate of Ballinbreich to Sir Lawrence Dundas, ancestor of the Earl of Zetland, and he also lived in comparative seclusion for a time, but did not long survive the catastrophe, as he died at Leslie on 10 December 1767. He married, first, at London, 25 May 1741 (marriage-contract 23 March 1741), Hannah, daughter and co-heiress of Matthew Howard of Hackney, co. Middlesex. She died suddenly in Dublin 26 April 1761, and the Earl married, secondly, at Tynninghame, on 27 June 1763, Mary Lloyd, daughter of Gresham Lloyd and his wife Mary Holt, who had married, as her second husband, Thomas, seventh Earl of Haddington. She died, 14 January 1820, at Exeter, having married, secondly, on 24 May 1770, Bennet Langton of Langton, co. Lincoln, with numerous issue. By his first wife only the Earl had issue:—

1. JOHN, who succeeded as tenth Earl of Rothes.
2. *Charles*, who died 18 August 1762, aged fifteen.
3. JANE ELIZABETH, who became Countess of Rothes.
4. *Mary*, born 29 August 1753; married, at Esher, 5 November 1770, to William Charles, third Earl of Portmore, and died at Kedleston 21 March 1799, leaving issue.

XI. JOHN, tenth Earl of Rothes, who succeeded, was born in London 19 October 1744. He was served heir of entail to his father in terms of the entail of 1 January 1684. Nothing is recorded of this Earl except that he held an ensign's commission in his father's regiment, the 3rd Regiment of Foot Guards. He died at the age of twenty-eight, at Leslie House, on 18 July 1773, and was succeeded by his

<sup>1</sup> *Hist. of Leslies*, 130-134, where there is an account of the fire as told by an eye-witness. <sup>2</sup> *Scots Mag.*, xxv. 693.

sister as Countess of Rothes. He married, 4 April 1768, Jane, second daughter of Captain Thomas Maitland of Soutra, co. Haddington, but had no issue. She married, secondly, 29 September 1774, Patrick Maitland of Freugh, ninth son of Charles, sixth Earl of Lauderdale, and died shortly before 18 August 1817, leaving issue. (*See that title.*)

XII. JANE ELIZABETH, who succeeded her brother as Countess of Rothes, was born 5 May 1750, and was served heir of entail to John, Earl of Rothes, her brother, in the earldom of Rothes and in the lordship of Leslie on 27 June 1775. Her right to the succession had been confirmed in her favour by the House of Lords on 10 May 1774, having been contested by her uncle Andrew as already stated. The Countess died in London on 2 June 1810, having been married, first, at London, on 1 January 1766, to George Raymond Evelyn, youngest son of William Evelyn Glanville, of St. Clere, co. Kent. He died on 23 December 1770, and she was married, secondly, at Brighton, 30 October 1772, to Sir Lucas Pepys, Bart., physician to King George III., who survived her, and died 17 June 1830.

The Countess had issue by her first marriage, besides two sons who died as infants, one son,

1. GEORGE WILLIAM, afterwards eleventh Earl of Rothes.

By her second marriage she had a daughter *Henrietta*, who was married, 29 November 1804, to William, tenth Earl of Devon, and died 16 December 1839, leaving issue, and two sons, *Sir Charles* Leslie and *Sir Henry* Leslie, who successively succeeded to their father's baronetcy, and died without issue.

XIII. GEORGE WILLIAM, eleventh Earl of Rothes, eldest son of the preceding by her first husband, was born 28 March 1768, succeeded, on the death of his mother, 2 June 1810, and was served heir of entail to her on 24 August of that year. On 8 June 1813 he had a disposition from his cousin Catherine Leslie, only child of his grand-uncle Thomas, and heiress of her uncle James (p. 304, *supra*), of the lands of Stenton, Milndeans, and others. He died 11 February 1817, and a tablet was erected to his memory in the church of Wotton

by his widow. He married, first, on 24 May 1789, Henrietta Anne Pelham, eldest daughter of Thomas, Lord Pelham of Stanmore (afterwards Earl of Chichester), and by her, who died at Brighton 6 December 1797,<sup>1</sup> had issue. He married, secondly, 21 August 1798, Charlotte Julia Campbell, daughter of Colonel John Campbell of Dunoon. She died, 21 March 1846, at Shrub Hall, near Dorking.

By his first marriage he had:—

1. HENRIETTA ANNE, who succeeded as Countess of Rothes.
2. *Amelia*.
3. *Mary*.

And by the second marriage:—

4. *Charlotte Julia*, who died young at Shrub Hill, 2 January 1802.
5. *Elizabeth Jane*, married, 16 December 1830, to Major Augustus Wathen, of the 15th Hussars, who died 3 May 1843. She died 19 January 1861.
6. *Georgiana*, died 15 November 1814.

XIV. HENRIETTA ANNE, who succeeded to her father on 11 February 1817, as Countess of Rothes, was born 26 March 1790, and married in 1806, George Gwyther,<sup>2</sup> who assumed the name and arms of Leslie, and died 24 March 1829. She died 30 January 1819, leaving issue:—

1. GEORGE WILLIAM EVELYN, who succeeded.
2. *Thomas Jenkins*, born 29 June 1813. He became an officer in the Army, and died, without issue, 13 July 1849, having married, 25 August 1834, Honora Seward, daughter of Major Thomas Burrowes of Stradone, co. Cavan. She died 8 February 1880.
3. *Henrietta Anne*, born 31 October 1807; married, 16 November 1827, to Charles Knight Murray, barrister, and died, without issue, 14 April 1832.
4. MARY ELIZABETH, who succeeded as Countess of Rothes.
5. *Anne Maria*, born 19 July 1815; married, 6 January

<sup>1</sup> *Scots Mag.* <sup>2</sup> He was a gardener, and she married him without the knowledge of her family. Till her father's death she lived with her husband in a very humble way. See Burke's *Vicissitudes of Families*, 2nd ser., 172.

1835, to Henry Hugh Courtenay, afterwards fourteenth Earl of Devon, and died 18 February 1897, leaving issue. He died 29 January 1904.

6. *Catherine Caroline*, born 14 April 1817; married, 29 April 1841, to Captain John Parker, 66th Regiment, and died 11 January 1844.

XV. GEORGE WILLIAM EVELYN, twelfth Earl of Rothes, born 8 November 1809; succeeded his mother on 30 July 1819, and died 10 March 1841. He married, 7 May 1831, at Malta, Louisa, third daughter of Colonel Anderson Morshead, colonel-commandant of Engineers; she died 21 January 1836, having had issue:—

1. GEORGE WILLIAM EVELYN, who succeeded as thirteenth Earl of Rothes.
2. HENRIETTA ANDERSON MORSHEAD, who succeeded her brother.

XVI. GEORGE WILLIAM EVELYN, born 4 February 1835; succeeded his father, on 10 March 1841, as thirteenth Earl of Rothes, and died, unmarried, at Edinburgh, 2 January 1859. He was succeeded by his only sister,

XVII. HENRIETTA ANDERSON MORSHEAD, as Countess of Rothes. She was born 6 February 1832, and died, without issue, 10 February 1886, having married, 22 January 1861, George Waldegrave, youngest son of William Frederick, eighth Lord Waldegrave. He, who assumed the additional name of Leslie, died 8 July 1904. Countess Henrietta was succeeded in the title and estates by her aunt,

XVIII. MARY ELIZABETH, Countess of Rothes, born 9 July 1811; succeeded her niece on 10 February 1886. She married, on 11 August 1835, Martin E. Haworth, of the 60th Rifles, who assumed, in March 1886, the surname of Leslie, and died 2 November same year. The Countess died 19 September 1893, having had issue:—

1. *Martin Leslie Leslie*, born 12 March 1839, who assumed in 1865 the name of Leslie only. He died 22 December 1882, in the lifetime of his mother, having married, 10 June 1873, Georgina Frances, daughter

of Henry Studdy of Waddeton Court, Devon, by whom he had issue :—

- (1) NORMAN EVELYN, who succeeded his grandmother as Earl of Rothes.
  - (2) *Mary Eleanor*, born 18 October 1875.
  - (3) *Mildred Emily*, born 22 December 1878.
  - (4) *Georgina*, born 11 December 1879; married, 7 November 1908, to William Blacklock Haden Corser of New Place, Horsham, Sussex, son of the late Haden Corser of the Hyde, Ingatestone, Essex.
2. *Edward Courtenay*, born 2 July 1840; married, 1 October 1890, Caroline, youngest daughter of Thomas Tregenna Biddulph, and has issue three sons and two daughters.<sup>1</sup>
  3. *Henry*, born 19 April 1845; died, unmarried, 15 March 1889.
  4. *Lydston Horton*, born 2 September 1849; died 16 April 1890. Married, 28 June 1881, Elizabeth Anne (died 19 June 1898), daughter of Robert Reece, by whom he had no issue.
  5. *Raymond Evelyn*, born 11 August 1851; died, unmarried, 14 January 1897.
  6. *Mary Euphrasia*.
  7. *Emily Louisa*, married, 25 April 1871, James Frederick Cherry, who died in 1883, leaving issue.
  8. *Alice Julia*, born 30 August 1843.
  9. *Grace*, born 30 May 1854; married, 10 April 1876, John Bazley White of Wierton Grange, Maidstone, and has issue.

XIX. NORMAN EVELYN, fourteenth Earl of Rothes, who succeeded his grandmother on 19 September 1893, was born 13 July 1877. A representative peer for Scotland. Married, 19 April 1900, Noëlle Lucy Martha Dyer, only daughter of Thomas Dyer Edwardes of Prinknash Park, co. Gloucester. Issue :—

MALCOLM GEORGE DYER-EDWARDES LESLIE, Lord Leslie, born 8 February 1902.

CREATIONS.—Lord Leslie, 1445; Earl of Rothes, in or

<sup>1</sup> See Burke's *Peerage*.

about 1457; regrant as Earl of Rothes, Lord Leslie and Ballinbreich, 4 July 1663; Duke of Rothes, Marquess of Ballinbreich, Earl of Leslie, Viscount of Lugtoun, Lord Auchmoutie and Caskieberry.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, argent, on a bend azure three buckles or, for *Leslie*; 2nd and 3rd, or, a lion rampant gules surmounted of a ribbon sable, for *Abernethy*.

CREST.—A demi-griffin proper, beaked, armed and winged or.

SUPPORTERS.—Two griffins proper, beaked, winged and armed or.

MOTTO.—*Grip fast.*

[J. A.]

## STEWART, DUKE OF ROTHESAY



THE earliest holder of this title was David, Earl of Carrick, eldest son of King Robert III., who was created Duke of Rothesay, in the Isle of Bute, 28 April 1398,<sup>1</sup> the day on which his uncle Robert, Earl of Fife, was made Duke of Albany. This was the first introduction of the ducal dignity into Scotland. The ceremony took place at Scone, in the chapel of the monastery, and the recipients of the honour

were decorated and vested 'mantellis et pileis furratis solempniter, et aliis insigniis solis Ducibus competentibus, et tradi consuetis intra missarum solempnia.' No charter conferring the title is known to have existed; so the limitation of the honour can only be inferred. Wyntoun, who was born about 1350, and was therefore a contemporary, says that the Duke of Rothesay was

' . . . Til haif yat tityl ay  
And eftyr hym, as yet wes done,  
All tym ye Kingis eldeste sone,  
And his aire, suld be alway  
Be titill Duke cald of Rothesay.'<sup>2</sup>

After the death of David, Duke of Rothesay, on 26 March 1402,<sup>3</sup> King Robert III. is said to have granted a charter,

<sup>1</sup> *Chart, Morav.* <sup>2</sup> Wyntoun's *Cronykil*, Bk. ix. cap. xix. <sup>3</sup> Cf. vol. i. 18.



10 December 1404,<sup>1</sup> to his next surviving son, James, afterwards King James I., of the lands of the stewartry of Scotland, including the island of Bute. There is no mention of the title of Duke of Rothesay, nor is there any record of James having enjoyed that title in the short period which elapsed between the granting of the charter and his accession to the throne. His eldest son, however, afterwards James II., was during his father's lifetime frequently styled Duke of Rothesay,<sup>2</sup> but it is worthy of note that in no known instance is his son and heir James III. ever styled by that title when heir-apparent.<sup>3</sup> Nine years after his accession to the throne, on 27 November 1469, an Act of Parliament 'not now to be found in the records of Parliament,' says Riddell,<sup>4</sup> 'but of which authentic copies are apparently extant, declares that the 'dominium de Bute, cum castro de Rothesay, and various other lands, principibus primogenitis regum Scotie, successorum nostrorum perpetuis temporibus futuris uniantur, incorporantur, et annexentur.' This is a gift of the principality of Scotland to the eldest son of the King in all generations; there is no specific grant, it will be observed, of the title of Duke of Rothesay, but from this date, down to the present time, the eldest son of the King has always enjoyed the title.

[J. B. P.]

<sup>1</sup> Wood's Douglas's *Peerage*, quoting Carmichael's *Tracts*, 103. <sup>2</sup> *Exch. Rolls*, 529 *et seq.* <sup>3</sup> *Ibid.*, vi. xciii n. <sup>4</sup> *Peerage and Constitutional Law*, 263.

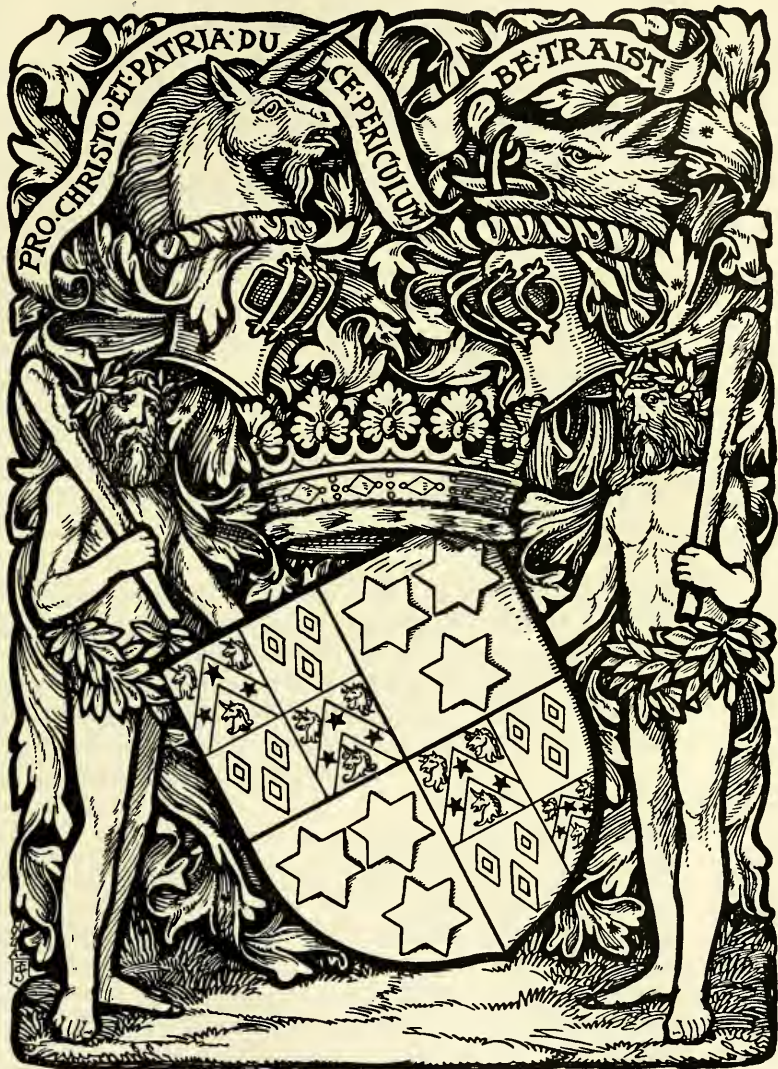
## INNES KER, DUKE OF ROXBURGHE



PEERAGE article does not afford much space for an inquiry into the traditional Anglo-Norman descent of the Kers of Altonburn, progenitors of the Border houses of Cessford and Ferniehirst, but it may be said that the name Ker is of unquestioned Scandinavian origin. It is found in the early Norse Saga of tenth-century date, in which the deeds and voyages of 'Kari' the Iclander are described;<sup>1</sup>

it is still borne, under easily recognised variants, in Norway and Denmark, and is found in the track of the 'Northmen,' south and west. It is said to have entered England with the followers of the Conqueror, and a 'Karre' certainly appears in the Roll of Battle Abbey,<sup>2</sup> but that document is now generally discredited. The name is not found in Domesday Book, yet it may have come in a later immigration from Normandy or Brittany, in which last country it is more frequently found. But no link between the Border Kers and any particular Norman ancestor entering either England or Scotland at any particular date has yet been discovered. A Robert Ker was defendant in

<sup>1</sup> *Burnt Njal*, Dasent's translation. <sup>2</sup> *Battle Abbey Roll*, ed. Duchess of Cleveland, ii. 168.



Korburghe



an assize of 'novel disseizin' before the Justices of Newcastle-on-Tyne, 20 June 1231,<sup>1</sup> and the names of 'Robertus de Kari' and 'Johannes Kir' appear, in thirteenth-century handwriting, in the *Liber Vitæ* of Durham.<sup>2</sup> These seem to be the first of the name on record in England. For many years after the Conquest the name is found only in isolated instances in the public records of England or Scotland, and not till the beginning of the fourteenth century does it become frequent. It is often found then in the Patent Rolls and other records in England as del Ker, or Carr, or Ker. In the reign of David II., 1329-1370-71, about the date 1357, when John Ker of the Forest of Ettrick acquired the lands of Altonburn, various families of Kers acquired lands in Peeblesshire, Haddingtonshire, Dumfriesshire, Lanarkshire, Stirlingshire, and in Aberdeen.<sup>3</sup> From this it would seem that though probably of the same stock, there are many families of the name in Scotland who are not descended from the Kers of Cessford and Ferniehirst.

JOHN KER, the first of the name on record in Scotland, appears under the designation of 'the hunter of Swynhope' as a witness to the perambulation of the bounds of Stobo Manor, belonging to the See of Glasgow, in the reign of William the Lion, 1165-1214.<sup>4</sup> Mr. Cosmo Innes assigns the date to 1200, but from internal evidence the Rev. James Wilson believes it to be earlier.<sup>5</sup>

RICHARD KER, the next on record, is referred to in a charter to Melrose Abbey, *temp.* Alexander II., 1214-49, as holding a croft and toft in the 'vill' of Eliston in Roxburghshire.<sup>6</sup> This Richard Ker is said to have been descended from William Espec, a Norman baron settled in Yorkshire in 1086, and to have been known as Richard Fitzwilliam Carr or Ker, whose son, it is further alleged, was the father of a Ralph Ker, said to have been living in 1330, and also of John Ker of the Forest of Selkirk.<sup>7</sup> He is, however, simply

<sup>1</sup> *Cal. Doc. Scot.*, i. No. 1131. <sup>2</sup> *Liber Vitæ*, Surtees Soc., 19, 90.  
<sup>3</sup> Robertson's *Index*, Reign of David II., pp. 34, 45, 46, 48, 79. <sup>4</sup> *Reg. Episc. Glasg.*, i. 89. <sup>5</sup> *Scottish Antiquary*, xvii. 105. <sup>6</sup> *Liber de Melros*, i. 232. <sup>7</sup> *The Norman People*, 300.

called Richard Ker in the charter referred to, and no proof of these statements is given, or apparently known.

NICOL KER, designed of the county of Peebles, is the next on record on the Borders; he signed the Ragman Roll in 1296, as did Andrew del Ker of the county of Stirling, Henry Ker of the county of Edinburgh, and William Ker of the county of Ayr. William Ker, the last named, may be the William Ker referred to in a charter of certain lands at Ardrossan, reign of Robert I., 1306-29.<sup>1</sup> He is said to have been the ancestor of the Kers of Kersland and other West Country families of the name.<sup>2</sup>

HUGH KER appears in the Account Rolls of Coldingham Priory, dated 1329, as a tenant in Ersilton, of the Priory.<sup>3</sup>

JOHN KER of the Forest of Selkirk, the next on record, is the first of the Kers of Altonburn, of whom came the great Border houses of Cessford and Ferniehirst. He had a charter, dated at Altonburn the Monday after the Purification of the Virgin 1357 (5 February 1357-58) from John of Coupland (probably the captor of King David II. at the battle of Neville's Cross in 1346, and perhaps the same person designed 'our sheriff' by Edward III. in confirming a donation to the church of St. James in Roxburgh, May 1354'), 'granting and confirming to John Kerre of the Forest of Selkirk all his lands and tenements with their pertinents in Altonburn, which the granter held by the gift and infeoffment of Adam of Roule; to be held to the said John Kerre in fee and heritage,' etc.<sup>5</sup> A few months later 'John Kerre of the Forest of Eteryk' had a charter from William of Blakdene, son and heir of Christian of Blakdene, granting to him and Mariota, his wife, all lands and tenements which had descended to the granter after the decease of his late mother, the said Christian, in the towns of Molle and Altonburn, within the regality of Sprouston. Dated at Altonburn, the Thursday next after the Feast of St. Michael the Archangel, 1358 (4 October 1358).<sup>6</sup> John

<sup>1</sup> *Reg. Mag. Sig.*, folio vol. 2, 51.   <sup>2</sup> *Herald and Genealogist*, vii. 120.  
<sup>3</sup> *Coldingham Priory*, Surtees Soc., App. v.   <sup>4</sup> *Liber de Melros*, ii. 393.  
<sup>5</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 8.   <sup>6</sup> *Ibid.*

Ker was probably the same person as the juror John Ker, whose name occurs on various occasions in 1357 as serving in that capacity at Roxburgh, then held by the English.<sup>1</sup> His name again appears as present on an inquisition taken at Roxburgh before Robert Tughalle, Chamberlain of Berwick, 5 October 1361.<sup>2</sup> On 6 November 1363 King Edward III. 'of special favour' granted his liege John Ker the custody of the lands of the late William of Rutherford in Teviotdale and of William, his son and heir, till majority, with his marriage, without disparagement, free of any 'reddendo.'<sup>3</sup> The name of John Ker appears as witness to a charter of the manor of Lessuden to Melrose Abbey by Sir John Neville, son and heir of Ralph Neville, Lord of Raby, about 1357.<sup>4</sup> It is not known of what family John Ker's wife came, but he is said to have had three sons:—

1. HENRY, whose son Robert is said to have carried on the Altonburn line.
2. *John*.
3. *Robert*, said to have been identical with Robert Ker, servitor of William, Earl of Douglas, who in 1358 had a safe-conduct to proceed to England.<sup>5</sup>

HENRY KER is the next on record on the Borders, but evidence of his relationship to John Ker of Altonburn is wanting. He was evidently on the patriotic side, while John Ker was distinctly in the allegiance of England, though this does not disprove even a near relationship. As Sheriff of Roxburgh he rendered his accounts at Dundee 28 March 1359, noting that he had not received the proceeds of the assize of 'Prendrelath' with pertinents, because the barony was in the allegiance of England.<sup>6</sup> His name appears, 22 April 1361, as rendering his accounts of the collections made in Roxburgh towards payment of the ransom of King David II. due to England.<sup>7</sup> He is probably identical with Henry Ker, who was witness to two charters to Melrose Abbey by William, Earl of Douglas, reign of David II., 1329-70-71.<sup>8</sup> Henry Ker 'of Scotland,' probably the same person, had a safe-conduct for himself and '26

<sup>1</sup> *Cal. Doc. Scot.*, iii. Nos. 1636, 1641, 1670. <sup>2</sup> *Ibid.*, iv. No. 62. <sup>3</sup> *Ibid.*, No. 89. <sup>4</sup> *Liber de Melros*, ii. 440. <sup>5</sup> *Herald and Genealogist*, vii. 121. <sup>6</sup> *Excheq. Rolls*, i. 568. <sup>7</sup> *Ibid.*, ii. 38. <sup>8</sup> *Liber de Melros*, ii. 429-431.

other Scots' to travel into England in 1363.<sup>1</sup> This safe-conduct was revoked by King Edward for 'special reasons' 15 January 1363-64.<sup>2</sup>

JOHN KER, the next on record on the Borders, is said to have been the second son of John Ker of the Forest of Selkirk,<sup>3</sup> but this is at variance with other statements. A John Ker certainly held the lands of Altonburn when the invasion of Scotland by Richard II. took place in 1385. It is not impossible that he was John Ker of Selkirk Forest himself. By a royal grant, dated 'Newbottle in Scotland,' 11 August 1385, King Richard II. bestowed the lands of Altonburn and Nesebit in Teviotdale, formerly held by John Ker, and now forfeited for his adhesion to 'our enemies of Scotland,' with lands of other persons similarly forfeited, upon 'our liege' John Boraille of Teviotdale.<sup>4</sup> This John Ker is said by some authorities to have been the John Ker who was witness to Sir John Neville's charter of the manor of Lessuden to Melrose Abbey.<sup>5</sup>

ROBERT KER, designed of Altonburn, seems to be the next of the family to hold Altonburn, and is said to have been a son of Henry Ker, the Sheriff of Roxburgh. He had a charter from Archibald, fourth Earl of Douglas, of the lands of Smailholm, and other lands, to be held blench of the Earl, who was then a prisoner in England, dated 20 June 1404.<sup>6</sup> He had two sons:—

1. RICHARD, who succeeded his father.
2. ANDREW, who succeeded his brother.

RICHARD KER of Altonburn, had charters of several lands from Archibald, fourth Earl of Douglas, in 1412, wherein he is designed son and heir of Robert Ker of Altonburn. He died without issue. The date of his death is usually given as 1428,<sup>7</sup> but his name appears as witness to a sasine on 28 April 1432,<sup>8</sup> and in the retour of his brother Andrew as his heir, it is stated that the lands of Altonburn had been in

<sup>1</sup> Rymer's *Fœdera*, Syll. i. 430. <sup>2</sup> *Cal. Doc. Scot.*, iv. No. 97. <sup>3</sup> *Herald and Gen.*, vii. 121. <sup>4</sup> *Rot. Scot.*, ii. 75. <sup>5</sup> *Herald and Gen.*, vii. 121. <sup>6</sup> Wood's Douglas. <sup>7</sup> *Ibid.* <sup>8</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 21.



the hands of the superior for three months previous to 29 April 1438, by the death of Richard Ker. It would from this appear that he died in January 1437-38.<sup>1</sup>

ANDREW KER succeeded his brother. He was, however, designed Lord of Altonburn on various occasions before Richard Ker's death. He is thus designed when, with James Ker, probably his son, he was witness to a sasine given to 'Davy of Home' acting for Marion and Elizabeth of Lauder, co-heiresses of their late mother Katherine of Lauder, in the lands of Hownam and Swynset, 22 August 1424.<sup>2</sup> As Andrew Ker, Lord of Altonburn, he had a charter from Archibald, fifth Earl of Douglas, confirming to him a lease made by Andrew Roule, Lord of Primside, of the lands of Primside. The lease is dated at Primside, Sunday, 4 June 1430. The charter is dated at Bothwell, 26 January 1429-30.<sup>3</sup> The discrepancy between the dates of lease and charter may be a clerical error; the 4 June 1413 was also a Sunday, and may be the date of lease. Andrew Ker did not long hold the lands of Primside in lease, for on 20 November 1430 he had a charter from Andrew Roule, with consent of George, his heir, granting to Ker the ten husbandlands of the Maynis lying on the south half of the town of Primside (the same lands as formerly leased). If they did not extend to ten husbandlands the deficiency was to be made up by the granter's lands on the north side of the town. The confirmation by the Earl of Douglas is dated at Ethebred-scheillis, 6 August 1432.<sup>4</sup> On 2 January 1433-34, George Crichton of Blackness granted to Andrew Ker half of the lands of Borthwickshiels, lying within the sheriffdom of Roxburgh. There was apparently some likelihood of Andrew Ker or his heirs being disturbed in their possession of these lands by the heirs of the late Sir William Douglas of Hawthornden, for a few days after the date of the charter Stephen of Crichton of 'the Carnis' and 'James of Parkle of Lithgw' bound themselves, should this happen, to give Andrew Ker yearly ten pounds' worth of land within the sheriffdom of Lothian, until George Crichton of Blackness

<sup>1</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 9. <sup>2</sup> *Twelfth Rep. Hist. MSS. Com.*, App. viii. 165, 166. <sup>3</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 21. <sup>4</sup> *Ibid.*, 22.

and his heirs should pay Andrew and his heirs one hundred marks in the Abbey of Jedburgh yearly.<sup>1</sup> Andrew Ker had thus, as the foregoing charters show, acquired considerable property before his brother Richard's death. On the 29 April 1438 he was retoured heir of his brother Richard, in the lands of Altonburn, Wawtyswelys, and Quitebankdene, with pertinents, lying in the regality of Sprouston, valued in time of peace at £20, but now lying waste, held *in capite* of the chief lords of the regality in whose hands they had been for three months, by the death of Richard Ker.<sup>2</sup>

Andrew Ker had, on 4 May 1439, charters from Archibald, Earl of Douglas, granting him the lands of Primside resigned by three daughters of the late Adam Roule, and on 18 February 1439-40 the four parts of Primside resigned by the same sisters, and by a fourth sister.<sup>3</sup> He had a charter on 20 June 1443, dated at Dunglass, by Marion Lauder, spouse of Sir Alexander Home of that Ilk, with consent of her husband, granting to him and his heirs her main lands of Hownam in fee and heritage.<sup>4</sup> On 8 October 1444, George Crichton of Blackness granted another charter of the half lands of Borthwickshiels, as formerly granted, to be held of Sir John Lindesay of the Byres and Chawmerlayne-Newtown, and by another writ he granted Andrew Ker the whole lands of Borthwickshiels 15 October 1444. On 17 June 1445 'Henry of Wode, chaplane,' gave his 'luffit frende,' Andrew Ker, lord of Altonburn, a nineteen years' lease of his tenandry of land in Hardenwod within Borthwickshiels.<sup>5</sup>

Andrew Ker died about Christmas 1444, as appears from the retour of his son Andrew to the lands of Primside, dated 1 March 1446-47, wherein it is stated that his father died 'about two years from Christmas last by-past.'<sup>6</sup>

The name of his wife is not on record; he had issue, so far as known:—

1. ANDREW, his successor.

2. *James*, to whom his father gave a charter, with consent of Andrew Ker, his son and heir, of his lands of Primside, dated at Caverton 27 August 1444.<sup>7</sup> James

<sup>1</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 11, 12. <sup>2</sup> *Ibid.*, 9. <sup>3</sup> *Ibid.*, 22. <sup>4</sup> *Ibid.*, 18. <sup>5</sup> *Ibid.*, 12. <sup>6</sup> *Ibid.*, 23. <sup>7</sup> *Ibid.*, 23.

Ker had a Crown charter of the 20 merklands of Bonyngtoun, Linlithgowshire, on 12 April 1452, wherein he is designed 'brother of Andrew Ker of Altonburn.'<sup>1</sup> His name appears in the list of persons who had safe-conduct to accompany William, Earl of Douglas, abroad, 23 April 1451.<sup>2</sup> He was the ancestor of the Kers of Linton.

3. *Thomas*, alluded to in the charter by Andrew Ker, Lord of Altonburn, to his son James, as above, as 'my son Thomas,' holding lands in Primside, adjacent to those granted to James.<sup>3</sup> His name also appears in the list of persons named in the safe-conduct to William, Earl of Douglas, 23 April 1451.<sup>4</sup> He was the ancestor of the Kers of Gateshaw.
4. *Margaret*, designed 'daughter of a prudent squire Andrew Ker of Altonburn,' and 'pretended wife' of George Roule, son and heir of Andrew Roule of Primside, who had sasine with him in the lands formerly belonging to his father in the town of Primside, now resigned by him, 28 April 1432.<sup>5</sup>

ANDREW KER of Altonburn, second of the name Andrew to hold the family lands, succeeded to a greatly increased inheritance. He was retoured heir of his father, in four parts of the whole lands of Primside, etc., in the regality of Sprouston, and 13s. 4d. of annual rent of the fifth part, which lands had been in the hands of William, Earl of Douglas, as baron of the regality, since the decease of the late Andrew Ker, about two years from Christmas by-past. Done at Newark 1 March 1446-47.<sup>6</sup> On 28 March 1446 Andrew Ker of Altonburn had a charter by Alexander Laynge of Caverton, granting to him and his heirs his husbandland lying in the town and territory of Cessford, which is commonly called 'Langisland.'<sup>7</sup> On 20 July 1450 he had a Crown charter, confirmed 28 February 1450-51, of the land of Cattiscleuch, in the barony of Herbertshire, Stirlingshire, forfeited by Sir Alexander Livingston.<sup>8</sup> In the safe-conduct granted to William, Earl of Douglas, dated at

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Cal. Doc. Scot.*, iv. No. 1232. <sup>3</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 22. <sup>4</sup> *Cal. Doc. Scot.*, iv. No. 1232. <sup>5</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 21. <sup>6</sup> *Ibid.*, 23. <sup>7</sup> *Ibid.*, 15. <sup>8</sup> *Reg. Mag. Sig.*

Westminster 9 November 1450, to pass through England to the marches of Calais and elsewhere with 86 persons, the name of Andrew Ker appears last but one on the list. In the second safe-conduct to the Earl, dated 23 April 1451, Andrew Ker of Altonburn's name appears among the squires who accompanied the Earl with his train of 100 persons, to visit Rome.<sup>1</sup> He had a Crown charter of the King's lands in Old Roxburgh, with remainder to his heirs, 6 February 1451-52.<sup>2</sup> He was appointed one of the conservators of the truce with England 18 April 1453, again in 1457, and in 1459-60.<sup>3</sup> On 10 June 1453 he entered into a bond of manrent and mutual assurance with Sir Robert Colville of Oxnam. In the following year, 2 December 1454, he received a similar bond of manrent from a certain Thom Robson in exchange for a grant to the said Thom of his lands of Hownam for life.<sup>4</sup> Further lands of the Roule family came into his hands on 12 February 1454-55, when he had sasine of his lands of Plenderleith and Hindhope, lying in the barony of Plenderleith, in Roxburghshire, resigned by the four co-heiresses of the late Andrew Roule.<sup>5</sup> In 1456 he was tried in the Warden's Court at Selkirk, held by George, Earl of Angus, for treasonable inbringing of Englishmen into Eckford, Crailing, Grimslaw and Jedburgh, and burning the district, but was acquitted.<sup>6</sup> On 7 December 1457 George, Earl of Angus, entered into an agreement with his 'right well beloved cousin Andrew Ker of Cessford' to the effect that the Earl should make Andrew Ker his bailie for life of his lordship of Jedburgh Forest, to have his manor of Lintalee for residence, 'for which things the said Andrew is become man to the said lord during their joint lives.'<sup>7</sup> He appears to have been of the party of the Boyds from the time that family came into power in 1461, and may have been the Andrew Ker whose name appears in the Exchequer Rolls in 1460-63 as holding the office of Keeper of Edinburgh Castle.<sup>8</sup> On 7 January 1564-65 he had royal letters, granting him the ward and marriage of Robert Mow.<sup>9</sup> He, with his eldest son Andrew, took part in carrying off the young King James III. from Lin-

<sup>1</sup> *Cal. Doc. Scot.*, iv. Nos. 1229, 1232. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *Rot. Scot.*, 367a, 383a, 398a. <sup>4</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 9, 10. <sup>5</sup> *Ibid.*, 20. <sup>6</sup> *Ibid.*, 10. <sup>7</sup> *Ibid.*, 19. <sup>8</sup> *Exch. Rolls*, vi. 59; vii. 148, 211. <sup>9</sup> *Reg. Mag. Sig.*

lithgow to Edinburgh by the Boyds, 9 July 1466; but he, with them, obtained the King's pardon and favour, receiving on 27 April 1467 a Crown charter of the whole lands of Cessford with all its pertinents and annexations united into the barony of Cessford, which 'barony belonged to Andrew Ker and was resigned by him into the King's hands,' to be held to the said Andrew for life, and after his decease to Walter Ker, his son, and the lawful heirs-male of his body; whom failing, to Thomas Ker and Mr. Robert Ker, brothers of Walter, and the lawful heirs-male of their bodies.<sup>1</sup> On 20 November 1469 Andrew Ker sat in Parliament.<sup>2</sup> This was only two days before the forfeiture of the Boyds, and it was not till 5 March 1470-71 that he was tried as their accomplice in carrying off the King in 1466, and otherwise aiding and abetting Lord Boyd, and on other charges.<sup>3</sup> On 5 October 1478 Andrew, Lord Gray, was pursuer in an action against him for wrongfully occupying the land of Awnay, in his barony of Broxmouth.<sup>4</sup> In 1479-81 Andrew Ker is entered as intromitting with the fermes of Jedburgh.<sup>5</sup> He is said to have died before May 1481, but on the 8 May of that year, in the confirmation charter to his son Walter Ker of the lands of Cessford resigned by his father, a life-rent is reserved to Andrew Ker of Cessford, and a reasonable terce to his wife Margaret Tweedie.<sup>6</sup> He was certainly dead before August 1484, when his son Walter is designed of Cessford.<sup>7</sup> He is said to have been twice married; first, to a daughter of William Douglas of Cavers, and this receives confirmation from his son Walter being referred to in a charter by William Douglas of Cavers in 1450 as his nephew or grandson.<sup>8</sup> He married, secondly, Margaret Tweedie of Drummelzier in Peeblesshire. She is mentioned in the charter of Cessford to him, with remainder to his sons and reservation of her terce, 5 April 1474.<sup>9</sup> He had issue, of whom the two eldest sons at least were by his first wife:—

1. ANDREW, who is designed son and heir-apparent of Andrew Ker of Cessford in a remission to him, with

<sup>1</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 17. This charter is not in the extant Register of the Great Seal. <sup>2</sup> *Acta Parl. Scot.*, ii. 93a. <sup>3</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 27. <sup>4</sup> *Acta Dom. Auditorum*, p. 4. <sup>5</sup> *Exch. Rolls*, ix. 162. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Ibid.* <sup>8</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 11. <sup>9</sup> *Reg. Mag. Sig.*

others concerned, for aiding and abetting Robert, Lord Boyd, in carrying off King James III. from Linlithgow on the 9 July 1466. The remission is dated 13 October 1466.<sup>1</sup> He must have died shortly after, *vitâ patris*, as his next brother, Walter, appears as his father's heir-apparent in the Crown charter of Cessford 27 April 1467.<sup>2</sup> He married Margaret, daughter of Patrick Hepburn of Hailes, and widow of Patrick, second Lord Haliburton of Dirleton. She survived Andrew Ker and married, thirdly, Archibald Forrester of Corstorphine. (*See title Forrester.*) By her Andrew Ker had an only child,

*Margaret*, who on 6 November 1479 renounced any rights she might have to the succession of Cessford in favour of her uncle Walter Ker of Caverton, and that by the advice of her nearest friends, including her mother Lady Dirleton, receiving from her uncle the sum of eight hundred merks Scots. She binds herself, in case of infringing this contract, to pay 1000 merks penalty to her uncle, the same sum to the King, and 500 merks to the work on the church and bridge of Glasgow.<sup>3</sup> On 5 July 1483 Alexander, fourth Lord Forbes, was ordered to pay to Margaret, Lady Dirleton, who had the gift of his marriage, the sum of 2000 merks double casualty for his failure to marry her daughter Margaret Ker.<sup>4</sup> It is said<sup>5</sup> that she subsequently married John Home of Ersilton and Whiterigs, brother of Alexander, second Lord Home, and ancestor of the present Earl of Home. It is on record that John Home of Ersilton married a Margaret Ker, but she was daughter of James Ker of Gathshaw,<sup>6</sup> and the later history of Margaret Ker of Cessford does not seem known.

2. WALTER, who succeeded to Cessford.
3. *Thomas*, first of Ferniehurst. His name appears second in the remainder of the Crown charter of Cessford, as above. Of him came the second great Border house of Ker. His direct heir-male and representative is the present Marquess of Lothian. (*See titles Jedburgh and Lothian.*)
4. *Mr. Robert*, Abbot of Kelso. Under the designation of 'Mr. Robert,' his name appears third in the Crown charter of Cessford as above, but does not appear in any of the other Cessford charters. When he became

<sup>1</sup> *Acta Parl. Scot.*, ii. 185; *Reg. Mag. Sig.*, 25 October 1466. <sup>2</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 17. <sup>3</sup> *Ibid.* <sup>4</sup> *Acta Dom. Aud.*, 113. <sup>5</sup> *Herald and Gen.*, vii. 124. <sup>6</sup> *Twelfth Rep. Hist. MSS. Com.*, App. viii 89.

Abbot of Kelso is not certain, but he held that office on 31 March 1478, when Walter Ker and his brother 'the Abbot of Kelso' were sent by King James with Lyon King of Arms to escort from the Tweed to his presence the bearer of an instalment of the Princess Cecilia's dowry.<sup>1</sup> He sat as one of the Lords Auditors in Parliament. He was dead before 24 June 1505, on which date Thomas Brown, Vicar of Caldorclere, had a confirmation of his endowment of a perpetual celebrant at the altar of St. Duthac, in Kelso Abbey, for the benefit of the souls of Robert, Abbot of Kelso, and Sir Robert Ker.<sup>2</sup>

5. *William*, whose name appears as brother-german to Walter and Thomas Ker, third in the remainder of the Crown charter of Cessford, 5 April 1474.<sup>3</sup> He was tenant in part of the King's lands of Yair in 1469,<sup>4</sup> and his name and that of his son appear in the accounts of the Ward of Yarrow, year after year, as tenants in Yair and in Williamhope.<sup>5</sup> On 16 April 1504 William Ker of Yair had a confirmation charter of the lands of Merton with their fishery on the Tweed, etc., sold to him by Sir Alexander Lauder of Halton.<sup>6</sup> On 21 April 1505 he had a grant from King James IV. of the lands of Bottis, Hadirlee, and others described in the burgh and liberty of Selkirk, with the offices of Coroner and Serjeant of the county of Selkirk.<sup>7</sup> He had on 7 December 1507 another Crown charter of other lands, and territory of Boithill, co. Peebles.<sup>8</sup> His descendants occupied Yair for some generations, and are the 'race of ye Hous of Zair' who lie in Melrose Abbey.
6. *Ralph*, whose name appears fourth in the remainder of the Crown charter of Cessford of 1474, as brother-german to Walter, Thomas, and William Ker. In 1484-86 he had a tack of the 'east stede' of Gildhouse in Yarrow, with the consent of his brother Walter Ker of Cessford.<sup>9</sup> He is said to have been the ancestor of the Kers of Greenhead.<sup>10</sup>

<sup>1</sup> *Cal. Doc. Scot.*, iv. No. 1452. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *Ibid.* <sup>4</sup> *Exch. Rolls*, vii. 621. <sup>5</sup> *Ibid.* <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Ibid.* <sup>8</sup> *Ibid.* <sup>9</sup> *Exch. Rolls*, ix. 607, 616. <sup>10</sup> *Herald and Gen.*, vi. 231.

7. *Margaret*, who was married, first, to Sir James Sandilands of Calder, as his second wife. They had a confirmation charter of the lands of Erthbissate, etc., the lands of Slamannan and Bannockburn, 14 July 1489, with the right of patronage to the Church of St. Laurence and Chapel of St. Ninian, in the burgh of Stirling.<sup>1</sup> Margaret Ker survived her first husband, and was married, secondly, again as a second wife, to William Hay, Earl of Erroll, Constable of Scotland, before 17 May 1509.<sup>2</sup>

WALTER KER of Caverton, second but eldest surviving son of Andrew Ker of Altonburn and Cessford, succeeded his father some time after 8 May 1481.<sup>3</sup> As Walter Ker, 'scutifer,' he witnessed a charter of John, Lord Hali-burton, 30 December 1449.<sup>4</sup> He had a charter from William Douglas, Lord of Cavers, 4 August 1450, granting to his nephew or grandson Walter Ker, son of Andrew Ker, his whole lands of Blackpule.<sup>5</sup> The name of Walter Ker comes first in the remainder of the Crown charter of Cessford granted to his father, Andrew Ker, 27 April 1467.<sup>6</sup> He is designed son and apparent heir of Andrew Ker of Cessford in an acknowledgment by Henry Wardlaw of Torry of the sum of 240 merks, received for his lands of Hownam from Walter Ker, 20 May 1468.<sup>7</sup> On 14 May 1471 a precept of sasine was granted by John, Lord Lindsay, for the infettment of Walter Ker, son and apparent heir of Andrew Ker of Cessford, in the lands of Borthwickshiels and Hardenwode.<sup>8</sup> He had a charter, 15 May 1571, on the resignation of his father, of the lands of Hindhope from William, Lord Abernethy, to be held to him, whom failing, to his brothers Thomas, William, and Ralph Ker, and the heirs-male of their bodies respectively in succession.<sup>9</sup> On 31 May 1473 he had a Crown charter to him and his heirs of the third part of the lands of Caverton, resigned by John Fotheringham.<sup>10</sup> He had a charter of the barony and castle of Cessford, including the lands of the

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.*, 7 July 1509. <sup>3</sup> He is erroneously designed *Sir* Walter Ker in the Lothian article, *ante*, vol. v. 452. <sup>4</sup> *Reg. Mag. Sig.*  
<sup>5</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 11. <sup>6</sup> *Ibid.*, 17. <sup>7</sup> *Ibid.*, 18.  
<sup>8</sup> *Ibid.*, 13. <sup>9</sup> *Ibid.*, 21. <sup>10</sup> *Reg. Mag. Sig.*



barony of Auld Roxburgh, the lands of Altonburn and Prymside, etc., with 18 husbandlands in the 'vill' and territory of Smailholm, with remainder to his brothers Thomas, William, and Ralph, and the lawful heirs-male of their bodies respectively, failing whom, to the heirs whatsoever of the said Andrew, on the resignation of his father, 5 April 1474.<sup>1</sup> Walter Ker, designed of Caverton, and Lord of Hownam, founded and endowed from these lands, on 5 December 1475, a perpetual chaplaincy at the altar of St. Katherine the Virgin within the monastery church of Kelso for the soul of the late King James II., for his own soul, etc. This chaplaincy he further, on 20 October 1488, endowed from his lands of Auld Roxburgh, when he had become Laird of Cessford.<sup>2</sup> His charter was confirmed by King James IV. 20 November 1488.<sup>3</sup> He was appointed, on 31 March 1478, to accompany his brother the Abbot of Kelso, Lyon King of Arms, and others, as escort to the almoner of King Edward IV. from the Tweed to the presence of King James III.<sup>4</sup> On 1 October 1478 Robert, Abbot of Kelso, conferred upon Walter Ker, for his services, and specially in recompense for his gift to the Abbey of fuel from the moor of Caverton for the Abbey, the offices of Justiciar and Bailie of the whole lands of the barony of Kelso, and of the lands and lordships of Sprouston and Redden, of the barony of Bowden, and other lands of the Abbey in Roxburghshire, Berwickshire, Edinburgh, and in the Constabulary of Haddington, with a fee of £10 Scots yearly from the lands of Bowden, to be held to the said Walter Ker, failing whom, to his brothers Thomas, William, and Ralph, and to the heirs-male of the body of each in succession.<sup>5</sup> Walter Ker had, on 8 May 1481, a second charter of the barony and castle of Cessford, etc.<sup>6</sup> On 7 August 1484 Walter Ker, now of Cessford, had a charter from King James III. of the 20-merk lands of Caverton, forfeited by Robert, Lord Boyd.<sup>7</sup> He was one of the Commissioners for settling Border disputes with the English of the East and Middle Marches, 22 September 1484.<sup>8</sup> The name of

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 14.  
<sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> *Cal. Doc. Scot.*, iv. No. 1452. <sup>5</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 19. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Ibid.* <sup>8</sup> *Syll. Rymer's Fœdera*, 441.

Walter Ker of Cessford does not appear prominently in the civil troubles of the next four years in Scotland, but the side he took may be inferred from the date and wording of the Crown charter granted to him by King James iv. 3 August 1488,<sup>1</sup> for the singular favour borne him by the King, and in reward for eminent services, of the castle of Roxburgh, and the right of patronage of the Hospital of the Maison Dieu of Roxburgh, a grant repeated on 20 February 1499-1500.<sup>2</sup> He was tenant in this reign, as he had been in the previous reign, of Bourhope and Eststeid, of Windydurris in Ettrick Forest, and was allowed to receive the petty customs of Jedburgh.<sup>3</sup> He was one of the Scots Commissioners who signed a three-years' truce with England at Coldstream 23 October 1488,<sup>4</sup> and one of King James iv.'s ambassadors to England, who had safe-conduct and protection for three months 22 October 1491.<sup>5</sup> He had a Crown charter, to him and his heirs whatsoever, of the third part of the lands of Caverton, resigned by John Hundolee, 7 January 1491-92.<sup>6</sup> He sat in Parliament 6 February 1491-92,<sup>7</sup> and on 17 October 1492 was appointed one of the Scots Commissioners to treat for a prorogation of truce, and was again an envoy to England 28 July 1493.<sup>8</sup> On 13 March 1493-94 Walter Ker of Cessford had a Crown charter of the lands of the barony of Cessford, resigned by William Cockburn of Strivlyne.<sup>9</sup> On 6 November 1500 King James iv. confirmed a charter by which Walter Ker of Cessford, Lord of Caverton, founded and endowed a perpetual chaplaincy in the chapel of Caverton, from his lands of Caverton, for the benefit of the body and soul of the King, of his own soul, and the soul of his son Sir Robert Ker, lately deceased.<sup>10</sup> He was apparently Warden of the Middle Marches after the death of his son Sir Robert Ker, who had held that office, as his fee as Warden was paid 1501-2,<sup>11</sup> and he must have acted on different occasions in that capacity, as the fee of the Earl of Bothwell, then Warden of the Marches, was paid to him in 1490 and 1492.<sup>12</sup> He is said to have died on the Festival

<sup>1</sup> The battle of Sauchieburn had been fought 11 June 1488. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *Exch. Rolls*, Pref. x. xlv. <sup>4</sup> *Cal. Doc. Scot.*, iv. 1545. <sup>5</sup> *Ibid.*, 1577. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Acta Parl. Scot.*, ii. 2294. <sup>8</sup> *Cal. Doc. Scot.*, iv. 1585, 1593. <sup>9</sup> *Reg. Mag. Sig.* <sup>10</sup> *Ibid.* <sup>11</sup> *Exch. Rolls*, xii. 35. <sup>12</sup> *Ibid.*, x. 163, 344.

of St. Katherine the Virgin, 25 November 1501. He is said to have married, first, Isabel, daughter of John, Lord Hay of Yester, but the dates will not admit of this, and the name of his first wife is uncertain;<sup>1</sup> secondly, after 1487,<sup>2</sup> Agnes Crichton, daughter of William, Lord Crichton, Chancellor of Scotland, and widow of Alexander, Lord Glamis. It is probable, judging from dates, that Walter Ker's children were by his first marriage. He had issue:—

1. SIR ROBERT KER of Caverton, who, as Robert Ker, younger of Cessford, was joint tenant with his father in Bourhope, and in Eststeid of Windydurris in 1484.<sup>3</sup> He is designed in a Crown charter by King James IV. his 'familiaris miles,' son and apparent heir of Walter Ker of Cessford, to whom and to his heirs he granted the knoll or mote commonly called Lowislaw, and three acres of the dominical land of Haldane, surrounding the said Lowislaw, with the patronage of the parish church of Yetham, and the superiority of the tenantry land of Kirkyetham, in the barony of Haldane, Roxburghshire, resigned by William Haldane of that ilk, 18 February 1490-91.<sup>4</sup> He was one of the ambassadors from King James to King Henry VII. in 1492, from whom he received a gift of £20 at the Michaelmas term of that year.<sup>5</sup> His office of Master of the King's Artillery must have brought him into close contact with his royal master, whose interest in that branch of his service is well known. There are entries in the Lord High Treasurer's accounts for payments to Sir Robert Ker during the year 1497 for the artillery, and in the Exchequer Rolls for spades and trowels, and for his fees, etc., in the years 1497 and 1498. He was Warden of the Middle Marches when he was killed at a March meeting across the Border by the Bastard Heron and his companions Lilburn and Starked, before 6 November 1500. He married (contract 12 February 1484) Christian Rutherford,

<sup>1</sup> *Herald and Gen.*, vii. 407, but no authority is given. <sup>2</sup> *Reg. Mag. Sig.*, 5 September 1494; *Acta Dom. Audit.*, 150. <sup>3</sup> *Exch. Rolls*, ix. 608, 609, 617, 620, and in following years 1488, 1490, 1492; *Ibid.*, x. <sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *Cal. Doc. Scot.*, iv. 1584.

daughter of James Rutherford of that Ilk. He had issue:—

- (1) SIR ANDREW, who succeeded to Cessford on the death of his grandfather Walter Ker.
- (2) *George*, of Fawdonside, appointed 'gentleman in the King's house' 30 October 1524.<sup>1</sup> He had a gift, 24 July 1526, of the ward and marriage of Walter Ker, eldest son of his late brother Andrew Ker.<sup>2</sup> His name appears in the Crown charters of Cessford, 23 April and 21 September 1542, as next in remainder after Andrew Ker, youngest son of his late brother Sir Andrew Ker; it is absent from the Crown charter of Cessford 12 March 1553-54, and the name of his son Andrew Ker of Fawdonside takes its place, from which his death in the interval may be inferred.<sup>3</sup> He married Margaret, youngest of the three daughters and co-heiresses of Patrick, last Lord Haliburton of Dirleton,<sup>4</sup> by whom he had several sons. His heir-male and representative in a direct line, Sir Walter Ker of Fawdonside, became heir-male of the Kers of Cessford, on the death of Sir Mark Ker of Maudslie, last of the male line of Sir Andrew Ker of Cessford. Sir Mark died without male issue before 1663,<sup>5</sup> and Sir Walter Ker, who had sold Fawdonside, executed deeds 11 February 1663 and 17 March 1664, ratifying the entail of the first Earl of Roxburghe, and resigning any right he might have to his estates, as heir-male and of tailzie of the Kers of Cessford.<sup>6</sup> Nothing seems known of survivors, if any, of the Fawdonside line of Kers.

2. *Mark*, of Dolphingston, Maxton, and Littledean, to whom, on 26 March 1484-85, his father, Walter Ker of Cessford, assigned the ward of the lands of the late John Ainslie of Dolphingston, together with the marriages of the heir or heirs, which had been granted to Walter Ker by the King.<sup>7</sup> He was tutor of Cessford during the minority of his nephew, Andrew Ker, son of his deceased brother, Sir Robert Ker of Caverton. He had a confirmation charter of the lands of Maxton, Roxburghshire, sold to him by Robert Colville of Ochiltree 5 July 1509.<sup>8</sup> He had a charter to him and his heirs of the half lands and barony of Broxfield and others, forfeited by the late Alexander, Lord Home, 22 November 1516.<sup>9</sup> His name appears in the Crown charters of Cessford 17 April and 21 September 1542, after that of his nephew George

<sup>1</sup> *Reg. Sec. Sig.*, i. 3310. <sup>2</sup> *Ibid.*, 3451. <sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> *Ibid.*, 7 April 1529. <sup>5</sup> Cf. vol. v. <sup>6</sup> Wood's Douglas, under title Roxburghe, and *Herald and Gen.*, vii. 419. <sup>7</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 28. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *Ibid.*

Ker of Fawdonside, but is absent from the charter of 12 March 1553-54, when the name of his eldest son, Sir Andrew Ker of Hirsell, who had a charter of the King's lands of Hirsell, with fishings on the Tweed, 6 October 1542, replaces it.<sup>1</sup> He is said to have died in 1551.<sup>2</sup> He married Marjorie Ainslie, daughter and heiress of John Ainslie of Dolphingston, by whom he had several sons. From him descended in a direct male line Major-General Walter Ker of Littledean, who on 18 June 1804 was served heir-male of Robert, first Earl of Roxburghe, and of Harry, Lord Ker, his son. After the death of William, fourth Duke of Roxburghe, in 1805, General Ker unsuccessfully claimed the Roxburghe titles and estates, the settlement of Robert, first Earl of Roxburghe, being upheld by the Court of Session and House of Lords in favour of Sir James Innes Norcliffe, who became fifth Duke of Roxburghe in 1812. It was, however, generally admitted that General Ker was heir-male and representative of the Kers of Cessford, an admission which presupposes the extinction of the Fawdonside branch of that house. General Ker is said to have been ruined by the long and costly litigation in pursuance of his claim. He died in Edinburgh in 1833, and was buried in the vault at Maxton. His only surviving son, Walter Forster Ker, brigade-major, 9th Regiment, died at Madras, unmarried, in 1841.<sup>3</sup>

3. *Ralph*, mentioned in 1494 as brother of Sir Robert Ker of Caverton.<sup>4</sup>
4. *Elizabeth*, married, first (contract 12 February 1484-85), to Philip Rutherford, son and apparent heir of James Rutherford of that ilk, for which marriage there was a papal dispensation 9 November 1485 (*see title Rutherford*); and, secondly, before 23 October 1495, to Sir Walter Scott of Buccleuch.<sup>5</sup> Sir Walter Scott died 15 April 1504, and his widow survived him forty-four years, perishing in the burning of Catslack Tower

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Herald and Gen.*, vii. 512. <sup>3</sup> *Ibid.*, vii. 518, 519; Wood's Douglas, under title Roxburghe. <sup>4</sup> *Ibid.* <sup>5</sup> *Acta Dom. Auditorum*, 400.

in an incursion of the English under Lord Grey 19 October 1548,<sup>1</sup> an incursion instigated by the Kers. She was the mother of Sir Walter Scott of Buccleuch, killed by the Kers in the High Street of Edinburgh in 1552.

5. *Margaret*, contracted in marriage to Andrew Macdougall, son of Dougal Macdougall of Makerstoun, which marriage did not take place. On 3 July 1493 Walter Ker of Cessford was pursuer in an action against Dougal Macdougall for the sum of £100 for breach of the contract.<sup>2</sup> The action was still being pursued 31 October 1495 and 21 July 1498.<sup>3</sup>

SIR ANDREW KER of Cessford, eldest son of the deceased Sir Robert Ker of Caverton, succeeded his grandfather. The date of his birth must have been after 1484. He was granted the petty customs of Jedburgh 1502-5.<sup>4</sup> He had sasine of Huntleislands, Old Roxburgh, Bordeislands, and Castlesteid in 1503.<sup>5</sup> He had a confirmation charter to him and his spouse, Agnes Crichton, of lands in the 'vill' of Roxburgh, of the dominical lands of Old Roxburgh and the Castlesteid, etc., in the usual terms, 20 February 1509-10.<sup>6</sup> On 8 April 1510 Eststeide of Windydurris was let to Andrew Ker of Cessford, and on the same date Bourhope, Singlee, and Ernheuch were feued to him.<sup>7</sup> In 1511 he had sasine of Cessford, Caverton, and other lands.<sup>8</sup> He is said to have fought at Flodden, 9 September 1513, in Lord Home's division. On that fatal field the Kers came off more happily than most Scottish families, for the only one of the name of note there slain seems to have been William Carr, who is named in a letter of Lord Dacre<sup>9</sup> to the Lords of Council. This fact confirms the view now taken, that the Borderers suffered comparatively little in that battle. He was one of those who signed the letter to the King of France, 15 May 1515, suggesting that Scotland should be comprehended in the treaty with England.<sup>10</sup> In

<sup>1</sup> Fraser's *Scotts of Buccleuch* i. 64. <sup>2</sup> *Acta Dom. Auditorum*, 111\*. <sup>3</sup> *Ibid.*, 411; also *Acta Dom. Concilii*, ms. vol. viii. f. 71, where the lady is described as Elizabeth, eldest daughter of Walter Ker. <sup>4</sup> *Exch. Rolls*, xii. 387. <sup>5</sup> *Ibid.*, 712. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Exch. Rolls*, xiii. 651, 652. <sup>8</sup> *Ibid.*, 662. <sup>9</sup> Caligula, Brit. Mus., B11, printed in Raine's *North Durham*, vii. <sup>10</sup> Rymer, *Fœdera*, xiii. 309.

August 1515 he was appointed Warden of the Middle Marches by the Duke of Albany, an appointment displeasing to Lord Dacre the English Warden, who at first refused to meet him. He was assured by the Duke that Cessford was not likely to avenge his father's murder by Englishmen, to which Dacre replied that he must be content with the appointment.<sup>1</sup> In the quarrel between Ker of Ferniehirst and the Earl of Angus over the right to hold Courts in Jedburgh, Sir Andrew sided with Angus, either in his official capacity as Warden, or on his own private account, and in January 1520, totally defeated near Kelso Sir James Hamilton of Fynnart, who was bringing up a body of men to support Ferniehirst. On 22 January 1521, he was appointed one of a commission to conclude a truce with England.<sup>2</sup> He had sasine of the half lands of Heiton 10 May 1521.<sup>3</sup> His castle and lands of Cessford, with most of his possessions in Teviotdale, were burnt and ravaged in the English inroads into Scotland in 1522 and 1523.<sup>4</sup> He seems to have held the office of Cupbearer to the King at one time, as he is referred to as formerly in office in 1525.<sup>5</sup> On 24 July 1526,<sup>6</sup> Sir Andrew Ker, with the Earl of Angus, Lord Home, and other Border chiefs, while escorting the young King James v. to Edinburgh were attacked near Melrose by Sir Walter Scott of Branxholm, whose object was to free the King from the hands of the Douglases. In the combat that ensued the Scotts were driven back, but in their pursuit Sir Andrew Ker was killed by a spear-thrust from one of Sir Walter Scott's followers named Eliot. This led to a long and bloody feud between the Kers and Scotts, culminating in the murder of Sir Walter Scott in the High Street of Edinburgh in 1552. Sir Andrew Ker married, before 20 February 1509-10, Agnes, daughter of Sir Patrick Crichton of Cranstoun Riddell, and widow of George Sinclair, son and apparent heir of Sir Oliver Sinclair of Roslin.<sup>7</sup> He had issue:—

1. SIR WALTER, who succeeded his father.

2. Mr. Mark, Abbot and Commendator of Newbottle,

<sup>1</sup> *Cal. Henry VII.*, i. 18, 20, 21, 22. <sup>2</sup> Rymer, *Fœdera*, xiii. 735. <sup>3</sup> *Exch. Rolls*, xv. 590. <sup>4</sup> *Diurnal of Occurrents*, 8; Jeffrey's *History of Roxburgh*, iii. 333, quoting Cotton MS.; and Wodrow, ii. 134. <sup>5</sup> *Exch. Rolls*, xv. 203. <sup>6</sup> *Scottish Kings*, Sir A. Dunbar, 229 note for date. <sup>7</sup> *Reg. Mag. Sig.*

who was father of the first Earl of Lothian, and whose direct male line became extinct, on the death of his grandson, Sir Mark Ker of Maudsle, without male issue, before 1663. (*See title Lothian.*)

3. *Andrew*, referred to as brother-german of Walter Ker of Cessford by Lord Shrewsbury, writing to King Henry VIII., 18 December 1544, as owning allegiance to that King at Alnwick, with other Scots,<sup>1</sup> an allegiance he speedily forsook.<sup>2</sup> In October 1548 Andrew Ker, at the solicitation of his brother Walter Ker of Cessford, then a prisoner in the castle of Edinburgh, as were Mark Ker and John Ker of Ferniehirst, rode to Lord Grey at Roxburgh, persuading him to burn and harry the lands and houses of the Scotts. In the incursions that followed, Newark and Catslack Tower were burned, in which last perished Elizabeth Ker, old Lady Buccleuch.<sup>3</sup> He signed the 'Auld Band of Roxburgh' 26 March 1551.<sup>4</sup> His name appears in the remainder of the Crown charters of Cessford after that of his brother Mr. Mark Ker, in 1542, and in 1553, but is absent from that of 1573.<sup>5</sup> He is said to have married Marion Pringle, widow of William Cairncross of Colmisle, and is not known to have left issue. His wife was dead in May 1560.<sup>6</sup>
4. *Catherine*, married to Sir John Ker of Ferniehirst.
5. *Margaret*, married to Sir John Home of Coldenknows. She had a charter from him of his lands of Syndlaws *in ejus pura virginitate* 2 November 1524, confirmed 12 November 1537.<sup>7</sup>

SIR WALTER KER succeeded his father 24 July 1526, and being under age, his uncle, George Ker of Fawdonside, was appointed Tutor of Cessford. He had sasine of the barony of Cessford, Caverton, Old Roxburgh, Altonburn, and Castlestead, Roxburgh, all of which lands had been in the hands of the King for two years, 15 June 1528.<sup>8</sup> He was Cupbearer to King James v. 1528 to 1536.<sup>9</sup> He had sasine

<sup>1</sup> *Hamilton Papers*, ii. 532. <sup>2</sup> *Ibid.*, 554. <sup>3</sup> *Fraser's Scotts of Buccleuch*, i. 112, 113. <sup>4</sup> *P. C. Reg.*, ii. 352. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Herald and Gen.*, vii. 403. <sup>7</sup> *Reg. Mag. Sig.* <sup>8</sup> *Exch. Rolls*, xv. 606. <sup>9</sup> *Ibid.*, 459, 533, 544; xvi. 134, 173, 293, 347.



of the lands of Smailholm, Caverton, Rutherford, Hownam, and Primside in 1538.<sup>1</sup> On 19 August 1538 Walter Ker of Cessford had a Commission of Justiciary with Robert, Lord Maxwell, for the punishment and justification of transgressors and delinquents within the bounds of Liddesdale and Teviotdale.<sup>2</sup> He claimed the lands of Ernheuch and Windydurris in 1541, and was tenant of Bourhope the same year.<sup>3</sup> He held the office of Warden of the Middle Marches before June 1541,<sup>4</sup> and is designed as Warden in a letter from Rutland to Norfolk, and as having been present at a day of truce at Hexham 19 September 1542.<sup>5</sup> He had a Crown charter to him and his heirs-male of the King's lands in Caverton, forfeited by Robert, Lord Boyd, with remainder to Mr. Mark Ker and Andrew Ker, his brothers-german, to George Ker of Fawdonside, Mark Ker of Dolphingstoun, Gilbert Ker of Prymsydeloch, James Ker of Mersington, George Ker of Linton, and Lancelot Ker of Gateshaw, and their heirs-male in succession, 23 April 1541-42.<sup>6</sup> He had a charter of Primside and others, co. Roxburgh, to himself, and the lawful heirs-male of his body, failing whom, with remainder as in foregoing charter, failing whom, to the nearest lawful heirs-male of the said Walter, bearing the name Ker, and the arms of the house of Cessford, 21 September 1542.<sup>7</sup> He had also at the same time a novodamus of the lands and barony of Cessford.<sup>8</sup> He was still Warden on 17 March 1542-43, when he was reported by an 'espiall' of the English Warden to be in favour of the young Queen Mary's marriage to Edward, Prince of Wales.<sup>9</sup> He, however, signed, 24 July 1543, the 'Secret Band' of Cardinal Beaton and others, his name coming next after that of Walter Scott of Buccleuch.<sup>10</sup> On 22 October 1544 the Regent Arran issued a letter inhibiting Ker from holding his 'alleged' office of Warden of the Middle Marches, accusing him of having given assistance to Archibald, Earl of Angus, and George Douglas, his brother, and of intercommuning with 'oure auld inmyis of England.'<sup>11</sup> He showed his loyalty later, however, by signing a band, 4 October 1545, with other Border

<sup>1</sup> *Exch. Rolls*, xvii. 747. <sup>2</sup> *Ibid.*, 760. <sup>3</sup> *Ibid.*, 705, 708. <sup>4</sup> *Hamilton Papers*, i. 81. <sup>5</sup> *Ibid.*, 470. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Ibid.* <sup>8</sup> *Ibid.* <sup>9</sup> *Hamilton Papers*, i. 470. <sup>10</sup> *Ibid.*, 631. <sup>11</sup> *Fraser's Scotts of Buccleuch*, ii. 182.

lairds, agreeing to the Governor's proposal to pay 1000 horsemen for employment and defence on the Borders.<sup>1</sup> Walter Ker of Cessford sat in the Parliament of June and August 1546, held at Edinburgh and Stirling.<sup>2</sup> After the battle of Pinkie, 10 September 1547, he was one of those who gave in their submission to Somerset at Roxburgh.<sup>3</sup> In October 1548 Walter Ker of Cessford, with John Ker of Ferniehurst and Mark Ker, were imprisoned in the castle of Edinburgh.<sup>4</sup> He was knighted with Walter Scott of Buccleuch, John Home of Cowdenknows, and other Border gentlemen, by the Regent Arran in June 1552, during his survey of the Borders.<sup>5</sup> On 4 October 1552 he murdered Sir Walter Scott of Buccleuch in the High Street of Edinburgh, an outcome of the long feud of twenty-six years, since the death of Sir Andrew Ker of Cessford in 1526. For this deed Sir Walter and his friends and followers engaged in the murder were declared rebels, but on 13 July 1553 received remission by royal letters for it, and for previous offences.<sup>6</sup> He was appointed one of the Commissioners of Francis and Mary to treat with the English in 1559. He sat in the Reformation Parliament of 1560, and signed the letter from the Estates of Scotland 'to move Queen Elizabeth to take the Earl of Arran for her husband.'<sup>7</sup> On 22 March 1564-65 he entered into a contract of peace and marriage with Walter Scott of Buccleuch, grandson of the murdered Sir Walter, and with his curators, binding himself and certain of his specified friends and followers, to 'bury the past in oblivion and live in amity in the future,' Sir Walter Ker further binding himself to appear next day in the church of St. Giles in Edinburgh, and there upon his knees to ask God's mercy for the slaughter of Sir Walter Scott and the forgiveness of his friends, who should be present, which it was agreed by them to accept. The marriages agreed on, of which further on, did not, however, take place.<sup>8</sup> Sir Walter Ker was Warden of the Middle Marches at the time of Queen Mary's visit to Jedburgh in September 1566.<sup>9</sup> He was present

<sup>1</sup> *Acta Parl. Scot.*, ii. 461. <sup>2</sup> *Ibid.*, 468, 469, 471, 526, 595. <sup>3</sup> *Patten's Exped. into Scotland*. <sup>4</sup> *Fraser's Scotts of Buccleuch*, i. 112. <sup>5</sup> *Balfour's Annals*, 229. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Acta Parl. Scot.*, ii. 605. <sup>8</sup> *Fraser's Scotts of Buccleuch*, i. 139-142. <sup>9</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 34.

with the associated Lords at Carberry Hill in 1567, and fought at Langside, on the King's side, 13 May 1568. In the Marian Parliament, held in Edinburgh in August 1571, he and his son and heir, William Ker, were declared forfeited.<sup>1</sup> He sat in Parliament 4 November 1572.<sup>2</sup> Sir Walter Ker was one of the faction against Morton who marched to Stirling from Edinburgh 11 August 1578, with the avowed purpose of delivering the young King James from Morton's control.<sup>3</sup> He was appointed one of the six gentlemen 'extraordinar' of his Majesty's chamber 14 October 1580.<sup>4</sup> He was one of those who signed, 23 August 1582, the 'Secret Band' in which the 'Ruthven Raid' originated.<sup>5</sup> He is said to have died 1 May 1581.<sup>6</sup> His signature to the 'Secret Band,' more than a year later, disproves this, but he was certainly dead before 1583. He married Isabel or Isabella, daughter of Sir Andrew Ker of Ferniehirst, before 27 September 1543, on which date they had a confirmation charter in the usual terms of the lands of East Mains of Roxburgh, with the tower and fortalice of the same in the barony of Cessford, and the county of Roxburgh.<sup>7</sup> On 23 January 1570 Sir Walter Ker of Cessford and Isabella Ker, his wife, had a confirmation charter of the lands of Halidon and Huntliewood, in the barony of Bowden and county of Roxburgh, granted to them in feu-farm by Francis, Commendator of Kelso.<sup>8</sup> Isabella Ker, Lady Cessford, is said to have died 1 May 1585.<sup>9</sup> By her Sir Walter Ker had issue:—

1. *Sir Andrew Ker* of Caverton, who, on 12 March 1553-54, had a charter to himself, as son and apparent heir of Sir Walter Ker of Cessford, of the lands and barony of Cessford, with castle and pertinents and other lands, to be held to the heirs-male of the said Andrew, whom failing, to the heirs-male of Sir Walter, whom failing, to Mr. Mark Ker, brother of the said Walter, to Andrew Ker, brother of the same, to Andrew Ker of Fawdonside, to Sir Andrew Ker of Hirsell, to Gilbert Ker of Primsideloch, to James Ker of Mersington, to George Ker of Linton, to George Ker of

<sup>1</sup> *Diurnal of Occurrents*, 243. <sup>2</sup> *Acta Parl. Scot.*, iii. 77. <sup>3</sup> *P. C. Reg.*, iii. 22 n. <sup>4</sup> *Ibid.*, 323. <sup>5</sup> *Ibid.*, 507 n. <sup>6</sup> *Herald and Gen.*, vii. 409. <sup>7</sup> *Reg. Mag. Sig.* <sup>8</sup> *Ibid.* <sup>9</sup> *Herald and Gen.*, vii. 409.

Gateshaw, and their heirs-male successively, whom failing, to the nearest lawful heirs-male of the said Andrew, bearing the name and the arms of the house of Cessford, with the usual clauses of liferent and terce.<sup>1</sup> A second charter of the same date confirmed to Andrew the 20-merk lands of Boydislands, in the same terms as the first charter, and a third charter confirmed to him, in the same terms, the lands of Primside, Hownam, and Smailholm.<sup>2</sup> On 21. May 1562 Sir Walter Ker of Cessford and Sir Andrew Ker of Caverton appeared before the Lords of Council and bound themselves to refrain from entering the house of Ancrum, or to trouble the Earl of Bothwell or his tenants.<sup>3</sup> The father and son again appear before the Queen and Council 10 August 1562, with Thomas Ker of Ferniehirst and the heads of the Ker families, and promised to submit themselves to arbiters in the matter of the slaughter of the late Sir Walter Scott of Branxholm.<sup>4</sup> Sir Andrew Ker of Caverton is said to have been contracted in marriage to Elizabeth, daughter of Sir James Douglas, 19 February 1556.<sup>5</sup> He died *vitâ patris*, without lawful male issue, before 3 March 1563-64, on which date his brother William is designed in his marriage-contract 'eldest son in life' of Sir Walter Ker of Cessford, Knight. It does not appear that he married, but he had certainly two daughters, probably illegitimate, of whom his mother Dame Isabel Ker was tutrix. On their behalf she appeared before the Privy Council on 10 November 1566, complaining that 27 oxen lent by her to the late William Ker, Commendator of Kelso, being the only provision left by the late Andrew Ker of Caverton, Knight, to his daughters Grizel and Bessie Ker, were withheld by the Queen's Chamberlain of the Abbey. The Chamberlain was ordered by the Queen to pay to Dame Isabel, on behalf of the said pupils, ten merks each for 25 oxen.<sup>6</sup>

2. WILLIAM, who succeeded his father.

3. Thomas, who had a pension of £443, 6s. 8d., 'given

<sup>1</sup> *Reg. Mag. Sig.*    <sup>2</sup> *Ibid.*    <sup>3</sup> *P. C. Reg.*, i. 206.    <sup>4</sup> *Ibid.*, 215.    <sup>5</sup> *Herald and Gen.*, vii. 409.    <sup>6</sup> *P. C. Reg.*, i. 493. <sup>h</sup>

furth out of Kelso' (with other pensions) 'be the quene's grace, without the consent of the Abbot or Convent.'<sup>1</sup> He was contracted in marriage in March 1564-65 to Elizabeth Scott, sister of Walter Scott and granddaughter of the murdered Sir Walter Scott, the lady to have no 'tocher,' but the contract was never completed; and in October 1567, in consequence of the delay, Sir Walter Ker, in the presence of a notary public and witnesses, was reminded of the contract by Thomas Scott of Haining, and asked if he meant to carry it out. He admitted the agreement, and promised to fulfil it; but this was not done, and the lady subsequently married John Carmichael of Meadowflat.<sup>2</sup> It does not appear that Thomas Ker married, or if married, that he left issue, and his name does not appear in the Crown charter of Cessford of 1573.

4. *Agnes*, married to John Edmonston, younger of that Ilk. On 8 December 1558 she had a charter in implement of her marriage-contract of the lands of Ryslaw.<sup>3</sup>
5. *Isobel*, married, as his second wife, to John Rutherford of Hunthill.<sup>4</sup>
6. *Margaret*, married, before 1558, to Alexander, fifth Lord Home, whom she predeceased. (*See that title.*)

WILLIAM KER, second surviving son of Sir Walter, succeeded his father between 1581 and 15 May 1583. He is on one or two occasions designed Sir William Ker, but there is no evidence of his having received knighthood. He was appointed Commissioner for Musters 5 March 1573-74.<sup>5</sup> He is designed 'Sir' William Ker of Cessford on 15 May 1583, when he and the two other Wardens, Lord Home and John Johnstone of that Ilk, were forbidden to go out of the bounds of their respective wardenries without permission in writing from the King.<sup>6</sup> He was probably concerned in

<sup>1</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 40. <sup>2</sup> *Fraser's Scotts of Buccleuch*, i. 140. <sup>3</sup> Confirmed 7 (*sic*) December 1558; *Reg. Mag. Sig.*  
<sup>4</sup> *Rutherfordurds of that Ilk*, ii. lxxxvii. <sup>5</sup> *Acta Parl. Scot.*, iii. 92. <sup>6</sup> *P. C. Reg.*, iii. 568.

the Ruthven Raid, for on 8 March 1584-85 as 'late Warden of the Middle Marches,' being in ward, he was ordered to cause Robert Menteith, 'his warden clerk, to deliver up the books and rollis' of his office of wardenry, and to appoint some gentleman of his kin to be answerable for his men and tenants while he was in ward.<sup>1</sup> He was one of those who joined the Banished Lords at Kelso, on their return to Scotland, and marched with them to Stirling, successfully overthrowing Arran's government 4 November 1585.<sup>2</sup> He was restored to the King's favour 10 December 1585,<sup>3</sup> and on 31 January 1585-86 appears again as Warden of the Middle Marches, receiving an order to hold a Justice Court in the Tolbooth of Jedburgh.<sup>4</sup> He was appointed, 20 July 1587, as a Commissioner to treat for the defence of the realm in time of war.<sup>5</sup> After the general revocation of grants, he had a Crown charter, dated 16 August 1587, of the lands and barony of Ormiston, with 20 merklands of Maxton in liferent, and to his second son Mark in fee, with remainder to the lawful heirs-male of the body of the said Mark, failing whom, to his own heirs-male and assignees whatsoever.<sup>6</sup> He had a confirmation charter, 8 April 1588, of a long list of lands in East Teviotdale, and of lands formerly pertaining to the archdeanery of Teviotdale in the county of Roxburgh, all of which lands resigned by himself were, with the ecclesiastical lands of Lilliesleaf, united into the free barony of Roxburghe, to him in feu farm, and to the lawful heirs-male of his body, whom failing, to his nearest lawful heirs-male whatsoever bearing the name and arms of Ker.<sup>7</sup> He had another charter of the lands and barony of Ormiston, in the same terms as previously, 24 January 1591-92.<sup>8</sup> In the *Great Seal Register* his name appears as holding the office of Warden of the Middle Marches 1587-92, and again in 1595.<sup>9</sup> He had a charter of the lands and vills of Bourhoip, Singill, Erneheuch, and Windydurris, in the lordship of Ettrick Forest, Selkirk, in feu farm, united into the free barony of Erneheuch, to himself and the lawful heirs-male of his body, failing whom, to his nearest lawful heirs-male whatsoever, bearing the

<sup>1</sup> *P. C. Reg.*, iii. 72. <sup>2</sup> *Ibid.*, v. 27 n. <sup>3</sup> *Acta Parl. Scot.*, iii. 383.

<sup>4</sup> *P. C. Reg.*, iv. 45. <sup>5</sup> *Acta Parl. Scot.*, iii. 517. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.* <sup>9</sup> *Ibid.*

name and arms of Ker 20 July 1595.<sup>1</sup> William Ker died in February 1600, that date being given in the retour of inquest of his son Sir Robert Ker in the lands of Graden 3 June 1600.<sup>2</sup> He married (contract 3 March 1563-64<sup>3</sup>) Janet, daughter of Sir James Douglas of Drumlanrig, and widow of James Tweedie of Drummelzier. (*See title Queensberry.*) By her William Ker had issue:—

1. SIR ROBERT KER, afterwards first Earl of Roxburghe.
2. *Sir Mark* of Ormiston, who died without issue in September 1603. His brother, Lord Roxburghe, was served heir to him in the barony of Ormiston 24 April 1606.<sup>4</sup>
3. *Margaret*, married (contract 1 October 1586) to Walter, first Lord Scott of Buccleuch.<sup>5</sup>
4. *Elizabeth*, married, 21 April 1601, to Sir James Bellenden of Broughton,<sup>6</sup> by whom she was the mother of the first Lord Bellenden, on whose death, without issue, his title and estates passed by settlement to John, fourth son of the second Earl of Roxburghe. (*See title Bellenden.*)

I. SIR ROBERT KER, afterwards first Baron, and first Earl of Roxburghe, succeeded, on the death of his father, in February 1600, to Altonburn, Cessford, and other family estates, and was the last direct heir-male of his line who held them. He is said to have been born about 1570, having made his first appearance in public in the year 1585 at the raid of Stirling, being then about fifteen years of age, 'thither he went with others of the nobility to rescue the King out of the hands of those who had his ear.'<sup>7</sup> He is, however, first mentioned in the two Crown charters of Caverton and Cessford 22 March 1573-74. By the first charter the King granted to him as son and heir-apparent of William Ker, younger of Cessford, the 20-merk lands of Caverton called Boydislands, to be held to the said Robert and the heirs-male of his body, failing whom, to the heirs-male of the body of the said William, failing whom, to the heirs-male of

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 18.

<sup>3</sup> *Fifteenth Rep. Hist. MSS. Com.*, viii. 25. <sup>4</sup> *Retours, Roxburgh*, 35.

<sup>5</sup> *Fraser's Scotts of Buccleuch.* <sup>6</sup> *Border Papers*, ii. 744. <sup>7</sup> *Staggering State*, 112.

the body of Walter Ker of Cessford, Knight, failing whom, to Mr. Mark Ker, Commendator of Newbattle, brother of the said Walter, Andrew Ker of Fawdonsyde, Walter Ker of Hirsell, Gilbert Ker of Prymsydloch, Thomas Ker of Mersington, George Ker of Linton, and to — Ker of Gate-shaw, and the lawful heirs-male of their bodies in succession, failing whom, to the nearest and lawful heirs-male of the said William bearing the name of Ker and the arms of Cessford. By the second charter the King granted to Robert Ker and the same series of heirs the lands and barony of Cessford and others, which William resigned, reserving in both charters the liferent to Walter Ker, and a terce to his spouse Isobel, with liferent to William after the decease of the said Walter, and a terce to his spouse Janet Douglas.<sup>1</sup> He was knighted at the coronation of Queen Anna in May 1590. In December 1590 he murdered by night, in the streets of Edinburgh, William Ker of Ancrum, a leading member of the rival house of Ferniehirst. For this he and his accomplices were denounced, and their goods escheated. He retired into England for a time, but on 18 November 1591 he and his nine accomplices received a remission under the Great Seal,<sup>2</sup> due, it is said, to the influence of the Chancellor Thirlestane, whose niece was Sir Robert's wife. It was not, however, till the end of 1607 that the feud between Sir Robert Ker (then Lord Roxburghe) and the representatives of the murdered man was settled, by a humble apology from Lord Roxburghe, and a payment by him of 10,000 merks, followed by a 'Letter of Slains' subscribed by the Kers of Ancrum.<sup>3</sup> On 15 and 24 January 1591-92 Sir Robert had a Crown charter of the lands, mains, and fortalice of Sprouston and others, part of the forfeited estates of Francis, Earl of Bothwell.<sup>4</sup> He was admitted to the Privy Council 24 May 1599.<sup>5</sup> He seems, during his father's lifetime, to have performed the duties of Warden of the Middle Marches, though his father held the patent.<sup>6</sup> In conjunction with his brother-in-law Buccleuch he harassed the English Wardens year after year by raids and outrages in England, but at last, failing to deliver pledges

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.* <sup>3</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 31, 32, 33. <sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *P. C. Reg.*, v. 557. <sup>6</sup> *Border Papers*, ii. 90.



for maintaining quiet on the Borders, he had to surrender to Sir Robert Carey at Berwick 14 February 1597-98.<sup>1</sup> He was subsequently sent to the keeping of the Archbishop of York, but was released before 3 June 1598.<sup>2</sup> The date of his creation as LORD ROXBURGHE is given by some authorities as 29 December 1599, but in his retour of inquest in the lands of Graden, 3 June 1600, he is designed 'Sir Robert Ker now of Cessford.'<sup>3</sup> The date 16 November 1600 given by Mr. Riddell is doubtless correct, as on the 28 November 1600 Lord Willoughby, writing from Berwick to Cecil, says, 'The Lord of Roxburghe's honour is accompanied with great envy.'<sup>4</sup> On 5 August 1602 Robert, Lord Roxburghe, Warden of the Middle Marches, had a confirmation charter of the lands of Halyden and Clarilaw, co. Roxburgh, with the office of Bailie of Kelso Abbey.<sup>5</sup> On the same date he had a charter of the town and lands of Kelso and other lands in the lordship of Kelso, the lands of Dowglen, Dumfriesshire, Chapelhill in Peeblesshire, the ecclesiastical lands of Little Newton, Nenthorn and others co. Berwick, etc., the ecclesiastical lands of Selkirk, and of Makerston, Roxburghshire, on the forfeiture of Francis, Earl of Bothwell, and which lands were erected into the barony of Sprouston.<sup>6</sup> He accompanied King James to England in April 1603, and was one of the Commissioners to confer on a treaty of union with England, appointed by Parliament 11 July 1604.<sup>7</sup> He had charters of Cessford Mains 30 April 1606, of the lordship of Halyden 20 December 1607, and of the dominical lands of Ancrum 30 November 1613.<sup>8</sup> On 18 September 1616 he was created EARL OF ROXBURGHE, LORD KER OF CESSFORD AND CAVERTON, with remainder to his heirs-male.<sup>9</sup> He was chosen one of the Lords of Articles in the Parliament of 25 July 1621, and voted for the five articles of Perth.<sup>10</sup> He was one of the Commissioners appointed to hear grievances 19 May 1623.<sup>11</sup> Lord Roxburghe was present at the funeral of King James VI. in Westminster Abbey 7 June 1625.<sup>12</sup> He was appointed Lord

<sup>1</sup> *Border Papers*, ii. 513. <sup>2</sup> *Ibid.*, 518. <sup>3</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 18. <sup>4</sup> *Border Papers*, ii. 714. See also *Hist. MSS. Com.*, *Hatfield House Papers*, pt. x. 390. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Ibid.* <sup>7</sup> *P. C. Reg.*, vii. 5 n. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> Roxburghe Peerage Case, 12. <sup>10</sup> Calderwood's *Hist.*, vi. 263. <sup>11</sup> *Ibid.*, 576. <sup>12</sup> Balfour's *Annals* ii. 118.

Privy Seal in 1637, an office for which 'he had no learning, albeit all writs directed to him as privy seal are in Latin.'<sup>1</sup> He was present in Edinburgh 23 July 1637 when the riot took place in St. Giles' Church, and he was subsequently commissioned by King Charles I. to convene the council at Linlithgow 7 September 1637.<sup>2</sup> He was with the King in 1639, in his camp near Berwick, returning home after the 'Pacification' signed there. After the death of his only surviving son Harry, Lord Ker, without male issue, he resigned his honours and estates to the Crown, 17 July 1643,<sup>3</sup> and obtained a novodamus thereof,<sup>4</sup> to him and the heirs-male of his body, whom failing, to the heirs and assignees nominated by him. He made a nomination accordingly 22 March 1644, but this being defective, he obtained a new charter under the Great Seal 31 July 1646,<sup>5</sup> when he executed a valid nomination, 23 February 1648, in favour, first, of his grandson by his eldest daughter, Sir William Drummond, youngest son of John, Earl of Perth, and his issue in tail male by 'his spouse under mentioned'; secondly, of his great-grandsons in like manner, second and other younger sons of Jane, sister of the said William Drummond, by John, Lord Fleming, afterwards, 1650, third Earl of Wigtoun. In each case it was provided by the granter that the said nominee should marry Jean, eldest daughter of the granter's late son, Harry, styled Lord Ker, as soon as she was marriageable, or, failing her, Anna, Margaret, or Sophia, daughters of Harry Ker, and the heirs-male of her and any gentleman of good standing she might marry, the second, third, or fourth and youngest daughters of the said Harry, Lord Ker, whom failing, to the eldest daughter of the said umquhile Harry, Lord Ker, without division, and their heirs-male, whom failing—fourthly, to his own heirs-male whatsoever.<sup>6</sup> This charter was ratified by Act of Parliament 20 May 1648. Lord Roxburghe, then an old man, took little active part in the political and religious conflicts in Scotland after 1641. He retained his office as Lord Privy Seal till 13 February 1649,

<sup>1</sup> *Staggering State*, 113; this fling was no doubt enjoyed by its writer, a good Latinist. <sup>2</sup> Balfour's *Annals*, ii. 118. <sup>3</sup> Roxburghe Peerage Case, 13-17. <sup>4</sup> Prob. of N. Instrument 26 Feb. 1644 [18]. <sup>5</sup> Roxburghe Peerage Case, 22, 23. <sup>6</sup> *Ibid.*, 35-45.

when he was deprived thereof by order of Parliament for supporting the 'Engagement' for the rescue of King Charles I. He died 18 January 1650, 'at his house of the Flowris near Kelso, and was solemnly entered at Bowdoun Church 20 March following.'<sup>1</sup> The estates he inherited were greatly increased during his lifetime by many grants of lands, besides those already named.<sup>2</sup> The Earl of Roxburghe married, first, Margaret, only daughter of William Maitland of Lethington, Queen Mary's famous Secretary, by his second marriage to Mary Fleming ('the flower of the Queen's Maries'), daughter of Malcolm, third Lord Fleming. She had a charter of the barony and castle of Cessford in liferent, in terms of her marriage-contract to 'Robert Ker, feuar of Cessford,' registered 27 and 31 October 1587.<sup>3</sup> The marriage took place 'att Newbottle, hys uncle's howse,' 5 December 1587, and the next day 'the Kynge sentt for him and commytted him to Edenburro Castell.' Robert Ker had shortly before, with Buccleuch, made a raid into England of a very outrageous nature.<sup>4</sup> By his first wife the Earl of Roxburghe had issue:—

1. *William*, Master of Roxburghe, styled Lord Ker after 1616; Commendator of Kelso Abbey till 5 August 1602, when he resigned the temporalities and spiritualities of the Abbey into the hands of his father, to whom they were granted by Crown charter. He graduated at the University of Edinburgh 28 July 1610. He had a charter of the lands of Kelso Abbey, etc., resigned by his father, with reservation of liferent to him and his heirs-male and assignees whatsoever, 12 June 1614. He died *vitâ patris*, and unmarried, while travelling in France, before 19 August 1618, when his half-brother Harry is styled Lord Ker in a charter. He is said to have been of 'great expectations.'<sup>5</sup>
2. *Jean*, married (contract 4 and 28 August 1613<sup>6</sup>) to John, second Earl of Perth, and had issue:—

(1) *Henry*, Lord Drummond, who died *s.p.*

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<sup>1</sup> Balfour's *Annals*, iv. 7. <sup>2</sup> *Reg. Mag. Sig.*, *passim*. <sup>3</sup> *Ibid.*, 8 April 1588. <sup>4</sup> *Border Papers*, i. 294, Hunsdon to Burghly. <sup>5</sup> *Staggering State*, 112, 113. <sup>6</sup> *Reg. Mag. Sig.*

- (2) *James*, third Earl of Perth, ancestor of the titular Dukes of Perth, and of the Earls of Perth, and Melfort.
- (3) *Robert*, died without issue.
- (4) *Sir John Drummond* of Logiealmond, ancestor of Sir William Drummond of Logiealmond, who after the death of the fourth Duke of Roxburghe in 1805 presented a petition to the King, claiming the title and dignity of Duke and Earl of Roxburghe, which was referred to the House of Lords 13 July 1806.
- (5) WILLIAM, second Earl of Roxburghe.
- (6) *Jane*, married to John, third Earl of Wigtoun, on whose second and younger sons in succession the title and estates of Roxburghe were settled by their great-grandfather, Robert, Earl of Roxburghe, on failure of male heirs to their uncle William as above. The whole issue male of the said Jane became extinct on the death of the seventh Earl of Wigtoun 26 May 1747.
- (7) *Lilias*, married to John, third Earl of Tullibardine.

3. *Isabel*, married (contract 4 August 1618<sup>1</sup>) to James Scrymgeour, second Viscount of Dudhope, who died 23 July 1644 from the effects of wounds received at the battle of Marston Moor 1644.

4. *Mary*, married, first, to James Halyburton of Pitcur; secondly (contract 18 and 21 February 1629), to James, second Earl of Southesk, with 24,000 merks tocher, and died at Leuchars in April 1650.<sup>2</sup>

The Earl of Roxburghe married, secondly (contract 10 January 1614<sup>3</sup>), Jean, third daughter of Patrick Drummond, Lord Drummond, by Elizabeth, daughter of David Lindsay, Earl of Crawford, and sister of his son-in-law, the Earl of Perth. Her marriage to Lord Roxburghe took place at Somerset House. She was governess to the children of King James VI. till 1617, when she retired with a grant of £3000, and in 1637 had a pension of £1200 a year settled on her.<sup>4</sup> She died 7 October 1643. Will proved 1646.<sup>5</sup> Her funeral was the occasion of the 'Banders,' who met at Kelso for the ceremony, being ready to join Prince Rupert, but the intencion miscarried.<sup>6</sup> On 11 June 1644 Robert, Earl of Roxburghe, presented a petition to Parliament beseeching them that they would write to their commissioners in England to deal with the Houses of Parliament there that some plate and goods of his, belong-

<sup>1</sup> *Reg. Mag. Sig.*, 25 November 1618. <sup>2</sup> *Carnegies, Earls of Southesk*, i. 142, 144. <sup>3</sup> *Reg. Mag. Sig.*, 29 January 1614. <sup>4</sup> *Complete Peerage*. <sup>5</sup> *Ibid.* <sup>6</sup> Baillie's *Letters and Journals*, ii. 105.

ing to his lady, kept at St. James's, might be delivered to Lord Maitland, and not be sequestrated by Parliament.<sup>1</sup> By his second wife the Earl of Roxburghe had an only son:—

5. *Harry*, Lord Ker, so designed after his step-brother's death. He is first mentioned in a charter to 'Robert, Earl of Roxburghe, and his spouse, Lady Jean Drummond, and Harry, Lord Ker, their son,' of the tenantry of Pincartoun 19 August 1618.<sup>2</sup> He had a charter of the barony of Primside 29 July 1625. He was with his father in the royal forces in 1639, but quitted the royal camp, and joined the Covenanters at Duns Law. His mother, Lady Roxburghe, in a letter to Doctor Balcanquhall, Dean of Durham, dated Whitehall 20 May 1639, writes of Lord Ker's undutiful behaviour and ingratitude to his parents in stealing away, leaving them in common opinion as 'guiltie as himself,' and hopes the Dean will continue to comfort her husband, she being unable to come to him.<sup>3</sup> Lord Ker did not long remain with the Covenanters, as he rejoined the Royalists after his foolish challenge to the Marquess of Hamilton, for which he had to make an humble apology to the Parliament 30 September 1641.<sup>4</sup> 'The unruly government of his youth' is alluded to by Scotstarvet,<sup>5</sup> and he died 1 February 1643,<sup>6</sup> it is said, 'after ane great drink.'<sup>7</sup> His will, dated at Broxmouth the previous day, nominates his daughters Jane, Margaret, and Anne Ker his co-executors, and makes provisions for his children contingent on his fourth child, then unborn, being a daughter, and appoints his father only tutor to his children.<sup>8</sup> He married (contract 22 January and 3 February 1638) Margaret, only daughter of William Hay, ninth Earl of Erroll, by Anne Lyon, only daughter of Patrick, first Earl of Kinghorn. Lord Ker's widow married, secondly (contract 20 February 1644), John Kennedy,

<sup>1</sup> Balfour's *Annals*, iii. 183. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> Baillie's *Letters and Journals*, ii. 436. <sup>4</sup> *Ibid.*, i. 391; *Acta Parl. Scot.*, v. 424. <sup>5</sup> *Staggering State*, 112, 113. <sup>6</sup> Sir Thomas Hope's *Diary*, 185. <sup>7</sup> *Perth Chronicle*, February 1642-43. <sup>8</sup> *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 33.

sixth Earl of Cassillis, and died in April 1695. By her Lord Ker had issue:—

- (1) *Jean*, married to William, second Earl of Roxburghe.
- (2) *Anne*, married to John, fourth Earl of Wigtoun, by whom she had issue an only daughter *Jean*, married to George, third Earl of Panmure, without surviving issue.
- (3) *Margaret*, married, in 1666, to Sir James Innes, third Baronet of Innes, with issue.
- (4) *Sophia*, a posthumous child, who died unmarried.

Robert, Earl of Roxburghe, married, thirdly, Isabel, fifth daughter of William Douglas, Earl of Morton, by Anne, daughter of George Keith, fifth Earl Marischal. There was no issue of this marriage. Lady Roxburghe married, secondly (contract 15 and 30 November and 2, 4, 12 and 20 December 1656), James Graham, second Marquess of Montrose, who was sixty years younger than her first husband. She died 16 December 1672.

II. SIR WILLIAM DRUMMOND, fourth surviving son of John, second Earl of Perth, by Jean Ker, eldest daughter of Robert, first Earl of Roxburghe, succeeded under his grandfather's testament to the Roxburghe title and estates and was served his heir 2 May 1650, taking the name and arms of Ker. His marriage to Lady Jean Ker, owing to her youth, did not take place till later. He was in the military service of Holland in his youth. On his return to Scotland he joined the Royalists,<sup>3</sup> and was knighted some time before 1648. He sat in Parliament 20 May 1650, and was added to the Committee of Estates 4 July 1650.<sup>1</sup> He held the office of auditor in the household of King Charles II. while in Scotland.<sup>2</sup> He was fined £6000 under Cromwell's Act of Grace and Pardon in 1654. He obtained in 1661 a parliamentary confirmation of the first Earl's deed of nomination of 1648, which was in 1663 and 1664 ratified by Sir Walter Ker of Fawdonsyde, then the nearest heir-male of the Cessford family.<sup>3</sup> He married (contract 17 May 1655) his first cousin, Jean Ker, eldest daughter of Harry, Lord Ker, thus completing the conditions under which he held the title and estates. He died 2 July 1675. Issue:—

1. ROBERT, third Earl of Roxburghe.

<sup>1</sup> Balfour's *Annals*, iv, 17, 74. <sup>2</sup> *Ibid.*, 266. <sup>3</sup> *Acta Parl. Scot.*, vii, 207.

2. *Harry*, who died *s.p.*
3. *William*, Sheriff of Tweeddale, who died *s.p.* in 1684.
4. *John*, who succeeded his cousin Lord Bellenden, as second Lord Bellenden, and was served his heir 23 December 1671.
5. *Jean*, married, as his third wife, to Colin, Earl of Balcarres.

III. ROBERT KER, third Earl of Roxburghe, born about 1658, was served heir-male of tailzie to his father and mother 7 October 1675.<sup>1</sup> He was one of the Privy Council of King Charles II. He was drowned in the wreck of the *Gloucester* frigate off Yarmouth 8 May 1682, when coming home to Scotland in company with the Duke of York.<sup>2</sup> His will, dated 6 March 1682, was proved in Edinburgh 29 January 1685.<sup>3</sup> He married, 10 October 1675,<sup>4</sup> Margaret, eldest daughter of John Hay, first Marquess of Tweeddale. His widow survived him seventy-one years, and died in her ninety-sixth year, 22 January 1753,<sup>5</sup> at Broomlands, near Kelso. Issue:—

1. ROBERT, fourth Earl of Roxburghe.
2. JOHN, fifth Earl of Roxburghe.
3. *William*, a lieutenant-general in the Army in 1739, and colonel of the 7th Dragoons from 1709 till his death. He served with distinction under the Duke of Marlborough on the Continent, and was at the battle of Sheriffmuir 13 November 1715, where he was wounded and had his horse shot under him. He was appointed Groom of the Bedchamber to George, Prince of Wales, 1714. M.P. for Berwick 1710-13, 1723-27, for the Dysart burghs 1715-22. He was returned for the Montrose burghs 1722, but found not duly elected. He died unmarried 7 January 1741.<sup>6</sup>

IV. ROBERT, fourth Earl of Roxburghe, born about 1677. Succeeded his father 8 May 1682, and was served heir-male and of entail to him in twelve counties of Scotland, and of his grandfather in the lands of Sprouston, Roxburgh-

<sup>1</sup> *Retours, Roxburgh*, 267; *General*, 2842-5. <sup>2</sup> *Historical Observes*, Fountainhall ed. 67, 68. <sup>3</sup> *Edin. Tests*. <sup>4</sup> *Kelso Reg.* <sup>5</sup> *Scots Mag.* <sup>6</sup> *Ibid.*

shire, 5 June 1684. He had a charter of resignation of the honours and estates, containing a clause of 'novodamus' 2 July 1687, to him and the lawful heirs-male of his body, which failing, to the heirs-male and of entail mentioned in the infeftment and nomination of Robert, first Earl of Roxburghe, and in the infeftment to William, second Earl. He died at Brussels while travelling abroad 13 July 1696, in his nineteenth year, unmarried.

V. JOHN, fifth Earl of Roxburghe, succeeded his brother 13 July 1696, and was served heir-male and of entail to him 22 October 1696. He is described by Lockhart of Carnwath, by no means a friendly critic, as 'a man of good sense, improved by so much reading and learning that he was perhaps the best accomplished young man of quality in Europe, and had such a charming way of expressing his thoughts, that he pleased even those against whom he spoke.' He was appointed Secretary of State for Scotland in 1704. His influence during the debates on passing the Union in 1707 was of the greatest value, and contributed greatly to its success. His services were rewarded by his being created, by patent dated at Kensington, 25 April 1707, DUKE OF ROXBURGHE, MARQUESS OF BOWMONT AND CESSFORD, EARL OF KELSO, VISCOUNT OF BROXMOOUTH, and LORD KER OF CESSFORD AND CAVERTON, with the same remainder as to these dignities as to that of the earldom of Roxburghe. His creation was the last addition to the Peerage of Scotland. He was chosen a Representative Peer of Scotland in four Parliaments, 1707, 1710, 1715, and 1727. He was one of the Lords of Regency before the arrival of George I., by whom he was made Keeper of the Privy Seal of Scotland 24 September 1714, and was Lord-Lieutenant of the counties of Selkirk and Roxburgh. On the breaking out of the rebellion in Scotland in 1715, he served as a volunteer under the Duke of Argyll at the battle of Sheriffmuir 13 November 1715. He was Secretary of State for Scotland 1716-25, and one of the Lords Justices during the King's absence from England 1716, 1720, and 1725, and was invested with the Order of the Garter 10 October 1722. Having opposed the measures of Walpole and Carteret, he was dismissed from the office of



Secretary of State in 1725. He officiated at the coronation of George II. as deputy to the Countess of Erroll, High Constable of Scotland, after which he lived in retirement till his death at Fleurs 27 February 1741, aged sixty-one.<sup>1</sup> He was buried at Bowden. He married, 1 January 1708, Mary, eldest daughter of Daniel Finch, second Earl of Nottingham, and widow of William Saville, Marquess of Halifax. The Duchess predeceased her second husband, dying 21 September 1718.<sup>2</sup> Issue an only child,

VI. ROBERT, second Duke of Roxburghe, who succeeded his father 27 February 1741. He was born about 1709, and was known as Marquess of Bowmont till his father's death. He was created when a boy, 24 May 1722, BARON KER OF WAKEFIELD, in the county of York, and EARL KER OF WAKEFIELD in the same county, taking his seat 13 January 1730. He died at Bath 20 August 1755, aged about forty-six, and was buried in Audley Chapel, London, 31 August.<sup>3</sup> His will was proved in 1755. He married, 16 June 1739, his cousin Essex, eldest daughter of Sir Roger Mostyn, third Baronet of Mostyn. The Duchess died at Bowmont Lodge 7 December 1764.<sup>4</sup> Will proved 1764. Issue:—

1. JOHN, third Duke of Roxburghe.
2. *Robert*, born 27 August 1747, ensign in the 1st Regiment of Foot Guards 1764, major 6th or Inniskillen Dragoons 1768, lieut.-colonel in same regiment 23 July 1773, was an unsuccessful candidate for Roxburghshire 1780, and died at Newburgh in Berkshire 20 March 1781, in the thirty-fourth year of his age.
3. *Essex*, born 9 March 1742, and died in infancy.
4. *Essex (secunda)*, born 25 March 1744.
5. *Mary*, born 17 March 1746.

These ladies were two of Queen Charlotte's bridesmaids on her marriage in 1761, and died unmarried.

VII. JOHN, third Duke of Roxburghe and Earl Ker of Wakefield, Great Britain, born in Hanover Square 23 April 1740, styled Marquess of Bowmont till he succeeded his father 23 August 1755, was a Lord of the Bedchamber, 1767, and Groom of the Stole 30 November 1796, when he

<sup>1</sup> *Scots Mag.* <sup>2</sup> *Political State of Great Britain*, xvi. 258. <sup>3</sup> *Scots Mag.* <sup>4</sup> *Ibid.*

was sworn a Privy Councillor; Lord-Lieutenant of Roxburghshire 1794, K.T. 28 November 1768, F.S.A. 1797, K.G. 3 June 1801, being allowed to retain the Thistle therewith. He is said to have formed an attachment, when on the Continent, to the eldest daughter of the reigning Duke of Mecklenburgh-Strelitz. She was born in 1735, but the engagement, if there was one, came to an end on the marriage of her younger sister Charlotte, in 1761, to King George III. Both parties remained unmarried. The Duke is best known as a great collector of rare books and ballads. His collection of books from the Caxton Press was famous. His library was sold in 1812, realising £23,000. He is commemorated by the club bearing his name, founded 24 June 1812. He died at his house in St. James's Square 19 March 1804, in the sixty-fourth year of his age, and was buried at Bowden. On his death the earldom and barony of Ker of Wakefield became extinct; the Roxburghe titles and estates passed to his distant relation,

VIII. WILLIAM BELLENDEN, Lord Bellenden of Broughton, who became fourth Duke of Roxburghe 19 March 1804, assuming the name of Ker after Bellenden. He was the son of William, third son of John, second Lord Bellenden, who was a son of William Drummond, second Earl of Roxburghe, by his wife Jean, granddaughter of Robert, first Earl of Roxburghe, the brother of the first Lord Bellenden's mother, and daughter of Henry Ker, Lord Ker (*see title Bellenden*). He was baptized 20 October 1728, at Ashton-under-Hill, Gloucestershire,<sup>1</sup> was captain 25th Regiment in 1757, and succeeded on the death of his cousin, the sixth Lord Bellenden, to that title, as seventh Lord Bellenden of Broughton, 18 October 1797. He had an annuity of £250 granted to him 2 April 1798, as Usher of Exchequer. He was in his seventy-sixth year when he succeeded to the dukedom of Roxburghe. He was served heir of tailzie in special of John, third Duke of Roxburghe, in the family estates, and completed his investitures by infeftment, but did not long enjoy his honours, as he died at Fleurs 23 October 1805, in his seventy-seventh year, and was buried at Bowden. He married, first, 7 December 1750, at

<sup>1</sup> *Complete Peerage*.

Mayfair Chapel, St. George, Hanover Square, Margaret, daughter of Rev. — Burroughs, D.D. chaplain of Hampton Court, she being then of Maidstone, Kent.<sup>1</sup> Three children born of this marriage died in infancy, and she died *s.p.* at Paris. He married, secondly, 29 June 1789, at Allington, Dorsetshire, Mary, daughter of Benjamin Bechenoe, captain R.N., but by her had no issue. She married, secondly, 19 August 1806, the Hon. John Tollemache, formerly Manners, and died 9 April 1838.<sup>2</sup> On the death of William Bellenden Ker, fourth Duke of Roxburghe, the whole male line of William Ker, formerly Drummond, second Earl of Roxburghe, and of his wife Jean, heir of line of the first Earl, failed, and the barony of Bellenden of Broughton possibly became extinct. A competition then arose for the Roxburghe estates between Lady Essex Ker, eldest surviving sister of the third Duke of Roxburghe, as heir of line of William, second Earl of Roxburghe, and Jean Ker his wife, eldest daughter of Harry, Lord Ker, Sir James Norcliffe Innes, Baronet, heir-male of the body of Margaret, third daughter of Harry, Lord Ker, Major-General Ker of Littledean as heir-male of Robert, first Earl of Roxburghe and the Right Honourable William Drummond of Logiealmond, as heir-male of the second Earl of Roxburghe. The case was taken to the House of Lords, who, on 18 June 1810, found that according to the just and legal construction of the substitution of the deed of 1648, to the eldest daughter of Harry, Lord Ker, without division, and her heirs-male, the several daughters of Harry, Lord Ker, *seriatim* in their order and the heirs-male of their respective bodies begotten, were called as heirs of tailzie and provision, to take the estates conveyed by the above deed in preference to the heir-male general of the eldest or of any other of the said daughters; therefore that if Sir James Norcliffe Innes proved himself heir-male of the body of Margaret Ker, and there were no heirs-male existing of the bodies of Jane and Anna Ker, Sir James's brieve of service might be sustained against any other. In March 1812 Sir James accordingly led evidence of his descent, and on 9 May 1812 the Committee of Privileges reported that he had made out his claim, which on 11 May became the finding of the House

<sup>1</sup> *Complete Peerage.* <sup>2</sup> *Ibid.*

of Lords. Major-General Ker had been served nearest lawful heir-male on the 18 June 1804 of Robert, first Earl of Roxburghe and his son Harry, Lord Ker. Sir James Innes attempted to impugn this service, but withdrew his action 11 December 1811, when the Court of Session assoilzied Major-General Ker and found him entitled to his expenses, thus establishing his pedigree as tenth in descent from Mark Ker of Dolphingston and Littledean, second son of Walter Ker of Cessford 1481-1501, and also, as such, his right to the character of undoubted heir-male of the ancient family of Ker of Cessford, now Roxburghe.<sup>1</sup> The long litigation, lasting seven years, ruined Major-General Ker.

#### INNES OF THAT ILK.

THE family of Innes, whose representative succeeded to the Roxburghe title was one of great antiquity. There is historical proof that

WILLELMUS DE INEYS held the lands in 1296. According to the family account by Duncan Forbes of Culloden, the father of the distinguished Lord President of that name, he was the ninth laird who had held the lands.<sup>2</sup> He was the ancestor of

SIR WALTER DE INNES, who died in or before 1456, leaving a son,

ROBERT INNES, who had a precept of infeftment in the lands of Aberchirder from John, Lord Lindsay of the Byres, 4 July 1456. He left a son,

JAMES INNES, who had a precept of sasine from Alexander, Earl of Huntly, on 24 October 1464. He died shortly after 1491, having married, first, Janet Gordon, natural daughter of Alexander, first Earl of Huntly;<sup>3</sup> and, secondly, before 26 October 1473, Margaret Culane. By her he had four sons, but by his first wife he had issue, besides two daughters:—

1. ALEXANDER, who succeeded.
2. *Robert*, first designed of Cromie and then of Rothmackenzie, whose descendants ultimately succeeded to the headship of the family.

ALEXANDER INNES died between 12 December 1537 and 3 June 1538, at which date his son had a precept of sasine. He married (contract 4 December 1493) Cristina, daughter of Sir James

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<sup>1</sup> Wood's Douglas. <sup>2</sup> *Familie of Innes*, Spalding Club. <sup>3</sup> Cf. vol. iv. 526.

Dunbar of Cumnock, with a tocher of 1100 merks, and had by her, with other issue,

ALEXANDER INNES. He died before 1553, having married Elizabeth, daughter of John, sixth Lord Forbes, and widow of Gilbert Keith of Troup. She survived her second husband, but left no male issue, and Alexander was succeeded by his brother,

WILLIAM INNES. Previous to the date of his succession he was designed of Forresterseat. He was dead before 1574,<sup>1</sup> having married, before 7 February 1547-48, Elizabeth Hepburne, by whom he had issue, besides one daughter:—

1. ALEXANDER, who succeeded.
2. JOHN, who succeeded his brother.

ALEXANDER INNES succeeded his father, but apparently did not hold the estates long, for having killed his kinsman Innes of Pethnik in quarrel in the streets of Edinburgh, he was executed in 1576. He married Janet, second daughter of John, Earl of Sutherland: she survived him, and is said to have married, secondly, Thomas Gordon, son of George, fourth Earl of Huntly. She died January 1584,<sup>2</sup> leaving no lawful male issue. Alexander Innes was succeeded by his brother,

JOHN INNES. He was evidently a person of no great capacity. On 15 March 1577 he entered into a mutual entail with Alexander Innes of Cromie to the effect that, falling heirs-male of their bodies, the other should succeed to the whole estates. This arrangement afterwards occasioned much ill-feeling and tragic consequences in the family. John Innes was alive in 1585, but was obliged to give up all his interest in the estates. He married, in 1580, Elizabeth, daughter of Alexander Abernethy, sixth Lord Saltoun, and widow of John, eighth Lord Glamis.<sup>3</sup> As by her he had no issue, the whole male line of Alexander, son of James Innes, came to an end, and the representation of the family devolved upon James Innes of Cromie, descended from

ROBERT INNES, second son of James Innes of that Ilk. He was usually designed of Rothmackenzie; he married a daughter of William Meldrum of Fyvie, by whom he had two sons:—

1. JAMES.
2. *Alexander*, ancestor of the Inneses of Coitts.

JAMES INNES of Rothmackenzie got a charter of the lands of Cromie in 1542,<sup>4</sup> and was afterwards designed of Cromie. He fell in the battle of Pinkie, 1547, having married, first, Catherine, a daughter of Sir William Gordon of Gight, and, secondly, his cousin, Margaret, daughter of Alexander Innes of that Ilk, and Cristina Dunbar.<sup>5</sup> By his second wife only he had issue,

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<sup>1</sup> *Reg. Mag. Sig.*, 8 July 1574. <sup>2</sup> Cf. vol. iv. 539. <sup>3</sup> *Frasers of Philorth*, ii. 62. <sup>4</sup> *Reg. Mag. Sig.*, 18 March 1542-43. <sup>5</sup> See *ante*, p. 354.

ALEXANDER INNES of Cromie. It was he who entered into the mutual entail with John Innes of that Ilk, mentioned above. This transaction gave so much umbrage to the other branches of the Innes family that Alexander was murdered by Robert Innes of Innermarkie in a treacherous and brutal manner at his house, in Aberdeen, in April 1580. He married, first, Elizabeth Dunbar; she died between 10 March 1559-60, when she had a charter, along with her husband, from the Prior of Pluscarden, and 2 June 1566, when the charter was confirmed by the King.<sup>1</sup> He married, secondly, Isobel, daughter of Arthur Forbes of Putachie.<sup>2</sup> By her he had one son,

ROBERT INNES of that Ilk. In his time the family feuds were arranged by the interposition of friends. He died 15 September 1596, having married, 1 November 1582, Elizabeth, daughter of Robert, third Lord Elphinstone,<sup>3</sup> by whom he had, along with other issue,

SIR ROBERT INNES. He was created a Baronet of Nova Scotia 20 or 29 May 1625, with remainder to heirs-male whomsoever. He married (contract 18 December 1611) Grizel Stewart, daughter of James, Earl of Moray,<sup>4</sup> and had by her, with other children,

SIR ROBERT INNES, who married Jean Ross, daughter of James, Lord Ross of Halkhead, and had

SIR JAMES INNES. He married (contract 18 July 1666) Margaret, daughter and coheir of Harry Ker, styled Lord Ker, only surviving son of Robert, first Earl of Roxburghe, who died *vitâ patris*. In 1694 Sir James resigned his estates to his son

SIR HARRY INNES, who died 12 November 1721, having married (contract 3 September 1694) Jean, daughter of Duncan Forbes of Culloden. His eldest son died *vitâ patris* and unmarried, and he was succeeded by his second son,

SIR HARRY INNES, who died 31 October 1762, having married (contract 9 October 1727) Anne, second daughter of Sir James Grant, Bart., of Grant. By her, who died at Elgin 9 February 1711, he had, with other issue, a second but eldest surviving son,

IX. SIR JAMES INNES, fifth Duke of Roxburghe. He was born at Innes House, Elgin, 10 January 1736;<sup>5</sup> educated at Leyden; captain 88th Regiment 1759, and 58th Regiment 1779; succeeded to the baronetcy 1762; sold the family estates of Innes 1767. He preferred his claim

<sup>1</sup> *Reg. Mag. Sig.*, 2 June 1566. <sup>2</sup> Cf. vol. iv. 55. <sup>3</sup> *Ibid.*, iii. 356. <sup>4</sup> *Ibid.*, vi. 318. <sup>5</sup> *Complete Peerage*.

to the Roxburghe titles and estates, under the settlement of the first Earl of Roxburghe in 1805, and on 11 May 1812 was adjudged to be fifth Duke and ninth Earl of Roxburghe. He died at Floors Castle 19 July 1823, aged eighty-five, and was buried at Bowden. He married, first, 19 April 1769, at St. James's Church, Westminster, Mary, eldest daughter of Sir John Wray of Glentworth, in the county of Lincoln, Baronet, by Frances, daughter of Fairfax Norcliffe of Langton, in the county of York, which estate being settled on Lady Innes, he took by royal licence the name of Norcliffe before that of Innes, 31 May 1769. She died without issue 20 July 1807. After her death Sir James dropped the name Norcliffe, taking the name Ker, in addition to Innes, her estates passing by settlement to her nephew. Sir James married, secondly, eight days after his first wife's death, Harriet, daughter of Benjamin Charlwood of Windlesham, Surrey, at Kensington, 28 July 1807, who survived him, and married, secondly, at Chelsea, Lieut.-Colonel Walter Frederick O'Reilly, C.B., 41st Regiment (who died 4 March 1844), and died at Brighton 19 January 1855, aged seventy-seven. By his second wife the Duke had an only son,

X. JAMES ROBERT, sixth Duke of Roxburghe, born at Floors Castle 12 July 1816; succeeded his father 19 July 1823; educated at Eton and at Christ Church, Oxford; created a Peer of the United Kingdom, as EARL INNES, 11 August 1837; Knight of the Thistle, 18 March 1840; a Lieut.-General of the Royal Archers, Scotland; Lord-Lieutenant of Berwickshire, 1873-79. He married, 29 December 1836, Susanna Stephanie, only child of Lieut.-General Sir Charles Dalbiac, K.C.H. He died at Genoa 23 April 1879. His widow, who was Lady of the Bed-chamber to Queen Victoria from 1868, and V.A., died 6 May 1895. Issue:—

1. JAMES HENRY ROBERT, seventh Duke of Roxburghe.
2. *Charles John*, captain and lieut.-colonel Scots Guards; born 31 December 1852; married, 15 January 1866, Blanche Mary, fourth daughter

of Colonel Thomas Pears Williams of Craig-y-Don, Anglesey, and Temple House, Bucks, with issue:—

- (1) *Charles James*, born 19 January 1867; late captain 4th Brigade, Welsh Division, Royal Artillery; a Gentleman Usher to Queen Victoria till 1901, and to King Edward 1901-1906; died, unmarried, 13 April 1906.
  - (2) *Bertram*, born 5 April 1870.
3. *Susan Harriet*, born 13 November 1837, married, 5 August 1857, to Sir James Grant Suttie, sixth baronet, who died 30 October 1878. She died 16 October 1909, having had issue.
  4. *Charlotte Isabella*, born 8 August 1841; married, 28 October 1862, to George Russell, eldest son of Captain William Russell, R.N., and great-great-grandson of John, fourth Duke of Bedford, and died 24 April 1881, leaving issue.

XI. JAMES HENRY ROBERT, seventh Duke of Roxburghe, born 5 September 1839 at Floors Castle; educated at Eton and Christ Church, Oxford; M.P. for Roxburghshire 1868-74; Lord-Lieutenant of Roxburghshire. He died at Floors Castle 23 October 1892, and was buried in Kelso Abbey. Married, 11 June 1874, at St. James's, Westminster, Anne Emily, fourth daughter of John Winston Churchill, Duke of Marlborough, by Frances Anne Emily, daughter of Charles William Vane Stewart, third Marquess of Londonderry. Succeeded his father April 1879. His widow, who was born 14 November 1854, was Mistress of the Robes to Queen Victoria 1883-85, an Extra Lady of the Bedchamber 1895-97, and a Lady of the Bedchamber 1897-1901. Issue:—

1. HENRY JOHN, present and eighth Duke of Roxburghe.
2. *Alistair Robert*, born 2 November 1880; lieutenant Royal Horse Guards; served in South Africa 1900-1902; married, 10 October 1907, Anne, daughter of W. R. Breese, of New York, and step-daughter of H. V. Higgins. Issue a son, born 4 October 1908.
3. *Robert Edward*, lieutenant Irish Guards, born 22 July 1885.



4. *Margaret Frances Susan*, born 13 May 1875; married, 25 July 1898, to Major James Alexander Orr Ewing, third son of Sir Archibald Orr Ewing, first Baronet. He was killed in action in South Africa 28 May 1900, leaving issue.
5. *Victoria Alexandrina*, to whom Queen Victoria stood sponsor, born 16 November 1877; married, 17 August 1901 to Major Charles Hyde Villiers, late Royal Horse Guards, and has issue.
6. *Isabel*, born 14 January 1879; married, 23 June 1904, to the Hon. Guy Greville Wilson, second son of Charles Henry, first Baron Nunburnholme. She died 12 October 1905.
7. *Evelyn Anne*, born 7 February 1882, married, 23 November 1907, to Major William Fellowes Collins, Royal Scots Greys.

XII. HENRY JOHN, eighth Duke of Roxburghe (1707); born 25 July 1876; succeeded his father 23 October 1892. Lieutenant Horse Guards May 1898; served in the South African war 1900; created a Knight of the Order of the Thistle 1902; bore the Queen-Consort's crown at the coronation of King Edward VII. 9 August 1902. Married, 10 November 1903, May, daughter of the late Ogden Goelet of New York.

CREATIONS.—Lord Roxburghe 29 December 1599, Earl of Roxburghe, Lord Ker of Cessford and Cavertoun, 18 September 1616, Duke of Roxburghe, Marquess of Bowmont and Cessford, Earl of Kelso, Viscount of Broxmouth, and Lord Ker of Cessford and Cavertoun, 25 April 1707, in the Peerage of Scotland; Baron Ker of Wakefield in the county of York, and Earl Ker of Wakefield, 24 May 1722, in the Peerage of Great Britain; Earl Innes 11 August 1837, in the Peerage of the United Kingdom.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th grand quarters counterquartered; 1st and 4th, vert, on a chevron between three unicorns' heads erased argent, armed and maned or, as many mullets sable, for *Ker*; 2nd and 3rd, gules, three mascles or, for *Weepont*; 2nd and 3rd

grand quarters, argent, three mullets of six points azure, for *Innes*.

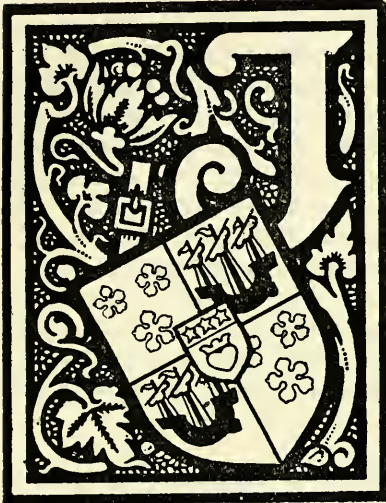
CRESTS.—A unicorn's head erased argent, armed and maned or; a boar's head erased proper, langued gules.

SUPPORTERS.—Two savages, wreathed about the head and middle with laurel, and holding in their exterior hands a club resting on the shoulder, all proper.

MOTTOES.—*Pro Christo et Patria. Be Traist.*

[E. M. F.]

## HAMILTON, EARL OF RUGLEN



JOHN HAMILTON, fourth son of William Douglas, third Duke of Hamilton, by his wife Anne, *suo jure* Duchess of Hamilton, was baptized at Hamilton 26 January 1665.<sup>1</sup> He was created, by patent dated 14 April 1697, EARL OF RUGLEN, VISCOUNT OF RICCARTOUN and LORD HILLHOUSE,<sup>2</sup> with remainder to the heirs-male, whom failing, to the heirs whatsoever of his body. He took

his seat 19 July 1698, being then Master of the Mint, an office of which he was shortly after deprived on account of his opposition to the Government. He had the lands of Riccartoun, co. Linlithgow, settled on him by his parents, and he also acquired Barnton, Kings Cramond, and other lands in Midlothian. On the death of his brother Charles, Earl of Selkirk, in 1739, that title, and the barony of Crawford John, in Lanarkshire, devolved on him, but Riccartoun went in terms of the entail to his younger brother Archibald. The Earl of Selkirk and Ruglen, as he was termed, died at Edinburgh 3 December 1744, in the eightieth year of his age, and was buried at Cramond. At his death the earldom of Selkirk and the barony of Crawford John were inherited by his grand-nephew, Dunbar Hamilton of

<sup>1</sup> Hamilton Reg. <sup>2</sup> *Acta Parl. Scot.*, x. 117.

Balloon, while the Ruglen title and the remainder of his estates passed to his eldest daughter. The Earl married, first (contract 21 June 1694), his cousin Anne, daughter of John, seventh Earl of Cassillis; secondly, at Edinburgh, 22 March 1701, Elizabeth, widow of John, Lord Kennedy, his first wife's eldest brother, daughter of Charles Hutchinson of Owthorpe, co. Nottingham.<sup>1</sup> She died at Barnton 10 March 1734, and was buried at Holyrood 16 March.<sup>2</sup> By his first wife the Earl had issue:—

1. *William*, styled Lord Riccartoun till his father succeeded to the Selkirk title, when he became Lord Daer. He was born 1696, had a captain's commission in the Army 6 May 1723, and a troop in the 1st Regiment of Horse 23 January 1734. He died at Edinburgh 20 February 1742, in the forty-sixth year of his age, having got a chill after being overheated with dancing. He was buried at Holyrood 24 February.
2. ANNE, who succeeded as Countess of Ruglen.
3. *Susan*, born 1 November 1699, married (contract 25 September and 6 October 1738), to her cousin John, eighth Earl of Cassillis. She died *s.p.* at Barnton 8 February 1763, and was buried at Holyrood 19 February.<sup>3</sup>

II. ANNE, *suo jure* Countess of Ruglen, was born at Cramond 5 April 1698.<sup>4</sup> She was married, first, to William, second Earl of March (of the creation of 1697), who died 7 March 1731; secondly, 2 January 1747, to Anthony Sawyer, Paymaster of the Forces in Scotland. She died at York 21 April 1748. By her second husband she had no issue, but by the Earl of March she had an only child,

III. WILLIAM, Earl of March and Ruglen, who afterwards succeeded as fourth Duke of Queensberry. (*See that title.*) He died, unmarried, 23 December 1810, when the earldom of Ruglen became extinct.

CREATION.—Earl of Ruglen, Viscount of Riccartoun and Lord Hillhouse, 14 April 1697.

<sup>1</sup> In her funeral entry in the Lyon Office her father is styled Sir Thomas Hutchinson, Knight. <sup>2</sup> The Holyrood Burial Register calls her Jean. <sup>3</sup> Holyrood Reg. <sup>4</sup> Cramond Reg.

ARMS, not recorded in Lyon Register but given in Peers' Arms MS. as :—Quarterly, 1st and 4th, argent, three cinque-foils ermine; 2nd and 3rd, argent, a three-masted galley sable, sails furled of the first, flagged gules; surtout on an escutcheon argent a man's heart gules crowned or, on a chief azure three mullets argent.

CREST.—An oak tree proper penetrated transversely on the trunk by a frame saw proper, the frame or.

SUPPORTERS.—Two antelopes argent, armed, unguled, ducally gorged and chained or.

MOTTO.—*Through.*

[J. B. P.]

## RUTHERFURD, LORD RUTHERFURD



ROBERT, LORD OF RODYRFORDE, witnessed a charter by David I. to Gervase of Rydel, circa 1140.<sup>1</sup>

GREGORY OF RUTHERFURD witnessed two charters of Roger Burnard to the monastery of Melrose of thirteen acres of the lands of Faringdon, in the reign of King William the Lion, and other charters in the reign of King Alexander II.<sup>2</sup>

HUGH OF RODERFORDE witnessed a grant by Philip de Valoniis to Robert de Stutteville of lands of Torpenhow in Northumberland in or before 1215, in which year Philip died.<sup>3</sup>

RICHARD and HUGH RUTHERFURD witnessed a charter of Richard Burnard of Faringdon to the abbey and convent of Melrose in the reign of King Alexander III., 1252.<sup>4</sup>

SIR NICOLAS OF RUTHERFURD witnessed charters by William of Landels and by John of Landels to the church of St. Mary of Melrose, and other charters in the reign of

<sup>1</sup> *Rutherfurds of that Ilk.* <sup>2</sup> *Liber de Melros*, i. 75, 76, 177, 179, 227, 229, 232. <sup>3</sup> Macfarlane, *Original Writs*, Adv. Lib. <sup>4</sup> *Liber de Melros*, i. 299.

King Alexander II.<sup>1</sup> and in the reign of King Alexander III.<sup>2</sup> He is probably the same Sir Nicolas who witnessed a deed by Malcolm of Constabletun and Alice his wife of a carucate of land in Edulfistun to the church of Glasgow in 1260,<sup>3</sup> a donation by Henry, Lord of Halyburton, to the monastery of Kelso in 1270,<sup>4</sup> and a gift by Patrick Corbet, Lord of Fogo, of the chapel of Fogo, with the mill thereof, to the said monastery, 1280-97.<sup>5</sup> He had issue:—

1. SIR NICHOL.

2. *Aymer of Rutherford*, of the county of Roxburgh, swore fealty to Edward I. at Berwick on 28 August 1296.<sup>6</sup> He sued the Marshal for two horses seized by him, of the value of ten shillings, and recovered them in May 1296.<sup>7</sup> His lands in Tynedale were seized by the bailiff, on behalf of the King, as a rebel, in December 1297.<sup>8</sup>

3. *Margaret*, daughter of Nicolas of Rutherford, swore fealty to Edward I. at Berwick 28 August 1296.<sup>9</sup> She had lands in the county of Roxburgh.

SIR NICOL OF RUTHERFURD swore fealty to Edward I. at Montrose 11 July 1296,<sup>10</sup> but, according to Blind Harry, joined Sir William Wallace in Ettrick Forest with sixty followers, in consequence of which his lands of Dodington Mill in Northumberland were seized by the English King, he being a rebel, in 1296.<sup>11</sup> He married a lady named Marjorie, who is said to have been a near relative of Marion Braidfute of Lamington, Wallace's wife, and he was probably the grandfather of

1. *Eva*, and

2. *Marjory*, styled heirs of 'Monsire Nichol de Rotherforde, chivaler Descose,' their grandfather. They petitioned King Edward for a writ to the Sheriff of Northumberland to give them sasine of one hundred 'southz' (sous) of annualrent in the mills of Dodgingestone in that county, in which their grandfather was seised at the beginning of the war, and ousted on that account.<sup>12</sup>

<sup>1</sup> *Liber de Melros*, i. 244, 245, 260, 264. <sup>2</sup> *Ibid.*, 295, 301, 310. <sup>3</sup> *Reg. of Glasgow*, 175\*. <sup>4</sup> *Liber de Calchou*, 143. <sup>5</sup> *Ibid.*, 246. <sup>6</sup> *Cal. of Docs.*, ii. p. 199. <sup>7</sup> *Ibid.*, No. 822. <sup>8</sup> *Ibid.*, No. 963. <sup>9</sup> *Ibid.*, p. 207. <sup>10</sup> *Ibid.*, No. 774. <sup>11</sup> *Ibid.*, No. 1043. <sup>12</sup> *Ibid.*, No. 1879.

SIR ROBERT OF RUTHERFURDE supported Bruce.<sup>1</sup>

RICHARD OF RUTHERFURDE witnessed a charter by Cyril Saddeler in 1330,<sup>2</sup> a deed of gift by Thomas Vigurus, burgess of Roxburgh, to Sir William of Fultoun, and another by the latter to the monastery of Dryburgh, *circa* 1338.<sup>3</sup>

WILLIAM OF RUTHIRFURDE, mentioned in a charter by Roger of Auldtoun to the chantry of St. James, Roxburgh, in 1354,<sup>4</sup> and in a charter from King David to John of Allincrum of all the lands which were held by the late Richard of Rutherford in the barony of Crauford Lindsay, in the shire of Lanark, which had been forfeited by William, son and heir of the said Richard, 12 April 1358, which was confirmed by King Robert II. on 24 October 1377.<sup>5</sup>

SIR RICHARD RUTHERFURDE of that Ilk witnessed a charter by John Turnbull of Minto to Sir William Stewart of Jedworth, dated 8 December 1390,<sup>6</sup> and on 26 October 1398 was a pledge for the Earl of Douglas's bounds on the Middle March.<sup>7</sup> He was ambassador to England in 1398,<sup>8</sup> was taken prisoner in 1399 with his five sons and Sir John Turnbull, 'out with the sword,' by the English, and on 30 October 1399 Henry IV. gave orders to Henry Percy, Earl of Northumberland, that they should not be ransomed or set free.<sup>9</sup> He was Warden of the Marches in 1400,<sup>10</sup> and died in defence of the realm before 1455, when his son James was allowed the ward of Maxtoun and Edgarstoun.<sup>11</sup> He married Jean Douglas, and had issue five sons:—

1. *James*, who was one of the guarantors of the treaty with the English, 1449,<sup>12</sup> had charter of Lethbert and Lethbertshiels in Stirlingshire from King James II., 2 and 4 May 1452.<sup>13</sup> He was father of

(1) *James*, of that Ilk, Conservator of the truce with England,<sup>14</sup> and Warden of the Marches, 1457;<sup>15</sup> had charters under the Great Seal first on 8 August 1471, confirming a charter by

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<sup>1</sup> Barbour's *Bruce*. <sup>2</sup> *Liber de Calchou*, 381. <sup>3</sup> *Liber de Dryburgh*, 261, 262. <sup>4</sup> *Liber de Calchou*, 387. <sup>5</sup> *Reg. Mag. Sig.*, fol. vol., 149, No. 107. <sup>6</sup> *Ibid.*, 189, No. 23. <sup>7</sup> *Cal. of Docs.*, iv, 510. <sup>8</sup> Rymer's *Fœdera*, viii, 54. <sup>9</sup> *Cal. of Docs.*, iv, 565. <sup>10</sup> Rymer's *Fœdera*, viii, 162. <sup>11</sup> *Exch. Rolls*, vi, 97. <sup>12</sup> Rymer's *Fœdera*, xi, 254. <sup>13</sup> *Reg. Mag. Sig.* <sup>14</sup> Rymer's *Fœdera*, xi, 397. <sup>15</sup> *Ibid.*



Thomas Home of Crowde of the lands and barony of Uvercragling or Crailing, Hownam, Capehope, Swinset, and others;<sup>1</sup> second, of the right of patronage of the church of Bethrule, which had been granted to his father by the late William, Earl of Douglas, 13 June 1482;<sup>2</sup> third, to him and Margaret Erskine, his wife, of the lands of Swynside in barony of Hounam, 17 December 1483;<sup>3</sup> and, fourth, of the lands and barony of Edzerston, on his own resignation, to himself and his heirs, whom failing, to Richard, his grandson, whom failing, to John, Thomas, Robert, and Andrew, his (the said James) sons respectively, 15 September 1492.<sup>4</sup> He died in 1493. He married Margaret Erskine and had issue:—

- i. *Philip*, younger of that ilk; married (contract 12 February 1484-5, and papal dispensation dated 9 November 1485<sup>5</sup>) Elizabeth, daughter of Sir Walter Ker of Cessford. He predeceased his father, survived by his wife, who married, secondly, before 23 October 1495, Sir Walter Scott of Buccleuch. She was burned to death by the English in the tower of Catslack 19 October 1548.<sup>6</sup> He had issue:—
  - (i) *Richard*. He is styled 'nevo' (*nepos*) of James in a grant of his ward and marriage to Walter Ker of Cessford 25 October 1500.<sup>7</sup> That he was grandson of James is also proved by the charter of 15 September 1492 above quoted. Served heir to his grandfather 5 May 1499, and died *s.p.* before 9 November 1500.<sup>8</sup>
  - (ii) *Katherine*, who being a ward of the King forfeited on 27 January 1502 her portion of the paternal estate by 'away ganging and trespassing with James ye Stewart of Tracuar, committand hir person to him in fornication,' they being in the third and third degree of consanguinity forbidden by the law.<sup>9</sup> They afterwards had a papal dispensation, 9 November 1505, legalising their marriage. He was killed at Flodden 1513.
  - (iii) *Helen*, served heir to her father's whole estate 23 February 1502-3;<sup>10</sup> married, first, between 20 November and 5 December 1506,<sup>11</sup> to Sir John Forman of Dawane; secondly, to Sir Thomas Ker of Mersington; thirdly, to Andrew Rutherford of Hunthill aftermentioned; and fourthly, to Patrick Home of Broomhouse, but had no issue by any of her husbands.
- ii. *John*, died before 13 May 1501, had four natural sons.<sup>12</sup>
- iii. *Thomas*, described at the last-mentioned date as heir-

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.* <sup>3</sup> *Ibid.* <sup>4</sup> Confirmed *ibid.*, 15 January 1492-93. <sup>5</sup> Roxburghe Charters. <sup>6</sup> *Acta Dom. Conc.*, xvii. 187. <sup>7</sup> *Reg. Sec. Sig.*, i. 585. <sup>8</sup> *Ibid.*, i. 590. <sup>9</sup> Riddell's *Peerage Law*, 130. <sup>10</sup> *Ibid.* <sup>11</sup> *Reg. Mag. Sig.* <sup>12</sup> *Acta Dom. Conc.*, xviii. 72.

male of his father; he was then at the horn for the slaughter of Patrick Hepburn;<sup>1</sup> ancestor of the families of Edgerston and Farnington.<sup>2</sup>

iv. *Andrew*, died before 1504.<sup>3</sup>

v. *Robert*.<sup>4</sup>

vi. *Christian*, married (contract dated 12 February 1484<sup>5</sup>) to Sir Robert Ker, eldest son of Walter Ker of Cessford, and had issue.

vii. *Janet*, married, 1480, to John Rutherford of Hundolee.

2. ROBERT aftermentioned.
3. *William* of Eckford, slain by Walter Scott of Kirkurd 1436.
4. *Sir John*, killed at Crevant in 1423.
5. *Nicol*, had charters of Grubet, Yhethame, Corbet, Malcarston, and others, on the resignation of Thomas Charteris of Cagnore, from King James I. on 12 May 1426,<sup>6</sup> and of Kirkyetham 6 July 1430.<sup>7</sup> He was one of the guarantors of truces with the English in November 1449, August 1451, and May 1453. He is said to have married, first, Margaret, daughter of Thomas Charteris of Cagnore, and secondly, a daughter of Sir Thomas Cranstoun, Warden of the Marches. He had a son *John*, ancestor of the Hundalee family, who had half the fermes of Kincaivil in 1453.<sup>8</sup>

ROBERT OF RUTHERFURD, called 'Robin with the tod's tail,' from the circumstance that at the battle of Otterburn on 15 August 1388, having been detached from the main body, he fixed a fox's brush to his lance as a standard and attacked the English in flank. He may have married Joan, daughter of Sir Henry of Heton; she is described as wife of Robert Rutherford, and as having been born at the manor of Chevelyngham, Northumberland, on the feast of St. Peter ad Vincula, 1 August 1389;<sup>9</sup> if so, she must have been his second wife, as his son George was old enough to be a witness in 1413. Not having done fealty to the King of England, her property is ordered to be retained until further instructions, 6 May 1411.<sup>10</sup> He had issue:—

1. GEORGE, his heir.

2. *Laurence*.

<sup>1</sup> *Reg. Sec. Sig.*, i. 691. <sup>2</sup> *Acta Dom. Conc.*, xviii. 72. <sup>3</sup> *Ibid.* <sup>4</sup> *Ibid.*  
<sup>5</sup> Roxburghe Charters. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Ibid.* <sup>8</sup> *Exch. Rolls*, v. 346;  
*Reg. Mag. Sig.*, 13 April 1452. <sup>9</sup> *Cal. of Docs.*, iv. 738. <sup>10</sup> *Ibid.*, 803.

GEORGE OF RUTHERFURD was a witness to a charter by Archibald, fourth Earl of Douglas, to David of Hume, his esquire, of the lands of Wedderburn, *circa* 1413,<sup>1</sup> and had a charter from the said Earl of the lands of Nether Chatto, South Scharplaw, Eddyllcluch, and Hangandschaw, which had been forfeited by Thomas Chatto in 1424.<sup>2</sup> He married Jonet Rutherford, and would appear to have died before 6 February 1429-30, on which date there is an indenture between Patrick Lorraine, son and heir of Robert Lorraine, Lord of Homylknoll, and Jonet of Rutherford, the wife 'quhylom' of George Rutherford of Chatto.<sup>3</sup> He had issue:—

1. ROBERT, his heir.
2. *Adam*, master or prior of the fraternity of Anchorites in Over Ancrum.<sup>4</sup>
3. *George* of Langnewton, died before 16 February 1499-1500, when his lands of Sandystanys were forfeited and given to Patrick, Lord Bothwell.<sup>5</sup> He married Catherine Sele,<sup>6</sup> who survived him.<sup>7</sup>
4. *Walter*, who had a charter of a third part of the lands of Cralling, and corn mill thereof, 1488, also a grant of lands of Redheugh in Selkirkshire in 1495. He was ancestor of the Redheugh family.
5. *Katherine*, married to William Cockburn of Henderland. They had a charter of the lands of Sunderland Hall on 20 July 1474.<sup>8</sup>
6. *Helen*, married to Sir Thomas Borthwick of Colylaw and Bourhouse, Berwickshire.<sup>9</sup>

ROBERT RUTHERFURD of Chatto had a charter from Archibald, fifth Earl of Douglas, confirming to him as his dear esquire, the gift of his late father, Archibald, Earl of Douglas, to George of Rutherford, Robert's father, of the lands of Nether Chatto and others on 21 November 1429,<sup>10</sup> which was confirmed by the Crown 25 March 1439.<sup>11</sup> He had a

<sup>1</sup> *Cal. of Docs.*, iv. 803. <sup>2</sup> *Hist. Com. Rep.*, on Milne Home Writs. <sup>3</sup> Rutherford Charters in Reg. Ho. <sup>4</sup> *Ibid.* <sup>5</sup> *Reg. Sec. Sig.*, i. 366. <sup>6</sup> *Acta Dom. Conc.*, xvi. 114. <sup>7</sup> She may have married again, as a Catherine Morris, relict of George Rutherford, had a grant of a liferent of part of the lands of Langnewton from the King on 8 November 1498 (*Acta Dom. Conc.*, xx. 26). <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *Ibid.*, 1 December 1503. <sup>10</sup> Rutherford Charters. <sup>11</sup> *Ibid.*

charter under the Great Seal on 18 January 1466-67,<sup>1</sup> confirming a charter by Sir Simon of Glendinwine of that Ilk, to him and Margaret his wife of certain lands in the west part of the town of Scraisbury, commonly called Hunthill, dated 12 December 1465,<sup>2</sup> in which he was seised same day.<sup>3</sup> He had a grant of lairs in the Abbey of Jedburgh from the then Abbot, to him and Margaret his wife, on 13 July 1464.<sup>4</sup> He, with his son George, had a tack from the Crown of the lands of Midsteid of Windedurris in Ettrick for three years from 1484.<sup>5</sup> He married Margaret, daughter of Sir Simon Glendinwyn of that Ilk, and had issue:—

1. GEORGE, his heir.
2. *Robert* of Chatto, in which estate he succeeded his father, his brother getting Scraisbury, Capehope, etc. He married a lady named Janet, and was ancestor of the family of Rutherford of Chatto.
3. *Richard* of Glennysland, son of Robert Rutherford of Chatto, had a charter of 2 merks land of the same under the Great Seal 25 July 1468, on the resignation of Christian Glen, heiress thereof, and wife of David Stewart.<sup>6</sup> He was slain along with Sir William Colville of Ochiltree by George Haliburton and others in 1508 or 1509, and was ancestor of the Glennysland family.
4. *Margaret*, married to Hugh Wallace of Craigie. She had a charter of the lands of Thuriston, etc., in Renfrewshire, 22 September 1505.<sup>7</sup>
5. *Helen*, married to Philip Nisbet of that Ilk,<sup>8</sup> and had a charter of Birghamshiels in Berwickshire 20 January 1506-7.<sup>9</sup>

GEORGE RUTHERFURD of Scraisbury or Hunthill had sasine of Nether Chatto 1494,<sup>10</sup> was served heir to his father therein 2 May 1495, and had sasine of the lands of Scraisbury and Hunthill as heir of his father on 9 October 1495.<sup>11</sup> From the Crown he had a tack of the lands of Middlestead

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> Rutherford Charters. <sup>3</sup> *Ibid.* <sup>4</sup> *Rutherfurds of that Ilk*, xxiii.; *Seventh Rep. Hist. MSS. Com.*, 735. <sup>5</sup> *Exch. Rolls*, ix, 609, 619. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Ibid.* <sup>8</sup> *Lord High Treasurer's Accounts*, iii, 233. <sup>9</sup> *Reg. Mag. Sig.* <sup>10</sup> *Exch. Rolls*, x, 769; Rutherford Charters, 26 May 1495. <sup>11</sup> Rutherford Charters.

of Windydurris in 1492 to him and his son William.<sup>1</sup> He married a lady named Mariota, and had issue:—

WILLIAM.

WILLIAM RUTHERFURD of Hunthill had sasine of the lands of Nether Chatto and others in 1496.<sup>2</sup> He was dead in 1507.

GEORGE RUTHERFURD of Hunthill, served heir to his father William in the lands of Nether Chatto, and others 2 November 1507,<sup>3</sup> was seised therein 8 November 1507,<sup>4</sup> and entered into a bond of manrent with Alexander, Lord Home, dated at Edinburgh 18 May 1516.<sup>5</sup> He had issue:—

1. ANDREW RUTHERFURD of Hunthill, mentioned as owner of west half of Scraisburgh in 1523,<sup>6</sup> had sasine of the lands of Nether Chatto, Ediscleuch, Scharplaw, and Hanginschaw, which had been in the King's hands for six years on 31 August 1525.<sup>7</sup> He married Helen, daughter and heiress of Philip Rutherford of that Ilk, and widow of Sir John Forman of Dawane and Sir Thomas Ker of Mersington. He had with her a charter on her resignation of the lands of Capehope 20 August 1529.<sup>8</sup> She, who had no issue by him, survived him, and married, fourthly, before 1 December 1534,<sup>9</sup> Patrick Home of Broomhouse.
2. JOHN, who succeeded his brother.
3. *William*, tutor to William Rutherford of Langnewton, married Christian, sister to Christopher Armstrong of Mangerton and John Armstrong of Gilnockie.

George is also said to have had another son

4. *Andrew* (? *Archibald*), Canon of Jedburgh, who, though a churchman, married, it is alleged, a daughter of Douglas of Bonjedward, and had issue *William* and

*Mr. John*, Professor of Philosophy, Divinity, and Medicine in the College of Coimbra in Portugal, the Sorbonne in France, and elsewhere abroad. Probably identical with Mr. John Rutherford, Provost of St. Salvator's College, St. Andrews, who resigned 30 August and died December 1577. He married Christian Forsyth,<sup>10</sup> and had issue:—

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<sup>1</sup> *Exch. Rolls*, x. 783. <sup>2</sup> *Ibid.*, 772. <sup>3</sup> Rutherford Charters. <sup>4</sup> *Ibid.*  
<sup>5</sup> *Hist. MSS. Com.*, Earl of Home, 22. <sup>6</sup> *Exch. Rolls*, xv. 608. <sup>7</sup> *Ibid.*, xv. 668.  
<sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *Ibid.*, 15 January 1534-35. <sup>10</sup> *Ex inform.*  
 Mr. J. Maitland Anderson, University, St. Andrews.

i. *Mr. John*, minister of Denino 14 October 1577, of Kemback 3 September 1579, St. Andrews July 1584, and died of the pest 4 October 1585.<sup>1</sup> He married Janet, daughter of David Inglis of Ardit,<sup>2</sup> and had issue :—

- (i) *David*, served heir to his father 22 March 1606.<sup>3</sup>
- (ii) *Mr. John*, born 1565, Minister of Cupar 1590, and of Kilconquhar 21 July 1594. He was deposed 1603, and took to the study of medicine; was reinstated and became minister of Dairsie in 1611, of Monifieth 24 June 1626,<sup>4</sup> and died 8 June 1632, aged sixty-seven. He married, before 1606, Barbara Sandilands, relict of Thomas Dischington of Ardross, and had issue :—

a. *Mr. John*, minister of Kirrkden circa 1628, died March 1656.<sup>5</sup> He married Isobel, daughter of Auchmuttie of Drumeldrie, and had issue :—

(a) *John*, advocate, served heir to his grandfather 29 March 1664,<sup>6</sup> married Janet Muschett, and had issue :—

a. *James*,<sup>7</sup> baptized 11 January 1657.<sup>7</sup>

β. *Margaret*, baptized 22 March 1658,<sup>8</sup> married David Auchmouttie of Drumeldrie.

(b) *Janet*.

ii. *William*, owner and captain of a ship in Leith, and merchant burgess of Edinburgh, who died 4 November 1587.<sup>9</sup> He had issue :—

(i) *William* of Wrightslands, merchant burgess of Edinburgh, who had a charter under the Great Seal of lands of Easter and Wester Quarrelholes, in the barony of Restalrig, 23 November 1621,<sup>10</sup> and died 14 November 1624.<sup>11</sup> He married Giles Stewart, who survived him, and had issue :—

a. *Robert* of Wrightslands, served heir-general to his father 7 June 1625,<sup>12</sup> and in the lands of Easter and Wester Quarrelholes, near Edinburgh, 22 July 1631,<sup>13</sup> became a major-general in the Army, and Governor of Majorca. He had issue :—

(a) *William*, Treasurer to the King of Spain.

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<sup>1</sup> Edin. Tests., 8 March 1585-86. <sup>2</sup> *Ibid.* <sup>3</sup> *Retours, Gen.*, 8268. <sup>4</sup> Scott's *Fasti.* <sup>5</sup> Brechin Tests., 29 October 1656. <sup>6</sup> *Retours, Gen.*, 4769. <sup>7</sup> Edin. Reg. <sup>8</sup> *Ibid.* <sup>9</sup> Edin. Tests., 7 January 1593-94. <sup>10</sup> *Reg. Mag. Sig.* <sup>11</sup> Edin. Tests., 18 March 1626. <sup>12</sup> *Retours, Gen.*, 1198. <sup>13</sup> *Retours, Spec. Edin.*, 1493.

(b) *Robert*, Count Rutherford, Governor of Ostend.

b. *William*, merchant burghess of Edinburgh, who had a charter under the Great Seal of the lands of Quarrelholes on his brother Robert's resignation 1 August 1634,<sup>1</sup> and sold the same to the City of Edinburgh. He died about 1656,<sup>2</sup> having married Margaret, daughter of Alexander Guthrie, merchant burghess of Edinburgh,<sup>3</sup> and sister to Sir Henry Guthrie of Colliston, Knight, but had no issue.

c. ANDREW, created LORD RUTHERFURD and EARL OF TEVIOT.

d. *Isabel*, married Archibald Wilkie of Harlawmuir, merchant in Edinburgh, and had issue:—

(a) Mr. *Archibald*, served heir to his uncle, the Earl of Teviot, 9 September 1671.<sup>4</sup>

e. *Christine*, married to Robert Durie of Grange, mariner in Leith.<sup>5</sup> He died in March 1625,<sup>6</sup> and had issue *John*, his heir, *William*, who succeeded his brother, and *Christian*.

*William Durie* of Grange, served heir to his brother-german John in Overgrange 29 April 1643.<sup>7</sup> He had a son,

*John Durie*, of Overgrange, served heir to his father 24 January 1662,<sup>8</sup> and heir-portioner to Andrew, Earl of Teviot, his grandmother's brother, on 9 September 1671.<sup>9</sup> Died April 1724. He had issue:—

*George Durie*, served heir to his father 10 July 1724, and to his great-granduncle Andrew, Earl of Teviot, 17 January 1734, when he assumed the title of Lord Rutherford,<sup>10</sup> and voted at all the elections of Representative Peers until his death at Grange 18 June 1759. He married Margaret, daughter of Captain David Ogilvy of the Scots

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> Edin. Tests., 7 May 1657. <sup>3</sup> *Retours, Spec. Edin.*, 1056. <sup>4</sup> *Retours, Gen.*, No. 5460. <sup>5</sup> *Reg. Mag. Sig.*, 9 June 1632. <sup>6</sup> Edin. Tests., 7 April 1626. <sup>7</sup> *Retours, Fife*, 646. <sup>8</sup> *Ibid.*, 908. <sup>9</sup> *Retours, Gen.*, 5460. <sup>10</sup> Memorial for George, Lord Rutherford, 11 May 1739.

Guards, and Jean Thoires his wife, and had issue:—

*David*, who also assumed the title of Lord Rutherford, but was prohibited from voting by the House of Lords on 15 March 1762 until he made good his claim,<sup>1</sup> and died without issue 15 October 1785.

*Agatha*.

iii. *Christian*.

I. ANDREW RUTHERFURD, son of William Rutherford of Wrightslands, and Giles Stewart, entered the French service, and rose to the rank of lieutenant-general, and was highly commended to King Charles II. by the King of France. He was appointed colonel of a regiment of Foot and captain of a troop of Horse on 1 June 1661,<sup>2</sup> and to be Governor and colonel of a regiment at Dunkirk 10 March 1662,<sup>3</sup> of which town he negotiated the sale to the French in 1662 for £400,000. A number of receipts for pay, etc. signed by the officers of the different regiments in the garrison during 1661-62 are preserved among the Rutherford papers in the General Register House. In April 1663 he became Governor of Tangier and colonel of the 2nd Tangier Regiment of Foot.<sup>4</sup> He was created LORD RUTHERFURD on 19 January 1661, with limitation to him and the heirs-male of his body, whom failing, 'quamcunque aliam personam seu personas quas sibi quoad vixerit quietiam in articulo mortis ad ei succedendum ac fore ejus hæredes talliæ et provisionis in eadem dignitate nominare et designare placuerit, secundum nominationem et designationem manu ejus subscribendam subque provisionibus, restrictionibus et conditionibus a dicto Andrew pro ejus arbitrio in dicta designatione exprimentis.' By testamentary disposition dated at Portsmouth<sup>5</sup> 23 December 1663, when he was embarking for Tangier, he nominated Sir Thomas Rutherford of Hunthill to be his heir in his whole estate and dignity of Lord Rutherford in virtue of the powers in the patent narrated above. On 2 February 1663 he was advanced to the dignity of EARL

<sup>1</sup> Robertson's *Proceedings*, 308. <sup>2</sup> Dalton's *Army Lists*, i. 17. <sup>3</sup> *Ibid.*, i. 24. <sup>4</sup> *Ibid.*, i. 33. <sup>5</sup> Prerogative Court of Canterbury 24 July 1684.



OF TEVIOT with remainder to the heirs-male of his body. He was killed at Tangier by the Moors during a sally on 3 May 1664.<sup>1</sup> He married (contract dated at Miguéri in the Chasteline of Bois Commune in France 18 April 1651) Susanna de Melville, who, on 18 October 1665, granted a discharge to Thomas, second Lord Rutherford, of certain provisions in the said contract.<sup>2</sup> He had no issue. By his last will, dated the day of his death, he ordered eight chambers to be built in the College of Edinburgh, where he was educated, which was accordingly done, and the following inscription put thereon, 'Musea hæc quatergemina, academiæ hujus alumnus, Andreas Rutherfordiæ Regulus, Teviotæ Comes, Tangiræ Præfectus, belli pacisque artibus domi forisque clarus, testamento extrui jussit, May 3 anno domini 1664.'<sup>3</sup> He was succeeded in the barony of Rutherford, by his kinsman Thomas, second Lord, descended from

JOHN RUTHERFURD of Hunthill, who succeeded his brother Andrew (see page 371), and was seised in the lands of Nether Chatto and others, which had been in the King's hands since Martinmas, on 12 March 1529-30.<sup>4</sup> As brother-german to the deceased Andrew Rutherford of Hunthill he had sasine on a precept by Ninian Glendinwyn of that Ilk, superior, of the lands of Scraisburgh and Hunthill, on 28 May 1530,<sup>5</sup> and the following day a charter from the said Ninian to him and Christine his spouse, of eight merks of land in the west part of Scraisburgh, etc.<sup>6</sup> He had a charter under the Great Seal of the lands of Blackhaugh in Ettrick Forest on 6 April 1535,<sup>7</sup> and a charter from Ninian Glendinwyn of that Ilk of part of the lands and barony Scraisburgh or Hunthill, which he had purchased on 20 March 1536,<sup>8</sup> confirmed 18 April 1537.<sup>9</sup> He granted a bond of assurance to the Privy Council on 21 January 1553 to keep good rule within his lands,<sup>10</sup> but on 4 December 1561 had to confess he had broken same.<sup>11</sup> On 8 November 1555 letters of charge under the signet were obtained at the instance of John Stewart of Traquair against the Sheriff to desist

<sup>1</sup> Edin. Tests., 4 October 1672, 8 June 1688. <sup>2</sup> Rutherford Charters.  
<sup>3</sup> Monteath's *Theatre of Mortality*, ii. 15. <sup>4</sup> *Exch. Rolls*, xvi. 520.  
<sup>5</sup> Rutherford Charters. <sup>6</sup> *Ibid.* <sup>7</sup> *Reg. Mag. Sig.* <sup>8</sup> Rutherford Charters. <sup>9</sup> *Reg. Mag. Sig.* <sup>10</sup> *P. C. Reg.*, i. 153. <sup>11</sup> *Ibid.*, 188.

serving him as heir to his brother Andrew in the barony of Capehope, alleged to have been resigned by Andrew's wife, and because there was a deadly feud between the Rutherfurds and the Kers, with whom John was allied by marriage ;<sup>1</sup> he was, however, served heir to his brother Andrew in said lands on 17 June 1558.<sup>2</sup> He signed the bond on 12 February 1571, to rise against the King's enemies, and especially against the Laird of Fairnyhurst and his accomplices,<sup>3</sup> and also the bond of Roxburghe to the King and Regent Morton on 28 August 1573. He married, first, Christine Hoppringle,<sup>4</sup> and secondly, Isobel, daughter of Sir Walter Ker of Cessford,<sup>5</sup> and had issue :—

1. JOHN, his heir.
2. *Steven*, who as brother to John Rutherford of Hunthill, was one of a party under the Earl of Angus, who passed 'in feir of war' to the town of Haithpule in the East March of England on 26 January 1580-81, and 'committed a great and notable attempt in prejudice of peace and amity.'<sup>6</sup>
3. *Thomas* of Grundisnuke, who was denounced with his brothers for making incursions into England 15 October 1593.<sup>7</sup>
4. *Mariotta*, said to have been married to William Rutherford, shipper in Leith.<sup>8</sup>
5. *Isabel*.
6. *Mary*, married to David Ainslie of Fala.
7. *Betty*, married to Richard Rutherford of Edgerston.<sup>9</sup>

JOHN RUTHERFURD of Hunthill, called 'The Cock of Hunthill,' as son and heir, had a charter from his father to him and Agnes Kirkton his wife, of certain lands in Scraisbury on 18 June 1558.<sup>10</sup> In 1565 he signed the bond to support Queen Mary, on 6 April 1659 the bond to the King by the barons and others on the Borders, for the suppression of thieves, etc.,<sup>11</sup> and on 12 February 1571<sup>12</sup> the bond against the Laird of Ferniehurst. He was present with all his sons at the battle of Redswyre in 1575, and on 6 March

<sup>1</sup> *Rutherfurds of that Ilk*, ii. lxxxvii. <sup>2</sup> Rutherford Charters. <sup>3</sup> *P. C. Reg.*, ii. 117. <sup>4</sup> Rutherford Charters. <sup>5</sup> *Rutherfurds of that Ilk*, ii. lxxxvii. <sup>6</sup> *P. C. Reg.*, iii. 354. <sup>7</sup> *Ibid.*, v. 101. <sup>8</sup> Rutherfurds of that Ilk Pedigree. <sup>9</sup> *Seventh Rep. Hist. MSS. Com.*, 737. <sup>10</sup> Rutherford Charters. <sup>11</sup> *P. C. Reg.*, i. 561. <sup>12</sup> *Ibid.*, ii. 117.

1576, as younger of Hunthill, he had a charter by Archibald, Earl of Angus, confirming him in the lands of Hardaneheid in the barony of Oxnam.<sup>1</sup> He married Agnes Kirkcoun, and is also said to have married his cousin Grizel Home of the Cowdenknowe family. He had issue:—

1. THOMAS, his heir.
2. *William*, charged along with his brothers Robert and Thomas and others with having at a horserace in Teviotdale ‘schot and delaschit ilk ane at utheris pistolettis and hacquebuttis’ 16 June 1601.<sup>2</sup>
3. *George*.
4. *Andrew*.
5. *Percie*.
6. *Steven*.
7. *Robert*, a witness to a charter by his father and brother to James Ker of Chatto, dated 24 July 1609.<sup>3</sup>
8. *John*, as brother to Thomas Rutherford, younger of Hunthill, a witness to a bond of caution by said Thomas on 17 October 1603.<sup>4</sup> He was appointed Sheriff-depute of Roxburgh in 1619, and had the lands of Hyndhousefield and Howdenbraes, Jedburgh, and the Maison Dieu lands confirmed to himself, Barbara his wife, and John his eldest son, by Sir John Ker of Jedburgh on 24 March 1623. He married Barbara, daughter of James Gladstones of Cocklaw and that Ilk,<sup>5</sup> and was ancestor of the Bankend family. His alleged great-great-great-grandson *John Rutherford* unsuccessfully claimed the barony of Rutherford in 1835 and again in 1839, when on 26 July it was found he had not made out his claim, on the ground that evidence of the death of Robert, fourth Lord, without issue, had not been produced.
9. *Grizel*, married to the eldest son of Ormiston of that Ilk.
10. *Janet*, married to Adam Rutherford of Chatto; and five other daughters.

THOMAS RUTHERFURD of Hunthill was denounced rebel

<sup>1</sup> Rutherford Charters. <sup>2</sup> *P. C. Reg.*, vi. 259. <sup>3</sup> *Reg. Mag. Sig.*, 14 January 1614. <sup>4</sup> *P. C. Reg.*, vi. 806. <sup>5</sup> *Part. Reg. Sas. Roxburgh*, 18 September 1620.

along with his father on 23 September 1592, for not appearing before the Privy Council to answer tending the treasonable reset and intelligence had between them and Francis, sometime Earl of Bothwell,<sup>1</sup> and a warrant to apprehend him as such, and for remaining in the burgh of Edinburgh, was issued on 8 December 1592,<sup>2</sup> but he had a remission 26 July 1593.<sup>3</sup> He had a charter, dated 13 June 1603, of the lands of Scharplaw and Lynhouses and others from his father to him as son and heir, and to his future wife Alison Edmonstone, relict of David Edmonstone of Wolmet, in implement of their marriage-contract, dated at Edinburgh and Wolmet 26 and 27 May 1603 (in which she is erroneously called Helen Edmonstone), with the proviso that the heirs of his former marriage with Jean Cranstoun may redeem the lands from the heirs of the present marriage for 4000 merks, which charter was confirmed under the Great Seal on 30 June 1612.<sup>4</sup> He married, first, Jean, daughter of John Cranstoun of that ilk,<sup>5</sup> and secondly, in 1603, Alison, widow of David Edmonstone of Wolmet.<sup>6</sup> She survived him, and was buried in the Greyfriars Churchyard, Edinburgh, 16 February 1662. He had issue by first marriage:—

1. JOHN, his heir.
2. *Thomas*, died unmarried.
3. *Andrew*.
4. *Grizel*, eldest daughter, married (contract dated at Wowlie 15 April 1612) to Adam Kirkcoun of Stuartfield. They had a charter on their marriage-contract of the lands of Bonjedburgh on 10 October 1616, which was confirmed under the Great Seal 26 December 1616.<sup>7</sup>
5. *Jean*.
6. *Elsbeth*.

Issue by second marriage:—

7. *Anna*, who with her brothers and sisters above is mentioned in a summons at the instance of Alexander Duff, Clerk of Exchequer, against them.<sup>8</sup> She was served heir to her father as only daughter and heiress of the second marriage, 14 November 1648.<sup>9</sup> She

<sup>1</sup> *P. C. Reg.*, v. 13. <sup>2</sup> *Ibid.*, 27. <sup>3</sup> *Ibid.*, 92. <sup>4</sup> *Reg. Mag. Sig.*  
<sup>5</sup> Rutherford Peerage Case, 7. <sup>6</sup> *Ibid.* <sup>7</sup> *Reg. Mag. Sig.* <sup>8</sup> *Acts and Decrees*, 31 July 1619, 268, 334. <sup>9</sup> Rutherford Peerage Case.

was married to James Aitken, minister of Birsay, in Orkney, afterwards Bishop of Galloway and Moray, and was buried in the Greyfriars Churchyard, Edinburgh, 25 March 1692.<sup>1</sup>

JOHN RUTHERFURD of Hunthill had a charter under the Great Seal, as eldest son, of the lands and barony of Scraisburgh, *alias* Hunthill, and others, which William, Lord Cranstoun, held of the King under charter of recognition, and had resigned,<sup>2</sup> dated 20 July 1615.<sup>3</sup> He conveyed to James Ker of Chatto, on 24 April 1626, the lands of Nether Chatto and others, redeemable for 16,000 merks.<sup>4</sup> On 22 June 1624 he was served heir to his grandfather John Rutherford of Hunthill, in the lands and barony of Scraisburgh and others,<sup>5</sup> and was representative in Parliament for Roxburghshire 1630. He married (contract dated at Edinburgh and Jedburgh 21 and 24 July 1620) Alison, fifth daughter and coheir of Andrew Ker, first Lord Jedburgh;<sup>6</sup> she was alive 25 November 1648.<sup>7</sup> He had issue:—

1. ANDREW, his heir.
2. JOHN, succeeded his brother.
3. SIR THOMAS, who became second Lord Rutherford.
4. ARCHIBALD, third Lord Rutherford.
5. ROBERT, fourth Lord Rutherford.
6. *Lilias*, married (contract dated at Holyroodhouse 1 December 1666) to Henry Ker of Graden, and had issue.
7. *Isobel*, married (contract 18 August 1675) to Alexander Burnet of Carlops, advocate. She was executrix of Andrew, Lord Teviot.<sup>8</sup>
8. *Helena*, married to Thomas Lewin of Amble, Northumberland, merchant in Newcastle. She was executrix of her brother Thomas, second Lord.<sup>9</sup>
9. *Anna*, married to Mr. Thomas Abernethy, minister of Hounam 1640-69.
10. *Margaret*, married to William Elliot of Dinlaybyre.<sup>10</sup>

<sup>1</sup> Reg. of Burials, Greyfriars. <sup>2</sup> Instrument of Resignation 20 July 1615; Rutherford Charters. <sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> *Ibid.*, 5 February 1628 and 9 July 1631. <sup>5</sup> Rutherford Charters. <sup>6</sup> *Reg. Mag. Sig.*, 5 February 1628. <sup>7</sup> *Ibid.*, 4 April 1649, when he is erroneously called of Hundolee. <sup>8</sup> Edin. Tests., 4 October 1672. <sup>9</sup> *Ibid.*, 20 November 1668. <sup>10</sup> Peerage Case, 11.

ANDREW RUTHERFURD of Hunthill, as eldest son of John Rutherford of Hunthill, had a charter under the Great Seal to him and Margaret Livingstone, his wife, of the lands of Scraisbury and others on 30 July 1647.<sup>1</sup> He died in February 1650.<sup>2</sup> He married, 4 March 1647,<sup>3</sup> Margaret, eldest daughter of William Livingstone of Kilsyth. She survived him and married, secondly, 31 May 1654, William Pearson, advocate. He had issue:—

*Margaret*, called only daughter in 1663;<sup>4</sup> married, 31 October 1671,<sup>5</sup> to Alexander Durham of Largo.

JOHN RUTHERFURD of Hunthill was served heir to his brother Andrew on 17 September 1652,<sup>6</sup> and had precept of sasine thereon 30 October 1652,<sup>7</sup> on which he was infeft in Scraisbury on 10 November 1652.<sup>8</sup> He was buried at Jedburgh 20 March 1656.<sup>9</sup> Dying unmarried, he was succeeded by his brother Sir Thomas aftermentioned.

II. SIR THOMAS RUTHERFURD of Hunthill, second Lord Rutherford, served heir to his brother John in the barony of Scraisbury 13 May 1656,<sup>10</sup> and had precept from Chancery, as such heir, 15 May 1658.<sup>11</sup> He was served heir of tailzie in general and special to Andrew, Earl of Teviot, Lord Rutherford, on 16 March 1665, had a precept from Chancery thereon 13 April 1665,<sup>12</sup> and a charter of novodamus of the lands of Scraisbury and others, erecting his estates into the barony of Rutherford, 8 June 1666,<sup>13</sup> on which he had precept of sasine the same day.<sup>14</sup> He died 11, and was buried 16, April 1668, at St. Paul's, Covent Garden.<sup>15</sup> By his last will and testament, dated 8 April 1668, he nominated to the said lordship of Rutherford, after his own heirs, male and female, his brothers Archibald and Robert, and their heirs; whom failing, William Rutherford of Bankend. He married (contract dated 24 February 1663<sup>16</sup>) Christian, daughter of Sir Alexander

<sup>1</sup> Rutherford Charters; *Reg. Mag. Sig.* <sup>2</sup> Edin. Tests., 18 August 1652.

<sup>3</sup> Edin. Reg. of Mar., contract dated 25 February 1647, Oxenfoord Papers.

<sup>4</sup> Peerage Case. <sup>5</sup> Edin. Reg. of Mar., contract dated 13 October 1671.

<sup>6</sup> *Retours, Roxburgh*, 202. <sup>7</sup> Rutherford Charters. <sup>8</sup> *Ibid.* <sup>9</sup> Funeral invitation at Mertoun. <sup>10</sup> *Retours, Spec. Roxburgh*, 224. <sup>11</sup> Rutherford Charters.

<sup>12</sup> *Ibid.* <sup>13</sup> *Ibid.* <sup>14</sup> *Ibid.* <sup>15</sup> Edin. Tests., 20 November 1668

and 6 August 1676. <sup>16</sup> *Reg. of Deeds, M'Kenzie*, 26 February 1666.

Urquhart of Cromarty, with whom he had 18,000 merks as tocher, but had no issue. She survived him and married, before 8 July 1669, secondly, James, second Viscount Fren draught, who died about 1674; and, thirdly, George Morrison of Bognie, both dying before 1 August 1699.

III. ARCHIBALD, third Lord Rutherford, was served heir to his brother Sir Thomas in the lands and baronies of Newlands, Scraisburygh, and others, 8 February 1670. He was betrothed to Janet Dalrymple, daughter of James, first Viscount Stair, without the knowledge of her parents, but she was compelled by her mother to renounce her engagement to him, and to marry David Dunbar of Baldoon, with the disastrous consequences related by Sir Walter Scott in the Introduction to the *Bride of Lammermoor*, forming the facts on which that novel is founded. He died, unmarried, 11 March 1685.<sup>1</sup>

IV. ROBERT, fourth Lord Rutherford, served heir-male to his brother Archibald in the lands of Scraisburygh *alias* Hunthill, Nether Chatto, and others, 4 June 1685,<sup>2</sup> and had a precept from Chancery thereon 18 July 1685.<sup>3</sup> He disposed Hunthill to Thomas Rutherford of Wells on 20 May 1703, and the lands were resigned into the hands of the Crown for new infeftment to the disponee 4 August 1703.<sup>4</sup> He died 1724. He married, before 15 December 1690,<sup>5</sup> when she had a charter under the Great Seal of the barony of Scraisburygh, Dame Sara Owens or Ollens, upon whom he settled an annuity of 2000 merks, payable out of the lands of Nether Chatto. He had issue:—

1. *Robert*, baptized at Ashington, Northumberland, 3 November 1709, but who predeceased his father.<sup>6</sup>

On the death of Robert, fourth Lord Rutherford, the title was assumed, as before-mentioned, by George Durie of Grange (see p. 373), and also by Captain John Rutherford, who claimed to be descended from Richard Rutherford, whom he alleged was a son of John Rutherford, 'the

<sup>1</sup> Peebles Tests., 7 April 1691. <sup>2</sup> Rutherford Charters. <sup>3</sup> *Ibid.* <sup>4</sup> *Ibid.*  
<sup>5</sup> *Ibid.* <sup>6</sup> Rutherford Peerage Case, 10.

Cock of Hunthill' (see p. 376). He was, however, descended from

WILLIAM RUTHERFURD of Littleheuch, who may have been a son of John Rutherford of Hunthill. It was alleged by the counter-claimant, George Durie, that he was a natural son of Andrew Rutherford, of the family of Edgerston, who was tenant of Cockplays.<sup>1</sup> He had issue:—

1. RICHARD, his heir.
2. *Andrew*, son of William Rutherford of Littleheuch, kinsman and tenant of John Rutherford of Hunthill, charged with an attempt on Englishmen 1 July 1590.<sup>2</sup>
3. *Adam*.
4. *William*.

RICHARD RUTHERFURD of Littleheugh, portioner of Caiphope, called 'Dickon draw the Sword,' was served heir to his father 2 March 1624,<sup>3</sup> and died 1634. He married Lillas, daughter of James Gladstanes of Cocklaw and that ilk, and had issue:—

1. *Walter*, died *s.p.*
2. JOHN, his heir.

JOHN RUTHERFURD of Capehope, served heir to his father in lands of Philliphope and others, in barony of Capehope, 6 April 1626, and in Capehope on 1 March 1643,<sup>4</sup> and had a precept of clare constat, as heir of his father, from Andrew Rutherford of Hunthill 4 February 1648,<sup>5</sup> on which he was seised 9 March 1648.<sup>6</sup> He died 1679. He married (contract dated 24 January 1627) Euphan, daughter of William Gledstanes of Dod, and had issue:—

1. *Walter*, eldest son, had sasine of the lands of Lynbrods and Huntliedene or Greenhills on 26 July 1670, and sold most of his property to Francis Scott. He married Margaret, daughter of Andrew Pringle of Crichton,<sup>7</sup> and had issue:—

(1) *John*, portioner of Capehope, killed in a duel on Leith Sands by Captain Bayliss. He married Janet, daughter of Andrew Ainslie of Blackhill, and had issue:—

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<sup>1</sup> Robertson's *Proceedings*, 254. <sup>2</sup> *P. C. Reg.*, iv. 793. <sup>3</sup> *Retours, Gen.*, 1117. <sup>4</sup> *Retours, Spec. Roxburgh*, 180. <sup>5</sup> Rutherford Charters. <sup>6</sup> *Ibid.* <sup>7</sup> *Sasine*, 2 March 1672.



- i. *Andrew David*, portioner of Capehope; married Margaret, daughter of Robert Rutherford of Fairnielee, and had issue *Elizabeth*, married, as first wife, April 1768, to Walter Scott of Wauchope, and died *s.p.* in 1772.

(2) *Robert*, captain in the Army; died unmarried.

(3) *Jean*, married to Colonel Peacock.

## 2. JOHN, next mentioned.

JOHN RUTHERFURD of Capehope and Kirkraw, married Cecilia, daughter of Archibald Bennet of Chesters, and had issue:—

1. JOHN, his heir.

2. *Margaret*, married to Charles Scott of Palace Hill, second son of Sir John Scott of Ancrum, Bart., and had issue.

V. JOHN RUTHERFURD, captain in Scots Grenadiers, distinguished himself at the siege of Lisle 1708; was served heir-general to John Rutherford of Hunthill, 'The Cock,' whom he alleged was his great-great-grandfather, to his grandfather John Rutherford of Capehope, and to Robert, fourth Lord Rutherford, on 16 August 1737.<sup>1</sup> He thereupon assumed the title of Lord Rutherford, and protested against George Durie of Grange assuming the title at all the elections of Representative Peers from 1734 to 1744.<sup>2</sup> He also voted at the elections of 1739 and 1741,<sup>3</sup> as did also his opponent at that of 1739, and died at London 15 January 1745, aged sixty-two,<sup>4</sup> and was buried at St. James's, Westminster. He married Isabel Ainslie, who predeceased him, and had issue.

VI. ALEXANDER RUTHERFURD, who assumed the title on his father's death, and protested against George Durie's assumption of the same at election of Representative Peers in 1750;<sup>5</sup> voted as Lord Rutherford at those of 1752 and 1754 along with his opponent;<sup>6</sup> presented a petition claiming the Peerage in 1761, but was prohibited by the House of Lords from using the title, until he had made good his claim, on 15 March 1762.<sup>7</sup> He was captain in the Earl

<sup>1</sup> *Services of Heirs.* <sup>2</sup> Robertson's *Proceedings*, 154, 179, 187, 189, 191, 232, 239. <sup>3</sup> *Ibid.*, 199, 234. <sup>4</sup> *Scots Mag.* <sup>5</sup> Robertson's *Proceedings*, 271.

<sup>6</sup> *Ibid.*, 299. <sup>7</sup> *Ibid.*, 308.

of Crawford's troop of Guards and captain-lieutenant in the Royal Horse Guards 16 April 1757. He died at Scarborough 25 October 1766,<sup>1</sup> unmarried.

The title was assumed by John Anderson of Goland, whose mother was a sister of George Durie, and he voted at the Peers' election in November 1787,<sup>2</sup> but his vote was disallowed in terms of the resolution of 1762 above mentioned.

CREATIONS.—Lord Rutherford, 19 January 1661; Earl of Teviot, 2 February 1663.

ARMS (not recorded in Lyon Register).—Argent, an orle gules, and in chief three martlets sable, all within a bordure azure charged with thistles, roses, fleurs-de-lys and harps or, alternately.

CREST.—A mermaid holding in the dexter hand a mirror and in the sinister a comb, all proper.

SUPPORTERS.—Two horses proper.

MOTTO.—*Provide.*

[F. J. G.]

<sup>1</sup> *Scots Mag.* <sup>2</sup> Robertson's *Proceedings*, 456.





Ruthven

## LORD RUTHVEN OF FREELAND



SIR THOMAS RUTHVEN, first Lord Ruthven of Freeland, was son of William Ruthven of Freeland, in the county of Perth, and great-grandson of William, second Lord Ruthven. (*See title Gowrie.*) He was served heir to his grandfather Alexander Ruthven of Freeland 16 December 1609, and to his father on the same day, and on 10 March 1610.<sup>1</sup> He had confirmation of a charter, dated 24 October 1608,

by Sir James Forrester of Garden to his father William Ruthven of the lands of Kirkton of Mailer, on 21 December 1609.<sup>2</sup> He was knighted by King Charles I. at Dalkeith 12 July 1633, was a Commissioner for the Treaty of Ripon 1641, and sat in Parliament for Perthshire 1639-41, 1645-46, and 1649-50.<sup>3</sup> In 1642 he was on a Commission directed against Jesuits and others,<sup>4</sup> and appears in April 1643 as having lent £1200 for the maintenance of the Scottish Army in Ireland.<sup>5</sup> He was colonel of one of the regiments sent against the Marquess of Huntly in 1644, and was afterwards on several Committees of the Estates, 1646-47. Later he was one of the Colonels for Perthshire for putting the nation in a posture of defence after the execution of Charles I., as well as Commissioner of the

<sup>1</sup> *Retours, Perthshire.* <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *Acta Parl. Scot.*, v. vi. *passim.* <sup>4</sup> *P. C. Reg.*, 2nd ser., vii. 290. <sup>5</sup> *Ibid.*, 2nd ser., viii. 84.

Exchequer in 1649.<sup>1</sup> He obtained a charter of the lands and mill of Forteviot and others held by him and his predecessors 'de Comitibus de Gowrie et Dominis Ruthvin,' united into the barony of Kirkcoun of Mailer 7 February 1650.<sup>2</sup> He was elevated to the Peerage by King Charles II. during his residence in Scotland, between 31 March 1651 and 24 May of the same year, when he appears as LORD RUTHVEN OF FREELAND.<sup>3</sup> The patent of the title is believed not to be extant, and was, according to Douglas, burned with the house of Freeland 15 March 1750,<sup>4</sup> although it probably disappeared sooner. The limitation of the Peerage is therefore a matter of controversy. According to the Macfarlane MS. it was to 'heirs-male.' Crawford, however, stated that the Peerage died with the second Lord, when heirs-male still existed. Yet the title, as of a living Peerage, was retained on the Union Roll of 1707, although the second Lord, who left no issue, had died six years previously, leaving only a younger sister surviving. Although the Peerage is not included in *The British Compendium*, an account of the Scots Peers printed in 1720, the title of Ruthven, then claimed and assumed without opposition by James, Lord Ruthven, was not alluded to in the report on the dubious Peerages by the Lords of Session to the House of Peers in 1740. There can be no doubt that, owing to this lack of evidence of the destination in the patent, the legality of the title has been doubted since, at least, the time of Lord Hailes, *circa* 1764, and yet the claim has been persisted in by each successor since the death of David, second Lord Ruthven, in 1701, without opposition; the heir assuming the title as if (as is possible) the limitation was governed either by the entail of the estates made by its second holder, or, if we disallow the claim to the Peerage of his youngest sister Jean, as if the patent had been to the heir of line of the grantee.<sup>5</sup> The first Lord Ruthven had a charter of the third part of the lands of Forgandenny,

<sup>1</sup> Wood's Douglas, ii. 464. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *Acta Parl. Scot.*, vi. pt. 2, 662, 668. <sup>4</sup> Wood's Douglas, ii. 464. <sup>5</sup> The chief arguments for and against this claim (and all have been considered in this article) are to be found in J. H. Stevenson's *The Ruthven of Freeland Peerage*, and in the criticisms thereon by J. Maitland Thomson and Horace Round in the *Scottish Historical Review*, iii. 104 *et seq.*, 194 *et seq.*, 339 *et seq.*, 476 *et seq.*, where many authorities are given, not always cited here.

in Perthshire, 3 August 1663, and died 6 May 1671.<sup>1</sup> He married Isabel, third daughter of Robert, Lord Balfour of Burleigh, and had issue:—

1. DAVID, second Lord Ruthven.

2. *Anne*, eldest daughter, died 1689. She was married, first, in August 1661,<sup>2</sup> to Sir William Cunynghame of Cunynghamehead, Baronet, who died April 1671;<sup>3</sup> and secondly, to William Cunningham, younger, of Craighends.<sup>4</sup> By her first marriage she had a son,

(1) *Sir William Cunynghame* of Cunynghamehead, Bart., who, if the title was limited to heirs of entail, succeeded his aunt Jean in the barony. He, however, only survived her for six months, but assumed the name of Ruthven. As 'William Cunningham of Cunninghamhead' he had been served heir to his mother 21 March 1689.<sup>5</sup> He died *s.p.* October 1722, unserved as heir to his aunt, and uninfert.

3. *Elizabeth*, who died before her brother, having been married to her kinsman Sir Francis Ruthven of Redcastle, Baronet,<sup>6</sup> and had an only daughter,

(1) ISABEL, Baroness Ruthven. See below.

4. JEAN, of whom afterwards.

II. DAVID, second Lord Ruthven, the only son, was educated at St. Andrews<sup>7</sup> and served heir to his father 16 May 1673.<sup>8</sup> He was one of the Lords of the Privy Council in 1689.<sup>9</sup> He executed an entail of his lands on his youngest sister Jean, and other heirs, 26 October 1674,<sup>10</sup> and died, without issue, in April 1701.<sup>11</sup>

III. JEAN, Baroness Ruthven, youngest sister and heir, immediately assumed the title, being styled 'Jean, Lady Ruthven,' in a notarial instrument of sasine and bond 10 December 1702. She became executor to her brother, 4 January 1703, as 'Mrs. Jean Ruthven,' but in 1709 was again styled 'Jean, Lady Ruthven.' It is stated that she was summoned as a Baroness to the Coronation of

<sup>1</sup> Stevenson, correcting Douglas and Crawford. <sup>2</sup> Stodart Ped., L. O. <sup>3</sup> Brodie's *Diary*. <sup>4</sup> See the entail of 1674, *Reg. of Tailzies*, v. f. 329. <sup>5</sup> *Retours, Gen.*, 6959. <sup>6</sup> Cf. vol. iv. 103 of this work. <sup>7</sup> Lamont's *Diary*, 211. <sup>8</sup> *Retours, Perth*, No. 853. <sup>9</sup> *Acta Parl. Scot.*, ix. App. 135. <sup>10</sup> *Reg. of Tailzies, ut sup.* <sup>11</sup> Dunkeld Tests.

George I. in 1714.<sup>1</sup> On 9 September 1721 she was, as Jean, Lady Ruthven, served heir of taillie and provision special to her brother. On 4 November, however, she presented a petition to the Court of Session as 'Mrs. Jean Ruthven,' and her testament-dative was given up under the same designation at her death, unmarried, in April 1722. Her niece, and eventual successor, giving up an additional inventory, styled her aunt 'Jean, Lady Ruthven,' and she herself had granted, on 27 April 1721, an assignation to her niece under the same title.<sup>2</sup>

IV. ISABEL, Baroness Ruthven, niece and heir of Jean, Lady Ruthven, and cousin and heir of Sir William Cunynghame or Ruthven. She took up her inheritance under the entail of 1674 as well as by being the heir of line of David, second Lord Ruthven, the entailer. She was summoned as a Baroness to the Coronation of George II. in September 1727,<sup>3</sup> and the summons is said to have been carefully preserved by her<sup>4</sup> as a proof of her Peerage. She was married to James Johnstone of Graitney, in the county of Dumfries (son of William Johnstone of Graitney), colonel of the 3rd Regiment of Foot Guards, who assumed the name of Ruthven. She died in June 1732. Her testament-dative describes her as 'Isobell, Lady Ruthven, spouse to Collonell James Ruthven of Graitney,' which probably shows that her husband survived her, although it was given up by 'James Ruthven, Esquire of Ruthven,' her son. She had issue:—

1. JAMES, who succeeded her.
2. *Anne*, married, first, 25 April 1724, to Mr. Henry Rollo,<sup>5</sup> second son of Robert, fourth Lord Rollo, but had no issue; secondly, to Frederick Bruce of Bunzeon in Fife, without issue.<sup>6</sup>

V. JAMES, fifth Lord Ruthven, succeeded his mother in 1732, and as 'James Ruthven of Ruthven' was served heir of taillie and provision-general to his granduncle David, second Lord, 21 February 1733.<sup>7</sup> He voted at several elections of

<sup>1</sup> Douglas, although he calls her 'Isabel.' <sup>2</sup> Stevenson. <sup>3</sup> Douglas.  
<sup>4</sup> Cf. Lord Hailes. <sup>5</sup> Stevenson, 79. <sup>6</sup> Wood's Douglas, ii. 399-464.  
<sup>7</sup> *Services of Heirs*.



Representative Peers of Scotland from 21 September 1733 to 13 November 1774, without challenge. He and his wife were summoned to attend the Coronation of George III. in 1761.<sup>1</sup> He died at Edinburgh 3 July 1783, having married, first, Janet, daughter of William Nisbet of Dirleton; and, secondly, July 1736,<sup>2</sup> Anne Stewart, daughter of James, second Earl of Bute, who died at Cumbernauld House, 28 November 1786. Had issue:—

1. JAMES, who succeeded.
2. *William* second child of the first marriage, born 16 February 1735,<sup>3</sup> died unmarried.
3. *Stewart James*, eldest son of the second marriage, born 29 November 1739, died unmarried.
4. *John*, born 29 March 1743, a captain in the Royal Navy 24 May 1762, when he commanded the *Terpsichore*, of 26 six-pounders, and captured the *Marquis de Marigny* of 20 nine-pounders, after a severe conflict in which he was wounded. He died, unmarried, at Knightsbridge, 14 December 1771,<sup>4</sup> aged twenty-six.
5. *Anne*, born 3 October 1737, who was married, early in 1764, to John, eleventh Lord Elphinstone. She died at Cumbernauld 28 October 1801, having had issue.<sup>5</sup>
6. *Isabel*, born 6 November 1738, married to Captain John Macdougall, younger of Macdougall. He died at Bombay 27 April 1775; and she died at the same place 4 September following.<sup>6</sup>
7. *Wortley-Montagu*, born 9 September 1741, who died unmarried, at Edinburgh, 4 March 1768.<sup>7</sup>
8. *Elizabeth Maria*, married at Edinburgh, 18 July 1763, to Sir Robert Laurie of Maxwellton, Bart., who divorced her 2 February 1774.<sup>8</sup>
9. *Jean*, born 11 October 1745, died young.
10. *Grace*, baptized 5 November 1746, died young.
11. *Janet*, born 7 December 1747, who was married in August 1765 to Wade Toby Caulfield, of Raheenduff,

<sup>1</sup> G. E. C., *Complete Peerage*, vi. 460. <sup>2</sup> *Vide* vol. ii. 301 of this work.

<sup>3</sup> This and the other dates of birth are from the Forgardenny Register.

<sup>4</sup> *Gentleman's Magazine*. <sup>5</sup> Vol. iii. 550 of this work. <sup>6</sup> Wood's Douglas, ii. 464, which is followed where possible. <sup>7</sup> *Scots Mag.* <sup>8</sup> *Consistorial Processes, etc.*, Scot. Record Soc., No. 626.

Queen's Co., captain in the 3rd Regiment of Dragoon Guards, and dying in June 1785, left issue.

12. *Crawford*, born 15 July 1749, died young.

VI. JAMES, sixth Lord Ruthven, eldest son by his first marriage, born 16 December 1733.<sup>1</sup> Succeeded his father 3 July 1783. He entered the Army in 1755, and was captain in the 12th Regiment of Foot in 1762. He voted at the general election of Peers 8 May 1784,<sup>2</sup> and died at Melville House, in Fife, 27 December 1789. He married, at Edinburgh, 8 or 12 November 1776, his cousin Mary Elizabeth Leslie, second daughter of David, sixth Earl of Leven and Melville, born 4 March 1767, who survived him, dying at Freeland House 7 October 1820.<sup>3</sup> They had issue:—

1. JAMES, who succeeded.

2. *David*, born 11 December 1781, died young.

3. *David*, born 22 August 1787, who was placed on the Bengal Civil Establishment 1805, and died at Madras 7 September 1808, in his twenty-second year, unmarried.

4. *Willielma*, born 18 November 1778, died 18 December 1839.

5. *Janet Anne*, born 15 or 25 April 1780, died at Bristol Hot Wells 31 October 1804.

6. *Jane*, died at Freeland House 1 March 1804.

7. *Isabella*, died at Melville House 13 November 1787.

8. MARY ELIZABETH THORNTON, succeeded her brother as Baroness Ruthven.

9. *Charlotte Rebecca*, died at Freeland House 19 March 1804.

VII. JAMES, seventh Lord Ruthven, succeeded his father. He was born at Melville House 17 October 1777; entering the Army, he was major in the 90th Regiment of Foot 1802, and quitted the service in 1807. He died, without issue, at Freeland House 27 July 1853, and was succeeded by his eldest surviving sister Mrs. Hore. He had married 20 December 1813, Mary Hamilton, daughter of Walter Campbell of Shawfield, and eventual heiress of the estates

<sup>1</sup> Canongate Reg. <sup>2</sup> G. E. C., *Complete Peerage*, vi. 461. <sup>3</sup> See Fraser's *Melvilles, Earls of Melville*, i. 350.

of her maternal uncle John Hamilton Nisbet of Pencaitland. She, who was known for her wit and kindness, died, aged ninety-six, at Winton Castle, Haddington, 5 April 1885.

VIII. MARY ELIZABETH THORNTON, Baroness Ruthven, succeeded her brother in 1853. She was born in 1784, and was married at Freeland House 13 October 1806, to Walter Hore of Harperstown, co. Wexford. He was born 6 June 1784, was High Sheriff for that county in 1828, and assumed the additional name of Ruthven on his wife's accession to the title. He died aged ninety-three 16 April 1878, and the Baroness died at Freeland 13 February 1864, They had issue:—

1. *William Hore*, 75th Regiment of Foot, died *vitâ matris* 12 May 1847, having married, 16 May 1836, Dells Honoria, daughter of Lieutenant-Colonel Pierce Lowen, K.H., who died 9 November 1883, aged sixty-four, and had issue:—
  - (1) WALTER JAMES, succeeded his grandmother.
  - (2) *Charles Edward Stewart Hore-Ruthven*, late 51st Regiment, born 21 April 1840, married, in 1875, Marianne, second daughter of Colonel Edward Robert Wood of Stouthall, co. Glamorgan.
  - (3) *Mary Lowen*, born 1842, died 4 February 1869, having been married, 7 June 1860, to the Rev. Walter H. Sutton, with issue.
  - (4) *Wilhelmina Dells Owena*, born 1845, married, 19 June 1879, to the Rev. Charles Bodval Griffith, Rector of Bishopstone, Hereford, with issue.
  - (5) *Maria Frederica*, born 1847, died unmarried 14 August 1897.
2. *James Ruthven*, in holy orders, died in January 1839.
3. *Alexander Leslie Melville*, captain 2nd Berkshire R. V., died 14 May 1877.
4. *James Stopford*, died in 1827.
5. *Cavendish Bradstreet*, lieutenant R.N., died of wounds received at Sebastopol 22 October 1854.
6. *Walter*, major Hon. East India Company's Service, died 5 March 1856.
7. *Mary Elizabeth*, born 4 January 1808, died unmarried 28 March 1895.
8. *Eleanor Catherine*, born 26 June 1809, died unmarried 27 March 1866.
9. *Anna*, born 21 September 1818, died unmarried 1893.
10. *Wilhelmina*, born 1819, died unmarried 14 October 1889.

11. *Jane Stewart*, who was married, 1 May 1858, to George O'Grady of Plattenstown, co. Wicklow, nephew of the first Viscount Guillamore. He died *s.p.* 11 November 1872.
12. *Georgina Jocelyn*, born 1827, died unmarried 29 May 1901.

IX. WALTER JAMES HORE-RUTHVEN, ninth Lord Ruthven, succeeded his grandmother. He was born at Plymouth 14 June 1838, and took the name of Ruthven on the death of his uncle in 1853. He entered the Rifle Brigade 1854, was captain in 1859, and serving in the Crimea, India, and Abyssinia, received the Crimean medal and clasps as well as the Medjidieh and the Indian Mutiny medal.

He married, at St. Paul's, Knightsbridge, 21 August 1869, Caroline Annesley Gore, eldest daughter of Philip Yorke, fourth Earl of Arran, by Elizabeth Marianne, daughter of General Sir William Francis Patrick Napier, K.C.B. She was born 13 October 1848. They have issue:—

1. *Walter Patrick*, Master of Ruthven, D.S.O., J.P. and D.L., co. Lanark, major Scots Guards, A.D.C. to H.R.H. the Duke of Connaught. He served in the South African War 1899-1902, and was three times mentioned in despatches, receiving the medal with nine clasps. Born 6 June 1870, married, 23 April 1895, Jean Leslie, only daughter of Norman George Lampson, D.L., by his wife Helen Agnes Smith, daughter of Peter Blackburn, M.P., of Killearn, Stirlingshire, and has issue:—

(1) *Bridget Helen*, born 27 July 1896.

(2) *Jean Elizabeth St. Loe*, born 24 February 1898.

(3) *Alison Mary*, born 12 June 1902.

(4) *Margaret Leslie* (twin), born 12 June 1902.

2. *Alexander Gore Arkwright*, V.C., captain 1st Dragoon Guards, Military Secretary to the Governor-General of Australia. He served in the Soudan in 1898, being present at the battle of Gedarib, was twice mentioned in despatches, and received the Osmanli Order, and in 1903 was in Somaliland. He was born 6 July 1872, and married 1 June 1908, Zara Eileen youngest daughter of John Pollok of Lismany, co. Galway.

3. *Christian Malise*, D.S.O., born 24 April 1880 (for whom H.R.H. Princess Christian of Schleswig-Holstein stood sponsor), captain Black Watch. He served in South Africa 1899-1903, and was three times mentioned in despatches.
4. *Philip James Leslie*, lieutenant, Highland Light Infantry, born 7 June 1882, served in the South African War 1901, married, 8 March 1906, Lydia Gladys, youngest daughter of Henry Adams of Cannon Hill, Berks. He died, without issue, 18 May 1908.
5. *Beatrice Mary Leslie*, born 4 June 1871. She was married, first, 5 December 1888, to Charles Lindsay Orr-Ewing, M.P. The marriage was dissolved in 1894, and she was married, secondly, 28 December of that year, to Charles Edward Malcolm of Maxtoke Castle, Warwickshire, late lieutenant Scots Guards.

CREATION.—Lord Ruthven of Freeland, between 31 March and 24 May 1651.

ARMS (recorded in Lyon Register).—Paly of six argent and gules.

CREST.—A goat's head couped argent, attired and maned or.

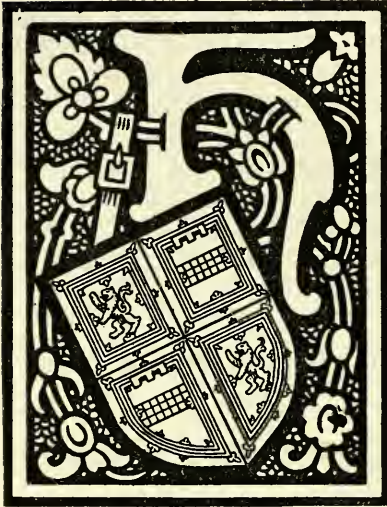
SUPPORTERS.—Two goats argent, armed as the former.<sup>1</sup>

MOTTO.—*Deeds Shaw.*

[A. F. S.]

<sup>1</sup> The crest and supporters usually borne are a ram's head, and a goat and ram.

## STEWART, LORD ST. COLME



HENRY STEWART, second son of James, Lord Doune, and brother of that James Stewart, Master of Doune, who married Elizabeth Stewart, daughter of the Regent Moray, and thus became, *jure uxoris*, Earl of Moray, had a charter of the lands of Emyrreichan and Cros-tenterray, in Strathearn, 19 December 1576:<sup>1</sup> also one of the fee of the lands of Moucastell, Easter Dullatur and

others, in Menteith,<sup>2</sup> 24 November 1579. He was still under age on 4 March 1582-83, when his father appears as his 'legitimus administrator' in the resignation of certain lands of Drumfad,<sup>3</sup> but before that he had had a grant, probably from his father, who was also Commendator, of the Commendatorship of the Abbey of St. Colme's Inch, a grant which was ratified by Parliament in 1581.<sup>4</sup> On 23 August 1584 he had a gift of the liferent of the Priory of Inchmahome,<sup>5</sup> and on 1 March 1608 a charter of the lands of the Mains of Invermay and others, apprised by him from Sir Robert Graham of Scotstoun.<sup>6</sup> On 7 March 1611 he had a charter of the monastery of St. Colme's Inch and the lands belonging to the same in Fife, Edinburgh, and elsewhere, and at the same time was created a Lord of Parliament under the title of LORD ST. COLME, with remainder to

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.* <sup>3</sup> *Ibid.* <sup>4</sup> *Acta Parl. Scot.*, iii. 276. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Ibid.*

his heirs-male and assigns whatsoever.<sup>1</sup> He died 12 July 1612,<sup>2</sup> having married, contract 5 and 8 December 1603, Jean Stewart, fourth daughter and coheirress of John, fifth Earl of Atholl. She was married, secondly, to Mr. Nicol Bellenden of Standenflat, and died at Newbattle 19 July 1623.<sup>3</sup> Lord St. Colme had issue, one son,

II. JAMES, second Lord St. Colme. He was served heir to his father 27 October 1642,<sup>4</sup> but long before that most of the lands had been acquired by the Earl of Morton by an apprising, 25 June 1614,<sup>5</sup> and they were by him resigned in favour of the Earl of Moray 26 February 1620.<sup>6</sup> Lord St. Colme himself did not remain in Scotland, but went abroad and entered the service of the King of Sweden. The date of his death, which probably took place abroad, has not been ascertained, but when it occurred the title, under the designation in the charter of 1611, passed to his cousin, the Earl of Moray, who also held the estates.

CREATION.—Lord St. Colme, 7 March 1611.

ARMS.—The only authority for Lord St. Colme's arms that has been found is in the MS., attributed to Workman and annotated by Sir James Balfour, in the Advocates' Library. They are there given as follows:—Quarterly: 1st and 4th, or, a lion rampant within a double tressure flory counterflory gules; 2nd and 3rd, or, a fess chequy azure and argent, with a label of three points gules in chief, all within the royal tressure gules; on an escutcheon of pretence argent on a mount in front of a tree vert, a hart gules, attired azure.

CREST.—A lion's head gules.

SUPPORTERS.—Dexter, a lion rampant gules; sinister, a greyhound proper, collared gules.

[J. B. P.]

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.*, 25 January 1614. <sup>3</sup> *Edin. Tests.*, 28 March 1627. <sup>4</sup> *Retours, Fife*, 649: in the *Complete Peerage* (vii. 11 n. (a)) the editor states that this date which is given in Douglas's *Peerage* is a mistake for 1612. This is not an unnatural supposition, but as a matter of fact the service was actually of the date given in the text. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Ibid.*

## ABERNETHY, LORD SALTOUN



THE origin of the family of Abernethy is obscure. Lord Saltoun<sup>1</sup> gives it as his opinion that in the twelfth century its representatives occupied the position of lay abbots of the Culdee monastery of Abernethy, in Strathearn, and that it may therefore be concluded that they were not among the Saxon or Norman immigrants who, at various periods, entered Scotland from the south, but were de-

scended from some ancient Pictish or Scottish source, or from some adventurous Scandinavian settler from the north. The first of the family, however, found in historical record is

HUGH, who lived during the reigns of Alexander I., David I., and perhaps Malcolm the Maiden. He appears to have died about the middle of the twelfth century.<sup>2</sup> He had a son,

ORM DE ABERNETHY. He is styled son of Hugh, and probably succeeded his father as Lay Abbot of the monastery. He must have been born during the first half of the twelfth century, for he occurs as witness to a charter by

<sup>1</sup> *Frasers of Philorth*, ii. 1.    <sup>2</sup> *Reg. Prior. S. Andree*, 130, 132.



Ernaldus or Arnold, Bishop of St. Andrews, who held the see between November 1160 and September 1162.<sup>1</sup> He also witnessed a charter of William the Lion.<sup>2</sup> He exchanged the lands of Balbirnie with Duncan, Earl of Fife, for the lands of Glendukie and Balmeadow in Fife, a transaction confirmed by King William the Lion between 1165 and 1171.<sup>3</sup> Between 1166 and 1171 King William also bestowed on Orm, son of Hugh, the lands of Invaryhten (Inverarity), reserving to the King the service due for these lands, likewise commanding that any natives and fugitives pertaining to them, be not unjustly detained<sup>4</sup> [by other owners]. He is the first of the family who is found bearing the territorial appellation 'de Abernethy,' as it was to him that King William, by a charter dated between 1172 and 1178, granted the abbacy of Abernethy, with all pertinents and rights as they stood the year and day when King David the King's grandfather was living and dead, except the £10 lands which the King gave to Henry Revel with the daughter of said Orm; to be held to him and his heirs free of all services and customs except common aid, common hosting, and common carriage, with soc, sac, tol and theme, and infangthef; paying yearly £20 of silver, £10 at the feast of St. John the Baptist, and £10 at the feast of St. Bride. He was to have neither pit nor gallows but at two places, Abernethy and Inerarichtin (Inverarity), and the King willed that Orm's men of Fife and Gowry should come to the 'mote' or 'pit' (fossa) of Abernethy, and those of his other lands to the 'mote' or 'pit' (fossa) of Inverarity.<sup>5</sup> It is conjectured that he may have given the name to the lands of Ormiston, an estate contiguous to that of Salton, in the county of Haddington, though Orm was not an uncommon name in early days. He died probably between 1180 and 1190, leaving issue:—

1. LAURENCE, who succeeded.
2. *Michael*, described as son of Orm in a charter by Reginald de Waren, cited below, dated between 1204 and 1228.<sup>6</sup> He had a son *Orm*, upon whom his

<sup>1</sup> *Reg. Prior. S. Andree*, 131, 132. <sup>2</sup> *Lib. Eccl. S. Trinitat. de Scon.*, No. 34. <sup>3</sup> Original *penes* Mr. W. Mackay, solicitor, Inverness. <sup>4</sup> *Variae Cartæ*, 63, MS., Soc. of Antiquaries. <sup>5</sup> Hay's MS. Adv. Lib. 35.4.16, p. 175; *Variae Cartæ*, p. 63, MS. Soc. of Antiquaries. <sup>6</sup> *Douglas Book*, iii. 350.

uncle Laurence bestowed the lands of Pitgrunzie and Aberargie, co. Perth. Orm had a son *Hugh*, whose daughter *Margaret* married John of Lundors, who, with her, had two charters from Alexander de Abernethy, son of Sir Hugh, of the lands of Pitgrunzie. There is ground for believing that their heirs assumed the name of Pitgrunzie, and later, from 1539, took the name of Orme, and about 1550 the then owner, George Orme, sold the estate.<sup>1</sup>

3. *Margaret*, married to Henry Revel.

LAURENCE DE ABERNETHY, styled 'filius Orm de Abernethy,'<sup>2</sup> was the last to hold the office of Lay Abbot. Towards the end of the twelfth century the King denuded him of all his revenues as Abbot, and handed them over to the monks of the recently founded Abbey of Arbroath. He does not seem to have been deprived of the 'dominium' or lordship which he held as Abbot, and retained his position as 'dominus' or Lord of Abernethy.<sup>3</sup> His name and that of his wife Devorguile are recorded as visitors to the shrine of St. Cuthbert at Durham early in the thirteenth century, but it is not known who she was.<sup>4</sup> He granted, with consent of his son and heir Patrick, an annual payment of ten shillings out of his lands of Balnebreich to the Canons regular of St. Andrews.<sup>5</sup> He had a charter between 1204 and 1228 from Reginald de Waren of the lands of Coventre in exchange for those of Wester Dron,<sup>6</sup> and another from Gregory, Bishop of Brechin, of the land formerly disputed between Dunlappie and Stracathro.<sup>7</sup> On 5 April 1223, King Alexander II. confirmed to him the lands of Glendukie and Balmeadow, which his father had.<sup>8</sup> He appears in charters frequently as a witness.<sup>9</sup> On 24 June 1233 King Alexander II. confirmed to him that land in the royal castle of Roxburgh quitclaimed by the King's nephew William, son of the Earl [of Dunbar].<sup>10</sup> Some time after 1233 he

<sup>1</sup> Inventories Gen. Reg. Ho., iii. No. 41. A *William*, son of Orm, also occurs as a witness to a charter to the Abbey of Arbroath between 1204 and 1211 (*Reg. Vet. de Aberbrothock*, 49). <sup>2</sup> *Reg. Prior. S. Andree*, 318. <sup>3</sup> Skene's *Celtic Scotland*, ii. 399. <sup>4</sup> *Liber Vite*, 94, 112. <sup>5</sup> *Reg. Prior. S. Andree*, 268. <sup>6</sup> *Douglas Book*, iii. 349. <sup>7</sup> *Ibid.*, 350. <sup>8</sup> Charter penes Mr. W. Mackay, solicitor, Inverness. <sup>9</sup> *Frasers of Philorth*, ii. 10. <sup>10</sup> Adv. Lib. ms. 35.4.16, p. 175.

sold the lands of Cultran, Balmerino, and others to the monastery of Balmerino for 200 merks paid him by the executors of William the Lion's widow, Queen Ermengarde, who had founded it. So late as 1244 he accompanied King Alexander II. to the meeting with Henry III. of England, and was one of the Barons who swore to the ratification of the treaty of Newcastle.<sup>1</sup> Laurence lived as a secular Baron at Kerpal (Carpow), the old mansion of the lords of Abernethy.<sup>2</sup> He must have been an old man at the time of his death, which occurred shortly after the last-mentioned date. He left issue:—

1. *Patrick*, styled 'son and heir' in the charter to the Canons of St. Andrews above mentioned. Very little is known about him, and he perhaps died *vitâ patris*; at all events he was dead before 1254.
2. HUGH, of whom presently.
3. WILLIAM, who acquired the lands of Saltoun in East Lothian.
4. Perhaps *Henry*, who witnessed a charter in 1260.<sup>3</sup>
5. *Marjory*, married to Hugh, eldest son of Sir William of Douglas, 'Longleg.' The marriage-contract, dated Palm Sunday 1259, is still in existence in the form of an indenture between Sir Hugh de Abernethy, the brother of the bride, and Sir William de Douglas. Sir William Fraser, who gives a facsimile of the deed,<sup>4</sup> says it is the oldest marriage-contract which has appeared in the history of any Scottish family. Marjory Abernethy is believed to have been buried in St. Bride's Church, Douglas, where a sculptured effigy in the extreme south-west angle of the church is still pointed out as hers.

HUGH DE ABERNETHY is first named on record on 18 March 1232-33, when King Alexander II. confirmed to him a grant by Alan, son of Roland, Constable of Scotland, his 'cousin,' of the lands of Oxton and Lyleston, Lauderdale.<sup>5</sup> He occupies a distinct place in Scottish history and was one of the party composed of the Earls of Menteith, Buchan, and

<sup>1</sup> *Fœdera*, i. 248. <sup>2</sup> Innes's *Sketches of Early Scottish History*. <sup>3</sup> *Reg. Prior. S. Andree*, 269. <sup>4</sup> *Douglas Book*, iii. 1. <sup>5</sup> Orig. *penes* Lord Amherst.

Mar, together with others, who surprised the young King Alexander III. at Kinross during the night of 29 October 1257, and carried him off to Stirling.<sup>1</sup> He was one of the 'magnates Scotiæ' appointed in 1260,<sup>2</sup> who in the event of the absence or death of Alexander III. were to receive the child of his Queen, Margaret, whose accouchement, when it should occur, was arranged to take place at her father's court. On 31 March 1265 he had from Alexander III. a grant of £50 sterling from the rents of Tannadice.<sup>3</sup> On the death of Alexander in 1285 six guardians were appointed to carry on the affairs of the Kingdom. Three years later one of these guardians, Duncan, Earl of Fife, was way-laid and murdered by Sir Patrick de Abernethy (probably the eldest son of Sir Hugh) and Sir Walter de Percy, instigated, as Fordun<sup>4</sup> and Wyntoun<sup>5</sup> both state, by Sir William de Abernethy, who guarded another route by which the Earl might have travelled. The consequences to the perpetrators of this outrage were serious. Sir Patrick fled to France and died in exile; Percy was captured and summarily executed, and Sir William is stated by the historians above mentioned to have been imprisoned in Douglas Castle for life. This, however, is a mistake: it was more probably Sir Hugh, as head of the family and chief instigator in the whole affair, who was imprisoned, as is shown by two documents; first, a letter from him to the King of England in 1288, requesting his intercession with the Pope respecting certain affairs to be laid before him by the bearer of the letter, the Bishop of Brechin;<sup>6</sup> and, second, an order from Edward I., dated 28 June 1291, for the transference of Hugh de Abernethy to the King's prison from that of William de Douglas, where he was confined for the murder of the Earl of Fife.<sup>7</sup> Sir Hugh would appear to have died in prison, as nothing more is recorded of him.

Sir Hugh's wife has now been identified as having been Mary of Argyll, Queen of Man, widow of Magnus, King of Man, and of Malise, Earl of Strathearn, who died in 1271.<sup>8</sup> Sir Hugh got a dispensation for his marriage with her in

<sup>1</sup> Fordun's *Annals*, i, li, lii, lvi. <sup>2</sup> *Fœdera*, i. 715. <sup>3</sup> *Variæ Cartæ*, ms. *ut cit.* <sup>4</sup> *Annals*, lxxxii. <sup>5</sup> *Cronykil*, ix. <sup>6</sup> *Hist. Docs. of Scotland*, i. 69. <sup>7</sup> *Rotuli Scotiæ*, i. 2. <sup>8</sup> *Charters of Inchaffray*, Scot. Hist. Soc., Pref. lxiv

April 1281.<sup>1</sup> The date at which he actually married her cannot have been later than 1275, as it is stated in the dispensation that he had 'several' sons by her. Mary of Argyll (de Ergadia), Countess of Strathearn, was the wife, in 1299, of William Fitzwaren,<sup>2</sup> and she died in 1304. (*See title Strathearn.*)

By his wife Sir Hugh had a son,

ALEXANDER de Abernethy. In 1292 his mother, Mary, was summoned<sup>3</sup> to declare whether she knew anything to prevent Alexander, son of Hugh de Abernethy from obtaining possession of the lands of Ballinray and others. In the same Parliament his lands were given in ward to Alexander de Menteith, so that as he was not of age in 1292 he must have been born subsequently to 1272. At the same time he was not a mere child, as he swore fealty to Edward I., 19 July 1291, at St. Andrews.<sup>4</sup> He opposed Bruce in the War of Independence, deserting the national party, perhaps, as Lord Saltoun suggests<sup>5</sup> on account of the enmity of many of the Scottish nobles which his father's crime had provoked. He became liegeman to Edward I., by whom he was favoured and trusted, and to whose interests, and those of his son, Edward II., he steadfastly adhered during his life. When Robert the Bruce succeeded in establishing his authority as Scottish King, the possessions of Sir Alexander Abernethy were declared to be forfeited, and he became to all intents an Englishman. He was afterwards largely employed by the English King in his diplomatic service; he was on several occasions sent as ambassador to France, and in 1313 visited the Papal Court in the same capacity.<sup>6</sup> His death probably took place shortly after 1315, in which year he witnessed a charter granted by the Countess of Atholl,<sup>7</sup> and before 1317.<sup>8</sup> His wife's name is unknown, but he had two daughters, both of whom married, and were the means of bringing into many Scottish families the quartering so frequently met with, and so distinctive of Abernethy

<sup>1</sup> *Cal. of Papal Registers, Papal Letters*, i. 463. <sup>2</sup> *Cal. of Docs.*, ii. 1062, 1104. <sup>3</sup> *Acta Parl. Scot.*, i. 446. <sup>4</sup> *Fœdera*, i. 370. <sup>5</sup> *Frasers of Philorth*, ii. 22. <sup>6</sup> *Fœdera*, iii. 436. <sup>7</sup> *Antiq. of Aberdeen*, ii. 313.

<sup>8</sup> Macfarlane's *Gen. Coll.*, 461.

descent—or, a lion rampant gules, debruised by a ribbon sable.

1. *Margaret*. On 11 July 1311 King Edward requested the Pope to grant a dispensation for her marriage with Roger de Moubray, they being within the forbidden degrees of consanguinity.<sup>1</sup> It is not certain that this marriage ever took place. On 30 January 1324-25 she had leave to visit Scotland to treat with her friends there as to the recovery of her hereditary lands;<sup>2</sup> and on 24 October 1328 a papal dispensation was granted for her marriage to John Stewart, Earl of Angus. This marriage took place, and the Countess lived till about 1370, surviving both her husband and her son. (*See title Angus*.)
2. *Mary*, married, first, before 1317, Sir Andrew de Leslie, son of Sir Norman de Leslie;<sup>3</sup> secondly, in 1324, Sir David de Lindsay, Lord of Crawford; on 28 November of that year a dispensation for the marriage was issued, the parties being related in the fourth degree.<sup>4</sup> Lord Saltoun<sup>5</sup> thinks that these ladies were different persons, but though the recurrence of the same Christian name amongst brothers and sisters is by no means uncommon, it is unlikely that two out of three daughters should have had the same name.

The eldest male line of the Lords of Abernethy having thus become extinct, the succession opened to the descendants of the third son of Sir Laurence Abernethy,

WILLIAM de Abernethy of Saltoun. He granted two merks out of the profits of his mill at Ulkestone (Oxton), in Lauderdale, to the Abbey of Dryburgh in 1273.<sup>6</sup> He was, as stated, involved in the murder of the Earl of Fife, and may have been imprisoned in Douglas Castle, but if this was the case, was probably dead before 1291, otherwise he would in all likelihood have been included in the order previously referred to transferring Sir Hugh to the royal prison. He was certainly dead in 1296, as his widow Margaret, whose surname is unknown, then received a

<sup>1</sup> *Cal. of Docs.*, iii. 220. <sup>2</sup> *Ibid.*, 860. <sup>3</sup> *Douglas Book*, iii. 391; Macfarlane's *Gen. Coll.*, ii. 452, 460-461. <sup>4</sup> *Papal Letters*, ii. 241. <sup>5</sup> *Frasers of Philorth*, ii. 27. <sup>6</sup> *Cart. de Dryburgh*, No. 175.

pension from the family estates by order of Edward I.<sup>1</sup>  
He had a son,

WILLIAM de Abernethy, who swore fealty to Edward in 1296,<sup>2</sup> and served on an inquest at Berwick in the same year.<sup>3</sup> He joined the standard of Robert the Bruce, and was one of the Scottish barons who signed the celebrated letter to Pope John XXII., asserting the independence of Scotland. It may be inferred that he exchanged the donation of two merks from the mill of Ulkestone, made by his father to Dryburgh Abbey, into a grant of the whole mill, for though the charter is not extant it was confirmed by his son and successor. His wife's name is not known, but he left two sons:—

1. WILLIAM.

2. *Laurence*. He witnessed various charters, along with his brother, to the Abbey of Newbotle.<sup>4</sup> He had a grant from King Robert Bruce of the lands of Lamberton;<sup>5</sup> and he is probably the Sir Laurence de Abernethy who is mentioned in an order to the Sheriff of Northumberland, of date 14 November 1338, to send certain stores which belonged to him to victual the castle of Hawthornden.<sup>6</sup> He was forfeited for his attachment to the English interest, but King David II., about 1358, restored his lands to his son *Hugh*, except Lamberton.<sup>7</sup> His lands were Hawthornden, Halmyre, Dunsyre, Borthwickshiels, and Lamberton.

SIR WILLIAM de Abernethy, third of Saltoun, was at the battle of Halidon Hill in 1333, from which he succeeded in escaping. Owing to his adherence to the Scottish party his lands were forfeited, and reference is made to exactions by the Sheriff of Roxburgh in 1335 from certain buildings in Swyneshede, which he held in virtue of his wife's dowry.<sup>8</sup> He got a grant of the manor of Rothiemay from David II. in 1345.<sup>9</sup> His confirmation of his father's

<sup>1</sup> *Rot. Scotiæ*, i. 26. <sup>2</sup> *Cal. of Docs.*, ii. 201. <sup>3</sup> *Ibid.*, No. 824[2]. <sup>4</sup> *Chart. de Newbotle*, 43-55, 208. <sup>5</sup> *Robertson's Index*, 4, No. 6. <sup>6</sup> *Cal. of Docs.*, iii. 1290. <sup>7</sup> *Robertson's Index*, 45, No. 14; *The Melville Book*, i. xlvii. <sup>8</sup> *Cal. of Docs.*, iii. pp. 321, 374. <sup>9</sup> *Philorth Charters*.

grant to the Abbey of Dryburgh, above-mentioned, must have been made not later than 1346, and his death probably took place not long after.<sup>1</sup> He left two sons:—

1. *William*, mentioned as his nephew by Sir Laurence in a charter by him of the lands of Mackyspoffle granted to the Abbey of Melrose in about 1320. It has been thought that this points to Sir Laurence having been a son of the first Sir William of Saltoun, but a comparison of dates makes it more likely that he was a son of the second Sir William, in which position he is placed by Douglas.<sup>2</sup> William, the son of Sir William, appears to have died *vitâ patris*.
2. *GEORGE*, who succeeded.

SIR GEORGE de Abernethy, fourth of Saltoun, is said by Douglas to be mentioned in a charter to the monastery of Dryburgh granted by Walter the Steward in 1326,<sup>3</sup> but no such deed occurs in the chartulary of that house. He accompanied King David in his invasion of England in 1346, and was taken prisoner at the battle of Neville's Cross. He was committed to the Tower of London.<sup>4</sup> How long his imprisonment lasted is not known, but he must have been released previous to 1368, about which time he granted a charter to John de Kench; the charter is not dated, but it can be proved by internal evidence to have been executed before January 1367-68.<sup>5</sup> At his capture his lands, such at least as were accessible, were forfeited, and in 1357 it is stated that 'the barony of Prendrelath (Plenderleith) fell into the King's hands by forfeiture of George de Abernethy and his wife Alice, late the King's enemies, and has been for eleven years, and still is. . . . The barony is so utterly destroyed by the Scots that no profits can be levied at present for the King. It is held by the services of a knight's fee.' A memorandum attached states the barony used to be worth £49, 19s. 4d.<sup>6</sup> From this entry about Plenderleith it may be presumed that the surname of George Abernethy's wife Alicia was Wishart, and that she was the heiress of the lands mentioned, probably the daughter of

<sup>1</sup> *Frasers of Philorth*, ii. 31. <sup>2</sup> *Ibid.*, ii. 158. <sup>3</sup> *Peerage*, ii. 468. <sup>4</sup> *Rot. Scotiae*, i. 678; *Fœdera*, v. 534. <sup>5</sup> *Salton Hall Charters*. <sup>6</sup> *Cal. of Docs.*, iii. 1661.



that William Wishart who received them from King Robert I. They are supposed to have had two sons:—

1. GEORGE.

2. *John*, styled in a safe-conduct of 1363 'valettus' to David II.<sup>1</sup> He also appears as Sir John Abernethy of Balgounie, and had grants from the King of the lands of Balgeveny and others in Kinghorn on 15 February and 15 March 1368-69.<sup>2</sup> In 1381 he had a safe-conduct to pass through England on his way to the Holy Land.<sup>3</sup> He may have married the widow of William Barclay of Kerkou, as in 1384 Alexander Barclay his son is styled brother and heir of a John de Abernethy.<sup>4</sup>

GEORGE de Abernethy was probably the person of that name who attended the coronation of Robert II. on 27 March 1371.<sup>5</sup> George de Abernethy, miles, dominus de Sauylton, was a witness to a charter of the lands of Longformacus 22 June 1384, and on 8 November 1391 King Robert II. confirmed to Sir William Stewart of Jedworth certain lands in the territory of Minto, resigned in his favour by Sir George de Abernethy.<sup>6</sup> These dates rather point to his having been a different person from the George Abernethy who married Alicia Wishart, and who must have been born early in the fourteenth century, though the point is not altogether free from doubt. It is not known where he died, but it has been suggested that he may have been the knight mentioned by Froissart under the designation of the Seigneur de Faucon (Sauton) as having been killed at the battle of Otterburn in 1388.<sup>7</sup> He had at least one son.

WILLIAM de Abernethy, sixth of Saltoun, must have succeeded his father about the end of the fourteenth century. He was probably born not later than 1365, if he is the person who witnessed a charter granted by Sir James de Douglas, Lord of Dalkeith, in 1388.<sup>8</sup> He also witnessed, in 1397, a grant by George, Earl of Angus, to James Sandi-

<sup>1</sup> *Fœdera*, vi. 428. <sup>2</sup> *Reg. Mag. Sig.*, fol. vol. 49, 145; 61, 191. <sup>3</sup> *Fœdera*, vii. 337. <sup>4</sup> *Reg. Episc. Aberd.*, i. 167. <sup>5</sup> *Acta Parl. Scot.*, i. 545. <sup>6</sup> *Reg. Mag. Sig.*, fol. vol. 207, 33. <sup>7</sup> Johnes' Translation of Froissart, iv. 18, quoted in *Frasers of Philorth*, ii. 34. <sup>8</sup> *Reg. Hon. de Morton*, ii. 165.

lands of the wardship of his son and heir.<sup>1</sup> He died of 'le Quhew,' probably influenza, in 1420,<sup>2</sup> having married a daughter of Robert, Duke of Albany. If he had only one wife, her name was Maria, as in 1404 he got a charter from King Robert III. to himself as 'dilectus confederatus noster,' and Mary his wife, of certain lands in the barony of Rethy and Kingaltuy on his own resignation.<sup>3</sup> But as the lady is not designed niece of the King, this seems rather to indicate that she was a second wife.<sup>4</sup> They had issue:—

1. *Sir William*, killed at the battle of Harlaw, 24 July 1411. He married Margaret, daughter of Sir William Borthwick,<sup>5</sup> and had issue:—

(1) WILLIAM, who succeeded his grandfather.

(2) LAURENCE, who succeeded his brother; and perhaps

(3) *Oswald*, one of the witnesses to a truce made by the Wardens of the Marches with the English in 1449.<sup>6</sup> In 1446, he had the lands of Teindside and Harwood, co. Roxburgh, which he declared he held from the Baron of Hawick.<sup>7</sup> His son John is a substitute in the undermentioned charters to William, second Lord Saltoun.

2. *James*. There is a charter, 26 July 1393, by Archibald, Earl of Douglas, to James de Abernethy, of the lands of Theynside and Harwood, in the barony of Hawick, which belonged to Sir William of Abernethy, younger, brother of the said James, and were resigned by him.<sup>8</sup> James appears to have been succeeded in these lands by his nephew *Oswald*, as above.
3. *Patrick*, witness to a charter by the Regent Albany on 24 November 1413, in which he is styled 'noster nepos dilectus.'<sup>9</sup>
4. *John*. There is some ground for believing that the John Abernethy who received from Sir William Abernethy, dominus de Saltoun, a grant of the lands of Kinnaltie, in the barony of Rethie, co. Forfar, was another son.<sup>10</sup>

WILLIAM Abernethy, seventh of Saltoun, succeeded his

<sup>1</sup> *Douglas Book*, ii. 40-43. <sup>2</sup> Fordun à Goodall, ii. 460. <sup>3</sup> *Antiq. of Aberd. and Banff*, ii. 227. <sup>4</sup> Cf. *Exch. Rolls*, iv. clxxxv n. <sup>5</sup> Cf. vol. ii. 351. <sup>6</sup> *Fœdera*, xi. 246. <sup>7</sup> *The Douglas Book*, iii. 428. <sup>8</sup> *Scotts of Buccleuch*, ii. 17. <sup>9</sup> *Reg. Mag. Sig.*, fol. vol. 254, 25. <sup>10</sup> Robertson's *Index*, 137, No. 1.

grandfather in 1420. He was one of the 'magnates Scotiæ' who went to meet King James I. at Durham in 1423,<sup>1</sup> and in the following year he was one of the hostages for the ransom of the Scottish King, his estates being valued at an annual rental of 500 merks.<sup>2</sup> He died *s.p.* before 1428.

I. LAURENCE Abernethy, eighth of Saltoun, was probably born about 1400. He was in possession of the lands by 1428, and must have been a man of considerable power and influence, as on 28 June 1445 he was created a Lord of Parliament by the title of LORD SALTOUN OF ABERNETHY.<sup>3</sup> For some reason he does not appear to have used the title at first, as he granted a charter on 13 March 1447-48, under the designation of 'Laurentius Abernethy ex eodem de Rothiemay, miles.'<sup>4</sup> The title itself does not appear in any settled form for two or three generations, the styles of Lord Saltoun, Lord Abernethy, and Lord Abernethy of Rothiemay being used indifferently.<sup>5</sup> He must have died before 13 March 1460-61, when his son obtained sasine of the barony of Saltoun. His wife's Christian name was Margaret, as in 1448 Margaret, Lady Saltoun, obtained a notarial transumpt of a charter granted in 1443 by John de Halyburton de Sawlyne in Fife, to his son and his wife of certain lands there,<sup>6</sup> but to what family she belonged is not known. They had issue:—

1. WILLIAM, second Lord Saltoun.
2. JAMES, third Lord Saltoun.
3. *George*.
4. *Archibald*, mentioned along with his brother George in an entail by his brother William, second Lord Saltoun.<sup>7</sup>
5. *Elizabeth*, said to have been married to John Gordon, eldest son of John Gordon of Scardargue.<sup>8</sup>
6. A daughter of Lord Saltoun is said to have been married to Alexander Irvine, younger of Drum, and to have had a son Alexander, served heir to his grandfather 3 November 1457.<sup>9</sup>

<sup>1</sup> *Rot. Scotiae*, ii, 244, 245, 252. <sup>2</sup> *Ibid.*, 248. <sup>3</sup> *Records of Parl.*, 39.  
<sup>4</sup> *Antiq. of Aberd.*, ii, 228. <sup>5</sup> *Frasers of Philorth*, ii, 41. <sup>6</sup> Charter at Salton Hall. <sup>7</sup> *Antiq. of Aberd.*, ii, 210-212; *Reg. Mag. Sig.*, 28 January 1463-64. <sup>8</sup> *Frasers of Philorth*, ii, 42. <sup>9</sup> *The Irvines of Drum*, 50.

II. WILLIAM, second Lord Saltoun, was, during his father's lifetime, in February 1458-59, appointed Sheriff of Banffshire.<sup>1</sup> As son and heir of the late Sir Laurence, Lord Abernethy in Rothemay, he had sasine of the barony of Saltoun 13 March 1460-61,<sup>2</sup> and on 28 January 1463-64 he had a charter of Rothemay in Banffshire, Redy in Forfar, Dalgety in Fife, Glencorse in Midlothian, Saltoun in Haddington, Lillestoun and Ugistoun in Lauderdale, and Prenderleith in Roxburgh, on his own resignation,<sup>3</sup> with remainder to a series of heirs. This charter was superseded by a new one in similar terms, but with the reservation of terce to his wife, who is not named.<sup>4</sup> Still another charter in similar terms, in which the lands mentioned were erected into the barony of Abernethy, was granted him 10 January 1482-83.<sup>5</sup> Lord Saltoun died in June 1488,<sup>6</sup> the period at which the eventful battle of Sauchieburn was fought, but whether he met his death on that field is not known. He married twice; his first wife's name is unknown, the second was Isabella Borthwick.<sup>7</sup> Issue two daughters:—

1. — married to Walter Ogston of that Ilk.

2. *Christian*, married in 1468 to Sir John Wemyss of that Ilk.<sup>8</sup>

Dying without male issue, he was succeeded by his brother,

III. JAMES, third Lord Saltoun. He was served heir to his predecessor 10 October 1488.<sup>9</sup> For some years previous to 1498 he was engaged in a lawsuit against the heirs of line, Adam Hepburn of the Craigs and his wife Elizabeth Ogstoun (who was the child of the elder daughter of the second Lord Saltoun), and Sir John Wemyss of Strathardle and his wife Christian, the younger sister of Elizabeth. It was ultimately referred to arbitration, and certain sums were paid to the ladies. Lord Saltoun died in 1504 or 1505.<sup>10</sup> The name of his wife is not known, but they had issue:—

1. ALEXANDER, fourth Lord Saltoun.

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> Original sasine at Salton Hall. <sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> *Ibid.*, 5 August 1464. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Frasers of Philorth*, ii. 46; *Antiq. of Aberd.*, ii. 109, 248. <sup>7</sup> James Young's Style Book, Edinburgh Council Chambers, 8 October 1488. <sup>8</sup> *Ibid.*, same date, and 6 February 1493-94. <sup>9</sup> Original retour at Salton Hall. <sup>10</sup> See below.

2. *Margaret*, married to John Stirling of Craighernard, Comptroller of the King's Household.<sup>1</sup>
3. *Janet*, married, as his first wife, to Alexander Ogilvy of Desford.<sup>2</sup>
4. *Elizabeth*, married to Alexander Hay of Arden-dracht.<sup>3</sup>
5. *Helen*, married to Thomas Urquhart of Fischerie, Sheriff of Cromarty.<sup>4</sup> There were two effigies in the old castle of Cromarty, probably put there by Sir Thomas Urquhart, the translator of Rabelais and the writer of a wonderful genealogy of the family. At all events, on 25 August 1646 he caused an inscription to be carved below the figures stating that they represented Thomas Urquhart, Baron and Hereditary Sheriff of Cromarty, and 'the most faithful Lady Helen Abernethy, Lord Saltoun's beloved daughter, who, after she had borne to her foresaid most beloved husband thirty-six most comely children, lived with him till twenty-five sons respectively came to man's estate . . . and her eleven daughters were splendidly matched to their principal neighbours and those of best estates.'<sup>5</sup> Nisbet relates how this prosperous life was not unalloyed with sorrow, for no less than seven of the twenty-five sons met their death on the field of Pinkie.<sup>6</sup>

IV. ALEXANDER, fourth Lord Saltoun, was infeft by his father, in 1491, in the baronies of Saltoun and Glencorse and all his other possessions, reserving his own liferent.<sup>7</sup> He was still fiar of the lordship 17 March 1503-4, but had succeeded before 3 May 1505.<sup>8</sup> He was at the battle of Flodden, but succeeded in escaping the fate of most of the Scottish nobility on that fatal day. Between 1514 and 1517 he made large purchases of land in Banffshire.<sup>9</sup> He died in June 1527.<sup>10</sup> The Dowager Lady Saltoun, daughter of James Stewart, Earl of Buchan, uterine brother of King James II.,

<sup>1</sup> *Reg. Mag. Sig.*, 28 March 1503, 7 June 1508. <sup>2</sup> *Ibid.*, 7 July 1509; cf. vol. iv. 22. <sup>3</sup> *Reg. Mag. Sig.*, 31 May 1510; *Antiq. of Aberd.*, iii. 506. <sup>4</sup> *Reg. Mag. Sig.*, 16 September 1553. <sup>5</sup> *Red Book of Grandtully*, i. 114. <sup>6</sup> *Heraldry*, App. p. 273. <sup>7</sup> *Antiq. of Aberd.*, iii. 154. <sup>8</sup> J. Young's Protocol Book. <sup>9</sup> *Reg. Mag. Sig.*, per Index. <sup>10</sup> *Acts and Decrees*, xxi. 347.

who must have been his widow, is said to have built the house of Park, in Banffshire, in 1530. He left issue:—

1. WILLIAM, fifth Lord Saltoun.
2. *Laurence*, mentioned in the proceedings of a lawsuit between the Laird of Innes and Alexander, sixth Lord Saltoun; he is called uncle to the sixth Lord, which proves that he must have been a brother of the fifth Lord.<sup>1</sup>
3. *John*, witness to a charter to his brother William 21 March 1542-43. He married Elizabeth Lyon, daughter of John, Lord Glamis, who had been already thrice married,<sup>2</sup> and died 14 November 1581, leaving a son and a daughter.<sup>3</sup> He is sometimes styled of Balcors, from the lands which formed his wife's dower from her first husband.<sup>4</sup>
4. *Thomas*.<sup>5</sup> He had a son James, mentioned in his brother John's testament.
5. *William*, whose two sons are also named in John's testament. He may have been a natural son.
6. *Beatrice*, married to Alexander Forbes of Pitsligo.<sup>6</sup>
7. *Agnes Abernethy*, for whose marriage to William Innes of that Ilk a papal dispensation was obtained in 1528, may have been another daughter.<sup>7</sup>

V. WILLIAM, fifth Lord Saltoun. He obtained sasine of the estates in 1528,<sup>8</sup> and attended Parliament the same year.<sup>9</sup> In 1533 and 1538 he had charters from Alexander Innes, younger of that Ilk, of certain lands in Banffshire.<sup>10</sup> On 27 November 1536 he had, along with his wife, a charter of the lands of Park of Cornearny, co. Banff,<sup>11</sup> and on 21 March 1542-43 he had a charter from George Claphane of Carslogy of the lands of Quhelplaw in Lauderdale.<sup>12</sup> He became involved in a quarrel with the Crichtons of Fren-draught, and on 15 March 1542-43 was, with forty-five others, called to account for being concerned in the slaughter of George Crichton of Conzie and of James and Robert Crichton 'cum uno magonale lie gwnne.'<sup>13</sup> He

<sup>1</sup> *Family of Innes*, 109-111. <sup>2</sup> See vol. iv. 54; *Acts and Decrees*, xl. 181. <sup>3</sup> *Edin. Tests*. <sup>4</sup> *Acts and Decrees*, xlvii. 303. <sup>5</sup> *Ibid.*, lx. 437. <sup>6</sup> *Reg. Mag. Sig.*, 8 December 1521. <sup>7</sup> *Family of Innes*, 127. <sup>8</sup> *Exch. Rolls*, xv. 659, 665. <sup>9</sup> *Acta Parl. Scot.*, ii. 322. <sup>10</sup> Confirmed 11 December 1538, *Reg. Mag. Sig.* <sup>11</sup> *Ibid.* <sup>12</sup> Confirmed 22 March 1542-43, *ibid.* <sup>13</sup> *Pitcairn's Criminal Trials* i. 104.

died in December 1543.<sup>1</sup> He married, in or before 1512, Elizabeth Hay, daughter of William, fourth Earl of Erroll.<sup>2</sup> On 25 July of that year there is a confirmation of a charter of date two days previous, by 'Alexander, Lord Abernethy,' to his son William and his wife Elizabeth Hay, of the lands of Dalders in Stirlingshire,<sup>3</sup> but it is probable that they were both very young at that time, as their eldest son was not born till 1537. Elizabeth Hay, Lady Saltoun, died in October 1574.<sup>4</sup> They had issue:—

1. ALEXANDER, sixth Lord Saltoun.
2. *William*, ancestor of the now extinct branch of Abernethy of Birnes.<sup>5</sup>
3. *Agnes*, married to William Orichton of Fren draught, was probably a daughter of William, Lord Saltoun. Orichton was a 'daft and natural idiot,' and it was his curator of whose slaughter Lord Saltoun was accused.
4. *Elizabeth*, married, first, to William Meldrum of Fyvie; secondly, before 25 July 1562, to John, Lord Glamis.<sup>6</sup> She died before May 1581.<sup>7</sup>

VI. ALEXANDER, sixth Lord Saltoun, came of age in October 1558,<sup>8</sup> took a somewhat more active part in public affairs than many of his predecessors. He frequently attended Parliament, and in 1562 he entertained Queen Mary at his house at Rothiemay when she was on her way to Inverness. In the contests which followed, however, he ranged himself on the side of the Regent. On 2 September 1567 he had a charter from George Barclay of that ilk of the superiority of the barony of Lessindrum, and on 14 May 1573 another from Patrick Menzies of Ferriehill of the sunny half of Dumblait, co. Aberdeen.<sup>9</sup> In 1581 he sold to Robert Scott, clerk to the Privy Council, the sunny half of Saltoun.<sup>10</sup> He died in the spring of 1587,<sup>11</sup> having married, first, while still a minor, after 28 August 1550, when he granted a charter of lands to her 'in ejus pura virginitate,' Alison Keith, daughter of William, Earl Marischal.<sup>12</sup> She died

<sup>1</sup> *Acts and Decrets*, i. 347. <sup>2</sup> Cf. vol. iii. 567-568. <sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> Edin. Tests. <sup>5</sup> *Acts and Decrets*, lx. 438. <sup>6</sup> *Reg. of Deeds*, xvi. 316; *Reg. Sec. Sig.*, xxxi. 31. <sup>7</sup> *Ibid.*, xx. pt. i., 187. <sup>8</sup> *Exch. Rolls*, xix. 442. <sup>9</sup> Confirmed 28 February 1581-82, *Reg. Mag. Sig.* <sup>10</sup> Confirmed 11 April 1586, *ibid.* <sup>11</sup> *Frasers of Philorth*, ii. 62. <sup>12</sup> *Reg. Mag. Sig.*, 4 September 1550.

in August 1567. He married,<sup>1</sup> secondly, Jean Johnston, daughter of James Johnston, younger of that Ilk, relict of William, Master of Carlyle,<sup>2</sup> who survived him, and married, thirdly, in or before 1589, William Kerr, brother of first Earl of Lothian.<sup>3</sup> Issue:—

1. GEORGE, seventh Lord Saltoun.
2. *Alexander*, second son,<sup>4</sup> styled of Lessindrum,<sup>5</sup> and afterwards of Wester Saltoun.<sup>6</sup> He witnessed a charter of his nephew John, Lord Saltoun, 29 August 1598.<sup>7</sup> He died 10 April 1603,<sup>8</sup> having married (contract 7 November 1589) Elizabeth, second daughter of Sir James Crichton of Fren draught.<sup>9</sup> He had been contracted, while very young, to Christian, daughter of George Barclay of that Ilk, 31 October 1586.<sup>10</sup>
3. *John*, in his mother's testament called *James*, said to have received the lands of Barrie, in Strathisla, from his father in 1557.<sup>11</sup> He was the ancestor of the Abernethies of Barrie and Mayen, which became extinct in the male line in 1785.
4. *Elizabeth* or *Elspeth*, contracted, when very young, 27 February 1572-73, to Thomas Urquhart, younger of Cromarty.<sup>12</sup> Whether this marriage took place does not appear. She afterwards married John Innes of that Ilk;<sup>13</sup> there is a contract between Lord Saltoun and John Innes for his daughter's liferent.<sup>14</sup>
5. *Margaret*, married (contract 31 August 1582) to George Meldrum of Drumbreck.<sup>15</sup> The order of the younger daughters is given from their mother's confirmed testament.
6. *Jean*, married, first, as his second wife (contract 12 August 1579<sup>16</sup>), to Alexander Seton of Meldrum; secondly, again as a second wife, to John, second son of Alexander Urquhart of Cromarty and Beatrix Innes his wife.<sup>17</sup> It is a curious fact that this John

<sup>1</sup> Edin. Tests. <sup>2</sup> *Reg. Sec. Sig.*, lv. 69; see *ante*, vol. i. 248 and vol. v. 435. <sup>3</sup> *Edin. Inhabs.*, vi. 155. <sup>4</sup> *Reg. of Deeds*, ix. 284. <sup>5</sup> *Aberd. Hornings*, v. 9. <sup>6</sup> Protocol Book of J. Harlaw, fol. 4, Reg. Ho. <sup>7</sup> *Reg. Mag. Sig.*, 23 November 1602; *Acta Parl. Scot.*, ii. 470. <sup>8</sup> Edin. Tests. <sup>9</sup> Cf. vol. iv. 125. <sup>10</sup> *Reg. of Deeds*, viii. 468. <sup>11</sup> *Antiq. of Aberd.*, ii. 426. <sup>12</sup> Macfarlane's *Gen. Coll.*, ii. 362. <sup>13</sup> *Reg. of Deeds*, xx. pt. i. 144. <sup>14</sup> *Family of Innes*, 24. <sup>15</sup> *Aberd. Hornings*, iii. 299. <sup>16</sup> Seton's *Family of Seton*, i. 466. <sup>17</sup> Nisbet's *Heraldry*, App. 274.



married, as his third wife, in 1610, his second wife's first husband's grandchild by a former marriage, viz. Elizabeth Seton, only daughter of Alexander Seton, eldest son of Alexander Seton of Meldrum above mentioned.<sup>1</sup>

7. *Isobel*, married (contract 10 December 1593) to John Cumming, younger of Earnside.<sup>2</sup>

VII. GEORGE, seventh Lord Saltoun, was served heir to his father 10 May 1587,<sup>3</sup> and died 27 April 1590.<sup>4</sup> He married, before 1578, Margaret Stewart, daughter of John, Earl of Atholl, Chancellor of Scotland. She got a charter of the lands of Kellie in Aberdeenshire, 24 August of that year. She survived him, dying between 20 April and 2 July 1618.<sup>5</sup> They had issue:—

1. JOHN, eighth Lord Saltoun.
2. *Margaret*, married (contract 19 December 1595 and 4 January 1595-96<sup>6</sup>) to Alexander Fraser, younger of Philorth.
3. *Jean*, married in 1608 to Sir John Lindsay of Kinfauns, eldest son of Sir Henry Lindsay of Caraldston.<sup>7</sup> Sir John died *vitâ patris*, and his widow married, secondly, in or before 1617, George Gordon of Gight.<sup>8</sup>
4. Probably another and elder daughter *Joneta*, married to Patrick Livingston, along with whom she got a charter of the lands of Dolders from John, Lord Saltoun, with consent of his mother, Margaret Stewart,<sup>9</sup> 29 August 1598.

Natural son *William*, legitimated 7 September 1583.<sup>10</sup>

VIII. JOHN, eighth Lord Saltoun, signed his sister's marriage-contract in 1595, but did not make up his title to the estates till 1601, when he was served heir to his father,<sup>11</sup> and in 1603 and 1606 he was served heir to his grandfather in many of his possessions.<sup>12</sup> On 21 February 1602 he had a charter of novodamus of the barony of Saltoun,<sup>13</sup> and on

<sup>1</sup> *Thanage of Fermartin*, 693. <sup>2</sup> Reg. Ho. Charters, at date. <sup>3</sup> *Retours, Banff*, 183. <sup>4</sup> Edin. Tests. <sup>5</sup> *P. C. Reg.*, xi. 395. <sup>6</sup> *Reg. of Deeds*, cxxx. 302. <sup>7</sup> *Reg. Mag. Sig.*, 25 February 1608. <sup>8</sup> *Register of Kirk Session of Rothiemay*, 18 May 1617, quoted in the *Frasers of Philorth*, ii. 63; *Reg. Mag. Sig.*, 30 July 1618. <sup>9</sup> *Reg. Mag. Sig.*, 23 November 1602. <sup>10</sup> *Reg. Sec. Sig.*, xlix. 168. <sup>11</sup> *Retours, Banff*, 15. <sup>12</sup> *Ibid.*, Aberdeen, 89, Banff, 191. <sup>13</sup> *Reg. Mag. Sig.*

26 April 1610 a grant of the lands of Balvenie.<sup>1</sup> It has been suggested that he went with the King to England,<sup>2</sup> and there, like so many other Scottish noblemen, spent more money than he could afford. Whatever may have been the reason, it is certain that he fell into embarrassed circumstances, and in 1612 disposed of a large portion of his estates, which were parted among various creditors. He died between 5 June and 21 September 1612,<sup>3</sup> having married, first, Magdalen, daughter of Henry Urquhart, younger of Cromarty; she had a charter as his future wife 30 September 1601,<sup>4</sup> and died 4 April 1603;<sup>5</sup> secondly (contract dated 20 April and 5 August 1605<sup>6</sup>), Elizabeth Stewart, daughter of the 'bonny Earl of Moray,' but had no children by her.<sup>7</sup> She died before the end of 1608, and he married, thirdly (contract 30 December 1608), Anne Stewart, elder daughter of Walter, first Lord Blantyre.<sup>8</sup> She survived him many years and subsequently had, by James, Marquess of Hamilton, a natural daughter *Margaret*, who was married to James Hamilton, first Lord Belhaven.<sup>9</sup> By his first wife Lord Saltoun had issue:—

1. *Margaret*, mentioned in her mother's testament.

By his third wife he had

2. ALEXANDER, ninth Lord Saltoun.

3. *Anne*, born 19 November 1609, died in infancy.

4. *Margaret*, born 2 February 1613, died, unmarried, about 1669.

IX. ALEXANDER, ninth Lord Saltoun, and last of the name of Abernethy who held that title, was born 26 March 1611, and was therefore only an infant when he succeeded his father. He fell on evil days, and not only had to sell a large portion of the estates which remained to him, but became involved in endless litigation. In connection with this an extraordinary fraud was perpetrated by James Abernethy, an Advocate and Clerk of Session, brother of Alexander Abernethy of Auchencloich and Mayen, and son of Thomas Abernethy of Barrie, whose father

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Frasers of Philorth*, ii. 65. <sup>3</sup> *Reg. Mag. Sig.*; *Reg. Sec. Sig.*, lxxxii. 61. <sup>4</sup> *Banff Sas.*, i. 74. <sup>5</sup> *Edin. Tests.* <sup>6</sup> *Reg. of Deeds*, clxiv. 252. <sup>7</sup> *Frasers of Philorth*, ii. 64. <sup>8</sup> *Reg. Mag. Sig.*, 14 February 1609. <sup>9</sup> *Cf.* vol. ii. 40, 85.

was third son of the sixth Lord Saltoun. He went to London, and, gaining access to the Register of the Decrees of the Court of Session (which had, with other Public Records of Scotland, been sent to London by order of Cromwell), abstracted three leaves which contained a judgment of the Court reversing a prohibition against burdening the family estate with debt, under which the eighth Lord Saltoun had placed himself before 1605. The effect of this removal of all authentic record of the decree of 1605 was to leave the interdict still in force, and to render invalid all the sales and alienations made by John, eighth Lord Saltoun, as being contrary to that prohibition. The actual result, however, was only to increase the amount of litigation already going on. James Abernethy did not destroy the leaves, but evidently intended to use them for blackmailing purposes, though he found this a game too dangerous to himself to pursue. It is impossible to give the details of the story, which are fully narrated by Lord Saltoun in his family history.<sup>1</sup> It is sufficient to say that long after the death of the ninth Lord Saltoun (who was in all probability aware of what had been done) Alexander Abernethy of Auchencloich, before his death in 1683, left the secret of the stolen leaves to his kinsman James Ogilvie, informing him that they were built into the wall of the house of Mayen. Ultimately an action was brought against Alexander Abernethy's son to compel the production of the leaves, and it ended by their being replaced by order of the Court of Session on 22 July 1692.

Alexander, Lord Saltoun, died unmarried, before the end of November, or during the first few days of the next month, in 1668. There is a curious doubt as to where he was buried. In the Register of Burials of the Canongate it is stated that 'Lord Salton was buried in the church of Holyroodhous upon the 17 December 1668 in the buriall place of Sir Lues Bannatyne, Baron of Brochtoun, and heir of the Earl of Roxburgh,' but in the Greyfriars Register there is an entry under 18 December 1668, 'Me Lord Saitin.'

Lord Saltoun's sister survived him, but never assumed the title. After her decease it was claimed by Alexander Fraser, tenth of Philorth, whose father Alexander, ninth

<sup>1</sup> *The Frasers of Philorth*, 68-70.

of Philorth, had married Margaret Abernethy, daughter of George, seventh Lord Saltoun. His right to the title was confirmed, not exactly by a new creation, but by a patent ratifying and approving his service as heir of line and his taking upon himself the title and dignity.<sup>1</sup>

CREATION.—Lord Saltoun of Abernethy, 28 June 1445.

ARMS.—Sir David Lindsay gives these as—Quarterly: 1st and 4th, or, a lion rampant gules, debruised by a ribbon sable, for *Abernethy*; 2nd and 3rd, argent, three piles gules, for *Wishart*. These are the arms depicted on the seal of Alexander, fourth Lord Saltoun, *ante* 1512.

CREST.—Sir Robert Forman (Lyon Office MS.) gives a bird or raven sable, beaked and membered gules. Pont (c. 1630) gives a parrot feeding on a bush with cherries proper.

SUPPORTERS.—Two falcons proper, belted or.

MOTTO.—*Salus per Christum.*

[J. B. P.]

<sup>1</sup> Cf. *Acta Parl. Scot.*, viii. 33.





Saltoun

## FRASERS OF PHILORTH, LORD SALTOUN



THE family of Fraser undoubtedly came from France, but whether with William of Normandy or later is not known. Their name is not to be found in any of those doubtful documents which purport to be the Roll of Battle Abbey. There is a theory that they were the lords of the Seigneurie de la Fréselière in Anjou, two Frézels, father and son, being styled 'Chevaliers' in the Cartulary of Noyers in Touraine as early as

the year 1030, but there is no definite evidence to connect the Frézeaus or Frézels de la Fréselière with the Frazers who established themselves in Britain.<sup>1</sup> The subject is dealt with very fully and discussed with admirable clearness in all its aspects by the late Lord Saltoun in the introduction to his *Frasers of Philorth*.

The name Fraser, spelt also Freser, Frisell, Frissell, Fresel, Friser, Freysel, and Frysell, is not found in England until 1188, when Radulph Fraser, a Knight of the Household and family of the King of England (Henry II.), was captured by the Count of St. Giles, who was at war with Richard, Count of Poitou, afterwards King Richard I. of England. Radulph was then returning from a pil-

<sup>1</sup> Moreri's *Grand Dictionnaire Historique*, edition of 1759, tom. v. 375.

grimage to the shrine of St. James of Compostella. He was released from captivity by order of the King of France.<sup>1</sup> Several other Frasers are found holding lands and offices of importance in England during the thirteenth century.<sup>2</sup> The first Fraser who appears in Scotland is *Simon Fraser of Keith*, who, about 1160, granted the church of Keith with a large tract of ground to the monks of Kelso.<sup>3</sup> He died before 1190, when his daughter and heiress Eda, with her husband Hugh Lorens, confirmed this grant to the monks. Eda and Hugh Lorens had a daughter Eda who married Philip de Keith, Marischal of Scotland.<sup>4</sup> (*See title Marischal.*)

Contemporary with Simon Fraser of Keith was one *Gilbert Fraser* who appears as witness to a confirmation by King William the Lion of a charter to the monks of Coldinghame in 1166,<sup>5</sup> and he was also witness to another charter to the monks of Melrose before 1182.<sup>6</sup> It seems from Lord Saltoun's researches that Crawford<sup>7</sup> and Chalmers<sup>8</sup> have confused this Gilbert with a Kylvert whose name very frequently appears with those of Frasers.<sup>9</sup>

There was a *Udard Fraser* mentioned in the charters of some of his descendants, who lived in the latter half of the twelfth century,<sup>10</sup> and married a sister of Oliver, son of Kylvert above mentioned, who is said to have been the founder of Oliver Castle in Peeblesshire.<sup>11</sup> He was the father of Adam Fraser, named below.

*Thomas Fraser* is found witnessing charters between 1180 and 1230, but nothing more is known about him. During the early part of the thirteenth century the three chief Frasers in Scotland were *Bernard, Gilbert, and Adam*, who were all probably the sons of Udard.<sup>12</sup> Bernard Fraser, between 1186-88, made an agreement with the Prior and convent of St. Andrews that Bernard Fraser 'et heredes de Drem' should hold the chapel 'adeo liberam et quietam sicut aliquis miles de paribus suis habet.' Lord Saltoun does not think, however, that this was the same

<sup>1</sup> *Benedict of Peterboro*, ii. 501, Hearn's edition, 1735. <sup>2</sup> *Frasers of Philorth*, i. 7. <sup>3</sup> *Cart. Kelso*, No. 85. <sup>4</sup> *Ibid.*, Nos. 86, 87, 88, 89. <sup>5</sup> *Cart. Coldinghame*, No. cxiv. <sup>6</sup> *Cart. Melrose*, No. 76. <sup>7</sup> *Lives of Officers of State*, 270. <sup>8</sup> *Caledonia*, i. 555. <sup>9</sup> *Frasers of Philorth*, i. 13. <sup>10</sup> *Cart. Newbottle*, Nos. 74, 76, and 77. <sup>11</sup> *Frasers of Philorth*, i. 15, 16. <sup>12</sup> *Ibid.*, i. 13.



Bernard who appears in the thirteenth century. The younger Bernard (if there were two) witnessed charters of lands in the Milnehalch of North Hales by Maria de Hales, daughter of Kylvert, and sister of Oliver, in her widowhood, to the monks of Newbottle. He also witnessed the confirmation of that charter; but notwithstanding, he subsequently claimed these very possessions, evicting Maria de Hales therefrom in the Court of Patrick, Earl of Dunbar, and then regranting them to the monks in his own name. His charter, witnessed by William de Bondington, the Chancellor, is not earlier than 1230-31.<sup>1</sup> He witnessed a charter by Alexander, King of Scots, 10 March 1228-29.<sup>2</sup> He confirmed to the monks of Newbottle a previous charter granted by 'Nesius de London frater meus' of lands in Forton. He was also overlord of Linton.<sup>3</sup> He rose to some eminence at the Scottish Court, as is proved by his name coming in a high position among the witnesses of royal charters. In 1234 he is described as 'vicecomes noster de Strivelyn';<sup>4</sup> after this date he is usually referred to as 'Dominus Bernardus Fraser miles.' In 1233 he feued to the monks of the Isle of May the whole lands of Dremes-sheles.<sup>5</sup> In 1237 he was present at the meeting of Alexander II. and Henry III. at York, and swore to the observance of the peace then concluded between the two monarchs, and in 1238 acted as Envoy to Henry III.<sup>6</sup> He died about 1250. He apparently married a sister of Nesius de London, by whom he presumably had no children, as no trace of any is extant, and his property went to Laurence, son of Adam Fraser.<sup>7</sup>

ADAM FRASER, the son of Udard, succeeded his maternal uncle Oliver, son of Kylvert, in the lands of Hales.<sup>8</sup> He made several grants to the monks of Newbottle.<sup>9</sup> Adam married a lady whose Christian name was Constantia,<sup>10</sup> and left a son,

<sup>1</sup> *Cart. Newbottle*, Nos. 91, 92, 93, 94, 95. <sup>2</sup> *Cal. Docs. Scot.*, i. 1113. <sup>3</sup> *Ibid.*, 114, 118. <sup>4</sup> *Ibid.*, No. 165. <sup>5</sup> *Cart. Isle of May* (St. Andrews), No. 20, p. 16. <sup>6</sup> *Cal. Docs. Scot.*, i. 1440. <sup>7</sup> Crawford says Bernard Fraser was succeeded by his son Simon, who was High Sheriff of the county of Tweeddale (*Lives of Officers of State*, 270). This can hardly be so, as he would have succeeded to the property also, which went instead to Laurence. <sup>8</sup> Chalmers in *Caledonia* ascribes the foundation of Oliver Castle in Tweeddale to this Oliver, i. 555, ii. 918; *Cart. Newbottle*, No. 74. <sup>9</sup> *Ibid.*, *et seq.* <sup>10</sup> *Ibid.*, No. 77.

LAURENCE, who somehow acquired the lands in North Hales, which had belonged to Sir Bernard. He sold them shortly afterwards, as between 1260 and 1280, Wallevus de Stratheach and Hugo de Gourlay confirmed the grants of Oliver, son of Kylvert, Adam Fraser and Sir Bernard Fraser respecting those lands which they acquired from Laurence Fraser.<sup>1</sup> In a charter granted to the monastery of Melrose by Sir Simon Fraser, Sir Laurence Fraser 'quondam dominus de Drumelliare' is mentioned as possessor of some lands dealt with.<sup>2</sup> It is not known whether Sir Laurence had any children, but in November 1326 Sir William Fraser of Drumelzier resigned the estate into the hands of King Robert I. for infeftment therein of Roger son of Finlay.<sup>3</sup> This Sir William may have been a son of Sir Laurence or a nephew; there is nothing to show.

SIR GILBERT FRASER, probably a brother of Sir Bernard and Adam Fraser, is the direct ancestor of the Frasers of Philorth. He is first found in or before 1214 witnessing a charter by Nesius, son of Nesius, to the monks of Newbottle.<sup>4</sup> In 1233 King Alexander II. addressed a precept to Gilbert Fraser, Sheriff of Traquair, ordering him to try a cause between William, Bishop of Glasgow, and Mariota, daughter of Samuel, who resigned her claim to the lands of Stobo. He also, as Sheriff, in the same year witnessed a resignation of those lands by Eugene, son of Anabell, another daughter of Samuel.<sup>5</sup> He had a mandate from Alexander II. to imprison all excommunicated persons whom the Bishop of Glasgow should report as having been for forty days under the censure of the Church.<sup>6</sup> As Sheriff of Traquair, he witnessed a charter by 'Christiana quondam filia Ade filii Gilberti' to the chapel of St. Mary of Ingolfiston between the years 1233 and 1249.<sup>7</sup>

In 1259 an assize was held in the court of 'Gilbertus Fraser miles vicecomes de Peebles.' One of the members was Nes Fraser.<sup>8</sup> Nes Fraser and Laurence Fraser swore with

<sup>1</sup> *Cart. Newbottle*, Nos. 96, 97. <sup>2</sup> *Cart. Melrose*, 355. <sup>3</sup> *Ninth Rep. Hist. MSS. Com.*, 238. <sup>4</sup> *Cart. Newbottle*, No. 111. <sup>5</sup> *Cart. Glasgwen.*, Nos. 130, 131. <sup>6</sup> *Chalmers, Caledonia*, ii. 920. <sup>7</sup> *Cart. Glasgwen.*, 150. <sup>8</sup> *Acta Parl. Scot.*, i. 88; documents subjoined to Preface.

Earl Patrick in 1244 that they had no part in laying waste the King of England's land in Ireland or elsewhere, nor received any of his enemies.<sup>1</sup> The above records prove that Sir Gilbert Fraser was Sheriff both of Traquair and Peebles. He died probably about 1263, as the next year his son is mentioned as Sheriff of Peebles.

His wife's name was Christian,<sup>2</sup> by whom he had four sons:—

1. JOHN, of whom later.

2. *Simon* of Oliver Castle. He is mentioned, together with Andrew, as being brother of William Fraser (*infra*), which makes it certain that he was a son of Sir Gilbert.<sup>3</sup> He succeeded his father in the offices of Sheriff of Traquair and Peebles between 1264 and 1266.<sup>4</sup> About 1271 he and his brother Andrew were the subjects of a complaint to the King of England, made by Roger, Rector of Witfield in Durham, for maltreating him, whilst Beatrix de Witfield and her son Robert, 'cousins of the malefactors' entered and took possession of his church.<sup>5</sup> In 1279 he and his brother Andrew became sureties for William Fraser, then Dean of Glasgow.<sup>6</sup> Sir Simon died probably *c.* 1280, and was succeeded by his son,

(1) *Simon*. He was knighted about 1288, before which date the suffix of 'miles' is always wanting, thus distinguishing him from his father, who was knighted before 1249. He was a justice-itinerant in the year 1279, when he and three others held courts at Werke in Tyndale.<sup>7</sup> He witnessed charters in 1265 and 1266,<sup>8</sup> and was a member of the Council held at Scone on 5 February 1283-84.<sup>9</sup> He was keeper of the forests of Traquair and Selkirk.<sup>10</sup> He swore fealty to King Edward I. at Norham on 14 June 1291,<sup>11</sup> and was appointed on the part of Baliol one of the auditors who were to hear the pleadings of the Competitors for the Crown, and to report thereon.<sup>12</sup> He died in 1291, when the King granted his keepership of the forests to William Comyn; he left a widow Maria, who married subsequently Richard Siward. Sir Simon left, besides other children, whose names are not extant,<sup>13</sup> two sons:—

i. *Simon*, who succeeded him.

<sup>1</sup> *Cal. Docs. Scot.*, i. 552. <sup>2</sup> *Liber Vitæ of Durham*, 99. <sup>3</sup> *Cart. Glasguen.*, No. 232. <sup>4</sup> *Cart. Soltre*, No. 41; *Cart. Kelso*, 190; *Cart. Glasguen.*, No. 216. <sup>5</sup> *Cal. Docs. Scot.*, ii. 290. <sup>6</sup> *Cart. Glasguen.*, No. 232. <sup>7</sup> *Cal. Docs. Scot.*, ii. 168. <sup>8</sup> *Cart. Melrose*, 323, 324, 325. <sup>9</sup> *Acta Parl. Scot.*, i. 82. <sup>10</sup> *Rotuli Scotiæ*, i. 4, 7. <sup>11</sup> *Ragman Rolls*, Bannatyne Club, 10. <sup>12</sup> *Rymer's Fœdera*, ii. 555. <sup>13</sup> *Stevenson's Hist. Docs. Scot.*, ii. 92, 93, 96.

- ii. *Thomas*. The only mention of him is the demand for his lands by Thomas de Gray in 1306, in which he is styled 'frere mons. Symon Fraser.'<sup>1</sup>

*Simon* succeeded his father in 1291. On 12 July 1292 Edward I. issued a mandate for delivery to him of his paternal lands on payment of 100 merks of relief,<sup>2</sup> but the office of keeper of the forests of Traquair and Selkirk was transferred to William Comyn.<sup>3</sup> He fought at the battle of Dunbar on 27 April 1296, and made submission and swore fealty to King Edward at Kirkham on 13 October.<sup>4</sup> He was taken captive into England, and on 2 January 1296-7 his wife Maria got an allowance of 50 merks out of his lands then valued at 200 merks.<sup>5</sup> In October 1298 he had a "ferrand pomele" horse for his own riding by the King's gift.<sup>6</sup> He entered into an obligation to fight with the King of England against France: for his services there he received at Ghent, 13 January 1298, the sum of £27, 4s. being his pay as a Knight Banneret for sixty-eight days' service; and his estates were restored to him.<sup>7</sup> He served with King Edward in 1300, and was at the siege of Carlaverock Castle.

'Symon Fresel de cele gent  
Le ot noir a rosettes de argent.'<sup>8</sup>

He was made keeper of the forest of Traquair before October 1300. He fought against England through 1303. He took the part of Sir William Wallace. In 1305 his estates were forfeited, and restored on payment of three years' rental.<sup>9</sup> In 1306 he joined the force of Robert de Bruce, and on 19 June distinguished himself at the battle of Methven.<sup>10</sup> He was taken prisoner, conveyed to London, and beheaded with great cruelty. He left two daughters, possibly *Margaret* and *Joanna*, who forfeited ten merks of Aldynstone in 1337,<sup>11</sup> married respectively to Hay of Locherwart and Fleming of Wigtoun.<sup>12</sup>

3. *Andrew*, designated 'son of the late Sir Gilbert Fraser,' with consent of his wife Beatrice, granted to the monastery of Kelso a carucate of land acquired from William, son of John, son of John of Kirkland, in Berwickshire.<sup>13</sup> He was surety for his brother William when he entered into an obligation with the Chapter of Glasgow Cathedral.<sup>14</sup> In 1308 he is de-

<sup>1</sup> *Palgrave*, 303. <sup>2</sup> *Rotuli Scotiæ*, i. 9. <sup>3</sup> *Ibid.*, i. 7. <sup>4</sup> *Palgrave*, 155.  
<sup>5</sup> *Stevenson's Hist. Docs. Scot.*, ii. 96. <sup>6</sup> *Cal. Docs. Scot.*, ii. 1011. <sup>7</sup> *Hist. Docs. Scot.*, ii. 139, 230. <sup>8</sup> *Siege of Carlaverock*, edit. by Sir Harris Nicolas, 35, 36. <sup>9</sup> *Rymer's Fœdera*, ii. 969, 970. <sup>10</sup> *Prynne*, 1123. <sup>11</sup> *Cal. Docs. Scot.*, iii. 388. <sup>12</sup> *Frasers of Philorth*, ii. 90; i. 13. <sup>13</sup> *Cart. Kelso*, 124.  
<sup>14</sup> *Cart. Glasguen.*, 232.

scribed as the late Sir Andrew Fraser, Knight, and though the date of his attaining that dignity is unknown,<sup>1</sup> it must have been before 1291, as on July 17 of that year, Sir Andrew Fraser did homage to King Edward I. at Dunfermline.<sup>2</sup> On 23 June 1297 he swore on the Holy Evangils and Relikes and the Lord's Body to serve the King (of England) faithfully against the King of France.<sup>3</sup> He presumably left no children, as there is no record of any, and Sir Adam de Gordon seems to have succeeded to his lands.<sup>4</sup>

4. *William*, who took holy orders and became rector of Cadzow and Dean of Glasgow. As Dean he entered into an obligation, in 1279, in favour of the Chapter of the Cathedral, for the performance of which his brothers Sir Simon and Andrew became sureties.<sup>5</sup> Between 1274 and 1276 he was appointed Chancellor of Scotland, when William Wisheart became Bishop of St. Andrews.<sup>6</sup> On 4 August 1279 he succeeded Wisheart in the bishopric of St. Andrews, and was consecrated at Rome by Pope Nicholas III. on 18 June 1280.<sup>7</sup> On the death of King Alexander III., on 19 March 1285-6, he was elected one of the three regents for the North, together with Duncan, Earl of Fife, and Alexander Comyn, Earl of Buchan, to govern the kingdom until the young Queen Margaret should arrive from Norway and assume the Crown.<sup>8</sup> And after 1288, in which year both his colleagues died, he was sole regent north of the Forth. He was one of King Alexander III.'s executors, and as such resisted a claim made against the late King's estate by John de Masson in 1288-89.<sup>9</sup> His life, which is full of historical interest, is fully dealt with by Lord Saltoun.<sup>10</sup> He was one of the auditors in the competition for the Crown. The Bishop died abroad in the year 1297.

JOHN FRASER, the eldest son of Sir Gilbert, is first

<sup>1</sup> *Cart. Kelso*, 125. <sup>2</sup> *Cal. Docs. Scot.*, ii. 124. <sup>3</sup> *Ibid.*, ii. 896. <sup>4</sup> *Cart. Kelso*, 125. <sup>5</sup> *Cart. Glasguen.*, No. 232. <sup>6</sup> *Crawford's Lives*, 15; *Acta Parl. Scot.*, i. 86\*\*. <sup>7</sup> *Frasers of Philorth*, ii. 97. <sup>8</sup> *Dunbar's Scottish Kings*, and authorities there quoted. <sup>9</sup> *Hist. Docs. Scot.*, i. 71. <sup>10</sup> *Frasers of Philorth*, ii. 97-115.

mentioned in the *Liber Vitæ* of Durham, 'Gilbertus Fraser et Christiana uxor ejus et Johannes filius eorum.'<sup>1</sup> He appears never to have succeeded to his father's estates, but to have predeceased him, as after Sir Gilbert's death his lands are held by Richard Fraser, who was the proprietor of the lands of Rig near Arkelton, which John Fraser got by his marriage, before 1243 (in which year Roger Avenel died), with Alicia, daughter of William de Conigburg, Lord of Stapilgorton, and which his father-in-law held as a feudatory of Roger Avenel, Lord of Eskdale.<sup>2</sup> He left two sons:—

1. RICHARD, who succeeded him.
2. ALEXANDER of Cornton. (*See title Fraser.*)

SIR RICHARD FRASER of Touch Fraser succeeded his grandfather in the lands of Touch Fraser, in the county of Stirling. He was knighted before 1276, when he witnessed a resignation of the lands of Pencaitland, in East Lothian.<sup>3</sup> In 1289 he attended the case between the executors of King Alexander III. and John de Masson, on behalf of his uncle William.<sup>4</sup> He swore fealty to Edward I. on 8 July 1291,<sup>5</sup> and was appointed one of the forty auditors to hear claims of Competitors for the Scottish throne and report thereon.<sup>6</sup> On 14 November 1292 King Edward granted him the ward of the lands of the late Richard de Glen in Peeblesshire.<sup>7</sup> In January 1292-3 he was Sheriff of Berwick.<sup>8</sup> In 1295 he seems to have rebelled against Edward<sup>9</sup> and to have been forfeited; but on 3 September 1296 his lands were restored to him.<sup>10</sup> He had been made prisoner with William de Douglas at the surrender of Berwick.

'Le chastel (Berwick) saunz assaut à li ray rendist  
William de Duglas dedenz estayt elyt,  
Et Richard Freser, pur fere al ray despit;  
Le ray les ad prisouns mercy Jhesu Cryst.'<sup>11</sup>

He swore fealty to Edward I. for his lands in Stirlingshire and Dumfriesshire on the 28 August 1296 at Berwick.<sup>12</sup>

<sup>1</sup> *Liber Vitæ*, Surtees Society, 99. <sup>2</sup> *Reg. Hon. de Morton*, ii. No. 9. <sup>3</sup> *Book of Carlaverock*, by Sir W. Fraser, ii. 406. <sup>4</sup> *Hist. Docs. Scot.*, i. 73. <sup>5</sup> *Ragman Rolls*, 13; *Cal. Docs. Scot.*, ii. No. 508. <sup>6</sup> *Rymer's Fœdera*, ii. 553, 555. <sup>7</sup> *Rotuli Scotiæ*, i. 11. <sup>8</sup> *Hist. Docs. Scot.*, i. 392. <sup>9</sup> *Ibid.*, 367, note 2. <sup>10</sup> *Rotuli Scotiæ*, i. 26. <sup>11</sup> Pierre de Langtoft, ii. 235. <sup>12</sup> *Cal. Docs. Scot.*, ii. pp. 211, 214.

His seals, two specimens of which are extant, bear on a triangular shield six rosettes or cinquefoils 3, 2 and 1. There is no record of his death, but he was alive in 1307, when he was declared to have been, and to be still, a rebel.<sup>1</sup> It is not known who Sir Richard Fraser married, but he is presumed to have left a son,

**ANDREW FRASER.** Lord Saltoun shows that this Andrew is not to be confounded with Sir Andrew Fraser, son of Sir Gilbert, as some genealogists have supposed, and though there is no documentary proof of his parentage, there is no doubt that he was a very close relation of Sir Richard's, as his son Alexander was Sir Richard's successor in the lands of Touch Fraser.<sup>2</sup> In 1291, on 17 July, he swore fealty to Edward I.<sup>3</sup> He was Sheriff of Stirling in 1293.<sup>4</sup> He was taken prisoner into England in 1296, where he resided 'ultra Morpeth.'<sup>5</sup> He continued in the south till the middle of 1297, when on 23 June he entered into an agreement to attend King Edward on the Continent,<sup>6</sup> and went to Scotland to prepare for the expedition;<sup>7</sup> and on 25 June he received a grant of the lands of Ugtrethrestrother,<sup>8</sup> which had belonged to Macduff 'now in rebellion.'<sup>9</sup> There is no further mention of Sir Andrew after 1297, and he was dead before 1306, when his son was in possession of Ugtrethrestrother.<sup>10</sup> Sir Andrew's seal attached to his obligation to serve King Edward I. against France, bears six rosettes or cinquefoils, 3, 2, 1. His wife, whose name is not known, though it is probable that she belonged to the family of le Chen of Duffus,<sup>11</sup> had property in Caithness;<sup>12</sup> by her he had four sons:—

1. **ALEXANDER**, who succeeded.
2. *Andrew*. Little is known of him except that he was killed at the battle of Halidon Hill in 1333.
3. *Simon*. He took a prominent part in the battle of Bannockburn when 'Sir Simon Freser . . . chased the Englishmen three days.'<sup>13</sup> He had a charter of

<sup>1</sup> *Placita in Parliament*, i. 211. <sup>2</sup> *Frasers of Philorth*, i. 41. <sup>3</sup> *Cal. Docs. Scot.*, ii. 124. <sup>4</sup> *Cart. Newbottle*, No. 219. <sup>5</sup> *Rotuli Scotiae*, i. 35. <sup>6</sup> Original document in Record Office, London. <sup>7</sup> *Hist. Docs. Scot.*, ii. 185; *Palgrave's Documents*, 190. <sup>8</sup> Crawford Priory. <sup>9</sup> *Rotuli Scotiae*, i. 42. <sup>10</sup> *Palgrave*, 303, 314. <sup>11</sup> *Frasers of Philorth*, i. 46. <sup>12</sup> *Rotuli Scotiae*, i. 35. <sup>13</sup> Froissart, Lord Berner's edition, cap. cxlvii.

Brotherton in the Mearns, and some lands of Inverbervie.<sup>1</sup> He was Sheriff of Kincardine in 1317 and also in 1332.<sup>2</sup> He was one of the commanders at the recapture of Perth by David II. in 1332, and on 25 November of that year he, with Archibald Douglas, routed Edward Baliol in Annandale.<sup>3</sup> On 19 July 1333 he was killed at Halidon Hill.<sup>4</sup> He married Margaret, a daughter of the Earl of Caithness, and by her is said to have had two sons:—

(1) *Simon*.

(2) *Hugh or Alexander*.<sup>5</sup>

He may possibly have been the ancestor of the Frasers of Lovat.

4. *James*. Was killed with his two brothers at Halidon Hill in 1333. He got on 20 July 1321, and again on 22 September 1329, dispensations from Pope John XXII. to marry Margaret, called in the dispensation Mariosita de Ferendraught, heiress of Frendraught, in 1321.<sup>6</sup> He left a son *James*, whose seal is attached to the Act of Succession of March 1371, showing on a triangular shield a fess chequy between 6 rosettes or cinquefoils, 3 in chief, 2 and 1 in base, with a wolf's head as crest.<sup>7</sup> He was knighted before 1371.<sup>8</sup> He witnessed several charters down to 1395, about which year he is presumed to have left a son *James Fraser of Frendraught*, whose arms bore a bend sinister indented between *three* rosettes or cinquefoils, 2 and 1. He made grants of lands of Cambestone to the Abbey of Melrose,<sup>9</sup> and of Little Glensauche, in the Mearns, to the White Friars of Aberdeen.<sup>10</sup> He left a daughter *Matilda*, who married Alexander Dunbar, second son of John, Earl of Moray.<sup>11</sup>

SIR ALEXANDER FRASER of Touch Fraser and Cowie, was

<sup>1</sup> Robertson's *Index*, i. No. 16. <sup>2</sup> *Chamberlain Rolls*, i. 252; *Exch. Rolls*, i. 448. <sup>3</sup> Wyntoun, lib. viii. cap. xxvi.; Fordun, *Gesta Annalia*, No. cxlviii. <sup>4</sup> *Ibid.*, No. cxlix. <sup>5</sup> *Frasers of Philorth*, ii. 130-132. <sup>6</sup> *Calendar of Papal Letters*, ii. 217, 299; *History of the Stewarts*, 1798, by Andrew Stewart, 446. <sup>7</sup> Original Act in Register House, Edin. <sup>8</sup> *Antiq. of Aberd.*, ii. 197. <sup>9</sup> *Ibid.*, 524. <sup>10</sup> *Ibid.*, 523. <sup>11</sup> *Frasers of Philorth*, i. 138.



the eldest son of Sir Andrew, as is proved by the descent of the sheriffship of Stirling through him, and of the lands of Ugtrethrestrother and Touch Fraser. When his father was taken prisoner in 1296, he seems to have taken his children with him,<sup>1</sup> and it is possible that it was at the English Court that he met Robert de Bruce, whose brother-in-law he subsequently became. He embraced the cause of Bruce, and his lands were forfeited and divided amongst Edward I.'s followers. Thomas de Grey demanded the lands of Ugtrethrestrother.<sup>2</sup> William de Montfitchet demanded Drripp in Stirlingshire, and John de Weston asked for the lands in county of Edinburgh, the property of Alexander Fraser.<sup>3</sup> At the close of 1307 he and his brother Simon were with Robert Bruce:—

‘ Into Schir Alexander the Fraser  
He trastit, for tha frendis war,  
And in his brother Symon, tha twa,  
He had Mistere wele of Ma.’<sup>4</sup>

In 1308 he was at the battle of Loch Awe. It is related of him that he attempted to ambush Thomas de Gray at Cupar; probably in revenge for his having demanded the estate of Ugtrethrestrother. ‘ Alexander Fresile, a Scotte, frend to Robert Bruce, was sette within a litle of Cupar Castel, with an embuschment, and caused certen of his to pille a village thereby, so supposing to bring Thomas Gray into a trappe: the which hearing the cry, went to horse to see what it was. The embuschment seeing that rode of force to the very castel gates. Thomas seeing this returned his horse and cam fair and softly through the toun of Cuper and then laying spurs to his horse and rode through them and got within the barres of the Castel wher he found his owne meny arrunning out to help hym.’<sup>5</sup> At various dates Fraser received grants of several lands in Forfar and Kincardine from the King, including Panbride, Garvocks, Strachan, Essuly, Ballebrochy, Auchincross, and Culpresache.<sup>6</sup> He also obtained Aboyne in Aberdeenshire, first

<sup>1</sup> *Rotuli Scotiae*, i. 35. <sup>2</sup> Palgrave's *Documents*, 304, 313. <sup>3</sup> *Ibid.*, 317.

<sup>4</sup> *The Bruce*, Spalding Club edition, 187. The title ‘Schir’ seems to be an interpolation and incorrect, as Sir Alexander did not receive the honour of knighthood till after 1312. <sup>5</sup> Leland's *Collectanea*, ii. 545.

<sup>6</sup> Robertson's *Index*, 1, Nos. 7, 14, 15, 18.

on lease, and finally on heritable tenure;<sup>1</sup> and in 1312 he received a life assedation of the lands of Torry, in the parish of Nigg, in lieu of a pension from the rents of Con-  
 veth, from the Abbot Bernard and monks of Arbroath. Neither in this charter nor in royal letters of the same year in connection with the lands of Duffus is he designated as *miles*.<sup>2</sup> He fought at the battle of Bannockburn, where he 'had the Honour to Signalise his Courage and Conduct.'<sup>3</sup> In 1318 Sir Alexander, who was knighted before 1316, sat as a baron in Parliament on the Sunday after St. Andrew's Day, to settle the order of succession to the Crown.<sup>4</sup> About 1319 the office of Lord Chamberlain became vacant, and was conferred on Sir Alexander, in which capacity he served on 3 August of that year.<sup>5</sup> He was an honorary burghess of the burgh of Aberdeen.<sup>6</sup> In 1320 he affixed his seal to the letter to Pope John, a duplicate of which is in the Register House in Edinburgh. About 1321 he received a charter of Touch Fraser.<sup>7</sup> He obtained the barony of Kinnaird, in Aberdeenshire, on the resignation of Thomas de Kinnarde, and had a charter of an annualrent from Pendreche.<sup>8</sup> He also, 18 June 1325, obtained a charter of the lands of Cardenys and fishings of the loch of Skene in increment of his barony of Cluny, in Aberdeenshire.<sup>9</sup> On 6 April 1327 he had a royal charter in favour of himself and his son John, of the forest of Craigie.<sup>10</sup> He was Sheriff of Kincardine, in which capacity he witnessed a charter by Robert, Janitor or Porter of Kincardine,<sup>11</sup> and he was also Sheriff of Stirling, which office was hereditary in the family. Sir Alexander was killed at the battle of Dupplin in 1332. He married, in 1316, Lady Mary Bruce, a sister of King Robert I., and widow of Sir Neil Campbell. She had been captured by the English after the battle of Methven in 1306, and put into a wooden cage, shaped like a crown, and hung over the walls of Roxburgh.<sup>12</sup> She died before 1323.<sup>13</sup> By her Sir Alexander had two sons:—

<sup>1</sup> *Reg. Episc. Aberdon.*, i. 157, 159. <sup>2</sup> *Antiq. of Aberd.*, i. 258; iv. 611.  
<sup>3</sup> Crawford's *Officers of State*, 274. <sup>4</sup> *Acta Parl. Scot.*, i. 105; Robertson's *Index*, App. 10. <sup>5</sup> *Antiq. of Aberd.*, iii. 545. <sup>6</sup> Spalding Club *Miscellany*, v. 10. <sup>7</sup> *Reg. Mag. Sig.*, fol. vol. p. 17, No. 86. <sup>8</sup> Robertson's *Index*, 17, No. 45; 23, No. 7. <sup>9</sup> *Antiq. of Aberdeen and Banff*, iii. 316. <sup>10</sup> *Frasers of Philorth*, ii. 199. <sup>11</sup> Arbuthnot Charter-chest. <sup>12</sup> Crawford's *Officers of State*, 274. <sup>13</sup> *Frasers of Philorth*, ii. 198.

1. JOHN, who succeeded.
2. WILLIAM.

JOHN FRASER of Touch Fraser succeeded as a minor, being about fifteen years of age at the time of his father's death. He is mentioned in a charter of the forest of Craigie, in the thanage of Cowie, where he is called 'nepos' by Robert I.<sup>1</sup> He died young. His wife's name is not known; but he left one daughter and heiress, *Margaret*, married to William de Keith, Great Marischal of Scotland, who got with her the lands of Touch Fraser and others, including Cowie.<sup>2</sup>

SIR WILLIAM FRASER of Cowie and Durris, the second son, was born about 1318. In 1341 he received a charter of the thanages of Durris, Cowie, and of Eskyltuh, Essintuly in Kincardineshire,<sup>3</sup> and in 1342, by royal precept, an assignation of £13, 6s. 8d. from the rents of the lands of Avauch.<sup>4</sup> He took an active part in the capture of Edinburgh Castle by Sir William Douglas in 1341,<sup>5</sup> and in 1346 he assisted in the invasion of England by King David II., where he was killed at the battle of Durham.<sup>6</sup> He married Margaret, said to have been a daughter of Sir Andrew Moray of Bothwell, who survived him and was alive in 1364.<sup>7</sup> By her he had two sons:—

1. ALEXANDER, who succeeded him.
2. *John*, mentioned in a charter of Wester Essintuly, in the thanage of Durris, granted to him by King Robert II. on 18 June 1373 as 'filius quondam Willelmi Fraser militis.'<sup>8</sup> On 19 May 1376 his brother Sir Alexander granted him a charter of the lands of Auchinschogill, Loucardy, Plady, and Delgady, in the Deveron valley, on payment of a pair of gilt spurs on each feast of Pentecost, payable at Philorth,<sup>9</sup> and on 31 July 1385 Sir Alexander gave him a letter of obligation to the effect that if he was disturbed by any of Sir Alexander's heirs, by lawful proceeding,

<sup>1</sup> *Frasers of Philorth*, ii. 199. <sup>2</sup> *Exch. Rolls*, i. 586. <sup>3</sup> Robertson's *Index*, 60, No. 14. <sup>4</sup> *Exch. Rolls*, i. 509. <sup>5</sup> *Ibid.*, clvi. <sup>6</sup> *Scotichronicon*, lib. xiv. cap. 3. <sup>7</sup> *Frasers of Philorth*, i. 100 *et seq.*; *Exch. Rolls*, ii. 141. <sup>8</sup> *Reg. Mag. Sig.*, fol. vol. 99, No. 17. <sup>9</sup> *Antiq. of Aberd.*, i. 470.

in the possession of the above lands, he should have the whole barony of Durris in lieu of them.<sup>1</sup> The charter of 1376 was confirmed by William, son and heir of Sir Alexander, on 2 April 1397.<sup>2</sup> On 2 March 1387-88 he received a charter of Forglen from the Abbot of Arbroath.<sup>3</sup> On 8 January 1388-89 he purchased the lands of Balhelvie and others and 'duas villas de Ardendracht.'<sup>4</sup> He married Marjory, daughter of Sir John of Monymusk. By her he had a son *John*, who died without issue.<sup>5</sup> He had also two illegitimate sons, *Andrew* and *William*, mentioned in the charter of Forglen above cited.

ALEXANDER FRASER of Durris and Cowie, and first of Philorth. He was left an orphan at an early age and was probably a royal ward, as the thanages of Durris and Cowie seem to have been in the hands of the Crown during his minority; his mother, Margaret Moray, had payments from the revenues of the thanage of Cowie in 1361, and she had another payment in 1364.<sup>6</sup> On 4 September 1369 King David II. granted 'dilecto consanguineo nostro Alexandro Fraser,' the whole royal lands of the thanage of Durris, erecting them into a free barony, for the service of three attendances each year at the head court of the sheriffdom of Kincardine, and the service of one archer in the Royal Army.<sup>7</sup> In 1369 his name appears as Sheriff of Aberdeen,<sup>8</sup> an office which he probably continued to hold till his death, certainly until the year 1399, and he was knighted in or before 1371. On 4 June 1375 Sir Alexander Fraser and his wife Joanna received a charter from Sir Walter de Leslie, dominus de Ross, of all the lands of Philorth.<sup>9</sup> He was present at the battle of Otterburn, according to Froissart, who says of him, 'Il n'y avoit nul qui n'entendist bien, et vaillement a faire sa besogne.'<sup>10</sup> Sir Alexander lived an active life, and died in or shortly

<sup>1</sup> Philorth Charter-chest. <sup>2</sup> *Antiq. of Aberd.*, i. 471. <sup>3</sup> *Ibid.*, 511. <sup>4</sup> *Ibid.*, 289, 379. <sup>5</sup> This is possibly the John Fraser who in 1408 subscribed the sum of 4d. towards the expenses of the Embassy to England; *Charters of Burgh of Aberdeen*, 312. <sup>6</sup> *Exch. Rolls*, ii. 80, 141. <sup>7</sup> Charter at Philorth. <sup>8</sup> *Exch. Rolls*, i. 226. <sup>9</sup> Transumpt at Philorth; *Antiq. of Aberd.*, iv. 87. <sup>10</sup> Lyons 1559 ed. of Froissart, iii. 337.

before 1411, in which year his son William was styled 'of Philorth.' He married, first, in 1375, Joanna, second daughter of William, Earl of Ross, with whom he obtained Philorth. He married, secondly, before 1400, Elizabeth, said to have been a daughter of David Hamilton of Cadzow. By his first marriage he had a son,

1. WILLIAM, who succeeded.

He had a son *Alexander*, who Douglas says was the issue of the second marriage. Lord Saltoun, on the other hand, asserts that Alexander was illegitimate, and that there was no offspring of this union. He gives his reasons for this view, which seem fairly conclusive, though too lengthy to quote in this article.<sup>1</sup> This Alexander is also mentioned in a charter dated 20 September 1400, in which Sir Alexander grants the baronies of Colly and Durris to 'Alexandro Fraser filio naturali Alexandri Fraser militis.' He was the ancestor of the Frasers of Durris, from which family Durris eventually passed into the possession of the Earl of Peterborough.

SIR WILLIAM FRASER of Cowie and Durris, and second of Philorth. He confirmed his father's charter of Auchinshogill and others in Durris to his uncle, John Fraser, in the year 1397.<sup>2</sup> He is there styled 'Dominus de Filorth,' so was probably infest therein on his mother's death. He had charters in 1408 of Over and Nether Pittullie, Pitsligach, Culburty, and others within the barony of Aberdour, on his father's resignation, with reservation of liferent to himself and his wife.<sup>3</sup> He received the honour of knighthood before 10 July 1410, on which date the fourth Earl of Douglas gave a bond of 100 merks, 'dilecto consanguineo nostro Vilhelmo Fraser de Philorth militi.'<sup>4</sup> On 31 October he sold to Alexander, Lord of Forbes, lands in the barony of Kynedwart,<sup>5</sup> and on 10 October 1413 he sold the baronies of Cowie and Durris to William Hay, Lord of Errol and Constable of Scotland. He seems to have been in financial difficulties from 1411 onwards, as he sold lands at intervals until 1418.<sup>6</sup> Sir William died before 1441.<sup>7</sup> About 1404 he

<sup>1</sup> *Frasers of Philorth*, i. 120. <sup>2</sup> *Antiq. of Aberd.*, i. 470; ii. 352.  
<sup>3</sup> Philorth Charters. <sup>4</sup> *Antiq. of Aberd.*, iv. 85. <sup>5</sup> *Ibid.*, iii. 534. <sup>6</sup> *Ibid.*,  
 ii. 378. <sup>7</sup> Crawford's *Officers of State*, 280.

married Elinor Douglas, whose parentage is not known; but on 8 December of that year Isabel de Douglas, Countess of Mar and the Garioch, gave a charter of Tibarty and Utlaw, in the barony of Strathalva, in the sheriffdom of Banff, 'dilecto nostro affini Gulielmo Fraser et Elinore de Duglas sponse sue . . . in libero maritaggio.'<sup>1</sup> Lord Saltoun is of opinion that she was an illegitimate daughter of James, second Earl of Douglas and Earl of Mar, who was killed at Otterburn in 1388;<sup>2</sup> by her he had a son and two daughters:—

1. ALEXANDER, who succeeded him as third of Philorth.
2. *Agnes*, married, 24 July 1423, to William Forbes of Kinaldie, a younger brother of Sir Alexander Forbes of Forbes, who got with her the lands of Glaslath, Culcork, Tulinamolt, and others in the barony of Aberdour and county of Aberdeen.<sup>3</sup>
3. *Isabel*, married to Gilbert Menzies.<sup>4</sup>

SIR ALEXANDER FRASER, third of Philorth. He was born in all probability somewhere between 1405 and 1410. He was engaged in litigation, soon after succeeding to the estates, with the Hays of Ardendracht and the Thorntons of that ilk, to enforce his superiority over the lands of Auchinshogill, Plady, Delgattie, etc., which he inherited from his uncle Sir John Fraser. In this he was successful.<sup>5</sup> In 1450 he, in company with William, eighth Earl of Douglas, and many other distinguished Scotsmen, attended the Papal Jubilee at Rome.<sup>6</sup> On 14 April 1461 he was served heir to his grandfather in the estate of Cowie under the designation of 'miles,' so that it was about this time he attained the honour of knighthood.<sup>7</sup> He made, on 13 July 1464, a mutual entail with his cousin Hugh, Lord Lovat, by which he destined his whole lands to his own six sons and the heirs-male of each in succession, and failing them, to any other heirs-male of his own body that might be; and upon the failure of all these, 'dilecto consanguineo meo Hugoni domino Fraser de Lowet, et heredibus

<sup>1</sup> *Antiq. of Aberd.*, iii. 576. <sup>2</sup> *Frasers of Philorth*, i. 122. <sup>3</sup> *Reg. Mag. Sig.*, 18 July 1426; cf. vol. iv. 69. <sup>4</sup> Probably younger of Findon; *Frasers of Philorth*, i. 128. <sup>5</sup> *Ibid.* <sup>6</sup> Crawford, *Lives*, 280. <sup>7</sup> Crawford says he received it from King James II.; *ibid.*, 287.

suis masculis de corpore suo legitime procreatis aut procreandis quibuscunque.' Lord Lovat made a similar entail of the lands of Lovat to his cousin Alexander Fraser of Philorth.<sup>1</sup> Sir Alexander purchased the lands of Scatterty and Byth in the barony of Kinedwart in 1470 from Thomas Grayme. An unsuccessful attempt was made by Sir Alexander Dunbar of Westfield to set aside the transaction.<sup>2</sup> Sir Alexander Fraser died on 7 April 1482.<sup>3</sup> He married, before 1430, Marjorie, daughter of Gilbert Menzies of Findon, who survived him.

By her he had six sons:—

1. ALEXANDER, fourth of Philorth.
2. *James*, ancestor of the Frasers of Memzie, a small estate in the parish of Rathen. The estate remained in his family till the seventeenth century, when it passed into the Techmuiry family, for in 1635 William Fraser of Memzie is designated third lawful son of umquhile Mr. Michael Fraser, sometime in Techmuiry.<sup>4</sup> In 1810 the property was repurchased by Alexander George Fraser, sixteenth Lord Saltoun.
3. *William*.
4. *John*.
5. *Andrew*.
6. *George*.

} These four sons are mentioned in the entail of 1464, but nothing further is known of them.

ALEXANDER FRASER, fourth of Philorth, was served heir to his father, Sir Alexander, by an inquest held at Aberdeen on 8 May 1482, in the lands of Philorth, and twelve merks of the lands of Tallarty; this retour states that the barony of Philorth is worth annually one hundred merks, and *tempore pacis* was worth thirty pounds.<sup>5</sup> He seems to have taken no part in public affairs, and died in or before 1486. He married, about 1470, Margaret, daughter of

<sup>1</sup> *Frasers of Philorth*, i. 130. The male line of Sir John Fraser of Forglen and Ardendracht having failed about 1440, the Laird of Philorth and his sons were the only remaining legitimate descendants of the Chamberlain's son, Sir William, and if Lord Lovat was, as is thought by some writers probable, descended from Sir Simon Fraser the Chamberlain's brother (the charged border of his shield clearly showing his cadency), then the houses of Philorth and Lovat were each other's nearest relations and cousins in the fourth degree. <sup>2</sup> *Antiq. of Aberd.*, ii. 360; iii. 526. <sup>3</sup> Crawford's *Officers of State*, 281. <sup>4</sup> *Frasers of Philorth*, ii. 146. <sup>5</sup> *Antiq. of Aberd.*, iv. 90.

William, first Earl of Erroll: she survived him, and was living in 1495, at Pittinchaich, as tenant of William Keith of Inverugie,<sup>1</sup> and married, secondly, Sir Gilbert Keith of Inverugie; and thirdly, in January 1499-1500, Sir Robert Douglas of Lochleven.<sup>2</sup> By her Sir Alexander had three sons:—

1. ALEXANDER, fifth of Philorth.
2. WILLIAM, sixth of Philorth.
3. *George*, mentioned in 1496 as a curator of his brother Alexander. No other notice of him is found, and it is not known whether he left descendants.

ALEXANDER FRASER, fifth of Philorth. At an inquest held in Aberdeen on 4 October 1491, Alexander Fraser was adjudged to be of weak mind, and incapable of managing his affairs; and the jury went on to declare that he had been in this state for five years, but that his brother William was careful of his own affairs, and fully able to manage those of another person, and was then seventeen years old.<sup>3</sup> Sir Walter Ogilvy of Boyne was appointed curator to the Laird of Philorth, which office he held until 1496, when William Fraser and George Fraser, brothers of Alexander, and John Fraser of Ardglassie were associated with him in the guardianship.<sup>4</sup> William, third Earl of Erroll, and Sir Gilbert Keith of Inverugie, purchased the ward and marriage of Alexander Fraser from the Crown about 1486, and the Earl of Erroll sold his share to the Thane of Cawdor, whose daughter Marjorie Fraser was contracted to marry on receipt of a dispensation from Rome, as they were god-brother and god-sister to one another.<sup>5</sup> He probably never married her, and certainly had no issue. He died about 1500, and was succeeded by his brother William.

WILLIAM FRASER, sixth of Philorth. He was born about 1473-74, as he is stated to have been seventeen in 1491. He was curator to his brother, and under the designation 'William Fraser of Fyllorth' he witnessed a bond of manrent on 23 January 1497, at Inverness, by Robert Stewart of Clawak to Alexander, Lord Gordon.<sup>6</sup> On 23 August 1496 he, together with John Fraser, James Fraser of

<sup>1</sup> *Antiq. of Aberd.*, ii. 402-3. <sup>2</sup> *Acta Dom. Conc.*, ix. 14. <sup>3</sup> *Antiq. of Aberd.*, iv. 91. <sup>4</sup> *Ibid.*, 93. <sup>5</sup> *Thanes of Cawdor*, 69, 70. <sup>6</sup> *Spalding Club Misc.*, iv. 191.



Memzie, and others, granted a discharge for a hundred merks to Alexander Irvine of Drum 'for the assithement . . . ande parte off . . . recompensation callit kynbutt, for the offences and violence committit ande done be the said Alexander Iruyn and his complices, one umquhile Schire Alexander Frasar of Philorth, knicht, and Alexander Frasar his sone ande air fader to me the said William till us and utheris our Kyne and frendis at the Brig of Polgony of the quhilkis ane hundretht merks in pairt of payment of the said offence we hald us weil content,' etc.<sup>1</sup> He was served heir to his brother Alexander in the barony of Philorth by inquest held at Aberdeen on 10 December 1501, which also declared that his brother had been dead about a year and a half and that 'terre baronie de Philorth . . . valent nunc per annum centum et octoginta libras et valuerunt tempore pacis octoginta libras.'<sup>2</sup> Sir William was knighted before 1502, in which year various transactions took place between him and Sir William de Hay of Ardendracht respecting the lands of Auchinshogill and others, which Sir Alexander Fraser, first of Philorth, had given, in 1376, to his brother John, and which on the failure of his male line had passed to the Hays.<sup>3</sup> On 15 June 1504 he acquired the lands of Faithlie, afterwards the site of Fraserburgh, and Tyrie, from Sir Henry Merser, Knight, to be held for annual payment of 25 merks.<sup>4</sup> Sir William lived an active life, serving on many inquests and witnessing many documents. He died in the autumn of 1513, Crawford says at Paris,<sup>5</sup> but possibly he was killed at Flodden, though his name does not appear in any list of those who fell there. The ward and nonentry of his lands were granted to William, Earl of Erroll, 13 November 1513.<sup>6</sup> If he had been killed at Flodden his heir would have been entitled to his own ward. He married, about 1494, Elizabeth, daughter of Sir Gilbert de Keith of Inverugie, by whom he had a son:—

1. ALEXANDER, seventh of Philorth,  
and probably a daughter,
2. *Christina*, married to Andrew Chalmers of Strichen.<sup>7</sup>

<sup>1</sup> *Antiq. of Aberd.*, iii. 304. <sup>2</sup> *Ibid.*, iv. 94. <sup>3</sup> *Ibid.*, ii. 354, 356. <sup>4</sup> *Ibid.*, iv. 124. <sup>5</sup> *Lives*. <sup>6</sup> Slains Inventory. <sup>7</sup> *Frasers of Philorth*, i. 142; *Reg. Mag. Sig.*, 8 November 1528.

ALEXANDER FRASER, seventh of Philorth. He took sasine of the barony of Philorth two and a half years after his father's death, by precept addressed to William, Earl of Erroll, then Sheriff of Aberdeenshire, dated 23 April 1516, which bears that the Earl was to take security from him for the payment of four hundred and fifty pounds for the mails of the lands during the time they had been in the hands of the Crown, and one hundred and eighty pounds for ward and relief of the same.<sup>1</sup> In 1518 he was infeft in the lands of Faithly and Tyrie, on the precept of Lawrence Mercer of Aldie.<sup>2</sup> In 1530 he had the misfortune to kill one David Scott in an affray in Aberdeen, for which crime he was ordered by the Justiciary Court to pay ten pounds Scots to the nearest relations of the defunct, and to provide masses for the space of one year for the repose of his soul; and further, to make a pilgrimage to the shrine of St. John at Amiens. In consequence of undertaking this expedition he made his will, which shows his affairs to have been in a satisfactory condition.<sup>3</sup> He also got a royal letter of protection for his estates whilst he was abroad; the letter is dated from Edinburgh 1 February 1531.<sup>4</sup> On 4 December 1542 Alexander Fraser received from King James v. a charter of the fishings on the foreshores of Carnbulg, Faithlie, Pitcairlie, and Cowburty,<sup>5</sup> and on 2 November 1546 he received a Crown charter, setting forth that he had built a harbour of refuge for ships at Faithlie, and for this public service rendered the town of Faithlie was erected into a free burgh of barony, with all the usual privileges to its burgesses, etc.<sup>6</sup> The erection of this new burgh was bitterly resented by Aberdeen, who tried ineffectually to arrest its establishment.<sup>7</sup> He purchased a great many lands during his lifetime, including the New Muircroft of Kirkton Tyrie on 23 March 1549, on the resignation of John, Lord Borthwick, together with the superiorities of Ardlaw and Bodichail,<sup>8</sup> which lands his ancestor Sir William Fraser had sold in 1418. The lands were erected into a free barony

<sup>1</sup> *Antiq. of Aberd.*, iv. 95. <sup>2</sup> *Ibid.*, 122. In the *Antiquities* the date is erroneously stated to be 1418; a mistake of a century, for in 1418 there was neither a Laurence Mercer of Aldie nor an Alexander Fraser of Philorth in existence. <sup>3</sup> *Antiq. of Aberd.*, iv. 96-99. <sup>4</sup> *Ibid.*, 99. <sup>5</sup> *Reg. Mag. Sig.*, 4 December 1542. <sup>6</sup> *Antiq. of Aberd.*, iv. 645. <sup>7</sup> *Council Register of Aberdeen*, i. 356. <sup>8</sup> *Reg. Mag. Sig.*

of New Muircroft. By charter of 4 August 1553 the Queen confirmed his excambion of part of the lands of Coburty with John Forbes of Pitsligo for those of Pittalochy,<sup>1</sup> and the same date confirmed to him the lands of Meikle Creychtie, purchased from John Crawford of Fedderat.<sup>2</sup> On 27 May 1560 William Hay of Urie sold to Alexander Fraser of Philorth the lands of Tulykeraw, Blairmormond and Park of Creichmond;<sup>3</sup> on 6 May of that year he received sasine from Gilbert Menzies of 24 merks of annualrent out of the lands of Cowlie,<sup>4</sup> and on 24 April 1568 he bought from William Cuming of Inverallochy the sunny halves of Kindrocht and Denend, in the parish of Rathen.<sup>5</sup> Alexander Fraser died on or soon after 8 November 1569,<sup>6</sup> at the age of seventy. He married, first, about the year 1516, Catharine, daughter of Patrick Barclay of Gartly;<sup>7</sup> secondly, before July 1532,<sup>8</sup> Catherine, daughter of Gilbert Menzies of Findoun, Provost of Aberdeen, relict of Alexander Straton of that Ilk.<sup>9</sup> He had issue:—

1. *Alexander*, who predeceased his father in 1564, having married Beatrice, daughter of Robert Keith, Master of Marischal (*see title* Marischal), by virtue of a papal dispensation obtained from Rome on 15 June 1534.<sup>10</sup> He had issue:—

- (1) *ALEXANDER*, who succeeded his grandfather.
- (2) *Walter*, who is said to have acquired the lands of Rathillock and Crechie.<sup>11</sup> He had a son *Andrew*, witness to the will of his uncle, Sir Alexander Fraser, in 1623;<sup>12</sup> also a son *Alexander*.<sup>13</sup>
- (3) *John*, obtained the lands of Quarrelbuss. He had a son *Andrew*, who bought the lands of Aberdour, which he afterwards reconveyed to John, a half-brother of Alexander, tenth Lord Saltoun. Nothing further is known of Andrew Fraser of Quarrelbuss.
- (4) *Andrew*, who witnessed a sasine of his brother Alexander in 1570.<sup>14</sup> He was styled of Tyrie; his nephew, Alexander Fraser of Philorth, was served his heir in general 17 December 1624.<sup>15</sup>
- (5) *Hector*.
- (6) *James*.
- (7) *William*.<sup>16</sup>

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.* <sup>3</sup> *Antiq. of Aberd.*, iv. 635. <sup>4</sup> *Ibid.*, iii. 72. <sup>5</sup> *Ibid.*, iv. 683. <sup>6</sup> Deathbed declaration by him on that day; Slains Charters. <sup>7</sup> *Sheriff Court Records, Aberdeen*, i. 321. <sup>8</sup> *Acta Dom. Conc. et Sess.*, i. 76. <sup>9</sup> *Ibid.*, iii. 109. <sup>10</sup> *Frasers of Philorth*, i. 148. <sup>11</sup> *Ibid.*, ii. 151. <sup>12</sup> *Ibid.*, 152. <sup>13</sup> *Aberdeen Sasines*, vi. 547. <sup>14</sup> *Antiq. of Aberd.*, iv. 104. <sup>15</sup> *Retours, Gen.*, 1171. <sup>16</sup> The two last died before 1583; *Reg. of Deeds*, xx. pt. i. 400.

2. *William* of Techmuiry. This estate remained in the hands of the Frasers until 1686, when it passed into the hands of the Gordons by the marriage of Jane, only daughter and heiress of Alexander Fraser of Techmuiry to one James Gordon.<sup>1</sup>
3. *Thomas*, who bought Strichen from Alexander Chalmers. He married Isobel, daughter of Forbes of Corfurdie, by whom he had two daughters:—

(1) *Katherine*, married to William Forbes of Corsindae.

(2) *Violet*, married in 1593 to James Sutherland of Kinstearie.<sup>2</sup>

After Thomas's death his widow married Thomas Fraser of Knockie, a cadet of Lovat (*see that title*), who, after the marriage, bought up the interests of his step-daughters in Strichen with consent of Sir Alexander Fraser, eighth of Philorth, who was their guardian. Thomas Fraser of Knockie was henceforth designated of Strichen, and became the ancestor of the present Lord Fraser of Lovat.<sup>3</sup>

4. *Simon*, contracted in June 1557 to Margaret, sister of James Dempster of Morehous (Muresk ?). He died unmarried before December 1561; Thomas his brother was his heir.<sup>4</sup>
5. *John*.<sup>5</sup> He was Rector of the University of Paris, where he died in 1609, at an advanced age.
6. *James*, who had a charter of Skatterty from his nephew, Alexander Fraser of Philorth, 20 (confirmed 29) January 1570-71.<sup>6</sup>
7. *Christiana*, married to William Crawford of Fedderat.
8. *Elizabeth*, married (contract 4 November 1566) to William Gordon, younger of Awdiale.<sup>7</sup>
9. *Margaret*, youngest daughter,<sup>8</sup> married, first, to Alexander Cumyn of Inverallochy; secondly, to Alexander Annand of Octerellon, and died in 1602.<sup>9</sup>

SIR ALEXANDER FRASER, eighth of Philorth. Born about 1537, succeeded his grandfather in 1569, and received sasine of the barony of Philorth by royal precept dated 23 March

<sup>1</sup> *Frasers of Philorth*, ii. 147. <sup>2</sup> Cf. vol. iii. 202. <sup>3</sup> *Reg. Mag. Sig.*, 25 January 1590-91. <sup>4</sup> *Acts and Decrees*, xxii. 341. <sup>5</sup> Crawford's *Officers of State*, 282. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Reg. of Deeds*, vii. 344. <sup>8</sup> *Ibid.*, xiii. 134. <sup>9</sup> M.I. in Ellon Church.

1569-70.<sup>1</sup> His grandfather had previously settled Pittalochy on him by charter 1 March 1561-62,<sup>2</sup> and on his father's death in 1564 he succeeded to the estate of Pittulie.<sup>3</sup> He built the town of Fraserburgh on the site of the newly created burgh of Faithly, which by grant of novodamus inserted into a charter of all his lands which he had resigned for reinfeftment, was erected into a free port and burgh of barony on 9 April 1588,<sup>4</sup> and further, on 1 July 1592, Alexander Fraser got another charter of all his lands and privileges granted in 1588, with the addition of Inverallochy, and a grant of novodamus creating Faithly a burgh of regality with a free port, to be called the burgh and port of Fraser.<sup>5</sup> On 10 March 1573 the Provost and Bailies of Aberdeen petitioned the Regent concerning the lading of a Flemish ship at Faithlie, in prejudice of their privileges, and in 1605 raised an action of declarator to the effect that the creation of Fraserburgh into a barony of regality and a free port was illegal, on the ground that the trade privileges granted to Aberdeen extended over the whole county. The litigation seems to have dragged on till about 1616, and then seems to have been abandoned.<sup>6</sup> In 1543 Sir Alexander purchased the third part of Faithlie near Tyrie, from Robert Innes of Kinkell; and in the following year the shady halves of Kindrocht and Denend from George Gordon.<sup>7</sup> He was knighted on the occasion of the baptism of Prince Henry on 30 August 1594,<sup>8</sup> and in 1596 Sir Alexander Fraser of Fraserburgh and John Leslie of Balquhain were elected Commissioners to Parliament for the county of Aberdeen.<sup>9</sup> During the latter years of his life his affairs became very embarrassed owing to over expenditure on the new town of Fraserburgh, and such of his properties as were not settled on his eldest son were handed over to trustees to sell such parts as might be necessary for the payment of his debts, and to infeft his eldest grandson in the remainder. The lands thus sold in 1615 and 1616 were Inverallochy to Simon, Lord Lovat; Kindrocht, Denend, and a third part of Faithlie with Easter Tyrie to Thomas Fraser

<sup>1</sup> *Antiq. of Aberd.*, iv. 101. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *Spalding Club Misc.*, v. 358. <sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *Antiq. of Aberd.*, iv. 649 *et seq.* <sup>6</sup> *Frasers of Philorth*, i. 154. <sup>7</sup> Charters dated 3 September 1588 and 10 June 1584, both confirmed 9 April 1588; *Reg. Mag. Sig.*; *Antiq. of Aberd.*, iv. 649, 683. <sup>8</sup> *Crawford's Officers of State*, 283. <sup>9</sup> Aberdeen Sheriff Court Records.

of Strichen, and Cairnbulg and Invernorth to Alexander Fraser of Durris and his son Robert, to whom they had been granted in pledge three years previously. This last sale was made under reservations as to resale with a penalty of £10,000 attached for any infringement.<sup>1</sup> He died in July 1623, having married, first, about 1559, Magdalen, daughter of Sir Walter Ogilvie of Dunlugus, by whom he had issue :—

1. ALEXANDER, ninth of Philorth.
2. *William*, died unmarried.
3. *James*, received the estate of Tyrie as his portion. He had two children, *Jean* and *Alexander*, by whose son Tyrie was sold about 1725 to Leslie of Iden. The property was repurchased about the end of the eighteenth century by Simon Fraser of Ness Castle, and by him reunited to the Philorth estates.<sup>2</sup>
4. *Simon*, party to a contract with the feuars of Fraserburgh in 1613.<sup>3</sup>
5. *Thomas*.
6. *Magdalen*, married to Patrick Cheyne of Esselmont.
7. *Margaret*, married to William Hay of Ury<sup>4</sup> (contract 31 May 1606<sup>5</sup>).
8. *Elizabeth*, married to Sir Robert Keith of Ackergill.
9. *Barbara*, married to George Ogilvy of Carnousie; she was his future wife 6 January 1607.<sup>6</sup>

Sir Alexander married, secondly, about 1606, Elizabeth (contract 31 May 1606<sup>7</sup>), eldest daughter of Sir John Maxwell, Lord Herries, and widow of Sir John Gordon of Lochinvar, whom she married in 1563. (See title Kenmure.) By her, who died about December 1620, he had no issue. A picture of Sir Alexander at Philorth depicts his arms quarterly, 1st and 4th, three fraises or cinquefoils for Fraser, and 2nd and 3rd a lion rampant for Ross.

ALEXANDER FRASER, ninth of Philorth, was born about 1570; he received certain lands, as stated above, from his father during the latter's lifetime, Aberdour, Scattertie, Tiberlie, and Utlaw, and on his marriage, in 1596, he re-

<sup>1</sup> *Frasers of Philorth*, i. 162. <sup>2</sup> *Ibid.*, ii. 152. <sup>3</sup> *Ibid.*, i. 166.  
<sup>4</sup> *Reg. Mag. Sig.*, 9 November 1608. <sup>5</sup> Slains Charters. <sup>6</sup> *Banff Sas. Sec. Reg.*, iii. 179. <sup>7</sup> *Reg. Mag. Sig.*

ceived the lands of Pittulie. He was served heir to his father in the lands and barony of Philorth and others on 17 December 1624,<sup>1</sup> but as will be seen *infra*, his proprietorship must have been merely nominal, as Sir Alexander, his father, had resigned the lands of Philorth, etc., in 1615, in favour of his eldest grandson Alexander, tenth of Philorth. His life was uneventful, and he died about 1636-37. He married, first (contract 19 December 1595 and 4 January 1595-96<sup>2</sup>), Margaret Abernethy, daughter of George, seventh Lord Saltoun. By her he had:—

1. ALEXANDER, tenth Lord Saltoun.
  2. *Anna*, eldest daughter, married to George Baird of Auchmeddan (contract 8 and 14 October 1616<sup>3</sup>).
  3. *Magdalen*, married to James Forbes of Blackton.<sup>4</sup>
- He married, secondly, before 1625, Isabel, daughter of Sir Robert Gordon of Lochinvar, by whom he had:—
4. *John*, who died without issue before 1630.<sup>5</sup>

I. ALEXANDER FRASER, tenth of Philorth, and first Lord Saltoun of the Fraser line, was born in the year 1604, and matriculated at the King's College, Aberdeen, in 1619.<sup>6</sup> The family properties, which had, during his grandfather's lifetime, become seriously embarrassed, had been put under trust by various deeds of date from 1608 to 1616, by Sir Alexander Fraser, his grandfather, the trustees being Simon, Lord Lovat, George Ogilvy of Carnousie, and William Forbes of Tolquhoun, for the purpose of selling such parts of the property as might be necessary for the payment of his debts and for infefting his eldest grandson in the remainder.<sup>7</sup> Further, in 1620 Sir Alexander had resigned the lands and barony of Philorth into the hands of the Lords Commissioners for new infeftment, to be granted to the eldest son of his heir apparent, Alexander Fraser, by Margaret Abernethy; so that Alexander, tenth of Philorth, succeeded to Philorth during his father's lifetime. Lord Lovat and his co-trustees resigned their trust into the hands of the Royal Commissioners, who gave the estates over to Alexander Fraser, who had a royal

<sup>1</sup> *Retours, Aberdeen*, 185. <sup>2</sup> *Deeds*, cxxx. f. 302. <sup>3</sup> *Ibid.*, cclxxxix. f. 240. <sup>4</sup> *Fifth Rep. Hist. MSS. Com.*, 654. <sup>5</sup> *Frasers of Philorth*, i. 168. <sup>6</sup> *Fasti Aberdon.* <sup>7</sup> *Frasers of Philorth*, i. 162.

charter of them 15 March 1628.<sup>1</sup> Alexander Fraser took an active part in the troubles which arose in the country during his lifetime; he subscribed the Solemn League and Covenant at Aberdeen in 1638; was a member of the General Assembly at Glasgow in 1639, and in the same year served in the Army commanded by the Earl of Montrose, and led a contingent of two hundred men against the castles of Kellie and Gight.<sup>2</sup> In 1643 he was chosen, together with the Laird of Drum, as Commissioner for the county of Aberdeen, to attend the Convention of Estates at Edinburgh; in 1648 he had command of a regiment in the expedition into England to attempt the rescue of King Charles I.<sup>3</sup> He advanced large sums of money to King Charles II., joining the royal standard himself, and serving at the battle of Worcester.<sup>4</sup>

In 1668 Alexander Abernethy, ninth Lord Saltoun, died without issue, and on the decease soon afterwards of his only sister, unmarried, his cousin, the Laird of Philorth, inherited the dignity of Lord Saltoun.<sup>5</sup> He took the oaths and his seat in the Scots Parliament on 9 August 1670. Lord Mordington protested, but without effect.<sup>6</sup> On 22 August of the same year Parliament passed an Act, embodying a previous ratification made by the King on 11 July, which confirmed to Philorth and the heirs of his body the dignity of Lord Abernethy of Saltoun.<sup>7</sup> From this time onwards Lord Saltoun's life was one long series of litigations and troubles, mainly brought about by the ravages made on the Abernethy estates by the ninth Lord Saltoun. (*See p. 414 supra.*)

Saltoun was purchased by Sir Andrew Fletcher, Rothiemay and other lands by the Gordons, and Balvenie, after twenty ruinous years of lawsuits, was adjudged to Arthur Forbes of Echt. Pittullie and Pittendrum were also engulfed in the whirlpool of debt, and finally, some years before his death, Lord Saltoun made over all his remaining possessions to his grandson William, afterwards eleventh Lord Saltoun.

<sup>1</sup> *Reg. Mag. Sig.*; *Frasers of Philorth*, i. 170. <sup>2</sup> *History of Troubles*, i. 193, 196. <sup>3</sup> *Frasers of Philorth*, i. 176. <sup>4</sup> Wood's Douglas's *Peerage*. <sup>5</sup> He expedite service as heir of line, through his mother, of his grandfather, George, the seventh Lord; *Retours, Gen.*, 14 April 1670. <sup>6</sup> *Acta Parl. Scot.*, viii. 8. <sup>7</sup> *Ibid.*



In 1693 Lord Saltoun, who had reserved to himself rooms in the House of Philorth and the Castle on Kinnaird head, as well as a lodging in Fraserburgh, where he was maintained in great comfort by his grandson, went to his lodging on 10 July and died on 11 August. His death is recorded thus: 'Alexander, Lord Saltoun, came to the lodging on the 10th day of July in the year of God 1693, and departed out of this life the 11th day of August 1693, and was buried in his own Isle in Fraserburgh the 18th day of the present month. He was of age going in his eighty-ninth year. He was a man that was given to reading of good books, and very much in the exercise of prayer, both in his closet and when he had occasion to meet with a minister or churchman of his own profession; he would alwise desire them to pray before they parted with him. He was very civil and kind to all whom he had the freedom to converse with. He was also very charitable to the poor, at all occasions, whenever he and they did meet. He was carried to the seatown on the 12th day of August at night. August began that year on Tuesday.'<sup>1</sup>

Lord Saltoun married, first, a daughter of William Forbes of Tolquhoun, by whom he had one daughter,

1. *Janet*, married to Alexander Fraser of Techmuiry.<sup>2</sup>

He married, secondly (contract 27 June 1634<sup>3</sup>) Elizabeth, daughter of Alexander Seton of Meldrum, widow of John Urquhart of Craighfintrie; by her he had one son,

2. *Alexander*, Master of Saltoun, born about 1630, and educated at King's College, Aberdeen; he matriculated there in 1647. He was a man of weak, but good-natured disposition, who placed too much confidence in the integrity of his friends, who led him into debt and plundered him without mercy. He died in 1682, during the lifetime of his father. He married, first (contract 11 January 1652), Ann Kerr, daughter of William, third Earl of Lothian, who died 30 August 1658, leaving two sons:—

(1) *Alexander*, born in 1653, matriculated at King's College, Aberdeen, in 1667, and died, unmarried, towards the end of

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<sup>1</sup> *Frasers of Philorth*, i. 190; Register of Episcopal Congregation, Fraserburgh. <sup>2</sup> Crawford's *Officers of State*, 284. <sup>3</sup> *Reg. of Deeds*, ccclv. 381.

1672, aged nineteen.<sup>1</sup> The following extract is of interest :  
 ' Wednesday, 9 December 1672. Item for the velvet mort-  
 cloth at the Laird of Saltoun's buriall £5, 16s.'<sup>2</sup>

(2) WILLIAM, styled after his father's death Master of Saltoun, succeeded his grandfather as Lord Saltoun.

Alexander, Master of Saltoun, married, secondly, on 29 October 1660, Marion Cunningham, widow of James, first Earl of Findlater,<sup>3</sup> who died very shortly after the marriage; and thirdly, on 5 August 1663<sup>4</sup> (contract 27 June<sup>5</sup>), Sophia Erskine, sister of the second Earl of Kellie. He had no issue by either of these ladies.

II. WILLIAM FRASER, second Lord Saltoun of the Fraser line and eleventh from the first creation. Born on 21 November 1654, and educated with his brother Alexander at King's College, Aberdeen, where they matriculated in 1667.<sup>6</sup> On his brother's death in 1672 he became involved in his father's lawsuits and difficulties; he was hard pressed for money, and in 1679 went to France, where he remained for a year, but returned to Scotland in September 1680 at his grandfather's request.<sup>7</sup> In November 1681 he obtained from the Duke of York command of a company of foot, and the next year, on his father's death, assumed the title of Master of Saltoun.

He sold the estate of Memzie in 1689 to John Fraser, and in 1690 he sold part of Rathen to Alexander and Margaret Crawford.

In 1693 he succeeded to the title of Lord Saltoun and took his seat in Parliament on 7 May 1695.<sup>8</sup> He freed his estates in a great measure from debt, and was a promoter of the Indian and African Company. In 1706 he strongly opposed the Union with England. He never joined the Jacobite party, and died on 18 March 1715. He married, 11 October 1683, Margaret, daughter of James Sharpe, Archbishop of Saint Andrews, who survived him till 1734. By her he had three sons and four daughters:—

1. ALEXANDER, who succeeded.

2. William, born 19 November 1691. He became a member

<sup>1</sup> *Frasers of Philorth*, i. 189. <sup>2</sup> Records of Kirk-session of Fraserburgh. <sup>3</sup> Cf. vol. iv. 28. <sup>4</sup> Lamont's *Diary*, 165. <sup>5</sup> *Aberdeen Sasines*, ii. 369. <sup>6</sup> *Fasti Aberdon.*, 485. <sup>7</sup> Memorandum by himself at Philorth. <sup>8</sup> *Acta Parl. Scot.*, ix. 347.

of the Faculty of Advocates on 14 February 1713.<sup>1</sup> In 1721, he purchased the estate of Balgownie from Lord Gray, and changed its name to Fraserfield. He died on 23 March 1727, aged thirty-five. He married, on 25 October 1724, Katherine Anne, eldest daughter of David, Earl of Buchan, by whom he had an only son,

- (1) *William* Fraser of Fraserfield, born 28 September 1725. He served in the Army, and died on 31 October 1788, leaving a large family, including
  - i. *William*, who succeeded his father, and died unmarried.
  - ii. *Alexander*, who succeeded his brother William, who left four daughters, the eldest of whom was *Margaret* his heiress, who succeeded to Fraserfield.
  - iii. *Katherine Anne*, who married, on 27 March 1777, Duncan Forbes Mitchell of Thainston. Her sixth son, *Henry David*, married his cousin Margaret Fraser of Fraserfield.

3. *James*, third son of William, eleventh Lord Saltoun, bought the property of Lonmay from Patrick, brother to the Earl of Findlater, in 1718. He died on 10 August 1729, having married Eleanor, daughter of Colin, Lord Balcarres, by whom he had a son *William*, who was a cornet in Lord Stair's regiment of dragoons, and died abroad unmarried. Lonmay was sold in 1731 by Lady Eleanor to William Moir of Whitehills.
4. *Helen*, married, in 1709, to James, eldest son of Sir John Gordon of Park, in Banffshire.
5. *Henrietta*, married in 1718, to John Gordon of Kinnellar, son of Sir James Gordon of Lesmoir. She died at Fraserburgh 26 February 1751.
6. *Mary*, married to William Dalmahoy of Ravelrig.
7. *Isabella*, married to Mr. David Brown, minister at Belhelvie, who was deposed 18 October 1744 for adultery; but the sentence was remitted by the General Assembly in 1747, on his declaring his intention of going abroad. She died 27 April 1772, aged seventy-three.<sup>2</sup>

III. ALEXANDER FRASER, third Lord Saltoun of the Fraser line and twelfth from the first creation, born

<sup>1</sup> Faculty Lists. <sup>2</sup> Scott's *Fasti*, iii. 495.

about 1684. He was educated at the University of Oxford, where he matriculated in 1703. Sir Robert Sibbald writing of him to a Mr. Llyud, on 10 July of that year, says, 'The youth is ingenuous and well natured, and I hope shall be an honour to his country.'<sup>1</sup> When a boy of thirteen he was betrothed to Amelia, the heiress of Lovat, but owing to the intervention of Simon, Lord Lovat of notorious memory, the engagement was broken off. After succeeding to the title, he appears to have taken an active part in politics, and to have frequently attended the election of Representative Peers. He was a supporter of the Hanoverian Government, but took no active part in public affairs. He died on 24 July 1748, at the age of sixty-four.

He married, on 26 October 1707, Mary, daughter of George, first Earl of Aberdeen, by whom he had three sons and two daughters:—

1. ALEXANDER, Master of Saltoun, who succeeded him.
2. *William*, was admitted a member of the Faculty of Advocates on 18 December 1736,<sup>2</sup> and died unmarried 22 November 1748.
3. GEORGE, succeeded his brother, Alexander.
4. *Ann*, died unmarried 18 April 1807, at Fraserburgh.
5. *Sophia*, died unmarried 4 April 1784, at Fraserburgh.

IV. ALEXANDER FRASER, fourth Lord Saltoun of the Fraser line, and thirteenth from the first creation. He was born in 1710, and at the age of nineteen went for a tour of Europe with his tutor Mr. William Garioch. He was abroad during 1729-31. He had received a legacy from his grandfather, which made him independent during his father's lifetime; he was but little at Philorth before he succeeded, and after his succession he only once attended an election of Peers, in 1750. On the abolition of heritable jurisdictions he was allowed £52, 18s. 4d. as compensation for his right of regality over the burgh of Fraserburgh and lands of Faithlie.<sup>3</sup> He died unmarried on 10 October 1751.

V. GEORGE FRASER, fifth Lord Saltoun of the Fraser line and fourteenth from the first creation. He was born on 10 October 1720. He entered the Army and obtained a

<sup>1</sup> Douglas, *Peerage*. <sup>2</sup> Faculty Lists. <sup>3</sup> *Treasury Money Book*, Public Record Office.

commission in the Royal Marines. Succeeded his brother in 1751; was interested in politics, and often voted at the elections of Representative Peers. He took no part in active affairs, and died on 30 August 1781 at the age of sixty-one.

He married his cousin Eleanor, daughter of John Gordon of Kinellar, who survived him, and died in 1800; by her he had seven children:—

1. ALEXANDER, who succeeded as fifteenth Lord Saltoun.
2. *George*, born 12 June 1759, and died in infancy the same year.
3. *John*, born 18 January 1762, and died 6 June 1772.
4. *George*, born 29 March 1763. He went into the Army, serving in the 42nd and 60th Regiments; he held a captain's commission in the 59th, and died unmarried at Nevis in the West Indies on 8 January 1799.
5. *Henrietta*, born 20 July 1757, and died unmarried in 1809.
6. *Mary*, born 27 October 1760, and died unmarried in 1826.
7. *Eleanora*, born 29 March 1766; married, first, 29 August 1786, to Sir George Ramsay of Bamff, who died in 1790; and secondly, 6 July 1792, to Lieut.-General Campbell of Lochnell, but had no issue by either husband.

VI. ALEXANDER FRASER, sixth Lord Saltoun of the Fraser line, and fifteenth from the first creation. He was born at Philorth on 27 June 1758. He was admitted member of the Faculty of Advocates on 5 August 1780,<sup>1</sup> but did not practise, as he succeeded to his father's title and estates the next year, on 30 August 1781. He lived chiefly at Philorth, and took great interest in local affairs. In 1785 he addressed a circular letter to the conveners of the northern counties pointing out the expense of posting north of the Forth as compared with England and the south. . . . 'Having occasion last summer to post from London in a carriage of my own, which required four horses, I was uniformly charged on the English roads, and to the south of Queen's ferry, no more than one shilling and sevenpence sterling per

<sup>1</sup> Faculty Lists.

mile, made up of 9d. for the shaft horses, 6d. for the leaders, and 4d. of King's duty ; but when I came to Kinross, a demand was made of 1s. 10d. per mile, and the same at every stage all the way to Aberdeen. I refused to pay, and did not in fact pay more than 1s. 7d. till I reached Stonehaven, where the landlord would not furnish me with horses till I complied with his demand of 1s. 10d. per mile. . . .<sup>1</sup>

Lord Saltoun died at Baldwins in Kent on 13 September 1793, at the age of thirty-six. He married Margery, daughter and heiress of Simon Fraser of Ness Castle, on 9 June 1784, by whom (who died November 1851, aged ninety-seven) he had three sons and two daughters :—

1. ALEXANDER GEORGE, who succeeded him.
2. *Simon*, born 31 July 1787, died, unmarried, 10 February 1811.
3. WILLIAM, of whom presently.
4. *Margaret*, born 29 August 1719, died, unmarried, 14 August 1845.
5. *Eleanora*, born 13 June 1793, married, 5 December 1825, to William Macdowall Grant of Arndilly, Banffshire, and died 26 September 1852.

VII. ALEXANDER GEORGE FRASER, seventh Lord Saltoun of the Fraser line and sixteenth from the first creation. He was born on 22 April 1785, and succeeded his father at the age of eight years, being brought up by his mother, assisted by her father Mr. Fraser, until the latter's death in 1810. He was educated at Eton, where he was the first person who jumped into the Thames from the parapet of the centre arch of Windsor Bridge. In 1802, at the age of seventeen, he entered the Army, receiving a commission in the 35th Regiment, from which he was transferred to a lieutenancy in the 42nd Highlanders, in which regiment he remained till he attained the rank of captain in 1804, when he exchanged into the 1st Regiment of Guards, with which regiment he went to Sicily on active service in 1806.<sup>2</sup> The brigade of Guards came home in the autumn of 1807, and Lord Saltoun spent the winter at Philorth. In 1808 he again went on service, this time to Spain under Sir John

<sup>1</sup> Letter at Philorth. <sup>2</sup> *History of the Grenadier Guards*, by Lieut.-General Sir F. W. Hamilton, K.C.B., ii. 367.

Moore, and was present at the retreat to and the battle of Corunna.<sup>1</sup> In 1809 he accompanied his battalion on the ill-fated Walcheren expedition, which from mismanagement and dilatoriness resulted in complete failure.

In 1811 he again went on active service with the third battalion on the expedition to Cadiz, and was present at the battle of Barossa and the siege of Cadiz. In 1813 he was at the taking of San Sebastian.<sup>2</sup> He had command of the light companies (infantry) of the 1st Guards at the crossing of the Bidassoa in October of that year.<sup>3</sup> On 25 December he obtained the rank of captain and lieut.-colonel, when he was transferred to the second battalion at home, but remained in Spain with his old third battalion till the end of the war. Peace was signed at Paris on 30 May 1814, and the Guards were sent home.<sup>4</sup> The next year, on the 2nd of April, consequent on the escape of Napoleon from Elba, Lord Saltoun, who had been married only three weeks before, had to leave with his regiment for the front, where, on 15 May he was again put in command of the light companies. He was present at the actions of Quatre Bras and Waterloo, and during the latter battle, casualties caused the command of the third battalion to devolve temporarily on him, and he commanded the battalion at the conflict between the French and English Guards. He had two horses shot under him in the course of the day, and a hole in his cap. It was Lord Saltoun who accepted the surrender of General Cambronne, who commanded the Imperial Guard. He took part in the capture of Peronne on the 26th of the month, where he was saved from a wound by the bullet striking a purse full of gold ducats which was in his pocket.

Lady Saltoun now joined her husband in France, as did his mother and sisters, and he remained at Cambria till 1818, when the battalion came home.

Lord Saltoun after his return home remained in the Army, getting command of the 3rd Battalion on 17 November 1825. He was promoted to major-general on 10 January 1837. In 1841 he was sent out to China with reinforcements for Sir Hugh Gough. After operations were concluded, he was left in command of the troops

<sup>1</sup> *History of the Grenadier Guards*, ii, 381. <sup>2</sup> *Ibid.*, 457. <sup>3</sup> *Ibid.*, 461.  
<sup>4</sup> *Ibid.*, 483.

there for a year, and sailed for home on 31st January 1844. On 9 November 1846 he was promoted to the rank of lieutenant-general. On 25 March 1852 he was made a K.T. He was already a K.C.B. (1842), G.C.H. (1837), and Knight of the Orders of Maria Theresa of Austria and St. George of Russia. His further decorations were the Waterloo, Peninsular, and China medals. He was a musical enthusiast, and was at the time of his death president of the Madrigal Society of London, and chairman of the Musical Union. He died *s.p.* of dropsy on 18 August 1853, at the age of sixty-nine, and was buried in the family mausoleum at Fraserburgh. He married, 6 March 1815, Catherine, natural daughter of the Lord Chancellor Thurlow, and was succeeded by his nephew, the son of

WILLIAM FRASER, third son of the fifteenth Lord Saltoun, who was born on 12 October 1791; he was educated at Harrow, and entered a West Indian mercantile House which traded very prosperously for some years under the name of the Honourable William Fraser, Neilson & Co. The firm was ruined by the abolition of slavery in the West Indies. He died 21 March 1845, at the age of fifty-three.

He married, on 9 April 1818, Elizabeth Graham, second daughter of David Macdowall Grant of Arndilly, and by her, who died 5 May 1853, had issue:—

1. ALEXANDER, who succeeded his uncle as seventeenth Lord Saltoun.
2. *David Macdowall*, born 2 March 1825, joined the Royal Horse Artillery; he rose to the rank of general in the Army 1 July 1885; G.C.B. 1905, and Knight of the Order of Medjidieh; he died 25 February 1906, having married, 3 January 1854, Mary Georgina, daughter of Edward Gonne Bell of Streamstown, co. Mayo, by whom he had three sons and two daughters:—
  - (1) *Alexander David*, born 30 October 1854; joined 92nd Gordon Highlanders, from which he retired with the rank of captain. He died, *s.p.*, on service in South Africa, on 28 April 1901.
  - (2) *Edward Hay*, born 2 December 1855.
  - (3) *David Macdowall*, born 13 October 1857; lieutenant in Cape Mounted Rifles; died at Krugersdorp of wounds received when with Dr. Jamieson's force 11 January 1896.
  - (4) *Maria Elizabeth Florence*, born 19 January 1863.
  - (5) *Catherine Frances Graham*, born 3 April 1864.



3. *Simon*, born 19 January 1827, lieutenant in Madras Cavalry, died 8 June 1845, unmarried.
4. *William Murray*, born 6 April 1831, major Bengal Staff Corps, died 21 September 1872.
5. *James Hay*, born 24 March 1833, colonel Bengal Staff Corps, died 24 March 1886. He married, first, on 10 August 1864, Marion Stirling, fifth daughter of John Dundas, Edinburgh; she died 16 December 1872, leaving one son and two daughters:—

(1) *William*, born 1866.

(2) *Eleanor Catherine*, born 1865.

(3) *Laura Violet Jemima*, died, unmarried, 28 May 1900.

He married, secondly, on 12 October 1876, Emily Caroline, daughter of Colonel John Vandeleur, 10th Hussars, by whom he had no issue.

6. *Charles Julian*, born 27 February, died 6 April, 1838.
7. *Mary Eleanor*, born 24 January 1819, died, unmarried, 20 March 1858.
8. *Marjorie*, born 25 January 1822, died, unmarried, 28 June 1853.
9. *Elizabeth*, born 17 August 1823; married, 13 October 1853, to Major-General Hamilton Forbes of Ham, Surrey, Bengal Staff Corps, by whom she had issue. She died 20 September 1904.
10. *Margaret Eleanora Georgina*, born 17 January 1829; married, 12 March 1853, to Captain John Arthur Evans of Dean House, Oxford and Tuddenham, Norfolk. She died 13 December 1879, leaving issue.
11. *Eleanora Alexandrina*, born 4 September 1836; married, 1 February 1858, to Henry William Forester, nephew of Cecil Wild, first Lord Forester, with issue.
12. *Catherine Thurlow*, born 18 December 1840; married, 28 November 1860, to John Stewart Menzies of Chesthill, Perthshire, with issue.

VIII. ALEXANDER FRASER, eighth Lord Saltoun of the Fraser line and seventeenth from the first creation. He was born on 5 May 1820. Entered the Army, and was a major in the 28th Regiment. He sat in the House of Lords as a Representative Peer for Scotland. He had a

great taste for literature and genealogy, and wrote a very comprehensive history of the family of Fraser of Philorth, from which this article is largely drawn. He died 1 February 1886, having married, 25 April 1849, Charlotte, second daughter of Thomas Brown Evans of Dean House, Oxford, and by her, who died 11 June 1890, had issue:—

1. ALEXANDER WILLIAM FREDERICK, who succeeded as eighteenth Lord Saltoun.
2. *Arthur David Hay*, born 19 August 1852, was a captain in the Scots Guards, and died 27 January 1884, having married, in 1877, Lucy Jane, daughter of Major Robert Fergusson of Cassillis House, Ayr—she was married, secondly, 25 April 1887, to Francis John Stewart Hay-Newton, second son of John Stewart of Newton—by whom he had two daughters:—
  - (1) *Helen Charlotte Isabel*, D.Sc., born 1879; a lady professor at University College, Nottingham.
  - (2) *Marjory Lucy Kathleen*, born 1881; married, 1 October 1907, to Edward Pratt-Barlow, late 60th Rifles, eldest son of Frank Pratt-Barlow of Lynchmere House, in Essex.
3. *Thomas Henry Day*, born 22 October 1853, died 12 January 1854.
4. *Charlotte Elizabeth Eleanor*, born 16 March 1850; married, first, on 10 July 1873, to William H. A. Keppel, with issue; secondly, on 5 December 1903, to Admiral Sir Henry Frederick Stephenson, G.C.V.O., K.C.B.
5. *Marjorie Alexandrina Louisa*, born 3 February 1855, died 19 May 1869.
6. *Annie Mary Eleanor*, born 8 February 1857; married, first, on 15 July 1875, to Lord Zouche of Haryngworth, from whom she was divorced 8 December 1876; secondly, on 30 August 1893, to Arthur, second Lord Trevor. She died *s.p.* 10 May 1895.
7. *Alexandrina Charlotte Hannah*, born 25 April 1860, died 23 November 1861.
8. *Alexandra Catherine May*, born 31 August 1862; married, 29 March 1883, John Houblon Forbes of Medwyn, co. Peebles, with issue.

IX. ALEXANDER WILLIAM FREDERICK, ninth Lord Saltoun of the Fraser line and eighteenth from the first creation. Born 8 August 1851; succeeded as eighteenth Lord Saltoun

in 1886. Is a J.P. and D.L. for Aberdeenshire; late major in the 3rd Battalion Gordon Highlanders; formerly a lieutenant-colonel in the Grenadier Guards; is a Representative Peer for Scotland. He married, 7 July 1885, Mary Helena, daughter of Thomas Arthur Grattan Bellew, M.P., by whom he has issue:—

1. *Alexander Arthur*, Master of Saltoun, born 8 March 1886.
2. *George*, born 4 March 1887, lieutenant R.N.
3. *Simon*, born 7 September 1888.
4. *William*, born 5 July 1890.
5. *Mary Alexander*, born 11 December 1891.

CREATION.—24 June 1445.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, azure, three cinquefoils argent, for *Fraser*; 2nd, or, a lion rampant gules [surmounted of a ribbon sable],<sup>1</sup> for *Abernethy*; 3rd, argent, three piles gules, for *Wishart*.

CREST.—An ostrich holding in its beak a horse shoe, all proper.

SUPPORTERS.—Two angels, wings expanded and endorsed proper, vested in long garments or.

MOTTOES.—*The glory of the honourable is to fear God. In God is all.*

[A. S. C.]

[SEAFIELD, OGILVIE, EARL OF, *see* FINDLATER.]

<sup>1</sup> The words in brackets are, no doubt accidentally, omitted in the Register.

## OGILVIE-GRANT, EARL OF SEAFIELD

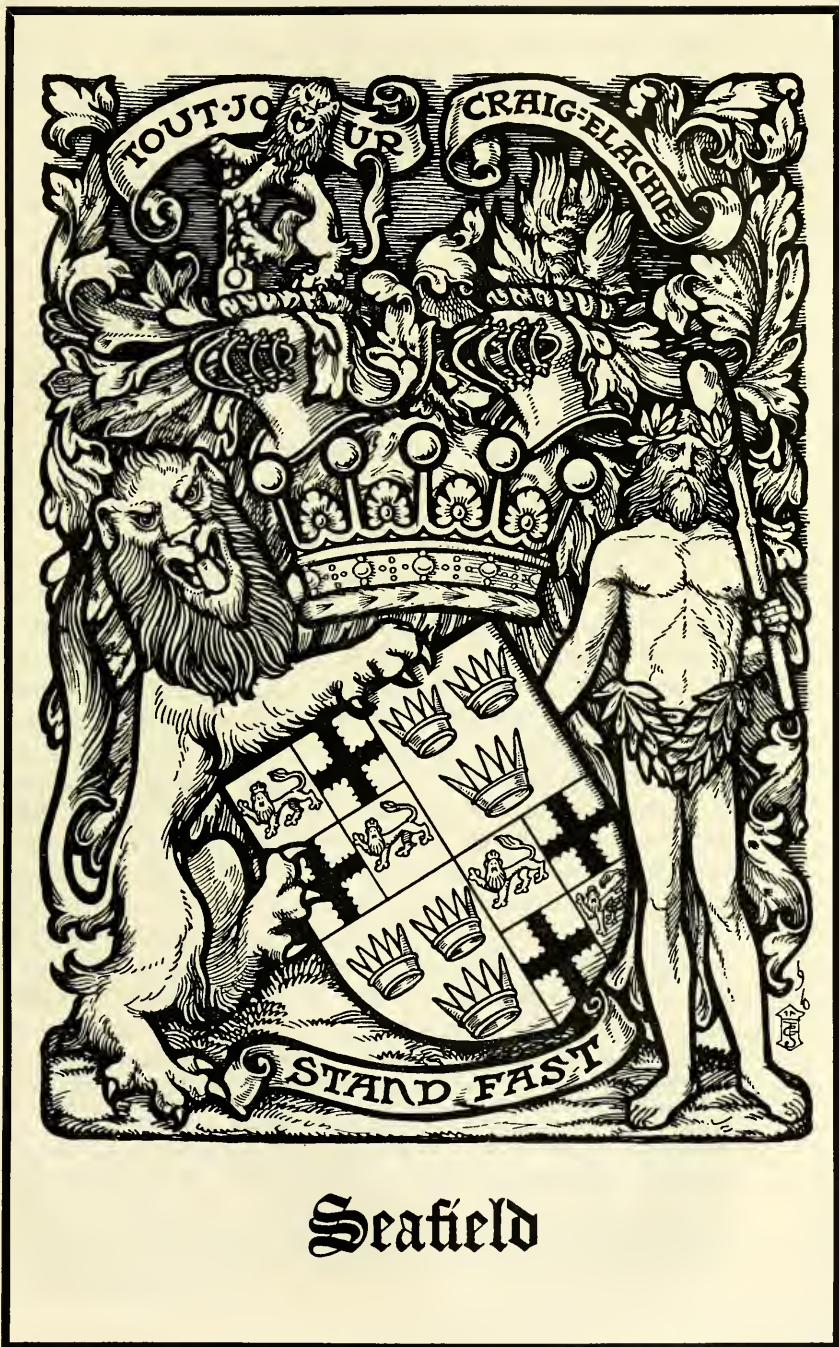


SIR WILLIAM FRASER in his elaborate work on the *Chiefs of Grant*, from which much of this article is taken, discusses at length the possible origin of the family. It is therefore unnecessary here to repeat his arguments. Suffice it to say that the name appears in Scotland—in Morayshire—as early as 1258, when a Sir Laurence Le Grant appears as Sheriff of Inverness, and it would appear that there were others

of the same surname who must have resided for some time in Morayshire. Sir William Fraser also tells of John le Grant of Inverallan, and other Grants of Inverallan and Stratherrick, whom he places in chronological order, but without clearly stating or proving from which of them is descended the present principal family of Grant. In this article, therefore, it has been thought best to begin with the first ancestor from whom a direct descent can be traced. He was

JOHN GRANT (Ian Ruadh), said to have been a knight and Sheriff of Inverness in 1434.<sup>1</sup> He was most probably the husband of Matilda of Glencarnie, the daughter of

<sup>1</sup> Cf. Shaw's *Province of Moray*, ed. 1882, i. 97.



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Gilbert of Glencarnie.<sup>1</sup> The date of Ian Ruadh Grant's death is uncertain, but Matilda of Glencarnie died before 31 January 1434, leaving issue:—

1. DUNCAN GRANT, afterwards Sir Duncan Grant of Freuchie.
2. *Patrick Mac Ian Roy*, who is said by the Kinrara ms.<sup>2</sup> to have married Janet, third daughter of Malcolm, tenth Chief of Mackintosh.<sup>3</sup> To him, by some, is attributed the position of ancestor to the Clan Phadruig or House of Tulloch Gorm,<sup>4</sup> while others say he was illegitimate.<sup>5</sup> On 28 July 1473, Marjory Lude, a widow, styling herself 'Lady of half the Barony of Freuchie,' alienated her lands of Auchnarrows, Downan, Port and Dalfour (Dellifure), to her carnal son Patrick Grant.<sup>6</sup> He is also called Reoch. He died before 2 December 1508, leaving a son — Reoch, who probably is the Patrick Reoch said to have died in 1513 in a charter of apprising of 1 May 1585.<sup>7</sup>

SIR DUNCAN GRANT, Knight, first called of Freuchie, born on or before 1413. He was knighted between 1460 and 1464.<sup>8</sup> On 31 January 1434-35, as Duncan le Grant, he received a precept of sasine from King James I. for infefting him as lawful heir of his deceased mother Matilda of Glencarnie in the fifth part of the barony of Rothes Wiseman and Burmuckty (Barmuckity), the two Fochabers, a half of Surestown (Sheriffston), and an annualrent of two merks from the town of Thornhill, all in the sheriffdom of Elgin. He was styled 'Duncan le Graunte of Fruychy' in a precept of 31 August 1453.<sup>9</sup>

As Sir Duncan he was retoured, first on 25 February 1464-65, and finally on 7 February 1468-69, as heir in the

<sup>1</sup> This lady is the 'Bigla Comyn' of tradition, and round her name various legends have gathered. But she was not a Comyn. She was descended from Gilbert, seventh son of Gilbert, third Earl of Strathearn (*see that title*), who before 1232 had received the lands of Glencarnie from his father. Through Matilda, therefore, the Grants can claim direct descent from that Earl Malise of Strathearn who fought at the Battle of the Standard in 1138. <sup>2</sup> *The Mackintoshes and Clan Chattan*, 84. <sup>3</sup> Macfarlane's *Gen. Coll.*, i. 183. <sup>4</sup> *Shaw's Moray*, i. 97. <sup>5</sup> Macfarlane's *Gen. Coll.*, i. 109. <sup>6</sup> *Chiefs of Grant*, iii. 30, 31. <sup>7</sup> *Ibid.*, 266, 395. <sup>8</sup> *Exch. Rolls*, vi. 657 and *Chiefs of Grant*, iii. 26. <sup>9</sup> *Chiefs of Grant*, i. xxxv. 63, and iii. 22. This work is the authority for the statements in this article save where other references are given.

lands of Congash of his grandfather Gilbert of Glencarnie, who is said to have died about thirty years before.

He died 1495, as appears from a short Latin chronicle relating to the Highlands, by James M'Gregor, Dean of Lismore, who died in 1542. It is said that he married Muriel Mackintosh, daughter of Malcolm, tenth chief of the Mackintoshes, but the evidence points to her having married John Grant, Sir Duncan's son. Sir Duncan Grant had issue one son and two daughters:—

1. JOHN.

2. *Catherine*, married, as his third wife, to Lachlan Mackintosh, called 'Badenoch,' and was the ancestress of the chiefs of Mackintosh.<sup>1</sup> She is also said to have married Alexander Baillie of Dunain and Sheuglie.<sup>2</sup>

3. *Muriel*, married to Patrick Leslie of Balquhain, and had issue. She died c. 1472.<sup>3</sup>

JOHN GRANT, younger of Freuchie, who was a consenting party to a precept of his father in 1475, and an arbitrator in a dispute between the Mackintoshes and Rose of Kilravock in 1479.<sup>4</sup> On 8th September 1478 he received a grant in liferent from George, Earl of Huntly, of the Earl's lands of Fermestoun, Kinrara, Gergask and others, and is there described as son and apparent heir of Duncan Grant of Freuchie. He was infeft in the lands of Inverallan in a precept dated 9 May 1482, from the superior, William Crawford of Federeth, on the resignation of Patrick Seres. It seems most probable that he is the John Mor Grant of Freuchie who is stated by the Kinrara MS.<sup>5</sup> to have married Muriel Mackintosh, daughter of Malcolm, tenth chief of the Mackintoshes.<sup>6</sup> He died *vitâ patris* before 16 September 1483, and, according to the above-mentioned chronicle, at Kindrochat in Mar on 30 August 1482, and was buried in the Cathedral Church of Moray. He left issue three sons:—

1. JOHN, who succeeded his grandfather as Laird of Freuchie.

<sup>1</sup> Original paper at Castle Grant, dated 20 February 1568. <sup>2</sup> *Invernessiana*, 128. <sup>3</sup> Collections for a History of Aberdeen and Banff, i. 530.

<sup>4</sup> *Family of Kilravock*, 139. <sup>5</sup> *The Mackintoshes and Clan Chattan*, 84.

<sup>6</sup> Macfarlane's *Gen. Coll.*, i. 183.



2. Another son, *Patrick*, is also assigned to John Grant, younger of Freuchie. He is stated to have been a twin brother of John Grant, second of Freuchie, and is claimed as the ancestor of the first family of Grants of Ballindalloch and also of the first Grants of Dalvey, afterwards of Dunlugas. Patrick Grant in Ballindalloch appears about 1520 as a prominent member of the Grant family. He acquired and held Ballindalloch from the Grants of Freuchie. On 17 February 1529-30 he bought from Robert Stewart de Clawauch the lands of half the town (ville) of Urquhart and the lands of Cantraydown in the barony of Clawauch (Clava) in the sheriffdom of Nairn. He was living subsequent to 8 June 1555. It is not known whom he married. He left issue.
3. *William*, who appears to have been the third son of John Grant, younger of Freuchie, is named in a royal remission dated 13 February 1527, and is said to be an ancestor of the Grants of Blairfindy. He may be the same as the William Grant who witnessed a charter 6 November 1534.<sup>1</sup>

JOHN GRANT, second of Freuchie, called the Red Bard (*Am Bard Ruadh*). On 8 June 1483, on a precept from William Crawford of Federeth, he was infeft in the lands of Inverallan. On 16 September 1483 he received a gift from George, Earl of Huntly, of the lands of Kinrara and others, in the lordship of Badenoch, in liferent for man-rent service. On 4 January 1493-94 he had a confirmation of his lands, which were erected into the barony of Freuchie.<sup>2</sup> John Grant, as early as 1488, must have acquired an interest in Urquhart, as in a dispute between the Laird of Freuchie and Alexander, Lord Gordon, the rents (270 merks) of the lands of Urquhart and Glenmoriston are stated, 28 January 1492-93, to be four years in arrear.<sup>3</sup> He subsequently accepted from the Crown a lease of the lordship of Urquhart and Glenmoriston<sup>4</sup> for five years from Whitsunday 1502 at the old rent of £100, of which,

<sup>1</sup> *Reg. Mag. Sig.*, 15 November 1534. <sup>2</sup> Original instrument of resignation at Castle Grant, and *Reg. Mag. Sig.*, 4 January 1493-94. <sup>3</sup> *Acta Dom. Conc.*, 267. <sup>4</sup> Mackay's *Urquhart and Glenmoriston*, 74.

however, £20 a year was allowed to himself as his fee for keeping the castle.<sup>1</sup> On 4 February 1498-99 the King bestowed on him the lands of Glencarnie and Ballindalloch, with the mills of the same.<sup>2</sup> He purchased the lands of Nether Auchroisk in 1505 from John Nairn, the Baron of Cromdale.<sup>3</sup> On 8 December 1509 he received a charter from King James IV. of the barony of Urquhart.<sup>4</sup> On 10 January 1512-13 he had a charter of sale from Alexander Gaderar, a burghess of Elgin, of the lands of Auldcash, in the shire of Elgin.<sup>5</sup> On All Saints' Day, 1513, Sir Donald Macdonald of Lochalsh, who had been proclaimed Lord of the Isles, invaded Urquhart, seized the castle, plundered the neighbourhood, and held the lands for three years. John Grant died on 1 May 1528, having married (contract 16 September 1484), Margaret, fourth daughter of Sir James Ogilvy of Deskford.<sup>6</sup> He left issue two legitimate sons and five daughters:—

1. JAMES, who succeeded him.
2. *John*, who had a royal charter of the lands and barony of Corriemony 8 December 1509.<sup>7</sup> Ancestor of the Grants of Corriemony and the Grants of Sheuglie. He is said to have married a daughter of Strachan of Culloden.<sup>8</sup> He died in 1533.
3. *Margaret*, married (contract 10 May and 8 November 1508) to Thomas Cumming, son and apparent heir of John Cumming of Erneside.
4. *Anne*, married, about 1512, to Hugh Fraser, Master of Lovat, afterwards third Lord Fraser of Lovat, and died before 1536.<sup>9</sup>

<sup>1</sup> King's Rental Book, 1502-1508, in Register House; *Exch. Rolls*, xii. 61, 128, 218, 348, 659. <sup>2</sup> *Reg. Mag. Sig.*, 4 February 1498-99. <sup>3</sup> Original charter at Castle Grant. <sup>4</sup> *Reg. Mag. Sig.*, 8 December 1509. <sup>5</sup> *Ibid.*, 27 June 1609. <sup>6</sup> Cullen House Charters. <sup>7</sup> *Reg. Mag. Sig.*, 8 December 1509. <sup>8</sup> *Grants of Corriemony*, 11-14. <sup>9</sup> *Reg. Mag. Sig.*, 19 July 1536. See *ante*, vol. v. 526. The *Polichronicon* calls her Katherine, and says she was a pretty young widow, relict of John Haliburton, Laird of Pitcur (*Wardlaw MS.*, 123, 129; *History of the Frasers*, 98), but Mackenzie in his *History of the Frasers* calls her Anne. There are indications of another alliance between the Grants and the Frasers. A half-brother of Hugh, Master of Lovat, is stated in the *Polichronicon* (*Wardlaw MS.*, 123) to have married Morella Grant, the Laird of Grant's daughter; his name is stated to be Andrew, but 'he was vulgarly called Mr. John; of him descended a numerous tribe.' Mackenzie makes Andrew 'Anndra Ruadh a' Chnuic' (Red-haired Andrew of the hill),

5. *Agnes*, married (contract 22 October 1520) to Donald Cameron, younger, chief of the Clan Cameron.<sup>1</sup>
  6. *Elizabeth*, married to John Mackenzie of Kintail, and had issue.
  7. *Christiana*, mentioned as a creditor of her brother James in the testament of the latter, dated 1 June 1553.
  8. Another daughter is said to have been married to Hector Mackintosh, temporary chief of the Clan Mackintosh,<sup>2</sup> but no evidence of this has been found.
- John Grant, second of Freuchie, also left a natural son, *John* (called *Ian Mor*), ancestor of the Grants of Glenmoriston, and himself first of Glenmoriston. He afterwards acquired Culcabok, and died in September 1548, having married Elizabeth or Isabella, daughter of Walter Innes, and grand-daughter of Sir Robert Innes of that Ilk; he divorced her and married, secondly, by papal dispensation in 1544, Agnes, daughter of William Fraser, and grand-daughter of Thomas, second Lord Fraser of Lovat. He left issue, and was the ancestor of the present Laird of Glenmoriston, Ian Robert James Murray Grant.

JAMES GRANT, third of Freuchie, called *Sheumas nan Creach* (James of the Forays). He was retoured heir to his father in Freuchie, with its castle and fortalice and other lands, in 1536 and 1539. On 24 July 1543<sup>3</sup> he was one of those who signed the Secret Bond by Cardinal Beaton and others, which was directed against the designs of 'our awld enymyis of Ingland' against Queen Mary and the Queen-Regent. He was made bailie of the Abbey of Kinloss before 20 June 1544. Knockando, Glencumrie, and Brodland, in the parish of Knockando, were granted by Alexander Douglas, Chaplain of St. Andrews (Knockando) in 1545, with consent of the dean and chapter of Moray, to James Grant of Freuchie and Christian Barclay, his spouse.

killed at Kinlochlochy (Blar-nan-Leine), distinct from John, who married a daughter of Grant of Grant. If either of above statements is correct, John Grant of Freuchie had another daughter, Muriel or Morella, who married a brother of Hugh Fraser, Master of Lovat. <sup>1</sup> *Urquhart and Glenmoriston*, 89 and 90. <sup>2</sup> *Macfarlane's Gen. Coll.*, i. 202. <sup>3</sup> *The Hamilton Papers*, i. 630, 632.

On 27 July 1545<sup>1</sup> he purchased the lands of Estir Urquhil (Easter Urquhart) and Cantradoun, within the barony of Clawach (Clava), in the sheriffdom of Nairn. On 23 April 1545, at Elgin, he exchanged the lands of Easter Urquhart and others with Alexander Dolas of Cantray for the lands of Rothiemurchus. On 4 May 1548 Queen Mary granted him various lands in Lochalsh and Lochcarron.<sup>2</sup>

He died 26 August 1553 at Freuchie (now Castle Grant) and was buried by his own testamentary direction in the Parish Church of Duthil. He married, first, Elizabeth Forbes, daughter of John, sixth Lord Forbes; and, secondly, Christian Barclay, who survived him, and married Arthur Forbes of Balfour, without issue. James Grant left issue:—

1. JOHN, who succeeded.
2. *William*, who, as son of the Laird of Freuchie, received, on 7 May 1541, from Patrick, Bishop of Moray, a charter of the lands of Finlarg or Muckrath.<sup>3</sup> He died, without issue, before 22 December 1560, when his brother John received a precept of clare constat from the bishop for his own infettment in these lands as heir of William.
3. *Duncan*, who also received from the Bishop of Moray, on 16 January 1542-43, a feu-charter of the lands of Easter Elloquhy (Elchies).<sup>4</sup> But even previous to this date, on 7 May 1541, he had a charter of these lands in feu-farm from the bishop. For assisting in the rebellion of Huntly, he received a remission along with other members of the family 9 July 1569. He died in October 1580, having married Marjory Leslie, third daughter of Robert Leslie, fifth son of William Leslie of Aikenway,<sup>5</sup> with issue. He was the ancestor of the Grants of Easter Elchies.
4. *Archibald*, probably by second marriage. On 10 August 1580 he had received a charter of the manse of the sub-deanery of Moray,<sup>6</sup> in which he is designated as Archibald Grant in Ballintomb (brother of

<sup>1</sup> *Reg. Mag. Sig.*, 21 August 1546. <sup>2</sup> *Ibid.*, 4 May 1548. <sup>3</sup> *Reg. Morav.*, 405. <sup>4</sup> *Ibid.*, 403. <sup>5</sup> Macfarlane's *Gen. Coll.*, ii. 72. <sup>6</sup> Confirmed 8 March 1580-81, *Reg. Mag. Sig.*

John Grant of Freuchie). On 24 October 1596, John Cumming, younger of Ernesyde, sold to him certain of the lands of Dalfour, in the barony of Freuchie.<sup>1</sup> He died before 15 June 1619, having married Isabella Cumming, a daughter of the Laird of Erneside.<sup>2</sup> He was the ancestor of the Grants of Monymusk, and of the present Laird, Sir Arthur Henry Grant, J.P., D.L., ninth Baronet of Monymusk.

5. *Isobel*, married, before 1543, to Archibald Campbell, eldest son and heir of Sir John Campbell of Cawdor, and had issue.<sup>3</sup>
6. *Margaret*, married (contract 15 September 1552<sup>4</sup>) to Thomas Cumming, grandson and heir of Alexander Cumming of Altyre.
7. *Janet*, married (contract dated 26 January 1552-53) to Alexander Sutherland of Duffus.<sup>5</sup> She survived him, and was married, secondly (contract dated 26 September 1577) to James Dempster of Auchterless.<sup>6</sup> She survived her second husband also (he dying before 7 January 1591-92<sup>7</sup>) and died between 17 and 31 October 1600.<sup>8</sup>
8. *Agnes*, married (contract 24 August 1558) to David Ross, son of Alexander Ross of the Holm.

Janet Grant,<sup>9</sup> who was married to Alexander Gordon of Strathavon, is claimed as a daughter of James Grant of Freuchie, but there is good reason for believing she was a daughter or sister of John Grant of Ballindalloch.

JOHN GRANT, fourth of Freuchie, called 'the Gentle.' During his father's life designed 'of Mulben.' On 9 July 1552 he received from Queen Mary a remission for joining Matthew, Earl of Lennox, on Glasgow Moor, in May 1544. He was retoured heir to his father in the lands

<sup>1</sup> Confirmed 15 June 1619, *Reg. Mag. Sig.* <sup>2</sup> *Ibid.* <sup>3</sup> *The Thaness of Cawdor*, 170. Receipts for tocher at Castle Grant; see also *Reg. Mag. Sig.*, 16 August 1545; *Chiefs of Grant*, i. 124. <sup>4</sup> Copy contract at Castle Grant. <sup>5</sup> *Exch. Rolls*, xx. 551. <sup>6</sup> *Reg. Mag. Sig.*, 10 January 1578-79. <sup>7</sup> *Ibid.*, 24 January 1591-92. <sup>8</sup> *Chiefs*, i. 500; *Macfarlane's Gen. Coll.*, ii. 94. Mr. James Fraser, minister of Wardlaw, says, in his *Chronology and Genealogy*, that William Fraser of Struy, tutor of Lovat 1558-60, married, as his first wife, Janet Grant, daughter to the Laird of Grant. <sup>9</sup> *Burke's Commoners*, iv. 8. See writs of transactions between her and Grant of Ballindalloch (*Protocol Book of J. Christison*, ff. 61, 62).

of Glencarnie and Ballindalloch at Elgin on 6 October 1553,<sup>1</sup> and in the lands of Freuchie and others.<sup>2</sup> On 30 October 1554 Robert (Reid), Bishop of Orkney, and his nephew Walter, the lately elected Abbot of Kinloss, appointed the Laird of Freuchie as successor to his father in the office of Bailie of the Abbey of Kinloss.

On the 25 October 1557 he had a charter of the lands of Parkhill, co. Fife, on the forfeiture of John Leslie.<sup>3</sup> On 3 December 1562, acting on an order of 4 November 1562, by Queen Mary, he demanded and took the custody of Drummin Castle, the keepers having fled. This order of the Queen is the first authoritative document in which the Laird of Freuchie is denominated Laird of Grant.

The Laird was one of the Queen's party at the Palace of Holyrood on 9 March 1565-66, when David Riccio was slain;<sup>4</sup> and he signed the bond of 1568 in support of the Queen.<sup>5</sup> Acting as the Queen's Lieutenant, Huntly, on 18 February 1568-69, bestowed upon the Laird the abbacy of Kinloss, escheated because Walter Reid the Abbot had been proclaimed rebel.<sup>6</sup> He was one of those who signed the bond of 15 April 1569, drawn up by the Regent's Privy Council,<sup>7</sup> by which the subscribers acknowledged the authority of King James VI. and the Earl of Moray as Regent, and swore to obey them in all points.<sup>8</sup>

By a deed dated at Ballachastel on 30 August 1584 he made over, owing to his increasing ill-health, a great part of his lands and estates to John Grant, his grandson and apparent heir, reserving to himself a liferent and to his wife terce.<sup>9</sup> His last will and testament was made at Ballachastell 24 November 1584. He appointed his body to be 'bureit in the Kirk of Dowthall in Bogbegis Yll.'<sup>10</sup>

The Laird died at Ballachastel 3 June 1585. He married,

<sup>1</sup> Original precept and sasine at Castle Grant. <sup>2</sup> See *Exch. Rolls*, xviii. 561; see also entry, dated at Edinburgh, in *Exch. Rolls*. <sup>3</sup> *Reg. Mag. Sig.*, 25 October 1557. <sup>4</sup> See Cottonian ms. Caligula B ix. 265 *et seq.* especially 274, British Museum. <sup>5</sup> Spalding Club *Misc.*, iv. 156, 157. <sup>6</sup> Original gift at Castle Grant. <sup>7</sup> *P. C. Reg.*, ii. 654. <sup>8</sup> *Cal. Scot. Papers*, iii. 166. See Submission and Obligation to the Regent by John Grant 7 June 1569, Precept for a Remission to John Grant of Freuchie and others for accession to the Earl of Huntly's rebellion 3 July 1569, and Composition and Remission by King James VI. to John Grant of Freuchie and his clan 9 July 1569. <sup>9</sup> Original disposition at Castle Grant. <sup>10</sup> *Edin. Tests.*, 15 March 1586.

first, before 19 February 1539-40, Margaret Stewart, daughter of John, third Earl of Atholl. She died in 1555.<sup>1</sup> He married secondly, on or before 8 March 1557-58, Janet, daughter of George, third Earl of Rothes, and widow of David Crichton of Naughton.<sup>2</sup> She survived him and was married, thirdly, before 10 June 1589, to James Elphinstone, third son of Alexander, second Lord Elphinstone. She died at Kirkcaldy 17 December 1591.<sup>3</sup>

1. DUNCAN GRANT, of whom presently.

2. *Patrick Grant* of Muckerach, afterwards of Rothiemurchus. In 1570 he received from his father a charter of the lands of Muckerach and others, and, before 26 April 1572,<sup>4</sup> he must have received the lands of Rothiemurchus, as in the charter by Colin Mackenzie of Kintail to his sister Barbara Grant of that date he is designed 'of Rothiemurchus,' and on 26 December 1580, upon his own resignation, he received another charter of the same lands, in which he is designed 'of Rothiemurchus.' In 1610 he obtained a grant of the lands of Hempriggs<sup>5</sup> in the barony of Kinloss to him and his spouse Jean Gordon. He died after 20 August 1623, when he was appointed a Justice of the Peace for the shires of Inverness and Cromarty.<sup>6</sup> He married Jean Gordon, said to have been a daughter of the Laird of Gight,<sup>7</sup> and was the progenitor of the Grants of Rothiemurchus, now represented by John Peter Grant, Sheriff-Substitute of Inverness-shire. The second family of Grants of Ballindalloch, now Macpherson Grant, is a cadet of Rothiemurchus.

3. *Elizabeth, Elspet, or Isobel*, by first marriage. On 19 January 1560-61, and again in November 1561, she was contracted to William Fraser of Strowie, but there is no evidence that the marriage was completed. She was ultimately married (contract 15 February 1564-65), as his first wife, to John Leslie, younger of Balquhain, with issue.

4. *Grissel*, by first marriage, married (contract 17 March

<sup>1</sup> M.I. at Duthil Church; cf. vol. i. 444. <sup>2</sup> *Family of Leslie*, ii. 65; and *Balmerino and its Abbey*, 501. <sup>3</sup> Testament confirmed 28 June 1593; Edin. Tests.

<sup>4</sup> *Reg. Mag. Sig.*, 18 May 1572. <sup>5</sup> *P. C. Reg.*, ix. 11, 68, 98.

<sup>6</sup> *Ibid.*, xiii. 349. <sup>7</sup> *Macfarlane's Gen. Coll.*, i. 111.

1558<sup>1</sup>) to Patrick Grant, younger of Ballindalloch.<sup>2</sup> She died before 1576.

5. *Margaret*, by first marriage, married (contract 23 February 1560) to Alexander Gordon, son and apparent heir of George Gordon of Beldornie.<sup>3</sup>
6. *Katherine*, by first marriage, named after Margaret in a document of 1559. Probably died before 1561.
7. *Marjory*, by first marriage, named after Margaret in a document quoted as of date 20 January 1561.
8. *Barbara*, by first marriage, named after Marjory on 20 January 1561, contracted in marriage on 16 November 1568 to Robert Munro, younger of Fowlis. This arrangement was not completed; on 26 July 1570, and again on 25 April 1572, she was contracted to Colin Mackenzie of Kintail.<sup>4</sup>
9. *Helen*, by first marriage, married (contract 17 November 1571) to Donald MacAngus VicAlister, younger of Glengarry. This marriage was probably a species of handfasting, as their son *Angus* had a precept of legitimation 5 April 1584.<sup>5</sup> He was killed at Kyleakin in Skye before 17 March 1607, when he is referred to as deceased and also as bastard.<sup>6</sup>

John Grant had also a natural son, *John*.<sup>7</sup>

DUNCAN GRANT, younger of Freuchie. On 28 August 1579 he had a charter from John Meldrum, portioner of Ord, of certain lands called the Haughs of Killeismond, in the county of Banff.<sup>8</sup> On the resignation of John Grant of Corriemoney he acquired the four-merk lands of Corriemoney and others.<sup>9</sup> He died *v.p.* at Abernethy sometime between 19 February and 25 March 1581-82,<sup>10</sup> and was buried at Duthil. He married, before 20 February 1568-69,<sup>11</sup> Margaret, daughter of William Mackintosh of that Ilk, or of Dunachton. She was married, secondly, in 1584, as his third wife, to Alexander Forbes of Pitsligo;<sup>12</sup> thirdly, to Alexander Gordon of Abergeldie, who died in 1601; and,

<sup>1</sup> *Chiefs of Grant*, iii. 397, 398. <sup>2</sup> *Reg. Mag. Sig.*, 7 March 1565-66. <sup>3</sup> Receipt for dowry at Castle Grant. <sup>4</sup> *Reg. Mag. Sig.*, 18 May 1572, and 10 July 1574. <sup>5</sup> *Reg. Sec. Sig.*, l. f. 119. <sup>6</sup> Cf. *The Clan Donald*, iii. 310. <sup>7</sup> *P. C. Reg.*, xii. 244. <sup>8</sup> *Reg. Mag. Sig.*, 22 December 1581. <sup>9</sup> *Ibid.*, 19 August 1580. <sup>10</sup> M.I. Duthil Church. <sup>11</sup> *The Mackintoshes*, 140. <sup>12</sup> Macfarlane's *Gen. Coll.*, i. 223; *Reg. Sec. Sig.*, lii. 155.



fourthly, 21 December 1604, to William Sutherland of Duffus.<sup>1</sup> By her first husband she had issue:—

1. JOHN, who succeeded his father in Corriemony and his grandfather as Laird of Freuchie.
2. *James*. To him his father bequeathed Ardneidlie.<sup>2</sup> He was more commonly known as James Grant of Logie, and was ancestor of the Grants of Moyness in the parish of Auldearn, Nairn. He is also designated of Edinville. He was alive 27 August 1622, but dead before 8 July 1623.<sup>3</sup> He married,<sup>4</sup> 8 June 1602, Catherine, second daughter of William Rose, eleventh of Kilravock.<sup>5</sup> After his decease she was married, in 1624, to Simon, Lord Fraser of Lovat. She died 19 September 1658, at the age of seventy-seven.
3. *Patrick Og* of Easter Elchies, ancestor of the second family of that place. He received from his brother John, then Laird of Freuchie, a charter of the lands of Strome, dated at Ballachastell, 10 July 1589, and confirmed at Holyrood House 13 July 1593. He appears frequently as a witness about 1623 under the designation of Easter Elchies. He died before 8 August 1640, having married Margaret, daughter of Sir Robert Innes of Balvenie.
4. *Robert*, ancestor of the Grants of Lurg.<sup>6</sup> In 1620 he obtained from his brother John Grant of Freuchie a lease of the lands of Clachaig to him and his spouse. In 1628 he was appointed by Sir John Grant of Freuchie, his nephew, bailie of the Grant baronies, and joint chamberlain of his estates, and held these offices till his death, which occurred shortly after 21 June 1634. He married, before 1620, Catherine Stewart of Kilcoy, who survived him, and was alive in 1662, and left issue.
5. *Duncan*, of Dandaleith, in the parish of Rothes. He appears as a witness to several deeds between 1607 and 1616. He died before 24 February 1620, leaving two sons, *John* and *James*.

<sup>1</sup> *Reg. Mag. Sig.*, 25 November 1608. <sup>2</sup> Memorandum or copy will at Castle Grant. <sup>3</sup> *Inquisitiones de Tutela*. <sup>4</sup> Macfarlane's *Gen. Coll.*, ii. 491. <sup>5</sup> *Family of Rose of Kilravock*, 81, 289; *Wardlaw MS.*, 248, 254. <sup>6</sup> *P. C. Reg.*, x. 53.

6. *Elizabeth*, married (contract 27 April 1594) to Alexander Cumming, younger of Altyre.
7. — a daughter, name unknown, mentioned in her father's testament, but no other trace of her has been discovered.

JOHN GRANT, fifth of Freuchie, was born about 1568, and was, as son and heir of his father Duncan, infeft in Corriemoney 17 May 1583.<sup>1</sup> On 26 June 1587 he had a charter in implement of a contract entered into between him, with consent of his curators Patrick Grant of Rothiemurchus and John Grant of Kinveachie (which shows he must then have been under age), and Alexander Hay of Easter Kennet, the Lord Clerk Register, and William Hay of Mayne, heir and liferenter of the lands disposed, of the lands of Inverallan and others, in the county of Inverness;<sup>2</sup> and on 2 October 1589 he had a charter from James Grant of Auchernak of the lands of the two Auchnarrows and others in the same county,<sup>3</sup> which were ultimately conjoined with the barony of Cromdale, 28 June 1609.<sup>4</sup> On 30 April 1589 he signed, along with the King and certain northern Barons, bonds in defence of the true religion against the Roman Catholic conspiracy, and the Earls of Huntly and Erroll in particular.<sup>5</sup> After the attack by Huntly on the house of Ballindalloch in November 1590, Grant entered into a bond of offence and defence with the Earls of Atholl and Moray and other northern lairds,<sup>6</sup> and also separately with Mackintosh of Dunachton against Huntly.<sup>7</sup> The latter, however, proved too strong for his enemies at that time, and on 22 October 1591 a reconciliation was patched up between him and the Lairds of Freuchie and Dunachton, but the murder of the Earl of Moray by Huntly in February 1591-92 caused the whole feud to break out again with fresh fury. While it may be described as a Grant and Huntly feud, it involved a very large number of Highland families, and gave the Government much uneasiness.<sup>8</sup> On 15 June 1596 Grant had to

<sup>1</sup> Castle Grant Charters. <sup>2</sup> Confirmed 14 February 1592-93, *Reg. Mag. Sig.* <sup>3</sup> *Ibid.* <sup>4</sup> *Ibid.*, 28 June 1609. <sup>5</sup> *P. C. Reg.*, iv. 375-377. <sup>6</sup> Spalding Club *Misc.*, ii. 93. <sup>7</sup> *Chiefs of Grant*, iii. 171-176. <sup>8</sup> See *P. C. Reg.*, vols. iv. and v. *passim*.

give a bond for the large sum of £10,000, that he and those for whom he was responsible would keep the peace, 'and redress all parties skaithed.'<sup>1</sup>

On 13 April 1609 he had a charter from the Earl of Moray of the lands and lordship of Abernethy.<sup>2</sup> In 1598 he acquired the lands of Over and Nether Kinmenitie and others.<sup>3</sup> Towards the close of the life of this turbulent chief he was much mixed up with the persecution of the Clan Gregor. At first he took strong measures against them; two of them were executed for theft at his castle of Ballachastell, and in 1613 he apprehended Allaster M'Allaster, one of the chief ringleaders of the clan, 'a notorious and rebellious Hielandman.' He was charged by the Privy Council to hand him over to them,<sup>4</sup> but the man died very soon after, still in the Laird's custody. It is probable that it was only under pressure from Government that Grant took proceedings against the clan. When that pressure was removed, it is clear, from the records of the Council, and indeed from his confession,<sup>5</sup> that he gave shelter to several. He was fined for this resetting the enormous sum of 40,000 merks,<sup>6</sup> an amount which he apparently succeeded in getting reduced to 16,000 merks. This sum was actually paid by him in 1615.<sup>7</sup>

'John of Freuchie' died Friday, 20 September 1622, and his remains were interred in the family burial-place at the church of Duthil, where, twenty-one years afterwards, his widow desired to be laid beside him. He married (contract 15 April 1591) Liliias, second daughter of Sir John Murray of Tullibardine, Knight, who in 1606 was created Earl of Tullibardine. King James VI. and his Queen are said to have honoured the marriage with their presence.<sup>8</sup> Her husband purchased the barony of Lethen, and bestowed it on her in conjunct fee, apparently 26 February 1606.<sup>9</sup> She survived her husband for twenty-one years, dying at the end of 1643 or the beginning of the following year. Her testament and later will is dated on 30 December 1643 at Ballachastell. She was greatly respected, and she seems

<sup>1</sup> *P. C. Reg.*, v. 740. <sup>2</sup> *Reg. Mag. Sig.*, 17 June 1609. <sup>3</sup> *Laing Charters*, 1343-45, 1357, 1358. <sup>4</sup> *P. C. Reg.*, x. pp. xxviii. 152, 820, 821. <sup>5</sup> *Ibid.*, x. 820. <sup>6</sup> *Ibid.*, 143. <sup>7</sup> Extract acquittal in Grant Castle Writs. <sup>8</sup> *Shaw's Moray*, i. 102. <sup>9</sup> *Reg. Mag. Sig.*, 12 July 1634.

to have had much force of character. Taylor, the Water Poet, visited her and her husband at Castle Grant, and was very much struck with her charms and attainments.<sup>1</sup> From a list of books given in her own hand it appears she had a good library, and poems in her handwriting show her poetical tastes.

John Grant left issue by his wife:—

1. JOHN GRANT, who succeeded.
2. *Annas* or *Agnes*, born about Michaelmas 1594. She was married (contract 16 August 1611<sup>2</sup>) to Lachlan, afterwards Sir Lachlan Mackintosh of Dunachton, seventeenth Laird of Mackintosh, then a minor. She survived her husband, who died 29 June 1622, and was married, secondly, to Lachlan Mackintosh, younger of Borlum.<sup>3</sup> Her will is dated 9 October 1624, and she probably died soon after.
3. *Jean* or *Janet*, born about Michaelmas 1597.<sup>4</sup> Married, first (contract 19 September 1612), to William Sutherland, younger of Duffus, the tocher being 9500 merks.<sup>5</sup> Her husband died 21 October 1626, leaving issue by her. She was married, secondly, to Thomas Mackenzie of Pluscarden.<sup>6</sup>
4. *Lilias*, born in 1599. Married, after 1622 and before 9 October 1624, to Sir Walter Innes of Balveny, and had issue. She was alive 30 December 1643.<sup>7</sup>
5. *Katherine*, born in 1604. Married, after 9 October 1624, to Alexander Ogilvie of Kempcairn, second son of Walter, son of first Lord Ogilvie of Deskford. (*See title Findlater.*) He was nominated by his nephew James, seventh of Freuchie, as one of the tutors and administrators of his children.

The Laird had also a natural son,

*Duncan Grant*, designed of Clurie, who was legitimated 18 February 1615.<sup>7</sup> He married (contract 4 July 1615) Muriel Ross, daughter of George Ross of Bal-

<sup>1</sup> *Works of John Taylor, the Water Poet*, edited by Charles Hendley, 1872, p. 55. <sup>2</sup> *The Mackintoshes*, 212. There seems to have been another and a later contract at Auldearn, 21 November 1611. <sup>3</sup> *Ibid.*, 378. Her second husband's name is given as William in her will (*Chiefs of Grant*, iii. 337), but the statement in the text is correct. <sup>4</sup> *The Chiefs of Grant*, i. 196; iii. 221, 337, 411, 412. <sup>5</sup> *P. C. Reg.*, 2nd ser., i. 449. <sup>6</sup> Cf. vol. iii. 206, and p. 504 of the present vol. <sup>7</sup> *Reg. Mag. Sig.*

nagowan, relict of Duncan Grant of Rothiemurchus, and was the ancestor of the Grants of Clurie. He was alive 9 March 1647.

SIR JOHN GRANT, sixth of Freuchie, Knight. He was born 17 August 1596. On 31 July 1616,<sup>1</sup> on the resignation of his father, he and his wife had a royal charter erecting the lands of Mulben with its castle, 'Mekle Ballinbreiche,' with fishings, etc., the lands of Cardeny, Auldcash, and Forgie, into the free barony of Mulben. He was knighted by King James VI., probably when he visited Scotland in 1617, at all events between 10 May 1617 and 19 August 1618, when he signed an agreement with James, Lord Stewart of Ochiltree,<sup>2</sup> as Sir John Grant of Mulben. On 19 February 1623 he was retoured heir to his father in the lands of Lethen.<sup>3</sup>

Sir John Grant twice exchanged the jointure lands of his wife, first, on 27 October 1627, for the lands of Lethen and others,<sup>4</sup> and afterwards, on 21 June 1634, when Lethen was sold, for lands in the lordship of Urquhart and others. On 14 March 1634 Sir John Grant sold Lethen,<sup>5</sup> and some adjacent lands, to Alexander Brodie of East Grange for 105,000 merks.<sup>6</sup> To make the sale effective, his mother, Lilius Murray, or Lady Lethen as she then was styled, renounced her right to the lands, and in return Sir John Grant secured to her rents in Duthil of the value of 3000 merks annually, and she took up her residence at Ballachastell, the interior of which had been repaired and improved by her son.<sup>7</sup> Sir John received various commissions against rebels, and on 18 June 1622 was conjoined with his father in a commission against Cameron of Lochiel.<sup>8</sup> On 4 January 1636 he procured certificates to the Privy Council from the ministers of Cromdale, Duthil, and Abernethy, of his endeavour to carry out the desires of the Council with regard to rebels, and sent them to Edinburgh for informa-

<sup>1</sup> *Reg. Mag. Sig.*, 31 July 1616. <sup>2</sup> Original contract at Castle Grant. <sup>3</sup> *Retours, Nairn*, 12. <sup>4</sup> *Reg. Mag. Sig.*, 7 March 1628. <sup>5</sup> Original contract at Castle Grant. <sup>6</sup> *Reg. Mag. Sig.*, 12 July 1634. <sup>7</sup> Original contracts, dated 19 March 1634 and 21 December 1635, at Castle Grant. <sup>8</sup> *P. C. Reg.*, xii. 742-745, xiii. 123, 124, 133, 390, 432, 772, 773; 2nd ser., ii. 96, 278, 517; iii. 239, 332, 496, 510, 518-520, 583; v. 362.

tion, but the Council were evidently suspicious of his real desire to put down the lawlessness which was then prevalent in his district. He came reluctantly, and probably under pressure from the Council, to Edinburgh about March 1637, and was there placed in ward on the charge of not pursuing the Clan Gregor,<sup>1</sup> but apparently on account of the state of his health was set at liberty.

He died 1 April 1637 (will dated previous day), and was buried in the Abbey Chapel at Holyrood. He married (contract 11 December 1613) Mary, daughter of Sir Walter Ogilvie of Findlater. She survived her husband, and was still alive in 1646, but appears to have died shortly afterwards. By her Sir John had issue:—

1. JAMES, seventh Laird of Freuchie.
2. *Patrick*, called of Cluniemore and of Cluniebeg, but better known as tutor of Grant, which he became on the death of his brother James in 1663. He was appointed by his brother a lieutenant-colonel of levies to the number of 1400 raised in 1651, and with them took part in the battle of Worcester 3 September 1651. He died after 30 June 1672. He married, first, Anna Sutherland, daughter of the Laird of Duffus (*see title* Duffus), by whom he had issue three daughters, the second of whom, named Mary, was married to Patrick Grant or MacAlpine of Rothiemurchus. From this marriage is descended the present family of Rothiemurchus. He married, secondly, Sibyl, daughter of Kenneth Mackenzie of Kintail and relict successively of John MacLeod of Harris and Alexander Fraser, tutor of Lovat.<sup>2</sup> There was no issue of the second marriage. Patrick Grant had also a natural son *Robert*.
3. *Alexander*. He carried on a litigation with his eldest brother with regard to the distribution of their father's effects.<sup>3</sup> He had been placed by his brother the Laird in the Mains of Mulben and other lands,<sup>4</sup> and was ejected by him in 1662,<sup>5</sup> but immediately reinstated himself by taking forcible possession of the lands.

<sup>1</sup> Spalding's *Memorialls of the Trubles*, i. 44, Bannatyne Club ed.  
<sup>2</sup> *Wardlaw MS.*, 501. <sup>3</sup> *Chiefs of Grant*, 342, 343, 353. <sup>4</sup> Copy of concordance at Castle Grant. <sup>5</sup> Notarial Instr., *ibid.*

He is said to have married Isobel, daughter of Nairn of Morenge,<sup>1</sup> by whom he left issue two daughters. He was alive in 1665.

4. *George*. On 15 August 1668 he was Governor of Dumbarton Castle, which post he is said to have held for some time.<sup>2</sup> He may be the Captain George Grant who, in an entry of 11 January 1661 in the Minutes of Parliament, being then about thirty years of age, and on the *Eagle* frigate at the time the public registers were thrown overboard, swore that had this not been done the frigate must inevitably have perished. In 1675 he received a commission to suppress robberies in the Highlands. He died without issue.
5. *Robert*, who is said to have married a daughter of Dunbar of Bennagefield, by whom he had a son, who was father of Robert Og of Milton of Muckrach.<sup>3</sup> On 17 October 1640 he witnessed the marriage-contract of his sister Anne. He died before 22 August 1653, as he is mentioned as then dead in a testimonial by the Laird of Freuchie's brothers and sisters as to the Laird's liberality in their settlements.
6. *Mungo*, called of Kinchirdie, but sometimes also of Duthil and of Gellovie. In a discharge,<sup>4</sup> dated March 1654, to his eldest brother, James Grant of Freuchie, he styles himself fifth lawful surviving son to the deceased Sir John Grant of Freuchie. He is designed as 'of Duthil' in 1663, also 'of Gellovey' in 1667. He obtained, on 11 June 1667, from David Cumming of Kinchirdie a disposition (in which he is designated as in Duthil) of the lands of Kinchirdie, and also of Avielochan and Delnahaitnich. He was for some time Chamberlain and Factor to his nephew Ludovick Grant of Freuchie. In 1670 he was admonished to beware of popish leanings,<sup>5</sup> his intention of sending two of his sons to France, to be educated there by 'one Father Grant, a seminarie

<sup>1</sup> Shaw's *Moray*, i. 102. <sup>2</sup> *Acta Parl. Scot.*, vii. App. 3. <sup>3</sup> Shaw's *Moray*, i. 102. <sup>4</sup> Original discharge, dated (15) March 1654, at Castle Grant.

<sup>5</sup> *Records of the Synod of Moray*.

priest,' having been reported.<sup>1</sup> The Synod of Moray warned him not to do so, as he would be answerable to the Lords of Council if he did. His brother James, seventh of Freuchie, on his death, appointed him one of the tutors and administrators of his children. His testament is dated at Kinchirdie 28 December 1679. He married, first, Margaret Gordon; secondly (contract 12 May 1664), Elizabeth (or Elspeth), daughter of John Grant of Gartenmore. He had issue by both wives, and was the ancestor of the Grants of Kinchirdie, Gellovie, Knockando, and the later Grants of Gartenbeg.

7. *Thomas* of Balmacaan, born 1637; was for some time Chamberlain of Urquhart to his nephew Ludovick. He is called Tomas Dubh. On 10 October 1678 he and 'other heads and branches of families' throughout the Highlands were required by royal proclamation to repair to Inverlochy, and give bonds for the peaceable behaviour of themselves and their tenants and servants, before 20 November following.<sup>2</sup> He is said to have married, in 1682,<sup>3</sup> Mary, daughter of Colin Campbell of Clunes, by whom he had two sons, *Ludovick* of Auchnastank and *Patrick* of Culvullin, and a daughter, who was married to Mungo Grant of Mullochard. In 1683 he is said to have been forty-six years of age.
8. *Mary*, married, first,<sup>4</sup> in October 1644, to Lewis Gordon, third son of the Marquess of Huntly, who afterwards succeeded as third Marquess of Huntly. According to tradition Lord Lewis was concealed for some time in a cave in a rocky glen, about two miles from Castle Grant. To that hiding-place the Laird of Grant's sister Mary carried supplies to the fugitive, and her attentions led to their marriage. The cave is still called 'Huntly's cave.' He died in December 1653,<sup>5</sup> and she was married, secondly (con-

<sup>1</sup> Cramond's *Extracts from the Records of the Synod of Moray*, 149.

<sup>2</sup> Proclamation in *Antiquarian Notes* by Mr. Charles Fraser Mackintosh, 185, 188. <sup>3</sup> Shaw's *Moray*, i. 102. <sup>4</sup> Cf. vol. iv. 548; Spalding's *Memorials of the Troubles*, ii. 428. <sup>5</sup> Sentence of excommunication (*Chiefs of Grant*, i. 287) 'for obstinacie in Poperie' was pronounced against her in the parish church of Duffus on 17 October 1658 (Session Records of



tract dated 31 October 1668), to James Ogilvy, second Earl of Airlie, as his second wife, without issue. (*See title Airlie.*)

9. *Anne*, married, as his second wife (contract 17 October 1640), to Kenneth Mackenzie of Gairloch,<sup>1</sup> with a tocher of £5000 Scots.<sup>2</sup>
10. *Lilias*, married (postnuptial contract of marriage dated at Cupar-Fife 26 May 1666) to John Byres of Coates, who was afterwards knighted.

JAMES GRANT, seventh of Freuchie. He was just of age when his father died, having been born 24 June 1616, as he was six years old at midsummer 1622. On 7 June 1637 he was retoured heir to his father,<sup>3</sup> and got infeftment in all his lands in that and the two following years. He was one of the commission appointed, 24 September 1638, to superintend the subscribing of the Covenant in the sheriffdom of Inverness.<sup>4</sup> He signed the Solemn League and Covenant, and was at the conference between the Earls of Argyll and Montrose, Lord Couper, the Master of Forbes, and others, held at Perth on 14 March 1639.<sup>5</sup> James, Earl of Moray, his brother-in-law, as colonel of the Moray Regiment of horse and foot, appointed him as his lieutenant-colonel.<sup>6</sup> On the 16 of May 1644 he was present at an important meeting of the Covenanting leaders held at Turiff.<sup>7</sup> In 1645 the Laird of Grant submitted to Montrose, and promised to serve the King, and to send Montrose 300 men.<sup>8</sup> This was after the battle of Inverlochy, 2 February 1645, and Montrose, who was carrying fire and sword into the territories of his opponents, had burnt Ballindalloch, Pitchaish, and Foyness, as well as other houses in the district. But after Montrose's defeat at Philiphaugh, the Laird's zeal for the King's cause began to cool,<sup>9</sup> though he subse-

Duffus), and on 15 December following the sentence was appointed by the Presbytery of Forres to be intimated throughout their bounds (Records of Presbytery of Forres). <sup>1</sup> *Chiefs of Grant*, i. 239, 252; iii. 454-456. <sup>2</sup> Castle Grant Charters. <sup>3</sup> *Retours, Elgin*, 69, and *Inverness*, 61. Original precepts and instruments of sasine, dated 25 October and 11 November 1637, at Castle Grant. <sup>4</sup> *P. C. Reg.*, 2nd ser., vii. <sup>5</sup> *Chiefs of Grant*, ii. 67, 68. <sup>6</sup> Commission dated at Freuchie 1 April 1644. See *Memorialls of the Trubles*, ii. 323. <sup>7</sup> *Ibid.*, 365. <sup>8</sup> *Ibid.*, 447. <sup>9</sup> *Chiefs of Grant*, i. 262, 263.

quently sent, on 26 and 28 October 1646, renewed testimonies of loyalty and offers of service by the Earl of Crawford to Queen Henrietta and Prince Charles, both of whom were then at St. Germain's, and he received grateful letters from both Queen and Prince.<sup>1</sup> In the beginning of March 1647 he and his friends and tenants received a remission for the part they had taken with Montrose.<sup>2</sup> The regiment of which the Laird was colonel, and which he had raised, 1400 strong, under the command of his brother, Patrick Grant of Clunimore and Cluniebeg, their lieutenant-colonel, marched south with King Charles II. and shared in the defeat at Worcester, 3 September 1651.<sup>3</sup>

In February 1661 he was threatened with an indictment for high treason, but his friends succeeded in averting immediate proceedings.<sup>4</sup> In September 1661 he went up to Edinburgh, accompanied by Lady Mary Grant and his children. He was excluded from the Act of Indemnity till he should pay a fine of £18,000 Scots.<sup>5</sup>

It was the intention of King Charles II. to make James Grant of Freuchie Earl of Strathspey and Lord Grant of Freuchie, but the Laird died in Edinburgh in 1663 before the warrant was signed,<sup>6</sup> and was buried on 10 October in the Chapel of Holyrood. Testament dated 21 September 1663 and confirmed 27 July 1665.<sup>7</sup> The whole amount of the effects and debts due to him was only about £18,000 Scots, while he owed £72,000 Scots.

As a young man he had been engaged to marry Jane Fleming, eldest daughter of John, first Earl of Wigtoun, but the marriage did not take place, and the lady died shortly after 21 December 1637. He married at Elgin, on 24 or 25 April 1640, against the wishes of her family, Mary Stewart, only daughter of James, second Earl of Moray, and Lady Anne Gordon (postnuptial contract 19 May 1643). (*See titles Moray and Huntly.*) She died 18, and was buried at Duthil 30, December 1662.

<sup>1</sup> *Chiefs of Grant*, 263; ii. 89. <sup>2</sup> *Acta Parl. Scot.*, vol. vi. pt. i. 670. <sup>3</sup> *Urquhart and Glenmoriston*, i. 166, 167. <sup>4</sup> *Chiefs of Grant*, i. 283; original letter, dated 2 February 1661, at Castle Grant. <sup>5</sup> *Ibid.*, i. 284, 285; *Acta Parl. Scot.*, 9 September 1662, vol. vii. 424; see also account of expenditure on visit to Edinburgh 1661, under date 21 September, at Castle Grant. <sup>6</sup> Copy warrant indorsed 1663. <sup>7</sup> *Chiefs of Grant*, iii. 346-353; Moray Tests.

The oldest family portraits at Castle Grant are those of James Grant and his wife Mary Stewart.

They left issue, besides several children who are said to have died young:—

1. LUDOVICK, who succeeded his father as eighth Laird of Freuchie.
2. *Patrick*, who was provided by his father with the lands of Wester Elchies. He held the rank of lieutenant-colonel in the Laird of Grant's regiment. He died in January 1693, having married Janet, daughter of Robert Forbes of Newton,<sup>1</sup> who survived him, leaving one son and three daughters, all in their minority. He was the progenitor of the second family of Grants of Wester Elchies.
3. *Anna*, married in 1664 to Sir Patrick Ogilvy of Boyne, in the county of Banff, and had issue.
4. *Mary*, who was married, before 1669, to Sir Alexander Hamilton of Haggs, in the county of Lanark. In that year Mary Grant, in conjunction with her husband, pursued her brother Ludovick before the Lords of Council and Session for her tocher of 12,000 merks, and obtained decree in her favour.<sup>2</sup> They had issue. She is the subject of a romantic story about her attachment to Donald Donn (Macdonald),<sup>3</sup> who had a great reputation as a Gaelic poet and also as a cattle lifter. By a stratagem he was captured by the Grants, and executed.<sup>4</sup>
5. *Margaret*, married to Roderick Mackenzie of Redcastle, and had issue.
6. — a daughter, name unknown, died in 1650.

There is in the Grant charter-chest a document giving the names of the tenants who were each fined £5 Scots 'for byding from the Laird's doghter hir buriall.' They were appointed to pay their fines within fifteen days after the 23rd December 1650.

The Laird had also a natural daughter, married to Sweyne Grant in Ballintomb, to whom a legacy of £200 Scots was paid on the death of her father.

<sup>1</sup> Macfarlane's *Gen. Coll.*, ii. 260-261. <sup>2</sup> Original decree, dated 6 February 1669, at Castle Grant. <sup>3</sup> Domhnall Donn Mac Fhir Bohuntuinn. <sup>4</sup> Cf. Mackay's *Urquhart and Glenmoriston*, 187 and App. E, 487.

LUDOVICK GRANT, eighth of Freuchie and first of Grant. He was retoured heir to his father on 23 May 1665.<sup>1</sup> He bought Pluscardine in 1667, his father-in-law Alexander Brodie of Lethen providing the purchase-money, as a provision for the second son of his marriage with Janet Brodie. He was fined by King James II.'s Commissioners the sum of £42,500 Scots, for non-conformity with Episcopacy, 11 February 1685. On his petitioning against the sentence, the King fully exonerated and discharged him of the fine 9 January 1686. His remission was owing to the promptitude he displayed in raising his clan at the time of Argyll's invasion.

He was a member of the Convention of Estates called together by the Prince of Orange,<sup>2</sup> which began its sittings on 14 March 1689, and was one of the framers of that resolution of the Estates which declared that King James had forfeited the right to the Crown, and that the throne had become vacant. On 19 April 1689 the Laird of Freuchie volunteered to raise and equip six hundred men, and three days afterwards he was appointed colonel of his own regiment. On 24 April he was appointed Sheriff Principal of Inverness in room of the Earl of Moray. He was member for Inverness in Parliament until the Union in 1707. He made considerable additions to, and consolidated his estate, having acquired, about 1670, the lands of Achmonie from Gillies Mackay, Pitcherrell Croy and Auchatemrach in 1674 from John Grant of Corriemony, in exchange for Carnoch and others, Abriochan from Alexander Fraser of Kinneras in 1695, and Culnakirk and Clunemore from John Grant of Glenmoriston in 1696. On 28 February 1694 he received from William and Mary a charter erecting his whole lands of Freuchie and others into a regality, to be called the regality of Grant, and ordaining the castle and manor-place of Freuchie to be called in all time coming the Castle of Grant;<sup>3</sup> also the town formerly called Castletown of Freuchie, to be called the town and burgh of Grant. From this date the Laird of Freuchie changed his former designation and became the Laird of Grant.

<sup>1</sup> Precept and Retours at Castle Grant. See also *Retours, Elgin*, 117, and *Inverness*, 96. <sup>2</sup> *Acta Parl. Scot.*, ix. 9. <sup>3</sup> Original Charter at Castle Grant, confirmed by Parliament 12 October 1696; *Acta Parl. Scot.*, x. 93.

On 10 July 1695 he petitioned Parliament for compensation for losses sustained from the rebels and through quartering of the regular troops in 1689-90<sup>1</sup> to an amount estimated at about £12,000 sterling.<sup>2</sup> Parliament recommended the Laird to His Majesty's gracious consideration, but notwithstanding repeated applications no compensation appears ever to have been received for the damages and losses sustained by the Clan Grant. Treated in this niggardly fashion the unfortunate clan had to compensate themselves for their losses by plundering in their turn.

Having consolidated his possessions in the district of Loch Ness, the Laird made them over in 1699 to his eldest surviving son, Colonel Alexander Grant, on the occasion of the latter's marriage with Elizabeth Stewart.<sup>3</sup> On Alexander's second marriage in 1709, the Laird resigned in 1710 all his estates to him, reserving to himself an annuity of £300 sterling, and a jointure to Jean Houstoun, his second spouse.<sup>4</sup> At the end of the same year the old Laird handed over, before the whole clan, who were assembled at the ordinary rendezvous at Ballintomb in full dress, the chieftainship to his son.<sup>5</sup> He died at Edinburgh, November 1716, and he was buried on 19 of that month at the Abbey Church of Holyrood, where his father had also been interred.<sup>6</sup> He married, first (contract 20 December 1671), at Ballachastell, Janet Brodie, only child and heiress of Alexander Brodie of Lethen.<sup>7</sup> She died in 1697;<sup>8</sup> and he married, secondly (contract 1 March 1701), Jean, daughter of Sir Patrick Houstoun, Bart., and widow successively of Walter, second son of Walter Dundas, younger of that ilk,<sup>9</sup> and of Richard Lockhart of Lee.<sup>10</sup> She died 31 January 1734.<sup>11</sup> By his first wife only Ludovick Grant had issue six sons and five daughters:—

1. *John*, who died unmarried, on 11 April 1682.<sup>12</sup>
2. ALEXANDER, who succeeded his father.
3. JAMES, who succeeded his brother Alexander.
4. *George*, described in 1704 as third son of Ludovick

<sup>1</sup> *Acta Parl. Scot.*, ix. 426, 427. <sup>2</sup> *Urquhart and Glenmoriston*, 212-214. <sup>3</sup> *Ibid.*, 227. <sup>4</sup> Charter dated 9 July 1710. <sup>5</sup> Ms. 'Anecdotes' at Castle Grant. <sup>6</sup> Burial Register of Holyrood. <sup>7</sup> *Diaries of the Lairds of Brodie*, 323, Spalding Club, 1863. <sup>8</sup> *Shaw's Moray*, i. 104. <sup>9</sup> *Crawford's Renfrew*, 101; *Macleod's Dundas of Dundas*, p. xxxviii. <sup>10</sup> *Douglas's Baronage*, 327. <sup>11</sup> *Edin. Tests.*, 7 June 1736. <sup>12</sup> *Diaries of the Lairds of Brodie*, 467.

Grant, his eldest brother John having predeceased his father. He became Major George Grant of Culbin, and was for a time Governor of the Castle of Inverness, or Fort George, as it was then called. In 1733 he acquired the lands of Culbin from his nephew, Ludovick Colquhoun of Luss, afterwards Sir Ludovick Grant of Grant, to whom after the death of the major in December 1755, unmarried, they reverted.

5. *Lewis*, who became a colonel in the Army. In a petition to the King for preferment to the rank of lieutenant-colonel, he states he had had the honour to serve the Crown twenty-nine years, particularly in Scotland during the rebellion of 1715,<sup>1</sup> and that during that time he had been twenty-six years a captain in the Army, and thirteen years major in the regiment of foot commanded by the Earl of Orkney. He married an Irish lady, whose name has not been ascertained. After his marriage he purchased the estate of Dunphail, but with the express intention that it should not be settled on the heirs of that marriage.<sup>2</sup> Having gone to Jamaica, he died at Kingston on 11 March 1742. He left a daughter *Anne*, who married Mr. Patrick Grant, minister of Logie Easter, but the property of Dunphail, with the rest of his estate, passed to his nephew, Sir Ludovick Grant of Grant.
6. *David*, born 29 January 1693.
7. *Elizabeth*, married (contract 15 January 1704) to Hugh Rose of Kilravock.
8. *Anne*, married (contract 30 October 1711) to Lieutenant-Colonel William Grant of Ballindalloch, a cadet of the Rothermurchus family. Her husband acquired the estates of Ballindalloch, Tullochcarron, and others from John Grant of Ballindalloch and his creditors.<sup>3</sup> He and his wife were the ancestors of the present family of Ballindalloch, represented by Sir John Macpherson Grant, fourth Baronet of Ballindalloch and Invereshie. Anne Grant predeceased her husband in 1732. He died in May 1733.

<sup>1</sup> Draft petition, undated, at Castle Grant. <sup>2</sup> Letter at Castle Grant.

<sup>3</sup> Original contract at Ballindalloch.

9. *Janet*, married, before 1716, to Sir Roderick Mackenzie of Scatwell, and had issue.
10. *Margaret*, married, in December 1716, amid great rejoicings, to Simon Fraser, the notorious eleventh Lord Fraser of Lovat, by whom she had issue. She died, after childbirth, in July 1729, and her husband bewailed her loss with much effusiveness.
11. *Mary*, born 17 March 1691; perhaps the child buried in Greyfriars Churchyard 31 December 1691.

ALEXANDER GRANT of Grant succeeded his father November 1716.<sup>1</sup> He represented Inverness-shire in the Scots Parliament, 1702-7. He was one of the Commissioners for union with England 27 February 1706.<sup>2</sup> He signed the Articles of Union on 22 July 1706.<sup>3</sup> He was one of the thirty representatives of counties appointed to sit in the first British Parliament.<sup>4</sup> On 4 March 1706 he received a commission from Queen Anne appointing him colonel and captain of the Earl of Mar's Regiment of Foot in Scotland.<sup>5</sup> In 1708 Colonel Grant was elected as member for the shire of Inverness to sit in the British Parliament.<sup>6</sup> He was a brave soldier and a capable officer, and saw much service in the wars of the Duke of Marlborough. On 24 August 1710 he was taken prisoner by a French privateer in the English Channel.<sup>7</sup> He was released soon after on parole, and finally an exchange of prisoners was effected. On 12 February 1711 he was raised, 'for his loyalty, courage, and experience,' to the rank of brigadier-general.<sup>8</sup> On 24 September 1713 Brigadier-General Grant was chosen member of Parliament for the county of Elgin and Forres.<sup>9</sup> On 11 January 1715 he became Governor of the fortress of Sheerness, and on 19 August 1715 he received a commission as Lord-Lieutenant of the counties of Banff and Inverness.<sup>10</sup> On the outbreak of the Jacobite insurrection in 1715 he was appointed, 14 September,

<sup>1</sup> *Acta Parl. Scot.*, xi. App. 162. <sup>2</sup> Original commission in H.M. Gen. Reg. Ho., Edinburgh. <sup>3</sup> *Acta Parl. Scot.*, xi. App. 190, 201-205. <sup>4</sup> *Ibid.*, 312-422 *passim*. <sup>5</sup> Commission and draft memorial at Castle Grant. <sup>6</sup> Original commission at Castle Grant, dated 21 June 1708, and Foster's *Members of Parliament*, 158. <sup>7</sup> Draft Memorial at Castle Grant. <sup>8</sup> Commission at Castle Grant. <sup>9</sup> Extract minute of election at Castle Grant. <sup>10</sup> Commissions at Castle Grant.

Captain of the Castle of Edinburgh, and was ordered to reinforce the garrison with two companies of his regiment.<sup>1</sup> On 17 July 1717 he was curtly informed that the King had no further occasion for his services. This action was not unexpected by him, as in June 1716 John, Duke of Argyll, had been suddenly, without any known cause, deprived of all his offices. In the spring of 1719 he was seized with illness, and he died at Leith, on his way north, on 14 August 1719. He was buried in the Chapel Royal at Holyrood, like his father, grandfather, and great-grandfather before him.<sup>2</sup>

He married, first, 3 December 1698, Elizabeth Stewart, daughter of James, Lord Doune, son and heir of Alexander, fifth Earl of Moray. She had a tocher of £5000 sterling, bequeathed to her as a legacy by the Duchess of Lauderdale, her grandmother. She predeceased her husband, dying on 22 April 1708, without surviving issue, and was buried at Duthil.<sup>3</sup> He married, secondly, 7 April 1709, Anne, daughter of the Right Honourable John Smith, sometime Speaker of the House of Commons, then Chancellor of the Exchequer. She was a Maid-of-honour of Queen Anne. Her dowry was also £5000. She too predeceased the brigadier, dying 10 June 1717, without surviving issue.

Brigadier-General Alexander Grant was succeeded by his next eldest surviving brother,

SIR JAMES GRANT of Grant, second surviving son of Ludovick Grant of Grant. He was born 28 July 1679. He was for some time designated of Pluscardine, as he was provided for with these lands.

In his twenty-third year he married, on 29 January 1702, Anne Colquhoun, sole child and heiress of Sir Humphrey Colquhoun, fifth Baronet of Luss (contract dated at Edinburgh 10 January 1702).<sup>4</sup> Sir Humphrey had provided in the contract that they and the children of their marriage should succeed to the barony of Luss. Sir Humphrey also, two years later, resigned his baronetcy into the hands of the Crown and had a new patent, dated 29 April 1704,

<sup>1</sup> *Urquhart and Glenmoriston*, 230. <sup>2</sup> Accounts for funeral at Castle Grant. <sup>3</sup> Register of Deaths of the parish of Boharm. <sup>4</sup> Fraser's *The Chiefs of Colquhoun*, i. 310, 311.



with remainder to himself and his sons to be born, whom failing, to James Grant of Pluscardine and the heirs-male of his marriage with Anne Colquhoun, only daughter of Sir Humphrey, whom failing, to the other heirs therein specified.

After his marriage with the heiress of Luss, Sir James, in terms of an entail made in his favour, by his father-in-law, of the estates of Luss dated 4 and 27 December 1706, assumed the surname of Colquhoun.<sup>1</sup> Upon the death of Sir Humphrey in 1718, his title descended, in terms of the regrant, to his son-in-law, who was then designated Sir James Colquhoun of Luss, Baronet.<sup>2</sup> He held the lands of Luss for only one year, as in 1719 he succeeded to the estates of Grant on the death of his brother, the brigadier-general. He thereupon dropped the name and arms of Colquhoun of Luss, and resumed his paternal surname of Grant,<sup>3</sup> in accordance with the terms of a clause in the entail executed by Sir Humphrey Colquhoun, which expressly provided that the estate of Luss should never be held by a Laird of Grant.<sup>4</sup> His second son, Ludovick, now became the possessor of the barony of Luss, Humphrey Grant, the elder son, being the heir-apparent to the Grant estates. On his succession to these estates Sir James also discontinued for a time the title of baronet, but he afterwards resumed it, and continued to hold the dignity till his death. Sir James Grant was member of Parliament for the county of Inverness from 1722 till 1741, when he resigned and was elected member for the Elgin Burghs, which he represented till his death in 1747.<sup>5</sup>

In the end of 1746 or beginning of 1747, while in London, he was seized with gout, and died there on 16 January 1747. By his wife, Anne Colquhoun, who died at Castle Grant on 25 June 1724, Sir James Grant had fourteen children, six sons and eight daughters: <sup>6</sup>—

1. *Humphrey*, born Wednesday, 2 December 1702, and who died, unmarried, *vitâ patris*, in September 1732.

<sup>1</sup> *Chiefs of Colquhoun*, i. 310-313; Bond of Tailzie recorded in the Register of Tailzies at Edinburgh 26 February 1707. <sup>2</sup> *Chiefs of Colquhoun*, 328, 329. <sup>3</sup> *Ibid.*, 313. <sup>4</sup> *Ibid.*, 329. <sup>5</sup> *Return of Election of Members of Parliament*, 1878, pt. ii. 60. *Foster's Members of Parliament*, 161. <sup>6</sup> Holograph entry in old Bible at Rossdhu by Sir James Colquhoun, husband of Lady Helen Sutherland.

2. LUDOVICK, born Monday, 13 January 1707, and succeeded to the estates of Luss, and afterwards to those of Grant.
3. *Alexander*, born Saturday, 8 September 1709, and died 12 March 1712.<sup>1</sup>
4. *James*, born Monday, 22 February 1714, and baptized on the 24 of the month. On the resignation of his brother Ludovick who, through the death of their elder brother Humphrey, had become heir-apparent of the Grant estates, he was, on 29 August 1739, infeft in the lands and barony of Luss. He was created a Baronet of Great Britain on 27 June 1786. He married, on 12 April 1740, Helen Sutherland, eldest daughter of William, Lord Strathnaver (eldest son of John, fifteenth Earl of Sutherland). They had issue, and were the ancestors of the present Sir Ian Colquhoun, Bart., of Luss. Lady Helen survived her husband a few years. He died at Rossthdu on 16 November 1786, aged seventy-two.<sup>2</sup>
5. *Francis*, born Saturday, 10 August 1717. He became a lieutenant-colonel in the Black Watch, and afterwards a lieutenant-general in the Army. He obtained the estate of Dunphail in the county of Elgin, and was M.P. for that county from 1768 to 1774. He also held property in Hampshire, and is styled of Windmill Hill there in his will, which is dated 5 July 1781. He died on 30 December the same year, having married, 17 March 1763, Catherine Sophia, daughter of Joseph Cox of Stanford Vale, Berkshire, and Catherine Sophia Sheffield, daughter of John, Duke of Buckingham and Normanby. By his wife he left three sons and three daughters.
6. *Charles Cathcart* of Cardeny, born 3 April 1723, and became a captain in the Royal Navy. He died, unmarried, on 11 February 1772. His brother Sir Ludovick was served heir to him on 16 May 1772.
7. *Janet*, born 31 May, and died 5 October, 1704.
8. *Jean*, born Friday, 28 September 1705. She was married in 1722, as his second wife, to William Duff,

<sup>1</sup> *Chiefs*, i. 591; iii. 254. <sup>2</sup> Luss Bible at Rossthdu. Extract from a Bible at Dunrobin, *Scots Mag.*, vol. xlviii. 571.

who was raised to the Peerage of Ireland under the title of Baron Braco of Kilbride, co. Cavan, on 28 July 1735. On 26 April 1759, he was advanced to the rank of Viscount Macduff and Earl Fife, also in the Peerage of Ireland. She died 16 January 1788. From them the present Duke of Fife, K.T., is descended.

9. *Margaret*, born Monday, 19 January 1708, and died on Wednesday, 7 September 1709.
10. *Anne Drummond*, born 2 May 1711, and married (contract 9 October 1727) to Sir Harry Innes of Innes, Bart., ancestor of the present Duke of Roxburghe. She died at Elgin 9 February 1771.
11. *Elizabeth*, born Monday, 22 January 1713, and died on 1 February 1713.
12. *Sophia*, born 12 January 1716, and died, unmarried, at Banff, on 25 March 1772.<sup>1</sup>
13. *Penuel*, born Thursday, 12 August 1719; married (contract dated February 1740) to Captain Alexander Grant of Ballindalloch. Of the marriage of Penuel there was one son, *William*, who became a major in the Army. He succeeded to Ballindalloch on the death of his father, 14 January 1751. She was alive in 1798, the last codicil to her will being dated 13 July in that year. She died at her house in George Square, Edinburgh.<sup>2</sup>
14. *Clementina*, born at Castle Grant 12 April 1721; married, as his first wife (contract 13 October 1737), to Sir William Dunbar of Durn, Bart., and died 1 June 1765.

SIR LUDOVICK GRANT of Grant, Baronet. Born 13 January 1707, and, as the second son of Sir James Grant by his wife Anne Colquhoun, heiress of Luss, he, in terms of the entail by Sir Humphrey Colquhoun, was, after the death of his mother, retoured as nearest heir-male of entail to her in the lands and barony of Luss and others, 27 March 1729,<sup>3</sup> and assumed the name of Colquhoun.

<sup>1</sup> *Scots Mag.* <sup>2</sup> Testament confirmed 24 May 1800. <sup>3</sup> Copy retour at Rossdhu. It appears, however, that he had already succeeded to the Luss estates in 1719, when his father became Laird of Grant. He at all events succeeded to the Nova Scotia baronetcy in 1719 (*Chiefs of Grant*, i. 373, 393; *Chiefs of Colquhoun*, i. 310-313, 334). His mother had been precluded from taking the Luss property by deed of tailzie 4 and 27 December 1706.

Ludovick Colquhoun was admitted to the Faculty of Advocates 24 April 1728.<sup>1</sup> On 22 June 1732 he obtained a charter of novodamus of the lands and barony of Luss to himself and the other heirs of entail on his own resignation.<sup>2</sup> In the same year, however, owing to the death of his elder brother Humphrey, his father settled on him the estates of Grant in fee, and he denuded himself, though with reluctance,<sup>3</sup> of those of Luss in favour of his younger brother James, in terms of the entail. He was entrusted with the management of the Grant estates, and was elected member of Parliament for the counties of Elgin and Forres 1741, a seat which he held till 1761.<sup>4</sup> In the troubles of 1745 Grant acted a prudent part, and followed the advice of his father 'to stay at home, take care of his country, and join no party.' This did not, however, prevent him giving a certain amount of help to the Government, and in February 1746 he received orders from the Duke of Cumberland to raise his clan for the King. Castle Grant was in March occupied for a short time by the Jacobites, but was soon evacuated. Grant and his men joined Cumberland at Cullen on 11 April, but they were not at the battle of Culloden.

He succeeded his father in his baronetcy and estates 16 January 1747. After this there is not much recorded of him, but he lived till 18 March 1773. He married, first, at Edinburgh, 6 July 1727, Marion, second daughter of Sir Hew Dalrymple of North Berwick, Lord President of the Court of Session. The parents of both parties were very indignant, as their consent had not been obtained, but a reconciliation was made through the services of Patrick Grant, afterwards Lord Elchies. Marion Dalrymple died 17, and was buried at Holyrood 21, January 1735.<sup>5</sup> Sir Ludovick married, secondly, at Cullen, 31 October 1735, Margaret, elder daughter of James, fifth Earl of Findlater.<sup>6</sup> She died at London 20 February 1757.<sup>7</sup>

By his first wife he had issue :—

1. *Ann*, born 1728, died, unmarried, 6 December 1748.
2. — a child, who died in infancy in 1733.

<sup>1</sup> Faculty List. <sup>2</sup> Rossdhu Writs. <sup>3</sup> Not until January 1738. See Rossdhu Writs, charter by Frederick, Prince of Wales, 13 February 1738. <sup>4</sup> Foster's *Members of Parliament*, 161. <sup>5</sup> Holyrood Burial Reg. <sup>6</sup> Cf. vol. iv. 39. <sup>7</sup> *Scots Mag.*

By his second wife he had:—

3. JAMES, who succeeded.
4. *Mariana*, who died, unmarried, at Culnakyle, 28 March 1807.
5. *Penuel*, born at London 20 September 1750; married, 6 January 1776, to Henry Mackenzie, of the Exchequer in Scotland, author of the *Man of Feeling* and other popular works, and had issue. She died 3 April 1835.
6. *Margaret*, born in London 11 May 1752, died unmarried.
7. *Helen*, born May 1754; married, 9 September 1773, to Sir Alexander Penrose Cumming Gordon of Altyre and Gordonstoun, first Baronet. She died 1 January 1832, leaving issue.
8. *Anna Hope*, born at London 6 July 1756; married, 3 April 1781, to the Very Reverend Robert Darley Waddilove, D.D., Dean of Ripon, and died in 1797, leaving issue.
9. *Mary*, died, unmarried, at Edinburgh, 12 December 1784.
10. *Elizabeth*, died, unmarried, on 27 March 1804.

SIR JAMES GRANT of Grant, Baronet, commonly called 'The Good Sir James,' was born 19 May 1738, and was educated at Westminster and Cambridge. He founded the town of Grantown in 1766, upon what was then a barren moor. He was M.P. for Elgin and Forres from 1761 to 1768, and for Banffshire from 1790 till 1795.<sup>1</sup> On his succession to the estates he found them heavily burdened, as a result of the loyal services of preceding chiefs to the Government, and in consequence he sold some of the outlying properties to the value of £52,500. He endeavoured to obtain some compensation from Government for the sums expended in the public service, and the Exchequer seems to have admitted that he had a just claim for £12,540. Ultimately in 1795 he was given the appointment of General Cashier of the Excise in Scotland, which he held till his death.

<sup>1</sup> Foster's *Members of Parliament*, 161.

During his tour in the Highlands Robert Burns paid Sir James Grant and family a fleeting visit at Castle Grant.<sup>1</sup> In 1793 when France declared war on Britain he levied the first regiment of Fencibles, and in the following year he raised the 97th Regiment.<sup>2</sup> He was appointed Lord-Lieutenant of Inverness-shire in 1794, an office which he resigned in 1809. Sir James died 18 February 1811, at Castle Grant, and was buried at Duthil. He married, at Bath, 4 January 1763, Jane, only daughter and heiress of Alexander Duff of Hatton, by his wife Anne, eldest daughter of William, first Earl of Fife. By her, who died at Castle Grant 15 February 1805, Sir James had issue:—

1. LEWIS ALEXANDER, born 22 March 1767, who succeeded his father in the Grant estates in 1811, and in the same year succeeded his cousin as heir-general to the title and estates of the fourth Earl of Seafield.
2. *Alexander*, died in infancy, 21 March 1772, at Castle Grant.<sup>3</sup>
3. *James Thomas*, born 10 August 1776, was educated at Richmond, near London; went to India in 1792. He became a magistrate at Furruckabad, and in 1801 was appointed Registrar of the Provincial Court of Benares. He died in India, unmarried, on 28 July 1804.
4. FRANCIS WILLIAM,<sup>4</sup> born 6 March 1778. In 1840 he succeeded his eldest brother in the Grant and Seafield estates, and also as sixth Earl of Seafield.
5. *Robert Henry*, born 5 August 1783. He died, unmarried, 11 February 1862.
6. *Alexander Hope*, born 8 August 1784, died at Castle Grant 22 August 1793.
7. *Dundas Charles*, born 21 October 1787, died at Castle Grant 21 March 1788.
8. *Anne Margaret*, born 25 July 1764; died, unmarried,

<sup>1</sup> Works of Rev. John Skinner, Aberdeen, T. Chalmers and Co., 1809, ii. 105. <sup>2</sup> Printed copies Royal Warrant, dated 1 March 1793, at Castle Grant. Stewart's *Sketches of the Highlanders*, Edinburgh, 1825, ii. 284, 285, 380-388, 488-490, and Browne's *History of the Highlands and Highland Clans*, Edinburgh, 1848, iv. 353 and 370, 371. <sup>3</sup> *Scots Mag.*, xxxiv. 166. <sup>4</sup> On 3 July 1822 King George IV. advanced the brothers and sisters of Lewis Alexander, then Earl of Seafield, to the same rank which they would have attained had their father, Sir James Grant, lived to be Earl of Seafield.

at Grant Lodge, Elgin, on 23 November 1827; buried at Duthil. A lady of great personal beauty and accomplishments. It was on her behalf that the Grants made their celebrated raid on Elgin in 1820, the last raid made by a Highland clan. George IV., when he saw her in 1822, remarked, 'Well, truly, she is an object fit to raise the chivalry of a clan.'

9. *Margaret*, born 27 May 1772, married, 10 July 1795, to Major-General Francis Stuart of Lesmurdie, and had issue.<sup>1</sup> She died 3 December 1830, and was buried at Elgin.
10. *Jane*, born 1 March 1774. She died at Grant Lodge, Elgin, 22 May 1819, aged forty-five, unmarried.
11. *Penuel*, born 21 November 1779, died, unmarried, 27 January 1844.
12. *Christina Teresa*, born 13 January 1781, died at Grant Lodge, Elgin, 16 July 1793, unmarried.
13. *Magdalen*, living in 1796, died unmarried.
14. *Mary Sophia*, died 26 February 1788 at Castle Grant, unmarried.

I. SIR LEWIS ALEXANDER was born at Moy 22 March 1767. He was educated at Westminster and at Edinburgh. He was admitted to Lincoln's Inn in 1783, and to the Scottish Bar in January 1789.<sup>2</sup> In the year 1788 he was elected Provost of Forres; M.P. for Morayshire 1790 to 1796, when he retired from ill-health.<sup>3</sup> He succeeded his father in the baronetcy and Grant estate on 18 February 1811, and on the death of his cousin James, seventh Earl of Findlater and fourth Earl of Seafield,<sup>4</sup> without issue, on 5 October 1811, Sir Lewis as heir-general succeeded to his estates, with the titles of EARL OF SEAFIELD, VISCOUNT REIDHAVEN, VISCOUNT SEAFIELD, and BARON OGILVIE OF DESKFORD AND CULLEN. He then assumed the surname of Ogilvie in addition to his own. His brother Colonel Francis William was appointed his curator. He died unmarried at Cullen House on 26 October 1840, aged seventy-three, and was succeeded by his younger brother—

<sup>1</sup> *Chiefs of Grant*, i. 461. <sup>2</sup> Faculty List. <sup>3</sup> *Chiefs of Grant*, ii. 501-504, 507, 508. <sup>4</sup> For the earlier holders of the title, see *ante*, vol. iv. pp. 16-41.

II. SIR FRANCIS WILLIAM, second Earl of Seafield of the Grant line, who was born on 6 March 1778. On 1 March 1793 he obtained a commission in the Strathspey Fencibles, then in course of being raised by his father, and on 14 February 1794 he was appointed a captain in the 97th or Strathspey Regiment.<sup>1</sup> At the same time he was made an ensign in an independent company of foot about to be embodied, and on 19 February he received a lieutenant's commission in a similar company. On 29 November 1794 he was appointed major in the regiment of Fencibles raised by Fraser of Lovat, and on 1 October 1796 was made lieutenant-colonel in the same regiment, to hold his rank only while the regiment was embodied. On 23 January 1799, he received a commission as lieutenant-colonel in the Third Argyllshire Fencibles, with permanent rank in the Army.<sup>2</sup> Lieutenant-Colonel Grant accompanied his regiment to Gibraltar, and served there 1800-1801. In September of the latter year it was ordered home and reduced. M.P. for the Elgin Burghs 1802-6,<sup>3</sup> for the Inverness Burghs 1806-7, and for the county of Elgin 1807-32, and for the united counties of Elgin and Nairn 1832-40. He was thus a member of the House of Commons for thirty-eight years.

On 20 June 1803 he succeeded his father as colonel of the local regiment of North British Militia<sup>4</sup> and in 1809 as Lord-Lieutenant of Inverness-shire.

He held the office of curator to his brother Lewis Alexander, Earl of Seafield, for twenty-nine years. He was known as the largest planter of trees in Britain in the last century, the annals of the Highland and Agricultural Society of Scotland recording in 1847 that at that date 31,686,482 young trees, Scotch fir, larch, and hardwood, had been planted under the Earl's direction over an area of 8223 acres. On this account the Highland Society awarded Lord Seafield their gold medal. He improved the harbours of Cullen and Portsoy. He is said to have spent on the latter £17,000. He removed the town of Cullen, which in old days was in close proximity to Cullen House, down to

<sup>1</sup> Commissions at Cullen House. <sup>2</sup> Stewart's *Sketches of the Highlanders*. <sup>3</sup> Foster's *Members of Parliament*, 159. <sup>4</sup> Commission at Cullen House.



its present situation by the sea, and at the same time he greatly improved it. His benevolence and public spirit were acknowledged by the grants of freedom of the burghs of Cullen, Kintore, Forres, Elgin, Nairn, Banff, and Kirkcudbright.<sup>1</sup> He was raised to the degree of Master Mason at Gibraltar 1801. On 5 August 1841, the first year after his succession to the earldom, he was chosen one of the sixteen Representative Peers of Scotland, a position he held until his death in 1853. He died at Cullen House, after a short illness, on 30 July 1853.

Lord Seafield married, first, 10 May 1811, Mary Anne, only daughter of John Charles Dunn of Higham House, Sussex. She, who was born 6 March 1795, died 27 February 1840, and was buried at Duthil; secondly, 17 August 1843, Louisa Emma, second daughter of Robert George Maunsell, co. Limerick. She survived him, and was married, secondly, 31 January 1856, to Major Godfrey Hugh Massey, of the 19th Foot, who died 4 June 1862; and, thirdly, 5 July 1864, to Lord Henry Loftus, fifth son of the second Marquess of Ely, from whom she was divorced. He died 28 February 1880, and she died 2 August 1884, aged sixty-six.

By his first wife only Lord Seafield had a family of seven sons and one daughter:—

1. *James*, born 16 April 1812, at London; died there 15 March 1815.
2. *Francis William*, styled Master of Grant, born 5 October 1814; M.P.<sup>2</sup> for Inverness-shire from 1838 till 11 March 1840, when he died, unmarried, being found dead in his bed, at Cullen House, having come up from London to attend his mother's funeral. Mother and son were buried at the new mausoleum at Duthil the same day.
3. JOHN CHARLES, born 4 September 1815. He succeeded his father as seventh Earl of Seafield.
4. JAMES, succeeded his nephew as ninth Earl of Seafield.
5. *Lewis Alexander*, lieutenant Royal Horse Guards, born 18 September 1820. He married, 15 August 1849, *Georgina*, daughter of Robert George Maunsell.

<sup>1</sup> Writs at Cullen House. <sup>2</sup> Foster's *Members of Parliament*, 159.

She died 6 March 1885. He died 24 December 1902, leaving issue :—

- (1) *Francis Charles*, born 17 May, died 4 June 1853.
- (2) *Alexander Lewis Henry*, born 1 August 1854; married, 30 October 1889, Hilda Annie, daughter of Sir Thomas Erskine Perry, formerly Chief-Justice of Bombay. He died, without issue, 3 March 1904.
- (3) *Robert George*, born 10 October 1856, died July 1888.
- (4) *Mary Louisa Eleanora*, born 13 July 1858; married, 28 July 1885, to Henry Maitland Sperling of Edgeworth Manor, Gloucestershire.
- (5) *Maria Jane Anne Stuart*, born 7 December 1861.

6. *George Henry Essex*, born 13 February 1825. He married, on 2 October 1855, Eleanora, fourth daughter of Sir William Gordon Gordon Cumming, of Altyre, Bart. He was a captain 42nd Highlanders. He died 31 May 1873, survived by his wife, who died 5 April 1889. They left issue :—

- (1) *Henry Oswin*, late 2nd West India Regiment; born 2 April 1859.
- (2) *William Robert*, born 25 March 1863; assistant in department of Zoology, British Museum; married, 1 October 1890, Maud Louisa, eldest daughter of Admiral Mark Robert Pechell, and has issue :—
  - i. *Charles Randolph Mark*, born 15 March 1905.
  - ii. *Eleanora*, born 22 September 1892.
  - iii. *Marjorie Elspeth*, born 25 June 1894.
  - iv. *Alison Jean*, born 6 March 1896.
- (3) *George Randolph Seymour*, born 20 June 1886.
- (4) *Alice Elizabeth*, born December 1856, married, 6 July 1889, to the Right Hon. Lord Walter Gordon Lennox, P.C., and has issue.
- (5) *Muriel Frances Charlotte*, born 31 May 1861, married, June 1892, to Geoffrey St. Quintin, son of Lieutenant-Colonel St. Quintin, 17th Lancers, of Scampston Hall, Yorkshire, and has issue.

7. *Edward Alexander*, born 17 June 1833, died 26 April 1844.

8. *Jane*, born at Cullen House 8 September 1813; married, 20 July 1843, to Major-General Sir Edward Walter Forestier Walker, K.C.B., and had issue. She died 16 September 1861. He died 27 July 1881, leaving four sons, of whom the eldest is General Sir Frederick W. E. Forestier Walker, G.C.M.G., K.C.B.

III. SIR JOHN CHARLES, Baronet, seventh Earl of Sea-

field, Viscount of Reidhaven, Lord Ogilvie of Deskford and Cullen, First Baron Strathspey of Strathspey, K.T., born 4 September 1814. He entered the Navy about 1828. After the death, in 1840, of his elder brother Francis William, he retired from the Navy; and a few months later, by his father's accession to the estates and honours of Seafield, he enjoyed the courtesy title of Viscount Reidhaven and Master of Grant. On 30 July 1853 he succeeded his father as seventh Earl of Seafield, and in the same year was elected one of the Representative Peers of Scotland. He held that position till 14 August 1858, when he was created a Peer of the United Kingdom, under the title of **BARON STRATHSPEY OF STRATHSPEY**, an occasion celebrated with great rejoicings in the district. He was also a great tree planter. In the Duthil district alone fourteen million fir-trees were planted between 1866 and 1877. He was created a K.T. 1879.<sup>1</sup>

Lord Seafield died, after a short illness, at Cullen House, on the evening of 18 February 1881, and was buried at Duthil. He married, on 12 August 1850, the Honourable Caroline Stuart, youngest daughter of the eleventh Lord Blantyre. Their only child succeeded him as Earl of Seafield and Laird of Grant.

IV. SIR IAN CHARLES, Baronet, eighth Earl of Seafield, etc., second Baron Strathspey of Strathspey, was born in Moray Place, Edinburgh, on 7 October 1851.<sup>2</sup> He was educated at Eton, and received his first commission as a cornet and sub-lieutenant in the 1st Regiment of Life Guards on 8 December 1869. He was promoted lieutenant in October 1871, and retired from the service in January 1877. He succeeded his father on his death, 18 February 1881. Before this event he had acted as Convener of the county of Inverness. He was also a Deputy-Lieutenant of Banffshire and Inverness-shire. He was an active office-

<sup>1</sup> He it was who first resolved to carry out the design of preserving an enduring record of his family and their muniments. This task he entrusted to the late Sir William Fraser, K.C.B., LL.D., a work which was completed in the lifetime of his son and successor, the eighth Earl. To this—*The Chiefs of Grant*, three volumes, privately printed, 1883—the writer of this article has been greatly indebted. <sup>2</sup> See also *In Memoriam, Ian Charles, eighth Earl of Seafield, twenty-seventh Chief of the Clan Grant*, 1-5.

bearer of the Church of Scotland. He was devotedly attached to his clan and tenantry, and continued the policy of his predecessors in improvements on his estates. A promising career was cut short by his death, which took place on 31 March 1884. He was buried at Duthil. On his death, unmarried, the barony of Strathspey became extinct. The Grant and Seafield estates he bequeathed to his mother, Caroline, Countess of Seafield. He was succeeded in the title and headship of the clan by his uncle,

V. SIR JAMES, ninth Earl of Seafield, born 27 December 1817. He was M.P. for Elgin and Nairn, 1868-1874. He was a Deputy-Lieutenant, and lieutenant-colonel Elgin Volunteers. He was created a Peer of the United Kingdom 17 June 1884, under the title previously borne by his brother and nephew, BARON STRATHSPEY OF STRATHSPEY. He died 5 June 1888. He married, first, 6 April 1841, Caroline Louisa, second daughter of Eyre Evans of Ash Hill Towers, co. Limerick, a grand-nephew of George, first Lord Carbery; she died on 6 February 1850, with issue:—

1. FRANCIS WILLIAM, tenth Earl.

He married, secondly, on 13 April-1853, Constance Helena, fourth daughter of Sir Robert Abercromby of Birkenbog, fifth Baronet, who died on 13 February 1872. By her he had issue:—

2. *Robert Abercromby*, late captain 2nd Battalion Gordon Highlanders, born 4 September 1855, served in Afghan war 1879-80, and Boer war 1881.

The Earl married, thirdly, on 15 December 1875, Georgina Adelaide Forestier, widow of William Stuart of Aldenham Abbey, Herts, and Tempsford Hall, Bedfordshire, and daughter of the late General Frederick Nathaniel Walker, K.C.H., of Manor House, Bushey. She died 7 September 1903. He was succeeded by his elder son,

VI. SIR FRANCIS WILLIAM, tenth Earl of Seafield, born 9 March 1847; married, 24 November 1874, his cousin, Ann Trevor Corry, only daughter of Major George Thomas Evans of Otago, New Zealand, and died 3 December 1888, having had issue:—

1. JAMES, eleventh and present Earl.
2. *Trevor*, born 2 March 1879, married, 19 December 1905, Alice Louisa, third daughter of the late Thomas Masterman Hardy-Johnston, M.I.C.E., of Christchurch, New Zealand, and has issue:—  
*Lena Barbara Joan*, born 2 July 1907.
3. *John Charles*, born 1887; died 8 December 1893.
4. *Caroline Louisa*, born 19 May 1877.
5. *Sydney Montague*, born 23 July 1882.
6. *Ina Eleanora* (twin with her sister), died 30 September 1893.
7. *Nina Geraldine*, born 6 June 1884.

VII. SIR JAMES, eleventh Earl of Seafield, born 18 April 1876, succeeded his father 3 December 1888; married, 22 June 1898, Mary Elizabeth Nina, eldest daughter of the late Joseph Henry Townend, M.D., J.P., of Christchurch, New Zealand, and has issue:—

*Nina Caroline*, born 17 April 1906.

CREATIONS.—Viscount Seafield and Lord Ogilvie of Cullen, 24 June 1698; Earl of Seafield, Viscount Reidhaven, and Lord Ogilvie of Deskford and Cullen, 24 June 1701, all in the Peerage of Scotland; Baron Strathspey of Strathspey, in the counties of Inverness and Moray, in the Peerage of the United Kingdom, 17 June 1884; Baronet of Nova Scotia, 30 August 1625.

ARMS (recorded in Lyon Register).—Quarterly quartered, 1st and 4th grand quarters, quarterly, 1st and 4th, argent, a lion passant guardant gules, crowned with an imperial crown or, for *Ogilvie*; 2nd and 3rd, argent, a cross engrailed sable, for *Sinclair*; 2nd and 3rd grand quarters, gules, three antique crowns or, for *Grant*.

CRESTS.—1st, A lion rampant guardant of the second, holding in his paws a plummet or, for *Ogilvie*; 2nd, a burning hill proper, for *Grant*.

SUPPORTERS.—On the dexter side a lion rampant guardant

or, armed gules, and on the sinister a savage or naked man, bearing upon his left shoulder a club, proper, and wreathed about the head and middle with laurel, vert.

MOTTOES.— { *Tout jour*, for *Ogilvie*.  
                  { *Stand fast*, *Craig-Elachie*, for *Grant*.

[c.]

## MACKENZIE, EARL OF SEAFORTH



MACKENZIE is found at an early date as the name of a Highland clan possessed of extensive estates in the county of Ross. The origin of the clan has been much in dispute. Certain family historians trace it to a Colin Fitzgerald, a cadet of the Irish family of Fitzgerald, and cite in proof a charter of the lands of Kintail granted to Colin 'Hybernus' in the sixteenth year of the reign of King Alex-

ander II. (1229-30), which is stated to have been in the possession of the fifth Earl of Seaforth in 1716.<sup>1</sup> No such charter is now extant, and its authenticity has been questioned by competent critics.<sup>2</sup> An alternative account of the origin of the clan makes the eponymous Kenneth a descendant of Colin of the Aird, the progenitor of the Earls of Ross.<sup>3</sup>

A series of chiefs in great detail from this Kenneth is given by Lord Cromartie in his history of the family, and these are given below. There is, however, no record evidence for the existence of any of them previous to Alexander Mackenzie 'Ionraic.' Lord Cromartie probably got most of his information from tradition which may be more or less correct, but there are no means of verifying it.

<sup>1</sup> Lord Cromartie's *History*; Crawford's *Peerage*. <sup>2</sup> Innes's *Orig. Paroch. Scot.*, II. ii. 391; Skene's *Celtic Scotland*, iii. 364. <sup>3</sup> Advocate's Library ms.

KENNETH<sup>1</sup> is said to have married Morna, daughter of Alexander Macdougall of Lorn, with issue a son *John*.<sup>2</sup> He died in 1304.

JOHN MACKENZIE, in opposition to his father-in-law and to the Earl of Ross, attached himself to the fortunes of Bruce, to whom he is said by tradition to have afforded shelter in his castle of Eilandonnan.<sup>3</sup> He attended the King at Inverness in 1312,<sup>4</sup> and was present at Bannockburn. He is said to have married Margaret, daughter of David de Strathbogie, Earl of Atholl,<sup>5</sup> with issue a son *Kenneth*. He died in 1338.<sup>6</sup>

KENNETH MACKENZIE, known as 'na sroine' (of the nose), appears to have been engaged in constant strife with the Earl of Ross, by whom he was made prisoner and executed in 1346.<sup>7</sup> He is said to have married Fynvola, daughter of Torquil Macleod of Lewis, and had issue a son *Murdoch*.

MURDOCH MACKENZIE, known as 'na h'uagh' (of the cave), is stated to have had from King David II. a charter ('Murdo filio Kenneti de Kintail') of confirmation of all his lands, dated 1360,<sup>8</sup> but the charter is not extant or recorded, and its authenticity is not now admitted by genealogists. He is said to have married Isabel, daughter of Murdoch Macaulay of Lochbroom, with whom he got the lands of Lochbroom, and by her he had a son *Murdoch*.<sup>9</sup> He died in 1375.

MURDOCH MACKENZIE, known as 'na drochaid' (of the bridge), is stated to have had from King Robert II. a charter as son of Murdoch of Kintail confirming his lands to himself and his heirs, dated 1380,<sup>10</sup> but, like the charters previously referred to, it is not now believed to be authentic. Murdoch refused to join Donald, Lord of the Isles, in the expedition which culminated at Harlaw. He is said to have married Fynvola, daughter of Malcolm Macleod of Harris, with issue a son *Alexander*.<sup>11</sup> He died in 1416.

<sup>1</sup> In a Gaelic ms. in the Advocates' Library this Kenneth is said to be 'son of Angus, son of Christian, son of Adam, son of Gilloinog, son of Gilceoin of the Aird; *Coll. de Rebus Albanicis*, Iona Club, 1839. <sup>2</sup> Cromartie's *History*. <sup>3</sup> Applecross ms.; Dr. George Mackenzie's ms. <sup>4</sup> *Invernessiana*, 36-40. <sup>5</sup> No record of this daughter has been discovered. <sup>6</sup> Cromartie's *History*. <sup>7</sup> Mackenzie's *History*. <sup>8</sup> Cromartie's *History*. <sup>9</sup> *Ibid.* <sup>10</sup> *Ibid.* <sup>11</sup> *Ibid.*



ALEXANDER MACKENZIE, known as 'Ionraic' (upright), was summoned to meet King James I. at Inverness in 1427, and by the King's orders was sent for his education to Perth.<sup>1</sup> He was instrumental in crushing the rebellion of the Earl of Ross. He had, in 1463, from John, Earl of Ross, a charter of the lands of Killin, Garve, Kinlochluichart and others,<sup>2</sup> and in 1477 a Crown charter of Strathconan, Strathgarve, Strathbraan and others, forfeited by the Earl of Ross.<sup>3</sup> He died in 1488. He married, first, Anna, daughter of John Macdougall of Dunolly,<sup>4</sup> with issue:—

1. KENNETH, who succeeded.

2. *Duncan*, 'of better hands than head,'<sup>5</sup> ancestor of the Mackenzies of Hilton.

He married, secondly, Margaret, daughter of 'M'Coull of Morir,'<sup>6</sup> with issue:—

3. *Hector*. He is said to have been contracted to a daughter of Grant of Freuchie, who died before her marriage, but by whom he had a son *Hector*. He married, afterwards, a daughter of Ranald MacRanald of Moydart, with issue. He was ancestor of the Mackenzies of Gairloch.

4. — a daughter, who married Allan Macleod of Gairloch.

He had a natural son, who, as Superior, is said to have repaired Beaully Priory, and to have been buried there in 1479.<sup>7</sup>

KENNETH MACKENZIE, known as 'a' bhclair' (of the battle), was served heir to his father in the lands of Kintail at Dingwall 2 September 1488.<sup>8</sup> He had a tack from the Crown of Ardovale and other lands before 1479, and year after year appears as resisting payment of the fermes and deforcing the Crown officers.<sup>9</sup> He had a charter of Meyne and other lands from the Earl of Ross before 1486.<sup>10</sup> He died 7 February 1491-92 and was buried at Beaully,<sup>11</sup> where his tomb is still extant.<sup>12</sup> He married, first, Margaret,

<sup>1</sup> Cromartie's *History*. <sup>2</sup> *Inventory Allangrange Papers*. <sup>3</sup> *Ibid*.

<sup>4</sup> Cromartie's *History*, 105. <sup>5</sup> *Ibid*. <sup>6</sup> *Ibid*. <sup>7</sup> *History of Beaully Priory*, Grampian Club, 105. <sup>8</sup> *Seaforth Charters*; John Macra's ms. *Hist. of the Macraes*, 1704. <sup>9</sup> *Exch. Rolls*, viii. 597; ix. 61. <sup>10</sup> *Ibid.*, ix. 405.

<sup>11</sup> Cromartie's *History*. <sup>12</sup> *Hist. of Beaully Priory*, Grampian Club, 105 and frontispiece.

daughter of John, Lord of the Isles and fourth Earl of Ross, whom he divorced,<sup>1</sup> and by whom he had a son:—

1. KENNETH, who succeeded.

He married, secondly, Agnes Fraser, whose parentage is not certainly known. She had a decree by the Lords of Council ordaining David Ross of Balnagowan to restore certain cattle spulzied by him from the lands of Kynlyn 17 July 1494.<sup>2</sup> By her he had issue:—

2. JOHN, who succeeded his half-brother.

3. *Alexander*, ancestor of the Mackenzies of Davochmaluag.

4. *Roderick*, ancestor of the Mackenzies of Achilty. He died 17 March 1533,<sup>3</sup> and is said to have married, or perhaps been handfasted to, first a daughter of Farquhar MacHeachen of the family of Maclean; secondly, a daughter of William Dow Macleod, and, thirdly, a daughter of 'the lady Balnagowan Grant.'<sup>4</sup>

5. *Mr. Kenneth*, priest of Avoch and vicar of Conveth,<sup>5</sup> ancestor of the Mackenzies of Suddie.

6. *Agnes*, married to Roderick Macleod of Lewis.

7. *Catherine*, married to Hector Munro of Fowllis.

The issue of the second marriage are stated to have been legitimised by Pope Alexander VI. in 1491,<sup>6</sup> but no record of this has been traced in the Vatican archives.<sup>7</sup>

KENNETH MACKENZIE, styled Sir Kenneth, appears not to have been served heir to his father. He was killed at Torwood near Stirling 1498-99, leaving no legitimate issue.<sup>8</sup> His uncle Hector, who had been left tutor to Sir Kenneth, on his death, repudiating the legitimisation of the children by the second marriage, and setting aside the prior claim of the son of his elder half-brother Duncan, endeavoured to retain possession of the estates.

JOHN MACKENZIE, known as 'John of Killin,' eldest son of Kenneth a' bhlairstair by his second marriage, obtained through the influence of Lord Lovat, in April 1500 from James Stewart, Duke of Ross, a precept of clare constat including the lands of Kintail.<sup>9</sup> In 1504 he claimed a

<sup>1</sup> Macfarlane's *Gen. Coll.*, i. 60. <sup>2</sup> *Acta Dom. Conc.*, 327. <sup>3</sup> Macfarlane's *Gen. Coll.*, i. 83. <sup>4</sup> *Ibid.* <sup>5</sup> *Antiq. Notes*, 100. <sup>6</sup> Cromartie's *History*. <sup>7</sup> Findon *Tables*, 19. <sup>8</sup> Macfarlane's *Gen. Coll.*, i. 61. <sup>9</sup> Seaforth Charters.

hereditary right to Meyne, Escadell and other lands in Ross,<sup>1</sup> and about the same time was tenant of Kynellane, Scatell Mekill and Scatell Beg,<sup>2</sup> and later of Kilquilladrum and Mylne of Coulle.<sup>3</sup> He had a charter of Keantalle, Eleandonnan and other lands, incorporated in the free barony of Eleandonnan, 25 February 1508-9;<sup>4</sup> and in 1511 his uncle Hector was ordained by the Lords of Council to give his nephew free ingress to the castle of Eleandonnan.<sup>5</sup> In 1515 he seized the royal castle of Dingwall, for which act he had a charter of remission dated 1 December.<sup>6</sup> In 1526 he was infeft, jointly with his wife, in the lands of Fothirte, Strathgarvy and Killyn.<sup>7</sup> He had charters of Killequhildrum, etc., 25 September 1528; of Fotherly, etc., 25 May 1532; of Kinlochbanquhorie 30 August 1538; of Lagan, etc., 12 December 1540; of Meklebrawane, 15 September 1541; of Monare, etc., 22 October 1542; of Lochbryne, in excambion for Fotherly, to himself and Elizabeth Grant his wife, 20 June, confirmed 13 September 1543.<sup>8</sup> In 1540 he was paid for ingathering the customs of Inverness, and for keeping the castle of Sclate.<sup>9</sup> He fought at Flodden, and on his return home was appointed by the Lords of Council Lieutenant or Guardian of Wester Ross.<sup>10</sup> He also fought at Pinkie, where he was taken prisoner. He died in 1561, and was buried at Beaully. He married Elizabeth, said to have been a daughter of John Grant, second of Freuchie, and by her had issue:—

KENNETH, who succeeded.

KENNETH MACKENZIE, styled 'na Cuirc' (of the whittle), was in 1539 tenant of Little Skattil, and Bawblair.<sup>11</sup> As heir-apparent of John Mackenzie of Kintail, he had a charter, to himself and Isabel Stewart his spouse, of part of the lordship of Kintail and the lands of Mekill Braan, resigned by his father, 24 April 1543,<sup>12</sup> and a charter of the lands of Lochalsh, purchased from Thomas Dingwall of Kildun, 20 November 1554.<sup>13</sup> In 1562 he delivered up to Queen Mary, Mary Macleod, daughter of the late William Macleod of

<sup>1</sup> *Exch. Rolls*, xii. 241. <sup>2</sup> *Ibid.*, 663. <sup>3</sup> *Ibid.*, xiii. 598. <sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *Acts and Decrees*, xxii. 142. <sup>6</sup> *Reg. Sec. Sig.*, i. No. 2671. <sup>7</sup> *Lord High Treasurer's Accounts*, v. 247. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *Exch. Rolls*, xvii. 285. <sup>10</sup> *Acts and Decrees*, xxvi. 25. <sup>11</sup> *Exch. Rolls*, xvii. 670, 675. <sup>12</sup> *Reg. Mag. Sig.* <sup>13</sup> Confirmed 24 November, *ibid.*

Harris.<sup>1</sup> He died 6 June 1568, and was buried at Beauly.<sup>2</sup> He married, in 1538, Elizabeth Stewart, daughter of John, second Earl of Atholl, and by her had issue:—

1. *Murdoch*, who died young.<sup>3</sup>
2. COLIN, styled second son in the charter of 1560 to Roderick. Succeeded his father.
3. *Roderick*, had, as third son, a charter of the church lands of Ardfaille 28 July 1560, confirmed 12 May 1587,<sup>4</sup> and a charter of the lands of Redcastle 26 February 1598-99.<sup>5</sup> He married Finguella Monro, and was ancestor of the Mackenzies of Redcastle.
4. *Dugald*, associated with his brother Roderick in an attack on Glengarry in 1581-82.<sup>6</sup>
5. *Janet* (also called *Mary*), married, first (as his third wife), to Angus Macdonald of Glengarry; and, secondly, to Alexander Chisholm of Chisholm.
6. *Agnes*, married (contract 11 May 1567<sup>7</sup>) to Lachlan Mackintosh of Mackintosh.
7. *Margaret*, married (contract 24 November 1556) to Walter Innes, son and heir of John Innes of Inverbrakye. She had a charter of Balnagall 3 January, confirmed 19 January 1556-57.<sup>8</sup> She died June 1570.<sup>9</sup>
8. *Catherine*, married, as his second wife, to Alexander Ross of Balnagowan, and died at Daan 12 April 1592.<sup>10</sup>
9. *Elizabeth*, married to Walter Urquhart of Cromarty.<sup>11</sup>
10. *Marjory*, married (contract 30 May 1574) to Robert Monro, son and heir of Robert Monro of Foulis; she had a charter of Meikle Findon 11 June 1574, confirmed 10 July.<sup>12</sup>

COLIN MACKENZIE, known as Colin Cam (one-eyed), was served heir to his father in several lands in the earldom of Ross October 1574.<sup>13</sup> He had charters of Allangrange 14 August 1572;<sup>14</sup> of Lochbroyne, to himself and his spouse Barbara Grant, 6 December 1572; both confirmed 10 July 1574;<sup>15</sup> also of Kirkton of Foddertie and other lands 4 February 1577;<sup>16</sup> of half the lands of Culteloyd and others

<sup>1</sup> *P. C. Reg.*, i. 207. <sup>2</sup> *Cromartie's Hist.* <sup>3</sup> *Ibid.* <sup>4</sup> *Reg. Mag. Sig.*  
<sup>5</sup> *Ibid.* <sup>6</sup> *P. C. Reg.*, iii. 505. <sup>7</sup> *The Mackintoshes*, 146. <sup>8</sup> *Reg. Mag. Sig.*  
<sup>9</sup> *Edin. Tests.*, 28 October 1581. <sup>10</sup> *Scot. Antiq.*, iv. 10. <sup>11</sup> *Nisbet*, App. x.  
 274. <sup>12</sup> *Reg. Mag. Sig.* <sup>13</sup> *Retours, Ross*, No. 6. <sup>14</sup> *Reg. Mag. Sig.*  
<sup>15</sup> *Ibid.*, confirmed 5 February 1582-83. <sup>16</sup> *Ibid.*

5 February 1582-83;<sup>1</sup> of the barony of Assint 20 January 1591-92, resigned by his nephew Torquil Macleod,<sup>2</sup> of the church lands of Apilcroce and others, incorporated as one tenantry, 4 February 1591-92.<sup>3</sup> In 1569 he signed the band acknowledging James VI.,<sup>4</sup> and in the same year he bound himself to obtain letters of slains from the family of the late John M'Anemoir.<sup>5</sup> In 1573-75 he provided cautioners for his remaining in or near Edinburgh.<sup>6</sup> In 1577-78 he was one of several chiefs charged by the Privy Council to defend Glengarry against Argyll.<sup>7</sup> In 1578-79 he was denounced for inhumane and cruel dealing towards the Bishop of Ross, and his wife, Christian Scrimgeour, and was charged to deliver Chanonry Castle to Lord Methven.<sup>8</sup> In 1582 he and his brothers Roderick and Dugald were sued by Glengarry for slaying many of his kin; and Colin was ordained to deliver the castle of Strome to Glengarry, but subsequently to Argyll.<sup>9</sup> In 1585, on complaint of Hugh Fraser of Guisachan, he was denounced rebel for violent occupation of the complainer's lands.<sup>10</sup> In 1586 he found caution that he would not injure Andrew, Lord Dingwall,<sup>11</sup> and would desist from fishing in the water of Conon.<sup>12</sup> In the same year he was ordered to enter in ward in Blackness Castle under pain of treason, and found caution that he would repair to Edinburgh;<sup>13</sup> he was again complained against for obstructing the fisheries.<sup>14</sup> In 1588-90 he was member of a Commission for executing the laws against papists,<sup>15</sup> and in 1589 was Commissioner for Inverness-shire to convene the freeholders for choosing representatives in Parliament,<sup>16</sup> and was member of a Commission to deal with reported witchcraft. In 1592-93 he was chosen a Commissioner of Justiciary for the counties of Elgin, Nairn, and Inverness; and subsequently a member of the Privy Council.<sup>17</sup> He died at Redcastle 14 June 1594,<sup>18</sup> and was buried at Beaully, having married, (contract 25 April 1572)<sup>19</sup> Barbara, daughter of John Grant of Freuchie, by whom he had issue:—

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.* <sup>3</sup> *Ibid.* <sup>4</sup> *Cal. State Papers, Scot.*, iii. 166; *P. C. Reg.*, i. 654; xiv. 108. <sup>5</sup> *Ibid.*, i. 673. <sup>6</sup> *Ibid.*, ii. 319, 332, 358, 435, 438. <sup>7</sup> *Ibid.*, 674. <sup>8</sup> *Ibid.*, iii. 88, 90. <sup>9</sup> *Ibid.*, 505, 541, 555. <sup>10</sup> *Ibid.*, 745. <sup>11</sup> *Ibid.*, iv. 38. <sup>12</sup> *Ibid.*, 65. <sup>13</sup> *Ibid.*, 70, 71. <sup>14</sup> *Ibid.*, 122. <sup>15</sup> *Ibid.*, 301, 464. <sup>16</sup> *Ibid.*, 384. <sup>17</sup> *Ibid.*, v. 51, 90; 753; *Acts and Decrees*, iii. 562. <sup>18</sup> *Edin. Tests.*, 13 February 1595-96. <sup>19</sup> *Reg. Mag. Sig.*, 18 May.

1. KENNETH, who succeeded.
2. *Sir Roderick* of Tarbat, tutor of Kintail, ancestor of the Earls of Cromarty. He was born about 1574, and died after 28 November 1626.<sup>1</sup> Will dated 22 September 1626.<sup>2</sup> He married (contract 6 May 1605<sup>3</sup>) Margaret, daughter and coheiress of Torquil Macleod of Lewis. She survived her first husband and married, secondly (contract 4 August 1628), Thomas Fraser of Strichen.<sup>4</sup>
3. *Mr. Colin*. He appears in the remainder to the lands of Cogeach granted by his brother Kenneth to his immediate elder brother Sir Roderick, 17 November 1608.<sup>5</sup> On 12 April 1612 he had a Commission of Justiciary, along with Sir Roderick, over the Island of Lewis; in this he is styled 'of Killin.'<sup>6</sup> He died at Kinchulladrum May 1650, and was buried at Beaully. He married, first, Catherine Macleod, a sister of his brother Roderick's wife, with issue two sons, *Kenneth* and *Colin*; and, secondly, Isobel, daughter of John Mackenzie, younger of Gareloch, with whom he got the lands of Pittendre and Davochpolls.<sup>7</sup>
4. *Mr. Alexander*, also mentioned in the remainder of the charters of 1608. He married, first (contract 15 August 1611), Jean, daughter of Sir Thomas Fraser of Strichen, tutor of Lovat, and widow of Sir James Stewart of Kilcoy; with her he had a grant of Kilcoy 29 January 1618.<sup>8</sup> He is said to have married secondly, Margaret Dunbar, a servant of Barbara Forbes, Lady Seaforth, his grand-nephew's wife, thus making true 'the old proverb that old men are twice bairns by marrying a woman that was not his equal in birth or age.'<sup>9</sup> His son *Mr. Roderick* had a charter, 13 July 1655, of the lands of Chanonrie, Rosmarkie, and others, apprised from George, Earl of Seaforth.<sup>10</sup>
5. *Murdoch*.<sup>11</sup>
6. *Katherine*, died May 1593,<sup>12</sup> married, at Dingwall,

<sup>1</sup> *P. C. Reg.*, 2nd ser., i. 450. <sup>2</sup> Original at Tarbat House. <sup>3</sup> *Cromartie Book*, i. p. xxx. <sup>4</sup> Cf. vol. v. 543. <sup>5</sup> Confirmed 8 April 1609, *Reg. Mag. Sig.* <sup>6</sup> *P. C. Reg.*, ix. 390. <sup>7</sup> Macfarlane's *Gen. Coll.*, i. 97. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> Macfarlane's *Gen. Coll.*, i. 98. <sup>10</sup> *Reg. Mag. Sig.* <sup>11</sup> *Ibid.*, 8 April 1609; *P. C. Reg.*, ix. 380. <sup>12</sup> *Edin. Tests.*, 3 June 1596.

December 1589, as his first wife, to Simon, sixth Lord Lovat.

7. *Janet*, married to Lachlan Maclean of Duart.
8. *Mary*, married to Sir Donald Macdonald of Sleat.
9. *Agnes*, mentioned in her father's testament-dative 1595-96.
10. *Margaret*, also mentioned there.

By *Mary*, daughter of Roderick Mackenzie of Davochmaluag, he had a natural son,

*Alexander*, ancestor of the Mackenzies of Applecross.

He is said to have been a handsome young man and a favourite both with his father and brothers. He died at Pittonachtie in March 1650, having married, first, Annabella, daughter of Murdoch Mackenzie of Fairburn, and widow of Thomas Mackenzie of Ord. He married, secondly, Christian, daughter of Hector Munro of Assynt.

KENNETH MACKENZIE had charters of Little Scattoll and other lands 27 February 1594-95; of the churchlands of Cullicudden, etc., with the office of constable of the bishopric of Ross, 27 March 1595; of the manor of Pluscardine and others, of new erected into a barony and regality 28 February 1595-96, and regranted to himself and Isobel Ogilvy his wife 12 March 1607; of the castle of Strome with the lands of Lochailsche, Lochcarron, Assint, Lewis and others, incorporated as the barony of Lochailsche, 17 March 1607; of the lands of Inscherorie and others (excambed with Thomas Urquhart of Cromarty for the churchlands of Cullicudden, etc.) 15 April 1608; of the lands and barony of Glenelg 22 July 1609.<sup>1</sup> He resigned the manor of Redcastle, the ferry and fishings of Kessok, and other adjoining properties, in favour of his uncle, Roderick Mackenzie of Ardfaille, 26 February 1598-99.<sup>2</sup> He resigned the lands and barony of Lewis towards the erection of Stornoway into a burgh of barony, 18 October 1607.<sup>3</sup> On 9 February 1600 he purchased from Andrew Monro of Newmoir the office of chief 'mair' of the shire of Ross.<sup>4</sup> In 1595-96 he was appointed a member of the

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Ibid.* <sup>3</sup> *Ibid.* <sup>4</sup> Confirmation 16 March 1624, *ibid.*

Privy Council,<sup>1</sup> and, during his visits to Edinburgh, he attended meetings with regularity, and was a member of sundry commissions.<sup>2</sup> He was a commissioner to the Parliament that met in Edinburgh in 1607, and in 1609 was one of the Lords of the Articles.<sup>3</sup>

He was created a Peer of Scotland under the title of LORD MACKENZIE OF KINTAIL by patent dated 19 November 1609,<sup>4</sup> and had *de novo* charters of his lands 5 June and 20 July 1610.<sup>5</sup> He died 27 February 1611,<sup>6</sup> having married, first, Jean, daughter of George Ross of Balnagowan. She died 9 May 1604,<sup>7</sup> and he married, secondly, before 12 March 1607, Isabel, daughter of Gilbert Ogilvie of Powrie, who survived him and married, secondly, Sir John Seton of Barns. By his first wife he had issue:—

1. COLIN, second Lord Mackenzie of Kintail and first Earl of Seaforth.
2. *John*, of Lochslyne, who married Isobel, eldest daughter of Alexander Mackenzie of Gairloch.
3. *Kenneth*.
4. *Barbara*, married, in August 1610, as his first wife, to Donald, first Lord Reay.
5. *Janet*, married to Sir Donald Macdonald, Bart., of Sleat.

All these children are mentioned in the mother's testament-dative.

By his second wife he had issue:—

6. *Alexander*, who died in 1614 without issue. His brother George was served heir in the lands of Loganeshauch in the parish of Elgin, 9 December 1636.<sup>8</sup>
7. GEORGE, who succeeded his half-brother Colin as second Earl of Seaforth.
8. *Thomas*, had a charter, to himself and Jean Grant his wife, of the barony of Pluscardine 25 July 1636;<sup>9</sup> and a charter of Auchmadies in Banffshire 18 December 1643.<sup>10</sup> He married, after 1626, first, Jean, daughter of John Grant of Freuchie, and widow of

<sup>1</sup> *P. C. Reg.*, v. 273. <sup>2</sup> *Ibid.*, vols. vii. viii. ix. <sup>3</sup> *Acts and Decrees*, iv. 413.

<sup>4</sup> *Reg. Mag. Sig.*, 17 November; *P. C. Reg.*, viii. 470. <sup>5</sup> *Reg. Mag. Sig.*

<sup>6</sup> Allangrange service. <sup>7</sup> *Edin. Tests.*, 30 July 1607. <sup>8</sup> *Retours, Elgin*, No. 68. <sup>9</sup> *Reg. Mag. Sig.* <sup>10</sup> *Ibid.*



William Sutherland of Duffus, and, secondly, Jean, daughter of Sir William Cockburn of Langton, Bart., and widow of Alexander Dunbar of Grange.<sup>1</sup> He had issue:—

1. *Colin*, served heir of his father in his estates in the counties of Elgin and Banff 6 and 13 May 1687.<sup>2</sup> Married Margaret, daughter of — Heatley of Bairfoot.<sup>3</sup>
2. *George*, and two daughters, one married to Alexander Chisholm of Comer.

The male issue of Thomas of Pluscardine was proved extinct at the Allangrange service in 1829.

9. *Simon*, designated of Lochslinn after the death of his half-brother John, M.P. for Inverness, Ross and Caithness, 1640-41.<sup>4</sup> He died at Balcony in January 1666, and was buried at Chanonry. He married, first (contract May and June 1634), Elizabeth, daughter of Peter Bruce, D.D., Principal of St. Leonard's College, St. Andrews; and, secondly, Agnes, daughter of William Fraser of Culbokie, and widow of Alexander Mackenzie of Ballone; and had issue:—

- (1) *George*, afterwards Sir George Mackenzie of Rosehaugh.<sup>5</sup> Born at Dundee 1636, entered King's College, Aberdeen, 1649;<sup>6</sup> M.A. St. Andrews 1653, Lord Advocate for Scotland 1666 to 1686 and 1688. Died at Westminster, 8 May 1691, and was buried in Greyfriars Churchyard, Edinburgh, 26 June. His collected works in law and general literature were published in two volumes in 1716. He married, first (contract 8 December 1662), Elizabeth, daughter of John Dickson of Hartree, one of the Senators of the College of Justice. She was buried 13 August 1669;<sup>7</sup> and he married, secondly, 14 January 1670, Margaret, daughter of James Hallyburton of Pitcur. He had five sons and four daughters. His only son by his second marriage, George, was served heir to his father, 22 October 1691,<sup>8</sup> and died, without male issue, October 1707.
- (2) *Simon*, who died in 1664, married, in 1663, Jane, daughter of Alexander Mackenzie of Ballone, with issue:—
  - i. *Simon*, a posthumous son, admitted advocate 3 February 1698; married, first, on 22 August 1693, Isobel, daughter and heir-portioner of Sir Roderick Mac-

<sup>1</sup> *Reg. Mag. Sig.*, 25 July 1635; Macfarlane's *Gen. Coll.*, i. 101. <sup>2</sup> *Retours, Elgin*, No. 151; *Banff*, No. 150. <sup>3</sup> Macfarlane's *Gen. Coll.*, i. 101. <sup>4</sup> *Return*, ii. 560. <sup>5</sup> Lang's *Sir George Mackenzie*; Barty's *Mackenzie-Wharnclyffe Deeds*. <sup>6</sup> *Roll of Alumni*, 18. <sup>7</sup> Greyfriars Reg. <sup>8</sup> *Retours, Edinburgh*, No. 1333.

kenzie of Findon, drowned in River Orrin February 1730, and through her acquired the estate of Allan, in Ross-shire, thereafter known as Allangrange. He married, secondly, Susanna, daughter of Colonel Alexander Fraser of Kinneries. His great-grandson, George Falconer Mackenzie, fourth of Allangrange, was in 1829 served heir-male to his ancestor, Simon Mackenzie of Loch Slinn, and heir-male in general to Kenneth, first Lord Mackenzie of Kintail, and to Colin, first Earl of Seaforth. George Falconer Mackenzie died in 1841. He and his sons John (died unmarried 1849) and James (died unmarried 1907) were in succession recognised as chiefs of the Clan Mackenzie.

- (3) *Colin*, called to the Scottish bar on 18 December 1672; married, 29 March 1677, Helen, fourth daughter of John Clerk of Pennycuik: she was buried 11 January 1690,<sup>1</sup> without issue.
- (4) *Thomas*, married (contract 16 September 1667), Annabella, daughter of Donald Mackenzie of Logie.<sup>2</sup>
- (5) *Alexander*.
- (6) *Jean*, styled eldest daughter, married (contract 9 July 1656) to Robert Douglas, younger of Muldarge.<sup>3</sup>

10. *Sibyl*, married, first, to John Macleod of Macleod; secondly, to Alexander Fraser, tutor of Lovat;<sup>4</sup> and, thirdly, to Patrick Grant of Cluniemore.<sup>5</sup>

I. COLIN, second Lord Mackenzie of Kintail, succeeded to the Peerage in 1611, his minority being dispensed with by royal precept.<sup>6</sup> He was served heir-male to his father 23 May 1615,<sup>7</sup> and to his grandfather 15 June 1619.<sup>8</sup> In 1622 he had (with the tutor of Kintail and others) a Commission to pursue Malcolm M'Rorie Macleod for troubling the island of Lews,<sup>9</sup> and was exempted from serving against the Earl of Caithness.<sup>10</sup> In the following year he was appointed Justice of the Peace for Elgin, Forres, Nairn and the shires of Inverness and Cromarty; and Commissioner of Justiciary over the lordships of Kintail and Lochalsh.<sup>11</sup> On 4 February 1623 he had a charter of confirmation of his lands;<sup>12</sup> and on 3 December was created EARL OF SEAFORTH by patent, with remainder to his heirs-male whomsoever.<sup>13</sup> In 1625 he had Commissions of Justiciary

<sup>1</sup> Greyfriars Burials. <sup>2</sup> *Deeds*, Durie, 19 March 1669. <sup>3</sup> *Gen. Reg. Inhib.*, 4 June 1664. <sup>4</sup> *Wardlaw MS.*, 395. <sup>5</sup> *Chiefs of Grant*, i. 238. <sup>6</sup> *P. C. Reg.*, ix. 218. <sup>7</sup> *Retours, Ross*, No. 37; *P. C. Reg.*, x. 327. <sup>8</sup> *Ibid.*, No. 49. <sup>9</sup> *Ibid.*, xiii. 83. <sup>10</sup> *Ibid.*, 127. <sup>11</sup> *Ibid.*, 338, 349. <sup>12</sup> *Reg. Mag. Sig.* <sup>13</sup> *Ibid.*; *P. C. Reg.*, xiii. 841.

within the bounds of the Lewis, Kintail, and Lochalsh, and was asked by the Privy Council to assist against Clan Ian,<sup>1</sup> or Macdonalds of Ardnamurchan, and in this and subsequent years he had many other commissions for special purposes.<sup>2</sup> On 13 March 1627 he had a charter of the lands of Moydart and Arrasak.<sup>3</sup> In 1628, and again in 1631, he was appointed a member of the Privy Council.<sup>4</sup> In 1628 he had a royal letter for the erection of Stornoway into a royal burgh;<sup>5</sup> and in the following year he was complained against for introducing Hollanders into the county to the injury of native trade.<sup>6</sup> He died at Chanonry 15 April, and was buried in the church there 28 May 1633.<sup>7</sup> He married, in Holyrood Abbey Chapel, 5 June 1614,<sup>8</sup> Margaret Seton, fourth daughter of Alexander, first Earl of Dunfermline, and by her (who died 20 February, and was buried at Dalgety 8 March, 1630<sup>9</sup>) he had issue:—

1. *Jean*, married, first (contract 17 and 25 December 1633<sup>10</sup>), between May 1633 and October 1634, to John Sinclair, Master of Berriedale, with issue George, Earl of Caithness; secondly, to Alexander, first Lord Duffus, and died 31 March 1648.<sup>11</sup>
2. *Anne*, was buried at Balcarres 29 May 1707; married, first (contract dated April 1640), to Alexander, first Earl of Balcarres, with issue, whose representative, the Earl of Crawford and Balcarres, is heir of line of the house of Kintail; and, secondly, 28 January 1670, to Archibald, ninth Earl of Argyll.

Lady Anne and Lady Jean were served heirs-portioners of their father 29 November 1636.<sup>12</sup>

II. **GEORGE**, second Earl of Seaforth, succeeded to the Peerage 1633. He was served heir to his father in the lands and barony of Pluscardine 14 January 1620;<sup>13</sup> and to his brother Colin in the lands and barony of Eilandonan 24 May 1633.<sup>14</sup> He had charters of Balmungie and Avache 8 August 1634;<sup>15</sup> of Rasay 5 February 1636;<sup>16</sup> of the barony

<sup>1</sup> *P. C. Reg.*, 2nd ser., i. 27, 60, 426. <sup>2</sup> *Ibid.*, i. ii. iii. <sup>3</sup> *Reg. Mag. Sig.*  
<sup>4</sup> *P. C. Reg.*, 2nd ser., ii. 354; iv. 188. <sup>5</sup> *Ibid.*, 2nd ser., ii. 336. <sup>6</sup> *Ibid.*, 2nd ser., iii. 95. <sup>7</sup> Funeral entry, Lyon Office. <sup>8</sup> Canongate Reg. <sup>9</sup> Funeral entry, Lyon Office. <sup>10</sup> *Deeds*, cccclxxxi. 441, 445. She is styled eldest daughter. <sup>11</sup> Cf. vol. iii. 209. <sup>12</sup> *Retours, Gen.*, No. 2263. <sup>13</sup> *Retours, Elgin*, No. 35. <sup>14</sup> *Ibid.*, *Ross*, No. 79. <sup>15</sup> Confirmed 18 July 1635, *Reg. Mag. Sig.* <sup>16</sup> Confirmed 18 February 1637, *ibid.*

of Lewis 13 March 1637; of the teinds of Insche and Avache 20 March 1637; of Lochalsche and others, in the barony of Eilandonan (to himself and his wife), 4 July 1642.<sup>1</sup> In 1634 he was appointed Justice of the Peace for Elgin, Forres, Nairn, and Inverness-shire,<sup>2</sup> and in 1637 and 1641 he was admitted a member of the Privy Council,<sup>3</sup> by which he was entrusted with various commissions.<sup>4</sup> The ratification of his infeftment of the Lewis by Parliament in 1641 was protested against by the Earl of Sutherland and the Marquess of Argyll.<sup>5</sup> He remained a supporter of the Crown, following Montrose, and was appointed Secretary of State for Scotland by Charles II. while he was in Holland. He died at Schiedam in August 1651. He married (contract 22 and 23 January 1628<sup>6</sup>) Barbara, eldest daughter of Arthur, tenth Lord Forbes, and by her, who was alive in 1666,<sup>7</sup> had issue:—

1. KENNETH, third Earl of Seaforth.
2. *George*, student at King's College, Aberdeen, in 1658.<sup>8</sup> Married Mary, daughter of Alexander Skene of Skene.<sup>9</sup>
3. *Colin*, student at King's College, Aberdeen, 1658.<sup>10</sup> Obtained a commission in the Earl of Mar's regiment 1683.<sup>11</sup> Attainted by Act of Parliament 14 July 1690.<sup>12</sup> Married Jean, daughter of Robert Laurie, Dean of Edinburgh. She was buried 5 January 1671, and had issue:—

(1) *Robert*, Captain in the Earl of Mar's Regiment 1688.<sup>13</sup>

(2) *George*, born 10 December 1669. M.D. of King's College, Aberdeen 1696.<sup>14</sup> Author of *Lives and Characters of the most Eminent Writers of the Scots Nation*, 1708-22, and other works. He died at Fortrose 23 November 1725.

4. *Roderick*,<sup>15</sup> of Kingwalledrum.<sup>16</sup>
5. *Jean*, married, first, as his second wife (contract 8 October 1647), to John, Earl of Mar,<sup>17</sup> and secondly, to Andrew, Lord Fraser.

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *P. C. Reg.*, 2nd ser., v. 387, 429. <sup>3</sup> *Ibid.*, 2nd ser., vi. 378; vii. 144. <sup>4</sup> *Ibid.*, 2nd ser., v. vi. vii. <sup>5</sup> *Acts and Decreeets*, v. 530, 533. <sup>6</sup> *Deeds*, ccclxxvii. 224. <sup>7</sup> *Wardlaw MS.*, 471. <sup>8</sup> *Roll of Alumni*, 20. <sup>9</sup> *Family of Skene*, 35, where George is designated of Kincardine and of Kintowdie. <sup>10</sup> *Roll of Alumni*, 20. <sup>11</sup> *Dalton's Scots Army*, 115, 118, 155. <sup>12</sup> *Acts and Decreeets*, ix. App. 61, 65, 153. <sup>13</sup> *Dalton*, 155, 157. <sup>14</sup> *Off. and Grad.*, 124. <sup>15</sup> *Macfarlane's Gen. Coll.*, i. 86. <sup>16</sup> *Gen. Reg. Inhibitions*, 11 November 1678. <sup>17</sup> *Reg. Mag. Sig.*, x. 374.

6. *Margaret*, married (contract 4 October 1648) to Sir William Sinclair of Mey, Bart.
7. *Barbara*, married to John Urquhart of Cromarty.<sup>1</sup>

III. KENNETH, third Earl of Seaforth, succeeded to the Peerage 1651, when he was a student at King's College, Aberdeen.<sup>2</sup> He joined Charles II. before the battle of Worcester, and was excepted from Cromwell's Act of Grace and Pardon<sup>3</sup> in 1654, when his estates were forfeited,<sup>4</sup> and he was imprisoned.<sup>5</sup> He was set at liberty at the Restoration, and had a commission of the office of Sheriff of Ross in 1662,<sup>6</sup> renewed to him and to his eldest son Kenneth, 31 July 1675. He died in December 1678. He married Isabel, daughter of Sir John Mackenzie of Tarbat, and sister of George, first Earl of Cromarty, about 1660, 'getting neither beauty, parts, portion, relation.'<sup>7</sup> By her, who was buried in Holyrood Abbey 18 February 1715, he had issue:—

1. KENNETH, fourth Earl of Seaforth.
2. *Mr. John* of Assynt, M.A., King's College, Aberdeen, 1684;<sup>8</sup> M.P. for Fortrose 1702;<sup>9</sup> married, in 1697, Sibyl, daughter of Alexander Mackenzie of Applecross, with issue:—

(1) *Kenneth* of Assynt, married Frances, daughter of Alexander Mackenzie of Conansbay, with issue:—

- i. *William*, entered the Scots College at Douai 2 June 1742, aged twelve.<sup>10</sup> Prior of the Scots monastery at Würzburg.<sup>11</sup>

3. *Margaret*, died August 1706, married (contract 5 September 1674) to James, second Lord Duffus, with issue.
4. *Anne*, died unmarried at Edinburgh 12 November 1734.<sup>12</sup>
5. *Isabel*, married, first (contract 8 February 1694<sup>13</sup>), to Roderick Macleod of Macleod, without issue; and secondly, after 1699, to Sir Duncan Campbell of Lochnell, with issue.
6. *Mary*, married, as his second wife, to Alexander

<sup>1</sup> Nisbet, App. x. 274. <sup>2</sup> *Roll of Alumni*, 18. <sup>3</sup> *Acta Parl. Scot.*, vi. pt. ii. 818. <sup>4</sup> *Ibid.*, 821. <sup>5</sup> *Ibid.*, 906. <sup>6</sup> *P. C. Reg.*, 3rd ser., i. 224. <sup>7</sup> *Wardlaw MS.* <sup>8</sup> *Roll of Alumni*, 42. <sup>9</sup> *Return*, 601. <sup>10</sup> *Records of Scots Coll.*, i. 84. <sup>11</sup> *Archiv. d. Hist. Vereins Würzb.*, 1863. <sup>12</sup> Holyrood Burials; Edin. Tests., 6 May 1735. <sup>13</sup> *Deeds, Mack.*, 25 March 1704.

Macdonell of Glengarry, with issue. She was buried at Holyrood 2 February 1726.

IV. KENNETH, fourth Earl of Seaforth, succeeded to the Peerage 1678. Served heir on 1 March 1681, to his great-grandfather Kenneth, first Lord Mackenzie of Kintail, in his lands in the lordship of Ardmannoch and earldom of Ross,<sup>1</sup> and on 16 July 1700 to his granduncle Colin, first Earl of Seaforth, in his lands in the lordship of Dingwall and earldom of Ross.<sup>2</sup> He was a Privy Councillor in 1685, and one of the eight original Knights of the Order of the Thistle 29 May 1687. In 1688 he followed James VII. to France, and thence to Ireland; and was by him created Marquess of Seaforth and Lord Fortrose about 1690.<sup>3</sup> In 1690 he joined the disaffected chiefs in the north of Scotland, but surrendered to General Hugh Mackay, and was detained in prison until 1697, when he submitted to the Government, was released, and withdrew to France.<sup>4</sup> On 15 September 1692 the Privy Council allowed his Countess to live with him in Edinburgh Castle.<sup>5</sup> He died in Paris January 1701. For a curious prophecy and doom pronounced in his time on the Seaforth family by a Highland seer, see Lady St. Helier's *Memories of Fifty Years*, pp. 5-7. There is a portrait of him at Brahan. He married Frances Herbert, second daughter of William, first Marquess of Powis, and by her, who died at Paris 16 December 1732, had issue:—

1. WILLIAM, fifth Earl of Seaforth.
2. *Alexander*, entered Scots College, Douai, 18 September 1685,<sup>6</sup> colonel in the Army. Married Elizabeth, daughter of John Paterson, Bishop of Ross, and by her, who died 3 February 1764, had issue:—

(1) *William*, major in the Army. Died 12 March 1770. Married May, daughter and heiress of Matthew Humberston of Humberston, co. Lincoln, and by her had issue:—

- i. THOMAS FREDERICK, of whom afterwards.
- ii. FRANCIS, of whom afterwards.
- iii. *Frances Cerjat*, married to Sir Vicary Gibbs, M.P., H.M. Attorney-General, afterwards Chief-Justice of

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<sup>1</sup> *Retours, Ross*, No. 138. <sup>2</sup> *Ibid.*, No. 192. <sup>3</sup> *Jacobite Peerage*, 162. <sup>4</sup> *State Trials*, xiii. 1445. <sup>5</sup> *Privy Council Acta*. <sup>6</sup> *Records of Scots Coll.*, 57.

the Common Pleas, who died 8 February 1820. She died 1 May 1843.

iv. *Maria Rebecca*, married to Alex. Mackenzie of Breda. v. *Elizabeth*.

vi. *Helen*, died 15 January 1802; married, 1786, to General Alexander Mackenzie Fraser of Inverallochy, M.P.

- (2) *Isabella*, died at Baldoon 6 April 1725; married, 14 March 1719,<sup>1</sup> to Basil Hamilton of Baldoon, and became mother of Dunbar, fourth Earl of Selkirk.
- (3) *Jane*, married to Dr. Alexander Mackenzie.
- (4) *Mary*, married to Captain Dougal Stewart.
- (5) *Elizabeth*, died unmarried.
- (6) *Maria*, maid-of-honour to Queen Caroline, married, in 1732, to Nicholas Price of Saintfield, co. Down. She was a woman of great beauty, and it is said that before her marriage the Countess of Deloraine, in a fit of jealousy, attempted to poison her.<sup>2</sup>

3. *Mary*, married, first, to John Caryll, the son of John Caryll, the friend of Pope; and, secondly, to Francis Sempill.<sup>3</sup> She died 3 April 1740.<sup>4</sup>

V. WILLIAM, fifth Earl of Seaforth, succeeded to the Peerage in 1701. He engaged in the rising of 1715,<sup>5</sup> and was present at the battle of Sheriffmuir. He escaped to France in July 1716. He was included in the Act of Attainder of 1716, by which his estates and the title of Earl of Seaforth were forfeited. He took part in the rising of 1719, and was wounded at the battle of Glenshiel, but again escaped to France. By royal letters patent he was, in 1726, discharged from execution or imprisonment, and by Act of Parliament he was, in 1736, freed from any disabilities under his attainder. He died in the island of Lewis 8 January 1740. There is a portrait of him at Brahan.

He married, 22 April 1715, Mary, only daughter and heiress of Nicholas Kennet, of Coxhow, Northumberland, and by her, who died in Paris in August 1739, had issue:—

1. KENNETH, Lord Fortrose.
2. *Ronald*, entered Scots College, Douai, aged seven, 11 October 1732;<sup>6</sup> died unmarried.
3. *Nicol*, entered Scots College, Douai, aged seven and a half, 18 December 1735;<sup>7</sup> died unmarried.

<sup>1</sup> Memo. St. Mary's Isle. <sup>2</sup> *Patrician*, v. 136. <sup>3</sup> Cf. *post*, p. 556.  
<sup>4</sup> *Scots Mag.* <sup>5</sup> Murray Rose's *Hist. Notes*. <sup>6</sup> *Records of Scots Coll.*, 78.  
<sup>7</sup> *Ibid.*, 79.

4. *Frances*, married, at Edinburgh, 11 March 1744, to the Hon. John Gordon, second son of William, sixth Viscount Kenmure; had issue, and died 7 January 1796.

KENNETH MACKENZIE was born about 1718, and but for his father's attainder would in 1740 have become sixth Earl of Seaforth. He was known as Lord Fortrose, the second title conferred on his grandfather by James VII. He supported the Government during the rising of 1745. He was M.P. for the Inverness Burghs 1741-47, and for Ross-shire 1747-61. He died in London 18 October 1761, aged forty-three, and was buried in Westminster Abbey.

He married, 11 September 1741, Mary, eldest daughter of Alexander, sixth Earl of Galloway, and by her, who died at Kensington 10 April 1751, had issue:—

1. KENNETH, his heir.
2. *Margaret*, married, at Edinburgh, 4 June 1785, to William Webb, merchant, London.
3. *Mary*, died 29 January 1826; married to Henry Howard of Tower House, Arundel; was mother of the first Earl of Effingham.
4. *Agnes*, married to J. Douglas.
5. *Catherine*, married, 1 March 1773, to Thomas Griffin Tarpley, a student of medicine.
6. *Frances*, married to Joseph Wall, who was afterwards hanged for flogging soldiers to death at Goree.<sup>1</sup>
7. *Euphemia*, married, 2 April 1771, to William Stewart of Castle Stewart, M.P. for the county of Wigtown, and died 14 February 1817.<sup>2</sup>

KENNETH MACKENZIE was born at Edinburgh 15, and baptized 29, January 1744,<sup>3</sup> and but for his grandfather's attainder would in 1761 have become the seventh Earl of Seaforth. He was created, 18 November 1766, BARON ARDELVE AND VISCOUNT FORTROSE, and, 3 December 1771, EARL OF SEAFORTH, all in the Peerage of Ireland. M.P. for Caithness 1768-74. He was instru-

<sup>1</sup> *Dict. Nat. Biog.*; Bleackley's *Some Distinguished Victims of the Scaffold*, 1905. <sup>2</sup> Holyrood Burials. <sup>3</sup> Old St. Paul's Reg., *Scot. Antiquary*, vi. 17.



mental in raising a regiment, the 78th Foot of Seaforth Highlanders, of which he was appointed colonel. He died in August 1781, on his passage with the regiment to the East Indies.

He married, first, at London, 7 October 1765, Caroline, eldest daughter of William, second Earl of Harrington, and by her, who died in London 9 February 1767,<sup>1</sup> had issue:—

*Caroline*, born in London 7 July 1766; married, as his second wife, to Lewis Pierre Francis Malcolm Drummond, Count Melfort, and died 1847.

Lord Seaforth married, secondly, Harriet Powell, the daughter of an apothecary, and a fashionable beauty of the town, who died 11 December 1779.<sup>2</sup> By his will, executed 19 April 1779, and proved 4 May 1785, he left personal property to 'Harriet, Countess of Seaforth, my wife.'<sup>3</sup>

THOMAS FREDERICK MACKENZIE HUMBERSTON, eldest son of Major William Mackenzie, and thus great-grandson of Kenneth, fourth Earl of Seaforth, would, but for the attainder of 1716, have in 1781 become eighth Earl. He had, on succeeding to his mother's property, taken the name of Humberston in addition to that of Mackenzie, and had purchased the Seaforth estates from his cousin the Earl of the new creation. He held commissions successively in the 1st Dragoon Guards, 78th Foot, and 100th Foot, and served with distinction in India, where he died *s.p.* at Geriah, from the effects of a wound, 30 April 1783.

FRANCIS HUMBERSTON MACKENZIE, his younger brother, born 9 June 1754, who, but for the attainder, would have become ninth Earl, succeeded to the estates of Seaforth and Humberston. He was M.P. for Ross-shire 1784-90, and 1794-96. He raised a regiment of Foot (numbered the 78th, the original 78th being renumbered the 72nd) of which he was appointed colonel. On 26 October 1797 he was created, in the Peerage of Great Britain, LORD SEAFORTH, BARON MACKENZIE OF KINTAIL, with succession to the heirs-male of his body. From 1800 to 1806 he was Governor of Barbados. He married, 22 April 1782, May,

<sup>1</sup> *Scots Mag.* <sup>2</sup> *Ann. Reg.* <sup>3</sup> *Notes and Queries*, 9, x. 145; xii. 241.

daughter of the Very Rev. Baptist Proby, Dean of Lichfield, and by her, who died 27 February 1829, he had issue:—

1. *William Frederick*, died young.
2. *George Leveson Boucherat*, died young.
3. *William Frederick (secundus)*, M.P. for Ross-shire from 1812 till his death, 25 August 1814.
4. *Francis John*, midshipman R.N., died in 1813.
5. *Mary Frederica Elizabeth*, born 27 March 1783, died 28 November 1862. Married, first, 6 November 1804, to Admiral Sir Samuel Hood, Bart., who died, without issue, 24 December 1814; and, secondly, 21 May 1817, to the Right Hon. James Alexander Stewart of Glasserton, who assumed the additional name of Mackenzie, and died 24 September 1843, leaving issue.
6. *Frances Catherine*, died 24 February 1840.
7. *Caroline*, died in 1823.
8. *Charlotte Elizabeth*, died 1 September 1857.
9. *Augusta Ann*, died 16 March 1856.
10. *Helen*, married, 2 June 1821, to Joshua Henry Mackenzie, Lord Mackenzie, a Senator of the College of Justice 1822 till his death, 17 November 1851, and had issue.

Lord Seaforth, having outlived all his male issue, died at Edinburgh 11 January 1815, when his title became extinct. The estates, under a deed of entail executed by him, passed to his eldest daughter, in the possession of whose descendants (by her second marriage) they still remain.

CREATIONS.—Lord Mackenzie of Kintail, 19 November 1609; Earl of Seaforth, 3 December 1623; in the Peerage of Scotland. Baron Ardelve and Viscount Fortrose, 18 November 1766; Earl of Seaforth, 3 December 1771; in the Peerage of Ireland. Lord Seaforth, Baron Mackenzie of Kintail, 26 October 1797, in the Peerage of Great Britain.

ARMS.—Azure, a stag's head cabossed or.

CREST.—A mountain in flames proper.

SUPPORTERS.—Two savages wreathed about the head and middle with laurel, with clubs erect in their hands and fire issuing out of the top of them, all proper.

MOTTO.—*Luceo non uro.*

[P. J. A.]

## DOUGLAS, EARL OF SELKIRK



WILLIAM DOUGLAS, third son of William, first Marquess of Douglas,<sup>1</sup> being eldest son by his second wife Mary Gordon, daughter of George, first Marquess of Huntly, was born 24 December 1634. When only in his twelfth year, by patent dated 4 August 1646, he was created EARL OF SELKIRK, LORD DAER AND SHORTCLEUCH, with remainder to heirs-male whatsoever. In consequence of his marriage,

on 29 April 1656, with Anne, *suo jure* Duchess of Hamilton, he was created, on 20 September 1660, as has been already stated,<sup>2</sup> DUKE OF HAMILTON, MARQUESS OF CLYDESDALE, EARL OF ARRAN, LANARK and SELKIRK, LORD AVEN, MAUCHANSHIRE, POMOND and DAIR, for life only. He resigned the title of Selkirk before 6 October 1688, as will be shown presently. By his wife he had seven sons and four daughters, mentioned in the fuller account of him under the title Hamilton.<sup>3</sup> Of these sons two succeeded to the earldom of Selkirk, and one was the progenitor of future holders.

II. CHARLES HAMILTON, who, with other brothers and sisters, bore from his birth his mother's, not his father's name, was the third son of the Duke of Hamilton, and was

<sup>1</sup> See *ante*, i. 205. <sup>2</sup> *Ibid.*, iv. 381. <sup>3</sup> *Ibid.*, iv. 382.

born 3 February 1662-63.<sup>1</sup> In 1682 he was sent with a tutor to France, where he was joined two years later by his elder brother James, Earl of Arran, whom he accompanied to the army of the King of France then besieging Luxembourg.<sup>2</sup> On the resignation of his father he had, on 6 October 1688, a novodamus of the earldom of Selkirk to himself and his four younger brothers, John, George, Basil, and Archibald, successively, whom failing, 'in alios heredes masculos dicti Ducis de Hamilton et in literis suis patentibus suprascriptis . . . contentis.' If Charles or any of his brothers or the heirs-male of their bodies should succeed to the dukedom of Hamilton, it was provided that the earldom should always descend to the brother immediately junior to that one who should succeed to the dukedom and to the heirs-male of his body, whom failing, 'ut supra dictum est pertinebit.' On his assumption of the title the Earl dropped the name of Hamilton, and resumed his patronymic of Douglas. On 20 November 1688 he was appointed colonel of the 1st Regiment of Horse in room of his brother the Earl of Arran, but was removed the following month. He was a strong supporter of the Revolution, and was appointed by King William one of the Lords of his Bedchamber. He attended the King at the battle of the Boyne, and during several of his continental campaigns. In 1693 his father and mother settled the estates of Crawford Douglas and Crawford John on him and the heirs-male of his body, with remainder to all their younger sons successively and the heirs-male of their bodies, whom failing, to the other heirs-male of the Duke of Hamilton as contained in his letters patent. He opposed the Union strenuously; was chosen one of the sixteen Representative Peers in 1713, 1722, 1727, and 1734. He went to France in 1713 to push his claim to the Duchy of Chatelherault,<sup>3</sup> and in July 1714 the sum to be allowed as an equivalent for his claims was, with his consent, fixed by the Commissioners acting on the part of the King of France at 500,000 livres of capital.<sup>4</sup> Though nominally this was paid in 1719, Selkirk never got any part of it owing to

<sup>1</sup> This is the date given on his coffin plate, as G. E. C. in the *Complete Peerage* points out, though his baptism is given in the Hamilton Register as having taken place on 5 February 1664. <sup>2</sup> St. Mary's Isle Writs. <sup>3</sup> *Political State of Great Britain*, 77. <sup>4</sup> *Herald and Genealogist*, iv. 101.

the action of the French Government with regard to the currency. Various claims were afterwards made upon him and his heirs by the creditors of the Duke his brother, but the Court of Session did not sustain the demands, as he had acted throughout in perfect good faith and had not profited in any way by the alleged payment.<sup>1</sup> He was appointed Lord Clerk Register 30 January 1696,<sup>2</sup> and held that office till the death of King William; he was again appointed to the same office in 1733, and continued in it till his death. He was also a Lord of the Bedchamber to King George I. and George II., and was Sheriff-Principal of Lanarkshire. He died in London 13 March 1739, generally said to be unmarried,<sup>3</sup> and was succeeded by his immediate younger brother.

III. JOHN HAMILTON, third Earl of Selkirk. He was created in 1697 Earl of Ruglen.<sup>4</sup> Dying on 3 December 1744, in the eightieth year of his age, without surviving male issue, the succession to the earldom of Selkirk opened to his grandnephew Dunbar Hamilton of Baldoon, who was descended from

BASIL HAMILTON, sixth son of the Duke and Duchess of Hamilton. The fifth son, George, had been created Earl of Orkney,<sup>5</sup> and died without male issue. He was baptized at Hamilton 16 December 1671.<sup>6</sup> He was a young man of much promise, but met his death at an early age. Crossing the Minnick Water in Galloway, where he was travelling with his brother the Earl and some friends on 27 August 1701, they found the river in high flood. His servant entered the water to try the ford, and was carried away by the torrent, and Lord Basil, in attempting to save him, was drowned. Wodrow relates<sup>7</sup> that when Lord Selkirk arrived next day at Hamilton he found his mother already aware of what had occurred, having dreamed that she saw both the Earl and Basil drowned. She further dreamed

<sup>1</sup> *Herald and Genealogist*, iv. 101. <sup>2</sup> *Acta Parl. Scot.*, x. 8. <sup>3</sup> He is stated in Luttrell's *Brief Relations*, quoted in *Notes and Queries*, 7th ser., x. 327, to have married Anna, Duchess of Buccleuch, shortly before 10 August 1703. No other evidence of such a marriage has been discovered. It is not alluded to by Sir William Fraser, the historian of the Buccleuch family, in his work on *The Scotts of Buccleuch*. <sup>4</sup> See *ante*, p. 361. <sup>5</sup> See vol. vi. p. 578. <sup>6</sup> *Hamilton Reg.* <sup>7</sup> *Analecta*, i. 10.

that on saying to her daughter-in-law, Lord Basil's wife, 'Charles and Basil are drowned,' Lady Baldoon answered, 'Lord Selkirk is safe, Madam, there is no matter.' She thought she replied, 'The woman's mad; she knows not her lord is dead,' and that Lady Baldoon added, 'Is Basil dead? Then let James [the Duke of Hamilton] take all; I will meddle no more with this world.' All this the Duchess told on the morning long before her son the Earl of Selkirk arrived with the fatal news.

Lord Basil married Mary, daughter of David Dunbar, son of Sir David Dunbar of Baldoon, Baronet, whose heiress she was. Her mother was Eleanor Montgomerie, fourth daughter of the seventh Earl of Eglintoun. She was David Dunbar's second wife, his first having been Janet Dalrymple, daughter of Sir James Dalrymple of Stair.<sup>1</sup> She, as is well known, is the heroine of Sir Walter Scott's story of *The Bride of Lammermoor*.

By Mary Dunbar, who died at Edinburgh 15, and was buried at Holyrood 22, May 1760, aged eighty-six,<sup>2</sup> he had issue:—

1. WILLIAM, who succeeded.
2. BASIL, who succeeded his brother.
3. *Eleanor*, married, 31 December 1711, to John Murray of Philiphaugh, with issue. She died at Edinburgh 27 December 1783, and was buried at Holyrood 2 January 1784, aged eighty-nine.
4. *Catherine*, married, in October 1727, to Thomas Cochrane, sixth Earl of Dundonald,<sup>3</sup> who died in 1737. She died at Bath 13 April 1779, leaving issue.

WILLIAM HAMILTON of Baldoon, succeeded his father 1701, and died, unmarried, before November 1703.

BASIL HAMILTON of Baldoon was born 9 September 1696, and succeeded his brother, to whom he was served heir in 1703.<sup>4</sup> He was engaged in the rebellion of 1715, and had the command of a troop of horse under Viscount Kenmure. He was taken prisoner at the battle of Preston, and was

<sup>1</sup> Marriage-contract dated August 1669 in the St. Mary's Isle Writs.

<sup>2</sup> Holyrood Burial Reg.; M.I. <sup>3</sup> See *ante*, vol. iii. 357. <sup>4</sup> *Services of Heirs*.

tried at London 31 May 1716. He was sentenced to be executed, but was ultimately reprieved and pardoned. His estates were forfeited, but his mother claimed them, and made good her claim. She had inherited large estates in Wigtownshire and Kirkcudbrightshire from her grandfather, but the Priory of St. Mary's Isle, and the lands belonging to it, were bought by the tutors of Basil Hamilton in 1704 from Patrick Heron of that Ilk. This property seems also to have been claimed by his mother. In 1732 an Act of Parliament was passed rescinding his forfeiture. He was several times Provost of Kirkcudbright, and was elected member of Parliament for the Stewartry in 1741. He died on 14 November 1742. He married Isabella, daughter of the Hon. Colonel Alexander Mackenzie, second son of Kenneth, fourth Earl of Seaforth, and by her, who died in April 1725, had issue :—

1. DUNBAR, fourth Earl of Selkirk.
2. *Basil*, died young.
3. *Mary*, born 8 May 1720; married to Ranald Macdonald of Clanranald. She died at Edinburgh 11, and was buried 13, May 1750, at Holyrood.<sup>1</sup>
4. *Elizabeth*, born 10 April 1721, died young.

IV. DUNBAR HAMILTON of Baldoon was born 1 December 1722. He was educated, in the first place, at a school in Yorkshire, but without much result. On his father's death he came to Glasgow University, where he had as a fellow-student Alexander Carlyle, afterwards the famous minister of Inveresk. Carlyle says of him, 'Finding that he was so ill-founded in Latin as to be unfit to attend a public class, he had resolution enough, at the age of fifteen,<sup>2</sup> to pass seven or eight hours a day with Purdie, the Grammarian, for the greater part of two years, when, having acquired Latin, he took James Moore, the Greek scholar, for his private tutor, fitted up rooms for himself in College, and lived there with Moore in the most retired manner, visiting nobody but Miss M. Campbell, and letting nobody in to him but Lord Blantyre and myself, as I was his distant relation. In this manner he lived for ten years, hardly leaving the

<sup>1</sup> Holyrood Reg. <sup>2</sup> As this was in 1743, he must really have been over twenty.



College for a few weeks in summer, till he had acquired the ancient tongues in perfection, and was master of ancient philosophy : the effect of which was, that with much rectitude and good intention, and some talent, he came into the world more fit to be a professor than an earl.'<sup>1</sup>

On the death of his granduncle in 1744 he succeeded as fourth Earl of Selkirk, under the specific remainder of that dignity, and assumed the name of Douglas in place of that of Hamilton. He was Lord-Lieutenant of the Stewartry of Kirkcudbright, and was elected a Representative Peer in 1787, 1790, and 1793. He did not take much active part in public life, but he exerted himself to support the Government strongly during the rebellion of 1745, and in 1770 he took a prominent part in resisting ministerial influence in the election of Scottish Representative Peers.<sup>2</sup> He died at his house in George Street, Edinburgh, 26, and was buried 31, May 1799, at Holyrood.<sup>3</sup> He married, at Edinburgh, 3 December 1758, Helen, fifth daughter of the Hon. John Hamilton, second son of Thomas, sixth Earl of Haddington, and by her, who died at Bath 28 November 1802, aged sixty-four, had issue :—

1. *Sholto Basil*, Lord Daer, born 3 September 1759, died at St. Mary's Isle 4 July 1760.
2. *Basil William*, Lord Daer, born 16 March 1763. He was educated at a private school, and afterwards at the University of Edinburgh. In 1788 he began to inquire into the political position of the eldest sons of Scots Peers, who at that period were neither allowed to sit in Parliament nor to vote at the election of members for the House of Commons. As a test case he claimed to be put on the roll of freeholders of the Stewartry of Kirkcudbright, but on the question being taken to the Court of Session a decision was given against him in 1792, and affirmed by the House of Lords the following year. He also tried to test his right to sit for an English constituency, and stood for Canterbury at the general election of 1790, but was defeated. He spent several years abroad, and was in Paris during the early stages of the

<sup>1</sup> *Autobiography*, 83. <sup>2</sup> Robertson's *Proceedings*, pp. 378-387. <sup>3</sup> Holyrood Burial Reg.

French Revolution, when he was much in the society of some of the leaders of that movement, with which, at the time, he had great sympathy. On his return home he became a member of the Society of 'The Friends of the People,' which held a convention in Edinburgh in 1793, in which Lord Daer took a prominent part. In 1786 his father transferred to him the management of his estates in the Stewartry of Kirkcudbright and county of Wigtown, and he proved himself a capable and energetic manager. He died, unmarried, of consumption, at Ivy Bridge, Devonshire, 9 November 1794,<sup>1</sup> and was buried in Exeter Cathedral.

3. *John*, also styled Lord Daer, after his brother's death, was born 24 May 1765. He was admitted a member of the Faculty of Advocates 24 July 1787, and died, unmarried, at Florence, 9 July 1797.
4. *Dunbar*, born 9 July 1766; entered the Royal Navy in 1782; was promoted lieutenant in 1790, and commander in 1795. He died of yellow fever, unmarried, on board ship off St. Kitts, West Indies, 29 October 1796.
5. *Alexander*, born 12 December 1767; joined the 22nd Regiment in 1785, and in 1791 purchased a company in the 38th Foot, with the flank companies of which regiment he sailed for the West Indies in 1793. He also died of yellow fever, unmarried, in Guadaloupe, in June 1794.
6. *David*, born 5 September 1769, died 7 May 1770.
7. THOMAS, fifth Earl of Selkirk.
8. *Isabella Margaret*, born 6 September 1760; died, unmarried, on the anniversary of her birth, 1830.<sup>2</sup>
9. *Helen*, born 25 January 1762; married, 9 November 1786, to Sir James Hall of Dunglass, Baronet, and died 12 July 1837, leaving issue.
10. *Mary*, born 8 June 1773; died, unmarried, 20 August 1798.
11. *Elizabeth*, born 9 November 1775; married, at Dunglass, 1 August 1804, to Sir James Montgomery of

<sup>1</sup> St. Mary's Isle Writs. <sup>2</sup> Canongate Reg.

Stobo, Baronet, and died 28 October 1814, leaving issue.<sup>1</sup>

12. *Catherine*, born 20 September 1778; married, 6 July 1815, at Sydenham, Kent, to John Halkett, and died 31 March 1848, leaving issue.<sup>2</sup>
13. *Anne*, born 1, and died 11, January 1782.

V. THOMAS, fifth Earl of Selkirk, born 20 June 1771. In his youth he travelled considerably, both on the Continent and in the Highlands of Scotland, and after the death of his elder brothers he had the management of his father's estates. He succeeded his father in 1799, and soon afterwards began to take an active interest in the condition of the crofters in the West Highlands. In 1803 he went to Canada, where he started a settlement on Prince Edward Island, in the Gulf of St. Lawrence, and another near Detroit, in Upper Canada, which was called Baldoon. He returned home in December 1804, and in 1805 published *Observations on the Present State of the Highlands*, in which he gave an account of the Prince Edward Island colony. In 1806 he was chosen a Representative Peer, rechosen in 1807, and took an active interest in public affairs, as a Whig, publishing pamphlets on Army and Parliamentary reform. In 1807 he was appointed Lord-Lieutenant of the Stewartry of Kirkcudbright. In 1811, having received a large grant of land from the Hudson Bay Company, he formed another settlement in Canada on the Red River (now the city of Winnipeg). In 1815 affairs there having become much complicated, he went to Canada, where he stayed for four years, travelling to Red River *viâ* the Great Lakes, and returning down the Mississippi to St. Louis, and thence *viâ* New York to Montreal. He returned to England, much broken in health, in 1819, and went to Pau, where he died 8 April 1820. He married, at Inveresk, 24 November 1807, Jean, only daughter of James Wedderburn-Colville, of Inveresk, and by her, who survived till 10 June 1871, had issue:—

1. DUNBAR JAMES, sixth Earl of Selkirk.
2. *Isabella Helen*, born 8 January 1811, married, 26 October 1841, to the Hon. Charles Hope, third son of the fourth

<sup>1</sup> *Scots Mag.* <sup>2</sup> *Edin. Reg.*

Earl of Hopetoun, and died 4 July 1893, having had issue:—

(1) *John*, now of St. Mary's Isle, and representative of the Selkirk family, born 30 January 1843, entered the Royal Navy in 1857, and retired with the rank of captain in 1888, married, 13 August 1872, Rebecca Marion, second daughter of Peter Blackburn of Killearn, and has issue:—

i. *Charles Dunbar*, born 12 July 1873, joined the Royal Field Artillery in 1893, promoted captain in 1900, served in the South African War from November 1899 to September 1902. Married, 31 January 1906, Edythe Mary, eldest daughter of Richard Ramsden of Siddinghurst, Surrey, and has issue:—

*Basil Douglas*, born 16 February 1907.

ii. *Adrian Leslie*, born 1 October 1880, died 24 October 1885.

iii. *Dorothea Jean*, born 8, died 23, December 1874.

iv. *Helen Jacqueline*, born 26 October 1875, married, 27 November 1901, Alan Burns of Cumbernauld, and has issue.

v. *Katherine Marion*, born 1 July 1878.

(2) *Thomas*, of Bridge Castle, Linlithgow, late of the Bombay Staff Corps, M.P. for Linlithgowshire 1893-96, born 3 February 1848.

(3) *Charles* of Cowdenknowes, Berwickshire, born 28 January 1850, joined 60th Rifles in 1868, served in the Afghan War 1878-80, including the march from Kabul to Kandahar, retired in 1883; married, 4 October 1881, Isabella Julie, only daughter of David Carnegie of Stronvar.

(4) *Jean*, born 13 December 1844.

(5) *Louisa Dorothea*, born 15 September 1846, died 5 March 1870.

(6) *Isabella Helen*, born 8 January 1852.

3. *Katherine Jean*, born in Montreal 4 January 1817, married, 23 January 1849, Loftus Wigram, Q.C., M.P., and died without issue 30 September 1863.

VI. DUNBAR JAMES, sixth Earl of Selkirk, born 22 April 1809, succeeded his father in 1820, was educated at Eton and Oxford, chosen a Representative Peer in 1831, and re-chosen at every election during his life. In 1835 he relinquished the grant of land his father had received from the Hudson Bay Company, receiving in exchange £15,000 of Hudson Bay stock. He was appointed Lord-Lieutenant of the Stewartry of Kirkcudbright in 1844, and Keeper of the Great Seal of Scotland August to December 1852, and again 1858-59. He married, 29 June 1878, Cecely Louisa, daughter

of Sir Philip Grey Egerton, Bart., and died, without issue, 11 April 1885, when his honours either became dormant or, as is claimed by the present Duke of Hamilton, became vested in him as fiduciary fiar for his second son. His estates devolved on his sister, Lady Isabella Helen Hope (*see above*).

CREATION.—Earl of Selkirk, Lord Daer and Shortcleuch, 4 August 1648.

ARMS (recorded in Lyon Register).—Quarterly: 1st grand quarter, argent, a man's heart imperially crowned proper, on a chief azure, three mullets of the field. 2nd grand quarter quarterly, 1st, azure, a lion rampant argent, crowned or; 2nd, or, a lion rampant gules, surmounted of a ribbon sable; 3rd, argent, three piles, gules; 4th, or, a fess chequy azure and argent, surmounted of a bend sable, charged with three buckles of the first. 3rd grand quarter quarterly, 1st and 4th, gules, three cinquefoils ermine; 2nd and 3rd, argent, a lymphad, sails furled sable, flagged gules. 4th grand quarter, gules, a lion rampant argent, armed and langued azure, within a bordure of the second, charged with ten roses of the first, barbed vert.

CREST.—On a cap of maintenance a salamander in flames, proper.

MOTTOES.—*Jamais arrière. Firmior quo Paratior.*

SUPPORTERS.—Dexter, a savage wreathed about the head and middle with laurel, and brandishing a club in his right hand, all proper. Sinister, an antelope, ducally gorged and having a chain thereto, proper.

[J. B. P.]

## SEMPILL, LORD SEMPILL



HE first of this ancient family on record is Robert de Sempill,<sup>1</sup> who was Steward or Chamberlain of the barony of Renfrew,<sup>2</sup> and witnessed a charter of Malcolm, Earl of Lennox, about the year 1280,<sup>3</sup> and before 1309 a grant by James, High Steward of Scotland.<sup>4</sup> He left two sons:—

1. ROBERT.
2. *Thomas de Sempill*,  
to whom King  
Robert I. granted

a charter 'Thomæ dicto Sympil,' for homage and service, of half of the lands and pertinents in the town and tenement of Longnodryf (Longniddry), which had belonged to Nicholas de Dispensa, a rebel, and had been forfeited.<sup>5</sup>

ROBERT DE SEMPILL,<sup>6</sup> the eldest son, had a charter

<sup>1</sup> The traditionary version of the name Semple or Sempill, mentioned by Crawford in his *History of Renfrewshire*, 41, and elsewhere, as having been given to the performer of the Cæsarean operation on Princess Marjory, wife of Walter, Great Steward of Scotland, in 1317, has been remorselessly demolished by Lord Hailes in his *Annals of Scotland*, ii. 339-344; see also *Archæologia Scotica*, 456-461. As will be observed, the name existed before the date of the operation which was said to be the occasion of it. <sup>2</sup> Crawford's *Renfrew*, 75. <sup>3</sup> *Chartulary of Lennox*, 83. <sup>4</sup> Crawford's *Renfrew*, 75. <sup>5</sup> *Reg. Mag. Sig.*, folio vol. 13, 69. <sup>6</sup> Riddell says (*Drumpellier Stirlings*, 257) that Douglas multiplies 'one Robert Sempill figuring early in the fourteenth century into no



Sempill





from King Robert I., granting to him 'totam terram, cum pertinenciis que fuit quondam Johannis de Balliolo, militis, in tenemento de Largys,' to be held by him and his heirs in free barony.<sup>1</sup> He witnessed a charter by James, High Steward of Scotland, to Stephen, son of Nicolas, before 1309,<sup>2</sup> and a donation of the church of Largs to the monastery of Paisley, which Walter, High Steward, gave for the welfare of his own soul and that of Marjory Bruce, his deceased wife, in 1318,<sup>3</sup> and died before 1330, leaving<sup>4</sup>

1. WILLIAM.

2. *Thomas*, son of Robert, Lord of Sympyll, granted a precept for infetting Sir Henry Douglas in Halkerton and Esperton, 20 December 1388.<sup>5</sup>

WILLIAM DE SEMPILL, Steward of Renfrew, who witnessed a ratification by Malcolm, fourth Earl of Lennox, to the monastery of Paisley in 1330,<sup>6</sup> and another charter by the same Earl to James, brother of Walter, High Steward of Scotland, in the same year. He acquired the lands of Eliotstoun, and under the designation of William Sempill of Eliotstoun witnessed a charter of Adam de Fullarton 13 April 1344.<sup>7</sup> In 1340 William Sempill was auditor of Exchequer accounts and in 1341 receiver of old arrears, and in 1358 the lands of Raite in Perthshire were in his hands.<sup>8</sup> This was probably William Sempill of Eliotstoun, but he is not designed. He was also in all probability the William Sempill who had a charter of the lands of Raite in Perthshire from King David II. about A.D. 1345.<sup>9</sup> He had at least two sons:—

1. THOMAS, and

2. *Robert*, who was a witness along with his nephew, John Sempill of Eliotstoun, to a charter by Adam Fullarton of Crosby in 1392.<sup>10</sup>

less than three Robert Sempills, taking each in succession *seriatim* after the other. The first of these ideals is made co-existent with the year 1246 and even earlier.' <sup>1</sup> *Reg. Mag. Sig.*, folio vol. 11, 52. <sup>2</sup> Crawford's *Renfrew*, 75. <sup>3</sup> *Reg. de Passelet*, 237. <sup>4</sup> *Archæological and Historical Collections relating to the County of Renfrew*, i. 13. <sup>5</sup> Ms. Harl., 6439. <sup>6</sup> *Chartulary of Lennox*, 19. <sup>7</sup> Macfarlane's *Gen. Coll.* (Scot. Hist. Soc.), ii. 332. <sup>8</sup> *Exch. Rolls*, i. 464, 471, 475, 476, and 554. <sup>9</sup> Robertson's *Index*, 38, 15. <sup>10</sup> *Reg. de Passelet*, 364. Besides those of the name of Sempill mentioned above, there were others in Scotland, for on the last day of 1354 an assise found that Robert Symple, who was of

THOMAS SEMPILL of Eliotstoun (Egliston) witnessed a charter by Robert, High Steward of Scotland, Earl of Strathearn, and John, Lord of Kyle, his son and heir-apparent, confirming to the monastery of Paisley the lands of Sanakar.<sup>1</sup> He was also a witness to a letter by Robert, Steward of Scotland, granting to Sir Hugh of Eglintoun the third part of all fines of the courts of the bailie of the barony of Cunningham and Chamberlain of Irvine.<sup>2</sup> He left issue at least one son,

SIR JOHN SEMPILL of Eliotstoun, who obtained from King Robert II. a charter confirming the grants which John, Earl of Carrick, had made to him as son and heir of Thomas Sympill of the lands of Glasford with the advocacy of the church thereof, and with the tenandries of Corsraguel, of Ridren, and of Blackford, and the grant made by the said Earl of the park of Clounquarn, and other lands in the barony of Kilbryd in Lanarkshire, to him and the heirs-male of his body, whom failing, to his father and his heirs whatsoever, 22 July 1375.<sup>3</sup> He witnessed a charter of John of Montgomery, Lord of Eagleshame, 8 October 1392,<sup>4</sup> another by Adam Fullarton of Crosby in the same year,<sup>5</sup> and a charter by John Blair of Adamtoun in 1397.<sup>6</sup> The date of his death is uncertain, and it is sometimes not possible to distinguish whether references relate to Sir John or his son of the same name. In 1400 a pension from the customs of Edinburgh was granted to John Simple of Elyotstoun.<sup>7</sup> He had a son and daughter:—

1. JOHN.<sup>8</sup>

2. *Jean*, married to Sir John Stewart, Sheriff of Bute.<sup>9</sup>

lawful age, was the son of Alexander Symple, who had purchased a certain land or holding in the town of Esperstoun soon after the suppression of the Templars by King Robert in the year 1309; *Reg. Ho. Charters*, No. 122. <sup>1</sup> *Reg. de Passelet*, 364. <sup>2</sup> *Hist. MSS. Com. Report* on mss. of Earl of Eglinton and Winton, 10. <sup>3</sup> *Reg. Mag. Sig.*, fol. vol. 108, 63. <sup>4</sup> *Hist. MSS. Com. Report* on mss. of Earl of Eglinton and Winton, 8. <sup>5</sup> *Reg. de Passelet*, 364. <sup>6</sup> *Ibid.*, 368. <sup>7</sup> *Exch. Rolls*, iii. 489. <sup>8</sup> According to the *Genealogical History of the Family Sempile*, Hartford, Conn., John Sempile of Fulwood was a younger brother of this John, but no evidence of this is given nor is such known to exist. John Sempill of Fulwood witnessed a resignation of the lands of Fultoun to the monks of Paisley in 1409. <sup>9</sup> Charter, 4 July 1419, Bute Writs, i. 4, and *Reg. Mag. Sig.* 28 January 1444.

JOHN SEMPILL of Eliotstoun witnessed charters by Robert, Duke of Albany, to William de Conyngham, at the monastery of Paisley in 1406,<sup>1</sup> and at Stirling on 20 August 1406,<sup>2</sup> to Thomas Melville. He also witnessed an Instrument of Resignation by William Urry on 9 January 1409-10,<sup>3</sup> and a charter to Dougal Macdougall on 11 March 1409-10.<sup>4</sup> John Sympyll de Elyotistoun had a safe-conduct 13 December 1423, to Durham, to wait upon King James I.,<sup>5</sup> and again on 3 February 1423-24, when he was one of the hostages given up on the release of the King.<sup>6</sup> He was one of the Auditors of the Exchequer Accounts in 1426,<sup>7</sup> and witnessed a charter by William of Cunningham, vicar of Dundonald, granting various lands and rents for the support of two chaplains in the parish church of Irvine, 26 July 1426.<sup>8</sup> On 15 December 1426 he and his son Robert attested letters by Rankyn of Fowlartoun to Adam and William of Fowlartoun.<sup>9</sup> He, along with his son, witnessed an indenture between Alexander Montgomery, Knight, and Alan Stewart, Lord of Dernle on 15 May 1438.<sup>10</sup> He sat in the General Council at Stirling on 10 August 1440-41, and in the Parliament at Edinburgh 3 April 1441.<sup>11</sup> He was alive in 1445.<sup>12</sup> His son

SIR ROBERT SEMPILL of Eliotstoun, Knight, was Sheriff of Renfrew when he witnessed the said indenture along with his father on 15 May 1438,<sup>13</sup> and was infeft in Eliotstoun and Fernynes in 1449.<sup>14</sup> He had a charter to himself and Elizabeth his wife, of the lands of Southannan in Ayrshire, on his own resignation, 31 October 1451.<sup>15</sup> He

<sup>1</sup> *Reg. Mag. Sig.*, folio vol. 217, 1. Although his surname is blank it is evidently this John Sempill. <sup>2</sup> *Ibid.*, 218, 2. <sup>3</sup> *Reg. de Passelet*, 57. <sup>4</sup> *Reg. Mag. Sig.*, folio vol. 245, 4. On 12 August 1414 John Sympil, Lord of Wester Perthwike took an instrument in the hands of a notary regarding a charter by Robert, Steward of Scotland, to Nicholas de Strewyllyne, son of Nicholas de Striwelyne of the lands of Wester Perthwike in the barony of Renfrew; but whether he is the same individual as John Sempill of Elliotstoun is not certain. <sup>5</sup> *Cal. Doc. Scot.*, iv. No. 941, and *Rotuli Scotiae*, ii. 246. <sup>6</sup> *Cal. Doc. Scot.*, iv. No. 942. <sup>7</sup> *Exch. Rolls*, iv. 400. <sup>8</sup> Muniments of the Royal Burgh of Irvine; *Archæological and Historical Collections of Ayrshire and Galloway*, i. 131, 133. <sup>9</sup> *Laing Charters*, No. 105. <sup>10</sup> *Hist. MSS. Com. Report* on Earl of Eglinton's mss., 12. <sup>11</sup> *Acta Parl. Scot.*, ii. 56, 57. <sup>12</sup> *Exch. Rolls*, v. 214. <sup>13</sup> *Hist. MSS. Com. Report* on Earl of Eglinton's mss., 12. <sup>14</sup> *Exch. Rolls*, ix. App. 661. <sup>15</sup> *Reg. Mag. Sig.*

sat in Parliament in 1460.<sup>1</sup> He was alive in 1474, when King James III. reserved his liferent in a charter to his son Sir William,<sup>2</sup> on 3 June 1478, when he is mentioned as Sheriff,<sup>3</sup> and probably survived 4 July 1480, when his son was designed 'son and heir apparent.'<sup>4</sup>

SIR WILLIAM SEMPILL of Eliotstoun had a charter on his father's resignation, to William Sympill, Knight, son and heir-apparent of Robert Sympill of Eliotstoun, Knight, of the lands of Eliotstoun in Renfrewshire, Glasford in Lanarkshire, Southannan in Ayrshire, and Rossy in Strathern, dated 4 October 1474.<sup>5</sup> King James III. appointed him hereditary Sheriff of the county of Renfrew,<sup>6</sup> and he was bailie to the abbot and monks of Paisley in 1476.<sup>7</sup> He was appointed bailie in a precept of Robert, Lord Lyle, 25 September 1452, and is named as a witness in a relative charter of same date.<sup>8</sup> King James granted him a charter of the lands of Mychelstoun on 4 July 1480.<sup>9</sup> He married Margaret or Marion Cathcart.<sup>10</sup> He had a son, and possibly a daughter:—

1. THOMAS.

2. *Mary*, 'daughter of Sir William Sempil of Elliotston by Agnes, daughter of Alexander, second Lord Montgomerie,' is said to have married Thomas Brisbane of Bishopstoun.<sup>11</sup>

THOMAS SEMPILL, Sheriff of Renfrew, had sasine of Eliotstoun and other lands in 1481.<sup>12</sup> He is designed 'knight,'<sup>13</sup> and sat in Parliament 25 February 1483-84, being designed Thomas Simple, Vicecomes de Renfrew.<sup>14</sup> He fell at the Battle of Sauchieburn on 11 June 1488, fighting on the side of King James III.<sup>15</sup> He married Elizabeth Ross, said to be a daughter of John, first Lord Ross.<sup>16</sup> She and Thomas

<sup>1</sup> *Acta Parl. Scot.*, Supp. 28a. <sup>2</sup> *Reg. Mag. Sig.*, 4 October 1474. <sup>3</sup> *Acta Auditorum*, 53. <sup>4</sup> *Thirteenth Rep. Hist. MSS. Com.*, App. ii. 3. <sup>5</sup> *Reg. Mag. Sig.*, 4 October 1474, and *Lord High Treasurer's Accounts*, i. 4. <sup>6</sup> *Archæological and Historical Collections relating to the County of Renfrew*, ii. xiv. <sup>7</sup> *Acta Auditorum*, 43. <sup>8</sup> *Reg. de Passelet*, 249, 252. <sup>9</sup> *Thirteenth Rep. Hist. MSS. Com.*, App. ii. 3. <sup>10</sup> *Archæological and Historical Collections relating to the County of Renfrew*, i. 73. See also *Acta Dom. Conc.*, 198, where she is called Marion. <sup>11</sup> Paterson's *Ayrshire*, ii. 306. <sup>12</sup> *Exch. Rolls*, ix. App. 681. <sup>13</sup> *Acta Dom. Conc.*, 147. <sup>14</sup> *Acta Parl. Scot.*, ii. 153. <sup>15</sup> *Archæological Collections relating to the County of Renfrew*, ii. xiv, and *Acta Auditorum*, 119. <sup>16</sup> *Archæological Collections relating to the County of Renfrew*, i. 73.

Brisbane of Bischofstoun and Sir William Marchand, chaplain, were his executors.<sup>1</sup> She was alive 13 November 1495, and dead before 17 November 1505.<sup>2</sup> He had two sons and three daughters:—

1. SIR JOHN.
2. *John*, who is mentioned as brother of John, Lord Sempill, 12 August 1502.<sup>3</sup>
3. *Margaret*, married to Robert Crawford of Kilbirny before 18 February 1506-7.<sup>4</sup> According to the MS. Genealogy in the possession of the Baroness Sempill, believed to be compiled by the late Dr. Crauford of Johnshill, Lochwinnoch, and which is printed in *Archæological and Historical Collections of the County of Renfrew*, i. 13-24, this Thomas Sempill had two daughters, both named Margaret, one married to Robert Crawford of Kilbirny, and the other called Lady Houston. It would, however, appear more probable there was only one daughter of this name, who was twice married. Dame Margaret Sempill is mentioned, on 23 February 1501-2 as mother of the Laird of Houston, and as assignee of Marion Cathcart, her grandmother, she sued her brother Sir John Sempill in 1491.<sup>5</sup> This Laird of Houston was probably John, son of John Houston of that Ilk,<sup>6</sup> who had died before 17 July 1490.<sup>7</sup> If his mother was Dame Margaret Sempill, she may easily have been the wife of Robert Crawford of Kilbirny in 1506-7, who had charters from his father and mother 4 and 9 May 1499.<sup>8</sup>
4. *Marion*, married to John Stewart, son to John, Earl of Lennox, before 15 July 1486.<sup>9</sup>
5. *Elizabeth*, married to Sir Adam Mure of Caldwell.<sup>10</sup>

I. SIR JOHN SEMPILL was created a Peer by King James IV., under the designation of LORD SEMPILL, prior to 10 November 1488.<sup>11</sup> The patent of this dignity

<sup>1</sup> *Acta Auditorum*, 176. <sup>2</sup> *Acta Dom. Conc.*, 428 and (manuscript) xvii. 16. <sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> *Ibid.*, and *Laing Charters*, No. 263. <sup>5</sup> *Acta Dom. Conc.*, 198. <sup>6</sup> *Reg. Mag. Sig.*, 6 June 1491. <sup>7</sup> *Exch. Rolls*, x. 178. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *Ibid.*, 18 March 1494-95. <sup>10</sup> *Caldwell Papers*, i. 8. <sup>11</sup> *Registrum Glasguense*, ii. 464. He is, however, designed Knight on 20 June 1492, *Acta Dom. Conc.*, 236.

is not preserved,<sup>1</sup> but at the decret of ranking in 1606 the barony of Sempill was placed next above that of Sinclair, the date of which was probably considered as 26 January 1488-89. A feud between John, Lord Sempill, and John, Earl of Lennox, and Matthew, his son, was remitted to arbiters who, on 16 March 1491, ordained that they should forgive one another, and that their retainers should mutually satisfy each other for injuries.<sup>2</sup> He was one of the ambassadors sent to England, and received a gift of £20 from King Henry VII. at Michaelmas 1492.<sup>3</sup> On 2 May 1494 he acquired from the Dean and Chapter of Glasgow the lands of Risdalemure of Largs and Tuerly in exchange for a money payment and the advocation and right of patronage of Glasford.<sup>4</sup> He had a charter from Thomas Ross of the lands of Montgrenane in Ayrshire 12 March 1494-95,<sup>5</sup> which he resigned in favour of Allan Stewart of Cardonald;<sup>6</sup> another from John Maxwell of Nether Pollok of the lands of Dicbar and others, in Renfrewshire, 15 July 1495.<sup>7</sup> He had conveyances of Lochcunyoeh and Wester Casseltoun, in the same county, to him and Margaret Colvill, his wife, 9 September 1501;<sup>8</sup> of Henderstoun Wester, in the same county, 3 August 1503 (? 1502);<sup>9</sup> and of Cassiltoun, Elliotstoun, Southannan and Glasford, 21 September 1503.<sup>10</sup> He founded a collegiate church within his park of Lochwinnoch, dedicated to the Virgin Mary, by charter dated 21 April 1504.<sup>11</sup> He resigned the lands of Cassiltoun and others, and received a new charter thereof to him and Margaret Crichton his wife 16 February 1505-6.<sup>12</sup> A charter of confirmation of Southannan and Auchindonane was also, on his resignation, granted to him and her on 4 July 1508.<sup>13</sup> He mortified 10 merks yearly to the chapel of St. Anan on 5 June 1509.<sup>14</sup> He had a charter of Paidyeauch in Ayrshire 2 June 1512.<sup>15</sup> He was killed at the battle of Flodden 9 September 1513,<sup>16</sup> having married,

<sup>1</sup> Riddell's *Scottish Peerages*, 978 note. <sup>2</sup> *Third Rep. Hist. MSS. Com.*, 391. <sup>3</sup> *Cal. Doc. Scot.*, iv. No. 1584. <sup>4</sup> *Reg. Glasguense*, ii. 485. <sup>5</sup> Confirmed 24 April 1495, *Reg. Mag. Sig.*, and *Lord High Treasurer's Account*, i. 211. <sup>6</sup> *Reg. Mag. Sig.*, 8 July 1495. <sup>7</sup> *Ibid.*, and *Lord High Treasurer's Accounts*, i. 212. <sup>8</sup> *Ibid.* <sup>9</sup> *Reg. Mag. Sig.*, confirmed 30 July 1503. <sup>10</sup> *Ibid.* <sup>11</sup> *Reg. Glasguense*, ii. 506-516. <sup>12</sup> *Reg. Mag. Sig.* <sup>13</sup> *Ibid.*, 20 June 1509. <sup>14</sup> *Ibid.* <sup>15</sup> *Ibid.* <sup>16</sup> *Proceedings of Soc. Antiq. Scot.*, vii. 149.

first, prior to 9 September 1501,<sup>1</sup> Margaret, daughter of Sir Robert Colvill of Ochiltree. She died shortly after 21 April 1504.<sup>2</sup> There is a monument to her and her husband in the collegiate church of Sempill.<sup>3</sup> He married, secondly, prior to 16 February 1505-6,<sup>4</sup> Margaret, daughter of James Crichton of Ruthvendenny, and widow of Sir William Stirling of Keir.<sup>5</sup> She was alive on 15 March 1518-19.<sup>6</sup> Lord Sempill had issue by his first wife only:—

1. WILLIAM, second Lord Sempill.
2. *Francis*, who was, along with his father, sued by John Montgomery of Corscraig regarding the warrandice of the lands of Soutarflat, 4 March 1501-2.<sup>7</sup>
3. *Gabriel* of Cathcart and Ladymure, who, on 20 August 1533, found surety to underlie the law for the slaughter of William Cunynghame of Craighends and his servant, and failing to appear, his brother, Lord Sempill, who was his cautioner, was fined, and Gabriel denounced rebel.<sup>8</sup> He had from Allan Stewart of Cardonald a charter of the lands of Cathcart and others, to himself and Jonet Spreule his wife, 25 November 1543.<sup>9</sup> On 16 July 1546 Queen Mary granted him, for his good service, a charter of the lands of Carswells.<sup>10</sup> He was killed at Pinkie, 10 September 1547.<sup>11</sup> He married Jonet Spreule, who was possibly a daughter of John Spreule of Coldoun,<sup>12</sup> prior to 18 January 1531.<sup>13</sup> She died on 22 October 1550.<sup>14</sup> They had issue:—

- (1) *William*, mentioned in his mother's testament, who, along with his father and others, on 20 August 1533, was charged to underlie the law for the slaughter of William Cuninghame of Craighends. He, as *familiaris servitor* of King James v. received a charter of the lands of Craighait and others to him and his wife, Marion Kirkealdy, on 10 January 1540-41.<sup>15</sup>

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Reg. Glasguense*, ii. 505-516, and *Reg. Mag. Sig.*

<sup>3</sup> *Archeological and Historical Collections of Renfrew*, i. plate vi.

<sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *Stirlings of Keir*, 24, 27, 28. <sup>6</sup> *Acta Dom. Conc.*, xxxiii. fol. 133. <sup>7</sup> *Ibid.*, xi. fol. 91. <sup>8</sup> *Pitcairn's Criminal Trials*, i. \*163, \*164. See also *Reg. Mag. Sig.*, 31 October 1536. <sup>9</sup> *Reg. Mag. Sig.*

<sup>10</sup> *Ibid.* <sup>11</sup> *Acts and Decrets*, xxxvii. 203. <sup>12</sup> He married Jonet Spreul, daughter of John Spreul of Couldon and relict of John Pollock of that ilk'; Crawford's *Renfrew*, 30. John Spreule of Couldon and Elizabeth Semple, his spouse, had sasine of Dalqueburne, 16 April 1515, *Book of Dumbartonshire*, 1879, ii. 187. <sup>13</sup> *Reg. Mag. Sig.*, 6 February 1631-32.

<sup>14</sup> Glasgow Tests. <sup>15</sup> *Reg. Mag. Sig.*

He purchased from his brother Gabriel the lands of Cathcart on 12 January 1550-51,<sup>1</sup> and at the same time sold him the lands of Craighait.<sup>2</sup> He married, secondly, before 6 September 1551, Janet, daughter of Hugh Montgomery of Hasilhead, widow of John Hamilton of Cambuskeith.<sup>3</sup> He married, thirdly, Margaret Noble, who had a litigation with her stepson Gabriel in 1580.<sup>4</sup> He died 27 June 1578.<sup>5</sup>

i. *Gabriel*, his father's eldest son and heir and executor,<sup>6</sup> was married to Margaret Spreule, before 1 August 1572, with issue.<sup>7</sup> On 1 August 1572 he and his spouse had sasine of the lands of Brigholm of Cathcart on a charter from his parents.<sup>8</sup> He quarrelled with Robert, Lord Sempill, and others regarding the lands of Craiginfeoch in 1589.<sup>9</sup>

ii. *John*, who was a witness on 9 April 1573.<sup>10</sup>

iii. *Robert*, who acted as bailie in giving sasine on same date.<sup>11</sup>

(2) *John*, to whom, as his second son, his father granted a charter of the barony and castle of Cathcart, and to the heirs-male to be procreated betwixt him and Mariot Lindsay, his wife, whom failing, to his brother Gabriel and the heirs-male of his body.<sup>12</sup> He was dead prior to 12 January 1550-51 (probably prior to 23 August 1546) without issue, when his brother Gabriel sold these lands to his eldest brother William.<sup>13</sup>

(3) *Gabriel*, who is mentioned in his mother's testament, was a substitute in the said charter of the barony and castle of Cathcart. Succeeding his brother John, he sold these lands to his eldest brother on 12 January 1550-51,<sup>14</sup> and at the same time purchased from him the lands of Craighait.<sup>15</sup> On 26 June 1554 he found surety to underlie the law for receiving the sacrament while under excommunication.<sup>16</sup> He had married, prior to that date, Margaret Lindsay,<sup>17</sup> and died before 24 March 1572-73, when she was alive.<sup>18</sup> He had two sons:—

i. *Robert*,<sup>19</sup> who was charged along with his brother Gabriel, on 29 January 1576-77, with convocating the lieges.<sup>20</sup> He married (contract 9 and 15 January 1589) Grissel, daughter of the deceased Patrick Montgomery of Giffen.<sup>21</sup> He died 17 January 1591. His will is dated 11 January in that year, and appoints his widow to be 'tutrix and gyder to my sone Hew, quhill he be the aige of sevin zeirs compleit.'<sup>22</sup>

<sup>1</sup> *Reg. Mag. Sig.*, 25 February 1550-51. <sup>2</sup> *Ibid.* <sup>3</sup> *Ibid.*, 11 September 1551, and Glasgow Protocols, v. No. 1444, vi. No. 1870 note, and No. 1873. <sup>4</sup> *P. C. Reg.*, iii. 337. <sup>5</sup> *Edin. Tests.* <sup>6</sup> *Ibid.* <sup>7</sup> *Retours, Renfrew*, No. 9, and Glasgow Protocols, xi. 3417. <sup>8</sup> *Ibid.*, vii. No. 1873. <sup>9</sup> *P. C. Reg.*, iv. 437. <sup>10</sup> Glasgow Protocols, No. 1923. <sup>11</sup> *Ibid.* <sup>12</sup> *Reg. Mag. Sig.*, 7 March 1544-45. <sup>13</sup> *Ibid.*, 25 February 1550-51; cf. *Reg. Sec. Sig.*, xx. 39. <sup>14</sup> *Reg. Mag. Sig.*, 25 February 1550-51. <sup>15</sup> *Ibid.* <sup>16</sup> *Pitcairn's Criminal Trials*, i., pt. ii. p. 365\*. <sup>17</sup> *Reg. Mag. Sig.*, *ut sup.* <sup>18</sup> Glasgow Protocols, vi. No. 1917. <sup>19</sup> *Ibid.* <sup>20</sup> *Pitcairn's Criminal Trials*, i. pt. ii. 66. <sup>21</sup> *Reg. Mag. Sig.*, 13 February 1590-91. <sup>22</sup> *Edin. Tests.*



- (i) *Hew*, served heir to his grandfather Gabriel on 29 March 1614 and 8 June 1619.<sup>1</sup> He disposed Langside to Thomas Sempill of Cathcart, 8 August 1614.<sup>2</sup> On 11 June 1618 a charter of novodamus of the lands of Craighait and others was granted to him.<sup>3</sup> He became Rector of the Scots College at Madrid from 1627 to 1654.<sup>4</sup>
- ii. *Gabriel*, who died 4 May 1587.<sup>5</sup>
- (4) *Robert*, who is mentioned in his mother's testament, and was a witness to the charter to his brother John on 23 March 1544. He may have entered the Church, for on 3 June 1556 he is designed Sir Robert Sempill.<sup>6</sup>
- (5) *Maldel*, also mentioned in her mother's testament.
- (6) *Bessie*, who had a legacy from her mother.
- (7) *Margaret*, who was married to John Pollok of that Ilk, and afterwards to Robert Maxwell in Glasgow. She died 22 June 1589, leaving a will dated the 18 day of that month.<sup>7</sup>
4. *Marian*, contracted to be married to George, son of Patrick Maxwell of Newark.<sup>8</sup>
5. *Isabel*, contracted to be married to Robert Crawford, son and heir of Malcolm Crawford of Greenock, prior to 11 March 1502-3.<sup>9</sup> A dispensation for her marriage to George Chalmers was procured before 20 July 1518.<sup>10</sup>

II. WILLIAM, second Lord Sempill, as the son and heir-apparent of John, Lord Sempill, was a witness along with his father on 13 March 1501-2.<sup>11</sup> After his father's death litigation between him and his step-mother took place regarding their rights in the estate of the first Lord Sempill.<sup>12</sup> On 8 September 1525 a summons of treason was served upon the Earl of Cassillis, Lord Sempill and others. On 21 June 1526 Parliament directed summons of treason to be raised against the Earl of Eglinton, Lord Sempill and others.<sup>13</sup> He was one of the Privy Council of King James v., and Justiciary and Bailie of the regality of Paisley.<sup>14</sup> He purchased the lands of Previk, in Ayrshire, 12 February

<sup>1</sup> *Retours, Renfrew*, 50, 212. <sup>2</sup> *Reg. Mag. Sig.*, 14 August 1615. <sup>3</sup> *Ibid.*  
<sup>4</sup> *Records of the Scots Colleges*, New Spalding Club, i. 202. <sup>5</sup> M. I., Sempill Church, and *Arch. and Hist. Collections relating to Renfrew*, plate iv. <sup>6</sup> Glasgow Protocols, v. 1329. <sup>7</sup> Edin. Tests., 22 November 1591; Nisbet's *Heraldic Plates*, 34. <sup>8</sup> *Acta Dom. Conc.*, xxxi. fol. 136; xxxii. fol. 150. <sup>9</sup> *Ibid.*, xiii. fol. 139. <sup>10</sup> *Ibid.*, xxxi. fol. 136. <sup>11</sup> *Cal. of Scottish Papers*, iv. No. 644. <sup>12</sup> *Acta Dom. Conc.*, xxvii. fol. 225; xxix. fol. 150. <sup>13</sup> *Acta Parl. Scot.*, ii. 305, 307. <sup>14</sup> *Arch. and Hist. Collections relating to Renfrew*, i. 15.

1522-23, from John Crawford of Previk,<sup>1</sup> whose son raised an action, in 1538-39, for reduction of the sale as having been obtained by force;<sup>2</sup> and the lands of Auchinfour and others, in the parish of Inverkip, from Sir James Hamilton of Fynart on 31 August 1529.<sup>3</sup> Lord Sempill was, on 26 February 1533-34, acquitted of being art and part in the slaughter of William Cunynghame of Craigends and one of his servants who had been killed in a family quarrel.<sup>4</sup> On 30 July 1535 John, Lord Lyle, and his servant were denounced for unlawfully putting letters to execution against Lord Sempill, demanding caution for being art and part in the slaughter of John Crawford of Previk, etc.<sup>5</sup> He was one of the jury at the trial of Jonet Douglas, Lady Glamis, accused of conspiring the slaughter of the King, etc., 17 July 1537.<sup>6</sup> He, and others, had a remission on 18 March 1540 for all crimes committed prior to this date except treason.<sup>7</sup> He had charters of confirmation of the lands of Fernynes, Eliotstoun, Glasford, etc., 17 March 1539-40;<sup>8</sup> of Bultrees, which he had purchased in 1541 from John Stewart,<sup>9</sup> Dalmuir, etc., 4 October 1545;<sup>10</sup> and of Drumry on the 18 of the same month.<sup>11</sup> He was one of those who assented to the match betwixt Queen Mary and Prince Edward of England 25 August 1543. He died at Edinburgh on 3 June 1552.<sup>12</sup> He married, first, before 20 July 1517, Margaret Montgomery, said to be eldest daughter of Hugh, first Earl of Eglintoun,<sup>13</sup> and by her had issue as aftermentioned. He married, secondly, prior to 12 February 1522-23, Elizabeth, daughter of John Arnot of Arnot.<sup>14</sup> She was alive 18 March 1538-39.<sup>15</sup> He married, thirdly, Marion, daughter of Hugh Montgomery of Hazelhead, widow of Thomas Crawford of Auchinames, who had died in 1541; she survived Lord Sempill, and married, thirdly, between 31 August 1553 and 20 December 1556, John Campbell of Skipnish.<sup>16</sup> On 3 April 1554 his

<sup>1</sup> *Reg. Mag. Sig.*, 2 May 1523. <sup>2</sup> *Acta Dom. Conc.*, xi. fol. 148, 227; cf. Pitcairn's *Criminal Trials*, i. \*381 note 3. <sup>3</sup> *Reg. Mag. Sig.*, 1 September 1529. <sup>4</sup> Pitcairn's *Criminal Trials*, i. \*165, \*166. <sup>5</sup> *Ibid.*, \*170. <sup>6</sup> *Ibid.*, \*190. <sup>7</sup> *Reg. Sec. Sig.* <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *Reg. Ho. Cal.*, vi. No. 1266. <sup>10</sup> *Reg. Mag. Sig.* <sup>11</sup> *Ibid.* <sup>12</sup> *Acts and Decrees*, vii. fol. 30. <sup>13</sup> *Reg. Sec. Sig.*, i. Nos. 2923, 3024; *Memorials of the Montgomeries*, i. 34, where the marriage is stated, but the references to her refer to Lord Sempill's third and surviving wife. <sup>14</sup> *Reg. Mag. Sig.*, 2 May 1523. <sup>15</sup> *Acta Dom. Conc.*, xi. fol. 227. <sup>16</sup> *Reg. of Decrees*, vii. fol. 200, and *Reg. of Deeds*, ii. fol. 77; cf. Paterson's *Ayrshire*, i. 290, and ii. 141.

widow's escheat was granted to Hugh Cunynghame of Walterston, for the slaughter of Gilbert Rankin,<sup>1</sup> and on 8 November 1555 she came into the Queen's will for supporting her servants in this and various other offences.<sup>2</sup> By his first wife only he had issue:—

1. ROBERT, third Lord Sempill.
2. *David*. On 17 July 1526 he was included in a respite granted by King James v. for the slaughter of Cornelius de Mathetema, a Dutchman, at the Tolbooth of Edinburgh.<sup>3</sup> He was denounced rebel for the murder of William Cunynghame of Craigends and his servant in 1534.<sup>4</sup> He had a precept of remission, on 12 March 1553, for traitorously being at Glasgow moor with William, Earl of Glencairn.<sup>5</sup> He obtained from his brother Robert, Master of Sempill, the lands of Craiginfeoch in 1546,<sup>6</sup> and was possibly father of John and grandfather of William Sempill, fiar of Craigenfeoch in 1589.<sup>7</sup>
3. *Ninian*, who was also included in the above respite on 17 July 1526, along with his father and brothers, was a party to an agreement with the Cunninghams on 21 August 1533.<sup>8</sup> He claimed right to the lands of Clook, in Renfrewshire, in 1548,<sup>9</sup> and was a witness on 23 February 1562-63.<sup>10</sup> He had two illegitimate sons, both named *James*, who were legitimated 9 April 1554.<sup>11</sup>
4. *William*, who, along with his father, was sued for deforcement on 14 March 1525-26,<sup>12</sup> and is also mentioned in the said respite, dated 17 July 1526. He was Sheriff-Depute of Renfrewshire in 1540.<sup>13</sup> He was one of the sureties for John Hamilton, Archbishop of St. Andrews, when charged with attempting to restore popery in 1563,<sup>14</sup> and one of the executors of his father, Lord Sempill.<sup>15</sup> He had the lands of Thirdpart of Auchinames, and died in Paisley on 3 Decem-

<sup>1</sup> *Reg. Sec. Sig.*, xxvii. fol. 22. <sup>2</sup> Pitcairn's *Criminal Trials*, i. pt. ii. \*381. The footnote at this reference also confuses the first and third wives. <sup>3</sup> *Arch. and Hist. Collections relating to Renfrew*, i. 124. <sup>4</sup> Pitcairn's *Criminal Trials*, i. \*166. <sup>5</sup> *Reg. Sec. Sig.*, xxvii. f. 28. <sup>6</sup> Crawford's *Renfrew*, 77. <sup>7</sup> *P. C. Reg.*, iv. 438. <sup>8</sup> *Acta Dom. Conc.*, iii. f. 59. <sup>9</sup> *Ibid.*, xxiv. 177. <sup>10</sup> Glasgow Protocols, iii. No. 724. <sup>11</sup> *Reg. Sec. Sig.*, xxvii. f. 38. <sup>12</sup> *Acta Dom. Conc.*, xxxvi. f. 1. <sup>13</sup> *Ibid.*, xiii. f. 76. <sup>14</sup> Pitcairn's *Criminal Trials*, i. pt. ii. \*429. <sup>15</sup> *Acta Dom. Conc.*, xxvii. f. 143.

ber 1576. In his will, dated 31 August 1576, he directed that his body should be buried in the College Kirk of Castle Sempill. Margaret Maxwell, his spouse, and Gabriel Maxwell of Stanelie were his executors.<sup>1</sup> He probably died without issue, for, in the marriage-contract of John Sempill and Marie Livingstone, dated 3 March 1564, Robert, Lord Sempill, and his son, the Master of Sempill, undertook to infeft the spouses in the lands of Thirdpart howsoon it shall come into their hands by decease of William Sempill, who held it heritably, to him and his heirs-male gotten of his body, whom failing, to return to the said Lord Sempill and his heirs,<sup>2</sup> and these lands were afterwards claimed by the said Marie Livingstone and her son.<sup>3</sup>

5. *Mr. Peter*, also named in the above respite of 17 July 1526, is mentioned 21 August 1533.<sup>4</sup> In May 1544 he was for a time Constable of Edinburgh Castle,<sup>5</sup> and he was still alive on 18 October 1558 when he appears as a witness.<sup>6</sup>
6. *Helen*, the eldest daughter, married to Alan, third Lord Cathcart, who was killed, 10 September 1547, at the battle of Pinkie (*see that title*, and authorities there cited), and had issue.
7. *Mary*, said to have been married to Sir John Stirling of Keir.<sup>7</sup>

III. ROBERT, third Lord Sempill, born about 1505, was involved with his father in the trouble with John Mure of Caldwell in 1526.<sup>8</sup> He, as son and heir-apparent, had a charter of the island of Little Cumray, 23 February 1532-33,<sup>9</sup> which was afterwards revoked;<sup>10</sup> a charter in liferent of the lands of Hardrig and others, in the lordship of Douglas; and a grant of the office of Governor and Constable of the King's Castle of Douglas, both on 20 October

<sup>1</sup> Edin. Tests., 16 June 1578. He left ten merks to Clariadus Sempill, his 'brother's son,' but of which brother is unknown. <sup>2</sup> *Reg. of Deeds*, Scott, xix. f. 359. <sup>3</sup> *Ibid.*, xxii. f. 343. <sup>4</sup> *Acta Dom. Conc.*, iii. f. 59. <sup>5</sup> *Treasurer's Accounts*, viii. 291, 356. <sup>6</sup> Protocol Book of Gilbert Grote in Gen. Reg. Ho. <sup>7</sup> There is no evidence of any such marriage in *The Stirlings of Keir*, by Sir William Fraser. <sup>8</sup> *Acta Dom. Conc.*, xxxvi. fol. 138, and xxxvii. fol. 117. <sup>9</sup> *Reg. Mag. Sig.* <sup>10</sup> *Ibid.*, 23 December 1534.

1533.<sup>1</sup> On 2 March 1539-40 'now being furth of the realme, fugitive fra the lawis and at the horne for certane grete crymes,' the King having granted him remission, his father undertook, under the pain of £5000, that he would not resort to Scotland or France.<sup>2</sup> His father granted him a charter of the office of Sheriff of Renfrew, barony of Sempill, lands of Southannan, Previk, Glasfurd, and others 24 January 1543-44.<sup>3</sup> He sat in Parliament 1544-46,<sup>4</sup> and at the convention at Stirling 1545,<sup>5</sup> and on 6 October 1545 and 20 May 1546 Queen Mary granted him the lands of Crukiston, Crukisfee, Thankerton, and Darnley, which were forfeited by Matthew, Earl of Lennox.<sup>6</sup> Robert Sempill came to the assistance of the Abbey of Paisley, and by arms preserved the monks from heretics, and in recompense, on 16 April 1545, he received from them the bailiary of the whole lands of the Abbey with some exceptions, and on the same day he and his father Lord Sempill undertook to support and defend the Abbot and convent, or failing to do so to forfeit the appointment.<sup>7</sup> He was made prisoner at the battle of Pinkie in September 1547.<sup>8</sup> On 9 April 1549 John Mure of Caldwell and others attempted to murder him.<sup>9</sup> On 11 June 1549, probably during a private quarrel, he slew William, Lord Crichton of Sanquhar, in the lodging or hall of the Lord Governor in Edinburgh. For this crime he was imprisoned in Edinburgh Castle, and would probably have been executed but for the favour of the Archbishop of St. Andrews, whose mistress was Lord Sempill's daughter.<sup>10</sup> An agreement was come to in 1550 between the relatives of the deceased and William, Lord Sempill, his son Robert, Master of Sempill, and his son Robert, which *inter alia* provided for the marriages of the Master's second son with Margaret, the youngest daughter of the murdered Lord, and of Lord Sempill's ward, Alan, fourth Lord Cathcart, with Elizabeth, eldest daughter of Lord Crichton.<sup>11</sup> In June 1552 he and his father's widow came to an agreement

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> Pitcairn's *Criminal Trials*, i. pt. i. 226 and *note*. See also *Reg. Sec. Sig.*, 18 March 1540-41, and *Hamilton Papers*, i. 72. <sup>3</sup> *Reg. Mag. Sig.*, 10 February 1543-44. <sup>4</sup> *Acta Parl. Scot.*, ii. 445, 446, and 471. <sup>5</sup> *Ibid.*, ii. 594-595. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Reg. de Passelet*, App. 2-7. <sup>8</sup> *Account of the Family of Hamilton of Broomhill*, 22. <sup>9</sup> Pitcairn's *Criminal Trials*, i. pt. ii. 343\*. <sup>10</sup> *Ibid.*, 340\*, 353\*, 354\*, and authorities there cited. <sup>11</sup> *Acta Dom. Conc.*, xxvi. fol. 133.

regarding their respective rights in his estate, whereby he obtained possession of Castle Sempill and the place of Southannan.<sup>1</sup> On 7 April 1554 he had a respite for treasonably coming in battle array against the Earl of Glencairn.<sup>2</sup> In March 1557-58 he was 'at enemytie and deidly feid' with the Earl of Glencairn.<sup>3</sup> The great feuds between the Montgomeries of Eglinton and the Cunninghams of Glencairn, in which the Lords Sempill took part with the former, lasted from 1488 to 1586.<sup>4</sup> He was one of the few who were faithful to the Queen-Regent against the Lords of the Congregation,<sup>5</sup> and in 1559 was deputed by her to meet the Protestants who were convened at Perth. He was described by John Knox as 'a man sold under sin, an enemy to God and all godliness.'<sup>6</sup> After his father's death he was again in Parliament as Lord Sempill in 1558, 1567.<sup>7</sup> His house of Castle Sempill was besieged by the Lords of the West in December 1559,<sup>8</sup> and taken 14 October 1560.<sup>9</sup> He took refuge in Dunbar, and the commander of that castle declined to surrender him. He was 'relaxed from the horn' in March 1561.<sup>10</sup> Along with others of the 'Nobles and Barons of the West Country' on 5 September 1565 he signed a band in support of Mary and Darnley, in opposition to the Earl of Moray and other rebels,<sup>11</sup> and held a command under the Earl of Lennox in the vanguard of the army raised against them.<sup>12</sup> He had a commission of justiciary upon the whole inhabitants of Renfrewshire, which was in 1564 discharged so far as concerned James Glen of the Bar, his family and friends, as he was also at 'deidly feid and inimytie' to them.<sup>13</sup> Although a Roman Catholic, after the murder of Darnley he joined the Association for the 'defences of the young prince' as opposed to Bothwell and the Queen,<sup>14</sup> and at that time preserved the life of the Earl of Lennox when attacked in Glasgow.<sup>15</sup> He was a member of the assize at the mock trial of the

<sup>1</sup> *Acts and Decrets*, vii. fol. 30; *Reg. of Deeds*, i. fol. 184. <sup>2</sup> *Reg. Sec. Sig.*, 7 April 1554. <sup>3</sup> *Acta Dom. Conc. et Sess.*, xxix. <sup>4</sup> *Archaeological and Historical Collections of Renfrewshire*, i. 16. <sup>5</sup> *Calendar of Scottish Papers*, i. p. xxxiii. <sup>6</sup> Knox's Works, Laing's ed. i. 337, 339. <sup>7</sup> *Acta Parl. Scot.*, ii. 503b, 546b, and 548a. <sup>8</sup> *Cal. of Scottish Papers*, i. 275. <sup>9</sup> Knox's Works, Laing's ed. ii. 130. <sup>10</sup> *Cal. of Scottish Papers*, i. 523. <sup>11</sup> *P. C. Reg.*, i. 363. <sup>12</sup> *Ibid.*, 379. <sup>13</sup> *Reg. Sec. Sig.*, i. 286. <sup>14</sup> *Estimate of the Scottish Nobility*, Grampian Club, 23. <sup>15</sup> *Papal Negotiations*, Scot. Hist. Soc., 357-358.

Earl of Bothwell for the murder of Darnley on 12 April 1567,<sup>1</sup> and on the 19 of April is stated to have been one of the subscribers of the 'Aynesley' bond to Bothwell.<sup>2</sup> On 12 June he was one of those who signed the bond to deliver Queen Mary from thralldom, preserve the prince, and have the murderers of Darnley tried.<sup>3</sup> At Carberry Hill, on 14 June 1567, he was present in the army which opposed her,<sup>4</sup> and was one of those who signed the Act of Regent and Council authorising her detention in Lochleven Castle.<sup>5</sup> He was one of the Council of the Regent Moray in 1567.<sup>6</sup> In Morton's declaration regarding the discovery and custody of the 'casket letters,' he is said to have been present at the opening of the casket which contained Queen Mary's letters.<sup>7</sup> In 1568 he appeared in Parliament once more.<sup>8</sup> He was a Commissioner for opening Parliament 1567-68.<sup>9</sup> After her escape from Lochleven he appeared against Queen Mary at the battle of Langside on 13 May 1568;<sup>10</sup> and on the 19 of that month he was, with the Earl of Glencairn, appointed by the Lord Regent and Lords of Secret Council Lieutenant of the Western Parts, for the purpose of suppressing the conspirators and those who were at the battle of Langside opposed to the King and Regent.<sup>11</sup> He was at the Convention of Estates at Perth 20 July 1569, and voted against the Queen's divorce from Bothwell.<sup>12</sup> Along with the Earl of Glencairn, on the instructions of the Earl of Moray, the Regent, he besieged the castle of Dumbarton,<sup>13</sup> and was ordered to destroy the house of Boghall.<sup>14</sup> For his special services he obtained a gift of the Abbey of Paisley in 1569, which was forfeited by Lord Claud Hamilton.<sup>15</sup> About the commencement of the year 1570 he signed an instrument, along with other nobles, desiring Queen Elizabeth to return Queen Mary to Scotland.<sup>16</sup> He had a command in the army which destroyed Hamilton Castle, and set fire to it and the palace and other houses belonging to the supporters of Queen Mary, in 1570.<sup>17</sup>

<sup>1</sup> Knox's Works, Laing's ed. ii. 552; *Cal. of Scottish Papers*, ii. 320.  
<sup>2</sup> *Ibid.*, ii. 322. <sup>3</sup> *Ibid.*, 331. <sup>4</sup> *Ibid.*, 559. <sup>5</sup> *Ibid.*, 398. <sup>6</sup> *P. C. Reg.*, xiv. 22. <sup>7</sup> *Cal. of Scottish Papers*, ii. 731; Henderson's *Casket Letters*, 113-116. <sup>8</sup> *Acta Parl. Scot.*, iii. 46a. <sup>9</sup> *Ibid.*, 3a, 45b, 562. <sup>10</sup> *Cal. of Scottish Papers*, ii. 405-408. <sup>11</sup> *P. C. Reg.*, i. 624. <sup>12</sup> *Ibid.*, ii. 2, 8; *Cal. of Scottish Papers*, ii. 663. <sup>13</sup> *P. C. Reg.*, ii. 20. <sup>14</sup> *Ibid.*, 31. <sup>15</sup> *Ibid.*, 184. <sup>16</sup> *Cal. of Scottish Papers*, iii. 39. <sup>17</sup> *P. C. Reg.*, xiv. 51n.

Returning one evening in May 1570 from the army which had demolished the castle of the Hamiltons, Lord Sempill was, by some of Hamilton's dependents, taken prisoner, and carried first to Draffen, and afterwards to Argyll.<sup>1</sup> He was probably set at liberty in July 1571.<sup>2</sup> He was appointed a Privy Councillor 7 September 1571,<sup>3</sup> and was in Parliament 1571 and 1572.<sup>4</sup> On 2 July 1572 he was appointed Lieutenant-General and Justiciar of the sheriffdoms of Lanark and Renfrew.<sup>5</sup> On 8 November 1572 Lord Sempill granted a charter of his estates, reserving his own liferent, in favour of Robert, his grandson, and the heirs-male of his body lawfully procreated, whom failing, to Andrew, his own son and the heirs-male of his body lawfully procreated, whom failing, to John Sempill of Brintscheillis and the heirs-male of his body lawfully procreated, whom failing, to John Sempill of Beltries and the heirs-male of his body lawfully procreated, whom failing, to his own lawful and nearest heirs bearing the name and arms of Sempill.<sup>6</sup> The Earl of Eglinton and Lord Sempill were, on 15 April 1573, ordered to disband their followers.<sup>7</sup> He was sued by Thomas Jack, vicar of Eastwood, for payment of the duties due to him as such vicar; but his Lordship intruded Sir John Hamilton, a papist priest, into the vicarage, and threatened the life of the said Thomas Jack should he enforce his rights. For this he was put to the horn on 6 May 1573.<sup>8</sup> He was charged to surrender his house on 1 June 1573 to the Regent, and failing obedience the Earl of Argyll was to proceed against him,<sup>9</sup> and in that month he was excommunicated,<sup>10</sup> and was at court on 1 August 1573.<sup>11</sup> He died between that date and 17 January 1575-76.<sup>12</sup> His latter will and testament, dated 8 November 1572, appointed James, Earl of Morton, 'tutor testamentar, reular, gidar and governour,' to Robert Sempill, his grandson, and the Commissaries committed the administration of the grandchild and his lands until he was fourteen years of age to the tutor.<sup>13</sup> An action for the reduction of the latter will and testament was

<sup>1</sup> *Cal. of Scottish Papers*, iii. 191; *Calderwood's History*, ii. 565. <sup>2</sup> *Cal. of Scottish Papers*, iii. 621. <sup>3</sup> *Acta Parl. Scot.*, iii. 69a. <sup>4</sup> *Ibid.*, 65a, 77. <sup>5</sup> *P. C. Reg.*, ii. 153-155. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *P. C. Reg.*, ii. 219, 220. <sup>8</sup> *Ibid.*, 229, 230. <sup>9</sup> *Cal. of Scottish Papers*, iv. 577. <sup>10</sup> *Ibid.*, 590. <sup>11</sup> *Ibid.*, 601. <sup>12</sup> *Edin. Tests.* <sup>13</sup> *Ibid.*, iii. 17 January 1575.



instituted by his Lordship's second son Andrew on 6 May 1578.<sup>1</sup>

He had been contracted to marry Margaret, daughter of Sir Adam Orichton of Ruthvendenny, prior to the death of his grandfather. The marriage, however, did not take place, and his father was sued for repayment of the tocher, and the marriage-contract between them is referred to.<sup>2</sup> He married Isabel, daughter of Sir William Hamilton of Sanquhar, by whom he had issue:—

1. ROBERT, Master of Sempill, and his brother held Castle Sempill during the ten days' siege by the Earl of Arran in 1560;<sup>3</sup> and on 8 May 1568 he signed the bond by Queen Mary's adherents at Hamilton.<sup>4</sup> He was, on 27 May 1543, contracted to marry Elizabeth, illegitimate daughter of James, first Earl of Arran, with a dowry of £1000 Scots,<sup>5</sup> and she is referred to as his wife several times in the *Treasurer's Accounts* up to August 1548.<sup>6</sup> Of this marriage there was apparently no issue, for Andrew, his younger brother, was designed his heir in 1552.<sup>7</sup> Before 30 April 1569, he had married Barbara, daughter of Archibald Preston of Valleyfield, who is designed 'his spouse putative.'<sup>8</sup> Barbara Preston was, by edict of the Commissaries of Edinburgh, cited as the spouse of umquhile Robert, Master of Sempill, on 16 December 1569,<sup>9</sup> and she is designed his relict, and mother of Robert, grandson of Robert, Lord Sempill, on 8 November 1572.<sup>10</sup> She married, secondly, Robert Mure of Caldwell.<sup>11</sup> The Master of Sempill left issue one son,

ROBERT, who succeeded as fourth Lord Sempill.

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<sup>1</sup> *Acts and Decrees*, lxxi. 491. <sup>2</sup> *Acta Dom. Conc.*, x. 34; v. 91. <sup>3</sup> *Cal. of Scottish Papers*, i. 486, 489. <sup>4</sup> *Ibid.*, ii. 403. <sup>5</sup> *Hist. MSS. Com. Report* upon the Duke of Hamilton's mss., 53. <sup>6</sup> Vol. viii. 356; ix. 226. <sup>7</sup> *Acta Dom. Conc.*, xxvi. 133. <sup>8</sup> *Ibid.*, xli. 331. Craig (Book ii. Diag. 13, sect. 27) states that thirty-four years previously to 1603, that is, in 1569, Robert, Master of Sempill, ordered himself, when in *articulo mortis*, to be carried in a litter to church, where he married Joanna Hamilton, his concubine, by whom he had Robert, Lord Sempill, and dying only eight days after, the latter nevertheless succeeded. Where Craig discovered this phantom Joanna Hamilton it is impossible to conceive; Riddell's *Tracts*, 155-162. <sup>9</sup> *Acts and Decrees of Commissary Court, Edinburgh*. <sup>10</sup> *Reg. Mag. Sig.* <sup>11</sup> Riddell's *Tracts*, 160 and note.

The fourth Lord Sempill mentions his brother-natural Thomas Sempill, also styled of Greenside,<sup>1</sup> who appears to have had a disposition from him of the lands of Schitterflat and Craighbait before 31 March 1580.<sup>2</sup> On 16 May 1589 he, 'as brother-natural' to Robert, Lord Sempill, was denounced for resetting John Smollett, burgess of Dumbarton,<sup>3</sup> and was a witness on 2 July 1590 to a bond of caution.<sup>4</sup>

2. *Andrew*, the second son, was a witness on 6 August 1542,<sup>5</sup> and in 1552, as his brother's heir, was contracted to Margaret Crichton, youngest daughter of William, Lord Crichton of Sanquhar (who had been slain by his father), as soon as she should be of the age of twelve.<sup>6</sup> Robert, Lord Sempill, destined his estates to go to him, failing Robert, son of the late Master of Sempill and the heirs of his body, 8 November 1572.<sup>7</sup> He took part in the capture of Dumbarton Castle in 1571, and had an exemption for so doing from Parliament.<sup>8</sup> He was designed 'Captain' on 24 March 1572-73.<sup>9</sup> In 1577 he was denounced rebel for failing to appear to answer for attempts upon the life of the minister of Largs.<sup>10</sup> He brought an action for reduction of his father's will in 1578,<sup>11</sup> and was one of the curators of his nephew, the fourth Lord Sempill.<sup>12</sup> He married, before 30 November 1565, Margaret, daughter of George Stirling of Craighernard,<sup>13</sup> with issue:—

- (1) *William*, of Bruntschiels, who is mentioned in 1584,<sup>14</sup> was denounced in 1589 for resetting John Smollett, burgess of Dumbarton.<sup>15</sup> He had a son,

- i. *Hew*, who was one of the heirs in succession to Hew Sempill of Craighbait 11 June 1618.<sup>16</sup>

- (2) *James*, of Millbank, had a charter to him and Sibella Glen, a daughter of the house of Barr, his spouse,<sup>17</sup> of the lands of Mekle Govane 22 January 1594-95.<sup>18</sup> Robert, Lord Sempill, also granted them a charter in 1603.<sup>19</sup>

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<sup>1</sup> *Reg. of Deeds*, xxxvii. 153. <sup>2</sup> *Ibid.*, Scott, xxvi. 288. <sup>3</sup> *P. C. Reg.*, iv. 382. <sup>4</sup> *Ibid.*, 511. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Acta Dom. Conc.*, xxvi. 133. <sup>7</sup> *Reg. Mag. Sig.*, 15 December 1572. <sup>8</sup> *Acta Parl. Scot.*, iii. 61. <sup>9</sup> Glasgow Protocols, vi. No. 1917. <sup>10</sup> *P. C. Reg.*, ii. 653. <sup>11</sup> *Acts and Decrees*, lxxi. 491. <sup>12</sup> *Reg. of Deeds*, xx. pt. ii. 214, 332. <sup>13</sup> *The Stirlings of Craighernard*, 9. <sup>14</sup> *Reg. of Deeds*, xxii. 343. <sup>15</sup> *P. C. Reg.*, iv. 382. <sup>16</sup> *Reg. Mag. Sig.* <sup>17</sup> *Crawfurd's Renfrew*, 78, 79. <sup>18</sup> Glasgow Protocols, xi. No. 3343. <sup>19</sup> *Crawfurd's Renfrew*, 78, 79.

3. *James*, who was also a witness on 6 August 1542.<sup>1</sup> As neither James, nor any son of his, is called in the succession to the estates in the charter dated 8 November 1572, the probability is that he was by that time dead without issue.
4. *John Sempill* 'of Bruntschellis, sone lauchfull to Robert, Lord Sempill,' on 12 July 1568, had a gift under the Privy Seal of the escheat of John Hamilton, Archbishop of St. Andrews.<sup>2</sup> He was one of the substitutes after his nephew and brother Andrew, and before his brother John of Beltries, in the charter by his father, dated 8 November 1572,<sup>3</sup> and was therefore most probably a son of the marriage with Isabel Hamilton. He was named as a hostage to Queen Elizabeth on behalf of the Scots 18 April 1573, when he is stated to be his father's second lawful son living, of the age of thirty-six years or thereby.<sup>4</sup> He died before 7 February 1587-88,<sup>5</sup> possibly without issue, for the lands of Bruntschellis are said to have been granted in 1560 by his father to Andrew, his elder brother.<sup>6</sup>
5. *Grisel*, the eldest daughter. In October 1532 William Wallace of Craigie, was requisitioned to marry her.<sup>7</sup> She was married, before 10 March 1539-40, as his second wife,<sup>8</sup> to James Hamilton, eldest son of James Hamilton of Raploch, who had acquired the estate of Stonehouse or Stanehouse by his first wife, Margaret Mowat.<sup>9</sup> He was appointed Director of Chancery on 3 October 1544.<sup>10</sup> In the year 1548, when he was Provost of Edinburgh and Captain of the Castle, he was slain, along with his eldest son James, his deputy, in attempting to quell a riot between the citizens of Edinburgh and the French auxiliaries.<sup>11</sup> She was divorced<sup>12</sup> sometime

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> *Reg. Sec. Sig.*, xxxvii. 85. <sup>3</sup> *Reg. Mag. Sig.*, and *Reg. Sec. Sig.*, xli. 52. <sup>4</sup> *Cal. of State Papers*, iv. 549. <sup>5</sup> *P. C. Reg.*, iv. 249. <sup>6</sup> *Crawford's Renfrew*, 96. <sup>7</sup> *Acta Dom. Conc. et Sessionis*, xx. f. 70; xxviii. 94. <sup>8</sup> *Knox's Works*, Laing's, ed., i. 124 note 5, and *Anderson's Memoirs of the House of Hamilton*, 383. <sup>9</sup> *Reg. Mag. Sig.*; *Memoirs of the House of Hamilton*, 383; and *Nisbet's Heraldic Plates*, 44. <sup>10</sup> *Reg. Sec. Sig.*, xviii. f. 82. <sup>11</sup> *Knox's Works*, Laing's, ed., i. 222. <sup>12</sup> *Acts and Decrets*, xxv. f. 8b.

before 21 February 1545-46,<sup>1</sup> as prior to this she became the mistress of John Hamilton, the natural son of James, first Earl of Arran, Abbot of Paisley, and afterwards Archbishop of St. Andrews.<sup>2</sup> She was apparently then known as 'Lady Gilton.'<sup>3</sup> But for her interest with the Archbishop, who influenced his brother the Regent, her father would have been executed in 1550 for the slaughter of William, Lord Crichton of Sanquhar.<sup>4</sup> While still the mistress of the Archbishop of St. Andrews, on 16 February 1550-51 she entered into a contract to marry Patrick Learmonth of Dairsie, Provost of St. Andrews, so soon as decree of divorce should be obtained between him and Isobel Balfour, then his spouse.<sup>5</sup> She acknowledged the redemption from her and her natural son John of the lands of Pettincraig, etc., in the sheriffdom of Edinburgh, on 10 February 1551-52.<sup>6</sup> In 1552 she and her natural sons William and John, who had been legitimated in 1551,<sup>7</sup> entered into a contract with Henry Wardlaw, fiar of Torry, whereby the latter undertook to infest her in liferent and her said natural sons, whom failing, James Hamilton of Stanehouse *alias* Kynneill, in fee in the lands and barony of Torry under reversion.<sup>8</sup> The Provost and other members of the Town Council of Edinburgh, on 26 November 1561, ordained her to remove from the town. As the Archbishop of St. Andrews had a residence in Edinburgh, it was no doubt her living openly with him that occasioned this peremptory enactment.<sup>9</sup> When the Archbishop was committed to Edinburgh Castle, in 1563, for attempting to restore popery, her uncle, William Sempill of Thirdpart, was one of his sureties.<sup>10</sup> After the death of the Archbishop, on 7 April 1571,<sup>11</sup> Grisel Sempill was put to the horn for non-payment of the rents of Middle and Craig Fuddis,<sup>12</sup>

<sup>1</sup> *Reg. Mag. Sig.* <sup>2</sup> Crawford's *Officers of State*, i. 375; Knox's Works, Laing's ed., i. 124 and *note*. <sup>3</sup> *Ibid.*, 124. <sup>4</sup> Pitcairn's *Criminal Trials*, i. pt. ii. \*354. <sup>5</sup> *Acta Dom. Conc.*, xxvii. 7. <sup>6</sup> *Ibid.*, 125. <sup>7</sup> *Reg. Mag. Sig.* <sup>8</sup> *Acta Dom. Conc.*, 143. <sup>9</sup> Knox's Works, Laing's ed., i. 281 *note* 2. <sup>10</sup> Pitcairn's *Criminal Trials*, i pt. ii. \*429. <sup>11</sup> *Ibid.*, \*427. <sup>12</sup> *P. C. Reg.*, ii. 100.

and the house of Blair, which she had vacated in consequence of a charge from the Earl of Lennox, the Regent, was on 30 January 1572-73 ordered to be delivered to her.<sup>1</sup> She had several children; William Hamilton of Drumry, John Hamilton of Blair, and Margaret Hamilton, who was married to Robert Bruce of Blairhall, were the offspring who came to maturity of her connection with the Archbishop.<sup>2</sup> These two sons were legitimated on 9 October 1551.<sup>3</sup> George Martine says he has seen copies of charters granted by the Archbishop to William, and John, and James, another son of his by Grisel Sempill.<sup>4</sup> James Hamilton, her husband, by his first wife, had five sons, James, John, Robert, Archibald, and Thomas.<sup>5</sup> By her husband, the said James Hamilton, Grisel Sempill had two sons, Robert and John.<sup>6</sup> Robert is mentioned as dead on 29 May 1565, leaving a daughter.<sup>7</sup> She had certainly two daughters by her husband, Elizabeth and Grisel. The latter had a charter, 26 March 1556, from David Cunyngham of Robertland, of certain lands in Ayr and Renfrew.<sup>8</sup> Her daughter Elizabeth became the wife of Roger Kirkpatrick, and was divorced by him for adultery,<sup>9</sup> and was her mother's executrix.<sup>10</sup> Grisel Sempill died in October 1575, and in the confirmation of her testament-dative she is styled 'ane honourable Lady, Gryssell Sempill, Lady Stanehous.'

6. *Margaret*, married, first, to David Hamilton of Broomhill, before 7 October 1545, with issue, three daughters.<sup>11</sup> He was killed, 10 September 1547, at the battle of Pinkie, attempting to relieve his father-in-law; and she married, secondly, before 24 January 1553-54,<sup>12</sup> as his second wife,<sup>13</sup> John Whitefoord of Whitefoord, who survived her, with issue four sons. She died in November 1580.<sup>14</sup>

<sup>1</sup> *P. C. Reg.*, ii. 182. <sup>2</sup> Crawford's *Officers of State*, 381 note; cf. *The Reformation in Scotland*, by D. Hay Fleming, 51 note. <sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> *Reliquiæ Divi Andree*, 244. <sup>5</sup> *Acta Dom. Conc. et Sess.*, xv. f. 73, and *Acts and Decrees*, ccccx. f. 76. <sup>6</sup> *Acta Dom.*, xxiii. 105, and *Reg. Sec. Sig.*, xxii. 53. <sup>7</sup> Glasgow Protocols, v. No. 1517. <sup>8</sup> Confirmed 1 May 1556, *Reg. Mag. Sig.* <sup>9</sup> *P. C. Reg.*, i. 458. <sup>10</sup> Edin. Tests., 24 February 1575-76. <sup>11</sup> *Account of the Family of Broomhill*, 21 and 22. <sup>12</sup> *Reg. Mag. Sig.*, 6 April 1664. <sup>13</sup> *P. C. Reg.*, iii. 234. <sup>14</sup> Edin. Tests., 2 May 1581.

Lord Sempill had also by Elizabeth Carlile, an Englishwoman, three natural children, *John*, *Janet*, and *Dorothea*, who were legitimated 24 August 1546.<sup>1</sup>

7. *John Sempill*, who was legitimated as above in 1546, seems to have gone to France in 1560.<sup>2</sup> He is described as 'an Englishman born.'<sup>3</sup> As John Sempill of Beltries, he was called as one of the substitutes in the conveyance which his father made of his estates on 8 November 1572.<sup>4</sup> The Regent Morton is said to have coveted the aftermentioned lands granted by Queen Mary, and to have endeavoured to reduce the gift. Having used intemperate threats, Sempill was arrested on a suspicion of conspiring against the life of the Regent, and on being tortured with the boot, confessed. He had certain jewels and furs belonging to Queen Mary, and was imprisoned in Blackness because he would not deliver them to the Earl of Lennox.<sup>5</sup> On 15 June 1577 he was convicted of treasonably conspiring for the slaughter of the Earl of Morton, the Regent.<sup>6</sup> He died on 25 August 1579,<sup>7</sup> having married (contract 3 March 1564-65<sup>8</sup>) Marie, daughter of Alexander, fifth Lord Livingstone. They had a grant from Queen Mary, 20 March 1564-65, of the lands of Over Drumdelgie and others in the barony of Strathbogie,<sup>9</sup> on the forfeiture of the Earl of Huntly; but in 1567, Huntly having been restored to the lands, they got instead the Island of Little Cumbrae and others.<sup>10</sup> By her, who survived him, he had issue:—

- (1) *Sir James Sempill*, his son and heir, who, with his curators, sued Robert, Lord Sempill, in 1581, for implement of the undertaking by his grandfather, the third Lord, in his

<sup>1</sup> *Reg. Sec. Sig.*, xx. 59. Elizabeth Carlile is, however, in the marriage-contract of her son John, dated 3 March 1564-65, designed spouse to the said Lord Sempill, and had been infeft in liferent in certain of his lands; *Reg. of Deeds*, Scott, xix. 359. <sup>2</sup> *Cal. of Scottish Papers*, i. 491. <sup>3</sup> *Ibid.*, ii. 113. <sup>4</sup> *Reg. Mag. Sig.* <sup>5</sup> *Cal. of Scottish Papers*, iii. 438, 563. <sup>6</sup> *Pitcairn's Criminal Trials*, i. pt. ii. 72; *Anderson's Memoirs of the House of Hamilton*, 121, 122. <sup>7</sup> *Edin. Tests.*, 19 February 1581. <sup>8</sup> *Reg. of Deeds*, Scott, xix. 359. <sup>9</sup> *Reg. Sec. Sig.*, xxxiii. 8. <sup>10</sup> *Acta Parl. Scot.*, ii. 559, 560.

father's marriage-contract to convey the lands of Beltries and others.<sup>1</sup> Matters were, however, arranged by an agreement, dated 12 August 1584.<sup>2</sup> Being of a literary turn of mind he assisted King James VI. in preparing for the press his *Basilicon Doron* in 1599. He was resident in London as 'Agent' in the affairs of the King of Scotland until February 1599-1600, when he received a passport to return home. Shortly after his return he was created a knight, and in 1601 sent as Ambassador to France, and in February 1602-3, in recognition of his good services at home and abroad, the King gave him a jewel of great beauty and value, which had belonged to the Queen, his mother, with power to 'sue all persons who have the said jewel in their keeping for delivery.'<sup>3</sup> In 1611 compensation was paid to him for relinquishing to the King certain rents payable by the freeholders of Annally in Ireland.<sup>4</sup> He had a grant of the county or barony of 'Carritrye' (Carbery) in county Cork from King James I.<sup>5</sup> In 1616 he was appointed a Justice of the Peace for the county of Renfrew,<sup>6</sup> and again in 1623.<sup>7</sup> An oration which he composed was delivered before the King when he visited Paisley in 1617. He was the author of several controversial works. He died in his house at the Cross of Paisley in February 1625-26, and is described as a 'grand enemie à la pseudo-hierarchie.'<sup>8</sup> By his wife Egidia, youngest daughter of George Elphinstone of Blythswood, who died in September 1618,<sup>9</sup> he had issue:—

i. *Robert*, the eldest son, served heir-general to his father 10 October 1626,<sup>10</sup> said to be author of *Habbie Simson, the Piper of Kilbarchan*. Married Marie, daughter of Sir Thomas Lyon of Auldbar, and had

(i) *Francis*, who married, 3 April 1655, at Lochgoilhead, Jane, daughter of (? James) Campbell of Ardkinglass,<sup>11</sup> and died in March 1682, survived by her,<sup>12</sup> and two sons:—

a. *Robert*, baptized 11 April 1656,<sup>13</sup> who sold the estate and became Sheriff-Clerk of the county of Renfrew. He married Elizabeth Cochran, who died before 17 February 1773.<sup>14</sup> He died before 11 November 1790.<sup>15</sup> He had several sons and three daughters.

b. *James*, baptized 18 May 1657,<sup>16</sup>

<sup>1</sup> *Reg. of Deeds*, Scott, xix. 359. <sup>2</sup> *Ibid.*, xxii. 343. <sup>3</sup> *P. C. Reg.*, vi. 533, 534. <sup>4</sup> *Cal. of State Papers, Domestic*, 1611-1618, 33. <sup>5</sup> *Ibid.*, Ireland, 1625-32, 337. <sup>6</sup> *P. C. Reg.*, x. 637. <sup>7</sup> *Ibid.*, xiii. 346. <sup>8</sup> Boyd of Trochrie's Obituaries. <sup>9</sup> *Genealogical History of the Family Semple*, 44. <sup>10</sup> *Retours, Gen.*, No. 1290. <sup>11</sup> *Genealogical History of the Family Semple*, 45, and *Notes and Queries*, 9th ser., viii. 107. <sup>12</sup> *Glasgow Tests.*, 12 May 1682. <sup>13</sup> *Genealogical History of the Family Semple*, 45. <sup>14</sup> *Glasgow Tests.* <sup>15</sup> *Ibid.*, 28 June 1791. <sup>16</sup> *Genealogical History of the Family Semple*, 46.

(ii) *Elizabeth*, married to Sir George Maxwell of Newark.

- ii. *George*, who died young.
- iii. *James*, who was cautioner for the executor of Helen Sempill, daughter of Captain John Sempill, in 1646.<sup>1</sup>
- iv. *William*, a pretty boy of nine years of age in July 1617, who delivered the oration at Paisley to His Majesty.<sup>2</sup>
- v. *Mary*, married to Sir Colin Campbell of Ardkinglass with issue.<sup>3</sup>

(2) *Arthur*, mentioned in his father's testament-dative.<sup>4</sup>

(3) *Captain John*, also mentioned there.

(4) *Dorathie*, mentioned in her father's testament-dative.

- 8. *Jean*, married to James, fourth Lord Ross, with issue. She died on the last day of February 1592-93.<sup>5</sup>
- 9. *Dorothea*, married, before 20 May 1567, to Robert Montgomery, sixth of Skelmorlie; she died before 2 May 1600, leaving issue.<sup>6</sup>
- 10. *Grissel*, who, from the date of her marriage, was probably a daughter of Elizabeth Carlile though not mentioned in the precept of legitimation of her other children, was married (contract 11 May 1565) to John Blair of Blair,<sup>7</sup> and had issue.
- 11. *Marian*, married to Hugh Montgomery of Hazelhead, and had issue. She died 16 March 1591-92. Her will was dated 25 November 1591.<sup>8</sup>
- 12. — married to William Fleming of Barochan, and had issue.<sup>9</sup>
- 13. *Elizabeth*, to whom her father had, prior to 27 October 1573, assigned the teind sheaves of the lands of Bar.<sup>10</sup> She was married, first (contract 1 March 1577-78<sup>11</sup>), to Robert Graham of Knokdolian; secondly, to Robert Lindsay of Balhall.<sup>12</sup>
- 14. *Isobel*, married to James Hamilton of Kincavill, Sheriff

<sup>1</sup> Edin. Tests., 17 October 1646. <sup>2</sup> *P. C. Reg.*, xi. 201 note. <sup>3</sup> *Reg. Mag. Sig.*, 1 February 1636. <sup>4</sup> Edin. Tests., 19 February 1581-82. <sup>5</sup> Edin. Tests.; 21 January 1593-94 and 20 April 1601. <sup>6</sup> *Memorials of the Montgomeries*, i. 157. <sup>7</sup> *Reg. of Deeds*, xx. pt. ii. 332. <sup>8</sup> Edin. Tests., 27 December 1593. <sup>9</sup> *Acts and Decrees*, xlvi. 222. <sup>10</sup> *P. C. Reg.*, ii. 292. Marion, Grissel, and Elizabeth are mentioned together in that order in 1564 (*Acts and Decrees*, xxix. 135) and were probably born of the second marriage. <sup>11</sup> *Reg. of Deeds*, xxxii. 318. See also *Acts and Decrees*, lxxiii. 352. <sup>12</sup> *Reg. of Deeds*, xxxiii. 320.



of Linlithgow.<sup>1</sup> She was divorced for adultery on 7 September 1560, although she subsequently challenged the divorce in 1568.<sup>2</sup> There is a curious story in a letter from Randolph to Lord Cecil, dated 12 March 1565-66, in *Calendar of State Papers relating to Scotland*, ii. 266, that a Scotsman named Sheres, who had been arrested by Lord Bedford, had left Scotland because 'he stoole awaye the Sheryf of Lythecows wyf called Hamilton, she being the lord Simple dawghter.' This was about seven years past, *i.e.* 1559.

Helen Sempill, *lawful* daughter of the deceased Robert, Lord Sempill, and Janet Leslie, her mother, are mentioned in 1594.<sup>3</sup>

Colonel William Sempill, born in 1546, who, on 2 August 1582, betrayed Lierre to the Duke of Parma, and was afterwards the founder of the Scots College at Madrid, and whose 'nepos,' Hugh, styled himself 'Craigbaitæus,' is stated to have been an illegitimate son of Lord Sempill.<sup>4</sup> The evidence is extremely conflicting, but the balance of testimony is in favour of this view. He had also a brother, Gilbert, who was killed in Flanders. Colonel Sempill married, in 1593, Donna Maria de Ledesma, daughter of Don Juan de Ledesma.

IV. ROBERT, fourth Lord Sempill, son of Robert, Master of Sempill. He was the person to whom his grandfather granted a charter of his estates, subject to the granter's life-rent, on 8 November 1572,<sup>5</sup> and on 11 December in the same year his grandfather granted him the offices of Justiciar, Chamberlain, and Bailie of the Regality of Paisley.<sup>6</sup> He was in minority on 26 November 1581, when James, Earl of Glencairn, acknowledged receipt of the sum of 10,000 merks from Robert Mure of Caldwell and Archibald Preston of Valleyfield, Chamberlain of Sempill, and undertook that 'howsone it sall happin Robert now lord Symple to marie, tak to wife, spouse and compleit the bond of matrimony

<sup>1</sup> *Reg. of Deeds*, xiii. 367; *Acts and Decrees*, liii. 238, 239. <sup>2</sup> Riddell's *Inquiry*, i. 431. <sup>3</sup> *Edinburgh Burgh Reg. of Deeds*, 21 August 1599. <sup>4</sup> *Collected Essays and Reviews of T. G. Law*, 320 note; *Estimate of the Scottish Nobility*, Grampian Club, 60. <sup>5</sup> *Reg. Mag. Sig.*, 15 December 1572. <sup>6</sup> *Reg. Sec. Sig.*, xli. 52.

with Jane Cunynghame, Countess of Ergyle,<sup>1</sup> our fader sister, and falzeing of her, with Susanna Cunynghame,' the Earl's own sister or either of them, he would refund the said sum, and provided that should Lord Sempill marry Jane Cunynghame, eldest daughter of the said Earl, he should not be obliged to repay same.<sup>2</sup> He was, in 1583, stated to be a youth of sixteen years of age, his living not great, but of an ancient house.<sup>3</sup> In 1592, however, he was stated to be twenty-nine.<sup>4</sup> He was in Parliament in 1584 and 1596.<sup>5</sup> He was still in minority 27 March 1587,<sup>6</sup> and in that year was denounced for threatening his uncle Andrew and nephew William.<sup>7</sup> He was appointed a Commissioner in 1589-90 for executing the laws against Jesuits.<sup>8</sup> On 30 May 1590 he was retoured heir to his grandfather, Robert, third Lord Sempill.<sup>9</sup> Having been charged to appear before the King and Council with a view to his keeping good order, and not having complied with this summons, he was on 3 November 1591 ordered to be put to the horn and denounced rebel.<sup>10</sup> He was Ambassador to Spain in 1596. He was at the Convention of Estates 1 January 1596-97,<sup>11</sup> and in the Privy Council in 1597.<sup>12</sup> He was denounced rebel for violently seizing an English ship in 1597-98.<sup>13</sup> In 1606 it was recommended that Lord Sempill should be ordered to reside in Irvine for the benefit of advice and instruction from the clergy,<sup>14</sup> and in 1607 he was excommunicated by the Church as being 'a confirmed and obstinate papist.'<sup>15</sup> He died 25 March 1611. He married, first (contract dated 11 September 1583), Agnes Montgomery, second daughter of Hugh, third Earl of Eglintoun.<sup>16</sup> In 1601 he desired a pass for a servant to go abroad concerning a marriage 'his Lordship intendeth in France.'<sup>17</sup> In 1602, however, he is stated to be 'unmarried.'<sup>18</sup> He

<sup>1</sup> She was the second wife and widow of Archibald, fifth Earl of Argyll, who had died 12 September 1573. She afterwards married Humphrey Colquhoun of Luss, and died within a year and a half of her marriage, before 6 January 1584-85; cf. vol. i. of this work, 343. <sup>2</sup> *Reg. of Deeds*, 22 December 1581. <sup>3</sup> *Estimate of the Scottish Nobility*, Grampian Club, 38. <sup>4</sup> *Ibid.*, 68. <sup>5</sup> *Acta Parl. Scot.*, iii. 290b, and iv. 106a. <sup>6</sup> *Reg. of Deeds*, Scott, xxvi. 261. <sup>7</sup> *P. C. Reg.*, iv. 248, 249. <sup>8</sup> *Ibid.*, 465. <sup>9</sup> *Retours, Gen.*, No. 8382. <sup>10</sup> *P. C. Reg.*, iv., 686. <sup>11</sup> *P. C. Reg.*, v. 357. <sup>12</sup> *Ibid.*, 424. <sup>13</sup> *Ibid.*, 430. <sup>14</sup> *Ibid.*, vii. 283 note. <sup>15</sup> *Ibid.*, viii. 140 note. <sup>16</sup> Cf. vol. iii. 442. <sup>17</sup> *Hist. MSS. Com. Report upon the Marquess of Salisbury's MSS.*, xi. 506. <sup>18</sup> *Estimate of the Scottish Nobility*, Grampian Club, 76.

married, secondly (contract 31 August 1604<sup>1</sup>), about 13 September 1604, when he gave her sasine, as his future spouse, in the lands of Southannan,<sup>2</sup> Joanna, daughter of Levimus Everard, and widow of Sir John Hamilton of Lincleif, brother of John, first Earl of Abercorn. (*See that title.*) She married, thirdly, Captain Patrick Craufurd of Tredonell, co. Donegal, and, fourthly, Sir George Marbury, and dying 14 June 1638, at Letterkenny, was buried in Conwall Church.<sup>3</sup> By his first wife Lord Sempill had issue:—

1. HUGH, fifth Lord Sempill.

2. *William*. In the will of Robert Sempill of Craigbait (see p. 534), which is dated at Castle Semple on 11 January 1591, the testator provided that in case of the death of his son Hew he left his free right and title of his haille heritage to William Sempill, second son to my Lord Sempill, whom failing, to Lord Sempill's next son, whom failing, his eldest son, Hew Sempill.<sup>4</sup> On 11 June 1618 a charter of the lands of Craigbait, etc., was granted to the above Hew Sempill of Craigbait, whom failing, to James, brother-german of Hugh, Lord Sempill, whom failing, to — Sempill, second lawful son of the said Lord (if he has such), whom failing, to Hugh Sempill, lawful son of William Sempill of Bruntshiels.<sup>5</sup>

3. *James*, who is referred to above.

4. *Annas*, married (contract 8 June 1603) to Sir Archibald Stewart of Castlemilk, and died in December 1631, leaving issue.<sup>6</sup>

5. *Barbara*, married to Sir Coll Lamont of Innergyne. Her husband, with consent of his parents, granted her a liferent charter of the lands of Innergyne and others, and an annuity in implement of the contract of marriage between him and her, which charter is dated 19 January 1610.<sup>7</sup> He died about the year 1634. She was alive in 1642, and by her he had issue three sons and four daughters.<sup>8</sup>

<sup>1</sup> *Reg. of Deeds*, ccxciv. 155. <sup>2</sup> *Secretary's Reg. of Sasines, Ayr*, ii. 469.  
<sup>3</sup> Cf. vol. i. 40. <sup>4</sup> *Edin. Tests.*, 18 January 1593. 'Lord Sempill's next son' may refer to Sir James Sempill. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Glasgow Tests.*, 27 March 1633. <sup>7</sup> *Lamont Writs.* <sup>8</sup> *Ibid.*

6. *Grissel*, married to John Logan of Raiss, and had issue.

7. *Jean*, married, in April 1612, as his second wife, to John Brisbane of Bishoptoun, and had issue. She died in May 1626. Her will is dated 23 May 1626.<sup>1</sup>

By his second wife Lord Sempill had issue:—

8. *Sir William Sempill*, Knight, of Letterkenny, in Ireland, who was a J.P. for County Donegal in 1629.<sup>2</sup> On 23 May 1639, along with Sir George Hamilton of Donalong, Baronet, Sir George Hamilton of Greenlaw, and Sir William Stewart of New Stewarton, he had a grant of the manor of Strabane and the rest of the Abercorn estate.<sup>3</sup> He appears to have married Anne, younger daughter of Sir William Stewart, Baronet, sometime of Dunduff, Ayrshire, and of Ramalton, co. Donegal, Ireland, by whom he had an only daughter,<sup>4</sup>

*Francelina*, who appears to have been married to Sir Charles Hamilton of Killishandra, co. Cavan.<sup>5</sup>

V. HUGH, fifth Lord Sempill, the eldest son, was a Justice of the Peace for the county of Renfrew in 1616,<sup>6</sup> and in 1623 for Ayr, Kyle, Carrick, and Cunningham, as well as Renfrew.<sup>7</sup> He was in Parliament 1617, 1625, 1630, and 1633.<sup>8</sup> He had a charter to himself and his son Francis of the barony of Craiginfeoch, in Renfrewshire, 22 February 1634. In 1636 he surrendered the hereditary sheriffship of Renfrew and the hereditary bailiary of the regality of Paisley into the hands of the King. In exchange he was to receive 3000 acres in the intended plantation in Connaught, in Ireland, and in the event of not being sufficiently secured in the land to be reponed in these offices. He, however, did not receive the expected acres, and subsequently £5000, to be paid out of the Irish Exchequer, was promised in their stead. In 1636 the offices were conveyed to Bryce Sempill of Cathcart<sup>9</sup> by Crown charter, dated 7 August 1642.<sup>10</sup> Ulti-

<sup>1</sup> Glasgow Tests., 30 October 1627. <sup>2</sup> *Cal. of State Papers relating to Ireland*, 1625-32, p. 469. <sup>3</sup> Cf. vol. i. 52. <sup>4</sup> *The Montgomery Manuscripts*, 133, 408. <sup>5</sup> *Ibid.*, 408 and note. <sup>6</sup> *P. C. Reg.*, x, 637. <sup>7</sup> *Ibid.*, xiii, 345, 346. <sup>8</sup> *Acta Parl. Scot.*, iv, 525a, v, 166a, 208a, 8a. <sup>9</sup> *P. C. Reg.*, 2nd ser., vi, 191, and *Archæological and Historical Collections relating to the County of Renfrew*, ii, p. xviii. <sup>10</sup> *Reg. Mag. Sig.*

mately these offices appear to have been in possession of the Lords Sempill, who conveyed them, subject to a right of redemption, to the Earl of Eglinton, in whose family they remained until 1748, when the then Lord Eglinton received from Government £5000 as compensation for their extinction.<sup>1</sup> He died 19 September 1639. He married, in 1611 (contract 7 November 1611<sup>2</sup>), first, Anne Hamilton, eldest daughter of James, first Earl of Abercorn. He married, secondly (contract 27 November 1620<sup>3</sup>), Elizabeth Hay, fourth daughter of Francis, ninth Earl of Erroll. She survived him, and married, secondly, James, first Lord Mordington (disposition dated 3 July 1649<sup>4</sup>).

By his first wife Lord Sempill had issue:—

1. *Marian*, married (contract 4 May 1636<sup>5</sup>) to George Preston of Valleyfield, who was afterwards created a Baronet,<sup>6</sup> and had issue.
2. *Anne*, who married — Hamilton, and had a son, Sir Alexander Hamilton 'of Doubling, Knight.' Sasine was given to her and her sister Marian in certain annualrents out of the lands of Glasford on 20 March 1637 in implement of provisions in their parents' marriage-contract.<sup>7</sup> She made her will at Perth 3 February 1651, and died in that year.<sup>8</sup>

By his second wife Lord Sempill had issue:—

3. FRANCIS, sixth Lord Sempill.
4. *William*, mentioned 1638.<sup>9</sup> He must have died *s.p.* before 1644.
5. ROBERT, seventh Lord Sempill.
6. *Archibald* Sempill of Dykehead. In 1649, in the fourteenth year of his age, was studying at Douai.<sup>10</sup> He was the only son of the fifth Lord Sempill whose male issue in 1712 survived.<sup>11</sup> The name of his wife has not been discovered, but he had issue:—

- (1) *Robert*, who was born 1672 at Sempill Castle, and entered the French army as a cadet in the Infantry Regiment of Nor-

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<sup>1</sup> *Archaeological and Historical Collections relating to the County of Renfrew*, ii. xix. <sup>2</sup> *Gen. Reg. Sas.*, xlvi. 103. Charter in implement dated 18 November 1611, confirmed 18 June 1612, *Reg. Mag. Sig.* <sup>3</sup> Slains Charters. <sup>4</sup> *Gen. Reg. Sas.*, lx. 316. <sup>5</sup> *Ibid.*, xliii. 443. <sup>6</sup> *Complete Baronetage*, ii. *voce* Preston. <sup>7</sup> *Gen. Reg. Sas.*, xlvi. f. 102. <sup>8</sup> *Edin. Tests.*, 16 June 1652. <sup>9</sup> *Reg. of Deeds*, dli. 361. <sup>10</sup> *Records of the Scots Colleges*, New Spalding Club, i. 39. <sup>11</sup> *Jacobite Peerage, voce* Sempill.

mandois before 1688; became ensign in the Scottish Guards June 1689.<sup>1</sup> He was probably the nephew of the late Lord Sempill, 'gentilman' to the Earl of Erroll, who assisted Colonel Hooke in 1705, and who, 'having fallen in some inconveniencys in his estate, is necessitated to seek some way to go abroad.'<sup>2</sup> He became captain *réformé* in the Irish Infantry Regiment of Galmoye 29 June 1708, and was transferred to the Dillon Regiment 15 February 1715, in which he was still serving 27 May 1726. On 11 May 1712, being then a captain in Lord Galmoye's Regiment, he had a declaration of his noblesse from King James III. and VIII., in which he was declared to be the 'sole heir-male of the property and the ancient title of the said Hugh, Lord Sempill, whose fourth son Archibald, father of the said Robert, is the only one who left any living male child.' On 16 July 1723 he appears as 'Mr. Robert Sempill, captain of the Regiment of Dillon,' but seems after that date to have been created by James III. and VIII. a Lord and Peer of Parliament as Lord Sempill.<sup>3</sup> He died at Paris intestate. Admon. as 'Robert, Lord Sempill, *alias* Robert Sempill,'<sup>4</sup> 11 November 1737. He married a lady whose Christian name was Elizabeth. He had issue :—

- i. *Francis* Sempill, who is described in his father's Admon. as Lord Sempill, eldest son and heir, was an active Jacobite 1740-45. He was known to be an agent of the Chevalier de St. George, and by most people suspected to be a pensioner of the court of France. He resided in Paris, and Prince Charles lodged with him in January 1744. He was afterwards distrusted, and Charles, in March 1745, writing to his father, warned him not to trust anything he said.<sup>5</sup> He died 9 December 1748, and was buried at St. Andrew's, Chartres, in France. He was possibly the Francis Sempill who married Mary, widow of John Caryll, daughter of Kenneth Mackenzie, fourth Earl of Seaforth. She was buried at Harting, co. Sussex, 16 April<sup>6</sup> 1740.
- ii. *Hugh* Sempill.
- iii. *George* Sempill.
- iv. *Henrietta* Sempill.<sup>7</sup>

(2) *Anna*,

(3) *Jean*.<sup>8</sup>

## 7. James, who also entered Douai College, when twelve

<sup>1</sup> Statement of Services referred to in *Jacobite Peerage*, 164. <sup>2</sup> *Correspondence of Colonel Hooke*, Roxburghe Club, i. 271 and note, 329 and note, 466. <sup>3</sup> *Jacobite Peerage*, voce Sempill, 164, 165. <sup>4</sup> *Complete Peerage*, vii. 113. <sup>5</sup> *Affairs in Scotland*, 1744-46, pp. 227 note, 228, 229. <sup>6</sup> '10 Sept.,' *Complete Peerage*, voce Sempill. <sup>7</sup> *Jacobite Peerage*, voce Sempill, 165. She is possibly the sister of one 'that calls himself Lord Semple,' who is said to have wanted her married to the exiled Marquis of Tullibardine in 1737; *Chronicles of the Families of Atholl and Tullibardine*, ii. 430. <sup>8</sup> *Privy Seal, English Reg.*, v. 262.

years old, in 1649.<sup>1</sup> He became a Jesuit in 1656.<sup>2</sup> In 1669 he was sent to Madrid, and died there.<sup>3</sup>

8. *Elizabeth*, married to William, second Lord Mordington, and had issue.
9. *Jean*, married (contract 27 April and 13 May 1668<sup>4</sup>), as his second wife, to William Menzies of Pitfoddles.<sup>5</sup>

VI. FRANCIS, sixth Lord Sempill, the eldest son, married (contract 25 March 1640<sup>6</sup>) Isabel, daughter of George, third Earl of Winton, by his second wife; her portrait is preserved at Duns Castle.<sup>7</sup> He died without issue 3 November 1644, survived by his widow,<sup>8</sup> who was probably the presenter of the petition to Parliament in 1651.<sup>9</sup> He was succeeded by his brother Robert.

VII. ROBERT, seventh Lord Sempill, as 'Dominus Sempill de Glassfuird,' was retoured heir to Francis, 'Dominus Sempill de Glassfuird his brother-german,' on 16 February 1648, and also heir-male to Robert 'Dominus Sempill de Glassfuird' his grandfather, in the office of Justiciary and Bailie of Paisley, and possession of the monastery.<sup>10</sup> He also was retoured heir-general of his said brother.<sup>11</sup> He was on the Committee of War for Renfrewshire in 1648.<sup>12</sup> The General Assembly in 1649 petitioned Parliament 'to take the breeding of' the children of various Catholic nobles, including those of Lord Sempill, into consideration.<sup>13</sup> In 1661 he was summarily ranked before Lord Mordington, but 'without prejudice of Mordington his process of reduction.'<sup>14</sup> He was fined in the sum of £1000 by Cromwell's Act of Grace and Pardon 1654,<sup>15</sup> which was afterwards reduced to £500.<sup>16</sup> He entailed his honours and estates upon his daughter Anne, failing his sons, as appears from a narration in the Patent of 25 July 1685 conferring the title

<sup>1</sup> *Records of the Scottish Colleges*, i. 40. <sup>2</sup> *Ibid.*, 198. <sup>3</sup> *Ibid.*, 46. In the Madrid Register he is stated to have been twenty-four years of age in 1669, when he came there, *ibid.*, 199. <sup>4</sup> *Aberdeen Sasines*, v. 431. <sup>5</sup> *Antiq. of Banff and Aberd.*, Spalding Club, iii. 287. <sup>6</sup> *Reg. of Deeds*, Dal., 5 March 1669. <sup>7</sup> *History of the Family of Seton*, ii. 730, 731. <sup>8</sup> *Ibid.* <sup>9</sup> *Acta Parl. Scot.*, vi. pt. ii. 676a. <sup>10</sup> *Retours, Renfrew*, Nos. 131, 132. <sup>11</sup> *Retours, Gen.*, No. 3416. <sup>12</sup> *Acta Parl. Scot.*, vi. pt. ii. 36a. <sup>13</sup> *General Assembly Commission Records*, Scot. Hist. Soc., ii. 227. <sup>14</sup> Riddell's *Inquiry into the Law and Practice in Scottish Peerages, etc.*, 14. <sup>15</sup> *Acta Parl. Scot.*, vi. pt. ii. 820a. <sup>16</sup> *Ibid.*, vi. pt. ii. 846a.

of Lord Glasfoord on that lady's husband, a certain series of heirs, including his daughter Anne. He died before the entail was completed, but it has been in terms of this regrant and confirmation that the honours came to be held by the subsequent Lords Sempill.<sup>1</sup> He died in January 1675,<sup>2</sup> having married Ann, daughter of James, first Lord Mordington, who survived him,<sup>3</sup> and had issue:—

1. ROBERT, Master of Sempill, who having been educated at Douai in 1670, being then fifteen years of age,<sup>4</sup> predeceased his father, and died in his eighteenth year, unmarried.
2. James, who was ten years of age in 1665, when he was sent to Douai. He went to the Scots College at Madrid in September 1669, when his age is given at twenty-four, and died there.<sup>5</sup>
3. FRANCIS, eighth Lord Sempill.
4. ANNE, afterwards Baroness Sempill.
5. Jean, married to Alexander Sinclair of Roslin, and was mother of William Sinclair of Roslin, the last of that ancient family, who died in 1778, aged seventy-eight.
6. Elizabeth.<sup>6</sup>

VIII. FRANCIS, eighth Lord Sempill, the only surviving son, was retoured heir of his father, as Lord Sempill, in the lands and barony of Sempill,<sup>7</sup> and of his brother Robert, Master of Sempill, in the lands of Barr in Kilbarchane, etc., on 9 September 1680;<sup>8</sup> made profession of the reformed religion, and took his seat in Parliament, where none of his ancestors, who were Roman Catholics, had sat since the reign of Queen Mary. He died *s.p.* aged twenty-four, at Leith, 4 April, and was buried in the ancient mausoleum of the family at Castle Sempill<sup>9</sup> 10 May, 1684.<sup>10</sup> He married Grissel, who was born 19 September 1661, daughter of Sir Archibald Primrose of Carrington, Baronet, sister of Archi-

<sup>1</sup> Riddell's *Inquiry into the Law and Practice in Scottish Peerages*, i. 52, 53. <sup>2</sup> Glasgow Tests., 20 September 1676. <sup>3</sup> *Ibid.* <sup>4</sup> *Records of the Scots Colleges*, New Spalding Club, i. 49. <sup>5</sup> *Ibid.*, 199. <sup>6</sup> *Gen. Reg. Inhibs.*, 16 April 1681, where James is named before Francis. <sup>7</sup> *Retours, Renfrew*, No. 182. <sup>8</sup> *Ibid.*, No. 183. <sup>9</sup> *Collections of the County of Renfrew*, i. 20. <sup>10</sup> Funeral entry in Lyon Office.



bald, first Earl of Rosebery, at Edinburgh, on 30 April 1681.<sup>1</sup> She married, secondly, in 1693, Brigadier-General Richard Cunningham. She died at Dalry, near Edinburgh, on 22 June 1723, and is designed in her confirmation 'Grissel Lady Sempill.'<sup>2</sup> On his death there were competing services between his sister Anne and Sempill of Cathcart. Under date 4 November 1684 Lord Fountainhall states that the Lady of Abercrombie of Fetterneir 'is served heir of line to "her brother," as also Robert Sempill is by thir moyen served heir-male by two services, one general, the other special, tho' Sempill of Cathcart founded on a tailzie by the last Lord to him, failing heirs of his own body.'<sup>3</sup> Riddell notes that he cannot find these retours.<sup>4</sup> Two petitions were subsequently presented to the Court, the one craving that the rents of the estate might be sequestrated during the dependence, and the other that the writs and charter-chest might be secured till it was found who had the best right. A factor was appointed under the first, but the second petition was refused.<sup>5</sup> The decision in the competing services apparently went against Cathcart, for the next holder of the title was

IX. ANNE, who succeeded as Baroness Sempill, and married Francis Abercromby of Fetterneir (contract 6 August 1675<sup>6</sup>), who was (in consequence) created Lord Glasford, for his life only, 5 July 1685. (*See that title.*) She was, under the designation of Domina Anna Sempill, sponsa Francisci Abercrombie de Fetterneir, on the 14 of April 1685, served heir of tailzie and provision of Robert, Lord Sempill, her father, and Francis, Lord Sempill, her brother.<sup>7</sup> On 25 July 1685 a patent of the barony of Sempill was granted to Dame Anna Sempill and her heirs-male by her then husband, but on her and her husband's resignation the descent of the Sempill estates and honours were extended by a charter of regrant, which passed the Great Seal 16 May 1688, confirming the family estates, with the style, honour, order and dignity of Lord

<sup>1</sup> Edin. Mar. Reg. <sup>2</sup> Edin. Tests., 6 August 1723 and 7 May 1724.

<sup>3</sup> Fountainhall's *Decisions*, i. 306-307. <sup>4</sup> Notes on Douglas Peerage, in Advocates' Library. <sup>5</sup> Fountainhall's *Decisions*, i. 307. <sup>6</sup> *Aberdeen Sasines*, ix. 99. <sup>7</sup> *Retours, Gen.*, Nos. 6637, 6638.

Sempill, to her and her husband, and the longest liver of them in liferent; with, respectively, remainder to Francis, Master of Sempill, their eldest son, Robert, John, and Alexander Sempill, their second, third, and fourth sons, and the heirs-male of their bodies, lawfully to be procreated; to the other heirs-male to be procreated of the body of Anne, Lady Sempill, and Francis, Lord Glasfoord, and the heirs-male of their bodies; to the heirs-female procreated or to be procreated of their bodies; remainder to the heirs-female to be procreated of the bodies of the said Francis, Master of Sempill, Robert, John, and Alexander Sempill, and the heirs-male of their bodies respectively; to the heirs-male to be procreated of the body of Anna, Lady Sempill, in any other marriage, and the heirs of their bodies, the eldest of all the heirs-female of their bodies; the heirs of all the heirs-female, in all the foresaid cases succeeding without division; to any person whom they might nominate in a writing under their hands during their conjunct lives, and to the heirs and assignees whatsoever of the said Anna, Lady Sempill.<sup>1</sup> Anna, Lady Sempill, died in 1695. Lord Glasfoord married, secondly, 27 March 1699, Christabella, widow of Sir Giles Eyre. They were separated within a few months, and he died in the Fleet Prison, being buried, 23 November 1703, at St. Bride's, Fleet Street.<sup>2</sup> Her issue were:—

1. FRANCIS, ninth Lord Sempill.
2. *Captain Robert Sempill*. He was present at a popish meeting in the Duke of Gordon's lodging in Edinburgh in 1699.<sup>3</sup> Killed in the wars abroad, without issue.
3. JOHN, tenth Lord Sempill.
4. *Alexander*, who died in early youth.
5. HUGH, eleventh Lord Sempill.
6. *Jean*, who died, unmarried, 8 May 1743.<sup>4</sup>

X. FRANCIS, ninth Lord Sempill, the eldest son, born about 1685, succeeded his mother, was a young nobleman of eminent parts, and took his seat in Parliament 14 May

<sup>1</sup> Riddell's *Scottish Peerages*, ii. 978. <sup>2</sup> Cf. vol. iv. 182. <sup>3</sup> *Privy Council Act*, 4 May 1699. <sup>4</sup> *Scots Mag.*, 247.

1703.<sup>1</sup> Next day he subscribed the formula subjoined to the Act of Parliament 1700, for preventing the growth of popery.<sup>2</sup> He continued in Parliament until 1706,<sup>3</sup> and was also a Commissioner of Supply in 1704.<sup>4</sup> Notwithstanding very considerable offers if he would comply with the measures of the Court in relation to the Union, he gave that treaty all the opposition in his power,<sup>5</sup> voting against every article, and saying, that though the Union was attended with no other inconvenience than making the Peers elective, he wondered very much how any of that rank could be for it; being all Peers by right of inheritance, their being made elective he took to be a divesting them of their Peerage, because, not being sure of being always chosen to every Parliament of Great Britain, they consequently must lose, when left out, the benefit of sitting in Parliament, which was ever deemed an inseparable right of the Peerage. He was appointed captain in Lord Carmichael's Regiment of Dragoons 16 April 1711.<sup>6</sup> He died, unmarried, in August 1716,<sup>7</sup> and was buried, on the 4 of that month, at Holyrood.<sup>8</sup>

XI. JOHN, tenth Lord Sempill, served heir of provision special, *cum beneficio inventarii*, to his brother in the barony of Sempill 29 January 1717,<sup>9</sup> was active in promoting the training and disciplining of the Ayrshire fencible men during the rebellion 1715, and met the Earls of Eglintoun, Kilmarnock, and Glasgow at Irvine 22 August that year, when 6000 Royalists appeared. He died, unmarried, 17, and was buried at Holyrood 20, February 1727.<sup>10</sup> Confirmation was granted 28 December 1728 to his brother Hew. At his death the estates had apparently been involved, and a factor had been appointed upon them.<sup>11</sup> His only surviving brother,

<sup>1</sup> *Acta Parl. Scot.*, xi. 29b. <sup>2</sup> *Ibid.*, 40, App. 11. <sup>3</sup> *Ibid.*, 300. <sup>4</sup> *Ibid.*, 144. <sup>5</sup> *Ibid.*, 236, 405. <sup>6</sup> Dalton's *Army Lists*, vi. 211. <sup>7</sup> *Services of Heirs*, 1710-19. <sup>8</sup> Holyrood Burial Reg. The testament-dative of 'umquhile Katharine Masson, daughter of the deceased Robert Masson, sometime Baillie of Culross, and relict of . . . Lord Semple,' who died in Edinburgh 15 June 1731, was given up by her sister-german Marion Masson, her executrix-dative, on 16 July 1731; *Edin. Com. Reg.*, xciii. Whether the defunct claimed to be the widow of the ninth or tenth Lord Sempill is not stated. <sup>9</sup> *Services of Heirs*, 1710-19. <sup>10</sup> Holyrood Burial Reg. <sup>11</sup> Glasgow Tests.

XII. HEW, eleventh Lord Sempill, the fifth son of his father, born after the making of the entail of the barony of Sempill already recited, went early into the Army. He was adjutant to Colonel Preston's Regiment of Foot 1 December 1708;<sup>1</sup> ensign in said regiment July 1709; served at Malplaquet; promoted captain 12 July 1712; on half-pay 1713; appointed captain in Brigadier-General Grant's Regiment in 1715; major 5 April 1718; lieutenant-colonel of the 19th Regiment of Foot 12 July 1731; and succeeded the Earl of Crawford as colonel of the Black Watch 14 January 1741. He was in command when the regiment mutinied in 1743, and followed them in that year to Flanders,<sup>2</sup> where they highly distinguished themselves; he commanded in the town of Aeth, when it was besieged by the French, and that regiment made a gallant defence. In 1727 Lord Sempill sold the estates of Elliotstoun and Castle Sempill, and in 1741 purchased the estate of North Barr.<sup>3</sup> He was appointed colonel of the 25th Regiment of Foot 9 April 1745; promoted brigadier-general 9 June 1745; at the battle of Culloden 16 April 1746, when he had command of the left wing of the royal army.<sup>4</sup> In the middle of August following he arrived at Aberdeen, assumed the command of the troops stationed in that quarter, and died there 25 November 1746.<sup>5</sup> His remains were interred in the Drum Aisle, in the West Church of that city, 1 of December following.<sup>6</sup> He married, 13 May 1718,<sup>7</sup> Sarah, daughter and coheirress of Nathaniel Gaskell of Manchester, and by her, who died 17 April 1749,<sup>8</sup> had issue:—

1. JOHN, twelfth Lord Sempill.

2. *George*, had an ensign's commission in the 19th Regiment of Foot 1732, and a company in the 53rd Foot 1755; went into the service of the East India Company with the rank of colonel, and died at Bishopstoun 18 December 1779, without issue. Testament confirmed 26 January 1780.<sup>9</sup> He married, first, Catherine, elder daughter and heiress of Arthur Gordon of Law and Wardhouse, who died 5 February

<sup>1</sup> Shortly after 16 May 1688, *Complete Peerage*. <sup>2</sup> *Chronicles of the Families of Atholl and Tullibardine*, ii. 462, 463. <sup>3</sup> *Dict. Nat. Biog.*, voce Sempill, Hew. <sup>4</sup> *Dalton's Army Lists*, vi. 104 and note. <sup>5</sup> *Scots Mag.*, 550.

<sup>6</sup> *Collections of the County of Renfrew*, i. 22. <sup>7</sup> *Complete Peerage*, viii. 509.

<sup>8</sup> *Scots Mag.* <sup>9</sup> Glasgow Tests.

1762;<sup>1</sup> secondly, at Styche, in Shropshire, 1 December 1764, his cousin Anne, daughter of Richard Clive of Styche, by Rebecca Gaskell, and sister of Robert, first Lord Clive; and thirdly, at Manchester, 15 June 1775, Jane, daughter and heiress of Thomas Butterworth, and widow of Francis Joddrell, younger of Yeardsley, in Cheshire.

3. *Hugh*, had an ensign's commission in the 19th Regiment of Foot 1737, a company in the marine forces 1757, and died on board H.M.S. *Lennox* at the Cape of Good Hope, in January 1764.<sup>2</sup>
4. *Philip*, died young.
5. *Ralph*, died at sea.
6. *Sarah*, married, 28 April 1750, as his second wife, to Patrick Crawford of Auchinames, for many years member of Parliament for the counties of Ayr and Renfrew:<sup>3</sup> she died at Errol 25 April 1751.
7. *Jean*, who had a grant from George III. of a pension of £100<sup>4</sup> on 19 November 1778, died, unmarried, at Edinburgh 6, and was buried in the Chapel Royal of Holyrood House 10, July 1800.<sup>5</sup>
8. *Elisabeth*, born 24 March 1729, died young.
9. *Anne*, born 4 June 1730; married, 16 September 1754, to Adam Austin, M.D., physician in Edinburgh, who died 1 December 1773. She died 27 November 1793, and was buried in Greyfriars, Edinburgh. She had issue.
10. *Marianne*, who died, unmarried, at Edinburgh 14, and was buried in the Chapel Royal of Holyrood House on the 19, May 1796.<sup>6</sup>
11. *Rebecca*, who died, unmarried, at Edinburgh 16 September 1811, aged seventy-three years, and was interred in the Chapel Royal of Holyrood House on the 21 September 1811.<sup>7</sup>

XIII. JOHN, twelfth Lord Sempill, the eldest son, succeeded his father in 1746, and died at Sempill House 15 January 1782.<sup>8</sup> His testament, dated 14 January 1782, was

<sup>1</sup> *The House of Gordon*, New Spalding Club, ii. 215. <sup>2</sup> *Scots Mag.*

<sup>3</sup> *Ibid.* <sup>4</sup> *Privy Seal, English Reg.*, x. 431. <sup>5</sup> Holyrood Burial Reg.

<sup>6</sup> *Ibid.*; Edin. Tests., 10 April 1798. <sup>7</sup> Holyrood Burial Reg. <sup>8</sup> *Scots Mag.*, 110.

confirmed by his eldest son 14 March 1782.<sup>1</sup> He married, 10 March 1755, Janet, only daughter and heiress of Hugh Dunlop of Bishoptoun, co. Renfrew, and by her, who died 26 June 1809, had issue:—

1. HUGH, thirteenth Lord Sempill.
2. *George*, born 26 August 1763, who had a lieutenant's commission in the 78th Regiment of Foot in 1781, and died in the East Indies in June 1782.
3. *Patrick*, who died in January 1774, in the eighth year of his age.
4. *Sarah*, married, at Sempill House, 4 June 1780<sup>2</sup> to Sir William Forbes of Craigievar, Baronet, who died 15 February 1816. She died at Fintray House 8 September 1799, leaving issue:—

(1) *Sir Arthur Forbes*, sixth Baronet of Craigievar, born 1784, sometime an officer in the 7th Hussars, died unmarried in 1823.

(2) *Sir John Forbes*, seventh Baronet, born 2 July 1785, who was a Judge in the Honourable East India Company's service, and a Magistrate and Deputy Lieutenant for the county of Aberdeen. He married, 15 September 1825, Charlotte Elizabeth, daughter of General Lord Forbes, eighteenth Baron Forbes. She died 5 November 1883. He died 16 February 1846, having had issue:—

i. SIR WILLIAM, eighth Baronet of Craigievar, and fifteenth Lord Sempill.

ii. *James Ochoncar Forbes*, of Corse, Lumphanan, born 6 November 1837. He was a J.P. of the county of Aberdeen, and he and his surviving sisters obtained a Royal Warrant dated 14 April 1887, granting them the same title, rank, place, and precedence which would have been due to them if their father had lived to succeed to the baronetcy of Sempill. He was born 6 November 1837, and married, 4 August 1863, Harriet, third daughter of the late Sir Charles Hall, Vice-Chancellor, and died 5 May 1900, having by her (who died 1 March 1894) had issue:—

(i) *John Walter*, of Corse, born 20 June 1865.

(ii) *James Ochoncar*, born 21 January 1867, major 3rd Battalion of the Gordon Highlanders.

(3) *Elizabeth*, born 1826, married, 25 July 1854, to Robert Grant of Druminnor, Aberdeenshire, and died 29 December 1890, leaving issue by him (who died 1 January 1894).

(4) *Sarah*, married 14 April 1852, to Duncan Forbes, J.P., Aber-

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<sup>1</sup> Glasgow Tests. <sup>2</sup> *Scots Mag.*

deen, and died 6 October 1891, leaving issue. He died in 1891.

- (5) *Charlotte Frances*, died 5 December 1847.
- (6) *Janet Marjory*, died 8 December 1847.
- (7) *Caroline Ann*, married 11 June 1862, to the Reverend Frederick Walter Robberds, B.A., and died 19 March 1896, leaving issue. He died 30 April 1898.
- (8) *Margaret*, died in infancy.

5. *Janet*, who died 6 June 1858, aged ninety.

6. *Joanna*, who died 10 July 1840.

XIV. HUGH, thirteenth Lord Sempill, the eldest son, born 1 July 1758, had a commission as ensign in the 3rd Regiment of Foot Guards 24 December 1777, of lieutenant in the same 26 February 1781, and continued in that regiment till 30 November 1792, when His Majesty, apparently for political reasons, dispensed with his services, and refused him a court-martial.<sup>1</sup> He died 25 January 1830, at Boulogne. He married, at St. Marylebone, London, 24 January 1787, Maria, daughter of Charles Mellish of Ragnal, in the county of Nottingham, and by her, who died 16 September 1806, had five children:<sup>2</sup>—

- 1. SELKIRK, fourteenth Lord Sempill.
- 2. *Francis*, who died at Calcutta, unmarried, 2 January 1823.<sup>3</sup>
- 3. —, a son, who died in infancy.
- 4. MARIA JANET, Baroness Sempill.
- 5. *Sarah*, who died unmarried 18, and was buried at Holyrood 27, November 1866.<sup>4</sup>

XV. SELKIRK, fourteenth Lord Sempill, born in London 12 February 1788, sometime a captain in the Renfrewshire Regiment of Militia. He died, unmarried, 4 May 1835. Admon. 19 May 1836, when the title devolved upon his sister,

XVI. MARIA JANET, Baroness Sempill, born in 1790, married, 14 January 1836, at St. John's Episcopal Chapel, Greenock, to Edward Candler, of Callan, co. Kilkenny,

<sup>1</sup> *A Short Address on the Practice of Cashiering Military Officers without a Trial; with a Vindication of the Conduct of the Author*, by Hugh, Lord Sempill, 1793. <sup>2</sup> *Complete Peerage*, voce Sempill and corrigenda. <sup>3</sup> *Ibid.* <sup>4</sup> Holyrood Burial Register.

of Morton Pinckney, Northamptonshire, and of Dun Edin and Belwood, co. Midlothian, who by royal licence, 23 August 1853, assumed the name of Sempill instead of that of Candler. He, who was born 3 January 1803, and baptized at Tadcaster, died 7 April 1871. She died 5 September 1884, aged ninety-four, at Morton Pinckney, and was buried in the Chapel Royal at Holyrood Palace, Edinburgh,<sup>1</sup> being succeeded by her cousin under the terms of the regrant of 1685.

XVII. WILLIAM FORBES, fifteenth Lord Sempill, born 20 May 1836, at Fintray House, Aberdeenshire, was educated at Eton, succeeded his father as Baronet 16 February 1846, was sometime an officer in the Coldstream Guards, served in the Crimea, succeeded his cousin in the Peerage of Sempill 5 September 1884, and assumed the name of Sempill in addition to that of Forbes. He died 21 July 1905, having married, first, 23 June 1858, Caroline Louisa, only daughter of Sir Charles Forbes, third Baronet of Newe. From her, who married, 19 June 1862, Septimus E. Carlisle, and died 11 December 1872, he obtained a divorce in December 1861. By his first wife Lord Sempill had issue:—

1. *Catherine Charlotte Elizabeth Stewart*, born on 12 June 1861, married, on 5 December 1907, to George Muirhead in Speybank, Fochabers.

Lord Sempill married, secondly, 18 November 1862, at St. James's, Westminster, Francis Emily, seventh and youngest daughter of Sir Robert John Abercromby, fifth Baronet of Birkenbog. She died 13 May 1887, at Bad Homburg.

By his second wife he had issue:—

2. JOHN, sixteenth Lord Sempill.
3. *Douglas*, born 19 January 1865, major in the Seaforth Highlanders, Ross-shire Buffs (the Duke of Albany's), D.S.O. 1900, served in the Hazara Expedition 1891, and received medal with clasp; he accompanied the Chitral Relief Force 1895, and again received medal with clasp. He served in the South African War 1899-1900, taking part in the actions of Magersfontein, Paardeberg, Poplar Grove, and Driefontein, and

<sup>1</sup> Holyrood Burial Reg.



was awarded the D.S.O. He was killed on 21 February 1908 in the expedition against the Zakka Khels on the Indian frontier.

4. *William*, born 27 June 1866, died 6 November 1867.
5. *Robert Abercromby*, born 21 March 1870.
6. *Arthur Lionel Ochoncar*, born 24 September 1877, a lieutenant in the Royal Navy, married, 25 November 1903, Muriel Emily, eldest daughter of the Rev. Walter Spencer of Welwyn, Herts.
7. *Evelyn Courtenay*, born 4 October 1868, married, 7 June 1894, to Duncan Vernon Pirie, M.P., late captain 3rd Hussars, eldest son of Gordon Pirie of Waterton, Aberdeenshire, and has issue.
8. *Gertrude Emily*, born 22 December 1872.

Lord Sempill married, thirdly, 30 April 1890, Mary Beresford, third and youngest daughter of Henry Porter Sherbrooke, formerly Lowe, of Oxton Hall, Nottingham, but by her had no issue.

XVIII. JOHN FORBES-SEMPILL, sixteenth Lord Sempill, born 21 August 1863, was a captain in the Black Watch, J.P. for Aberdeen, served with the Cameron Highlanders in the Soudan campaign in 1886, and in the South African War 1901-1902, with Lord Lovat's Scouts. He married, on 28 June 1892, Gwendolin Emily Mary, elder daughter of Herbert Prodggers of Kington, Chippenham, Wilts, and has issue :—

1. WILLIAM FRANCIS, Master of Sempill, born 24 September 1893.
2. *Gwendolin Janet*, born 26 December 1897; she died on 10 March 1910.
3. *Margaret*, born 30 August 1905.

CREATIONS.—Lord Sempill, before 10 November 1488.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, argent, a chevron chequy gules and of the first between three hunting horns sable, garnished and stringed of the second, for *Semple*; 2nd and 3rd, azure, a cross patée fitchée or between three bears' heads coupéd argent, muzzled gules, for *Forbes*.

CRESTS.—1st, a stag's head argent attired with ten tynes azure and collared with a prince's crown or, for *Semple*; 2nd, a cock proper, for *Forbes*.

SUPPORTERS.—Two greyhounds argent, collared gules.

MOTTOES.—*Keep Tryst*, for *Semple*; *Watch*, for *Forbes*.

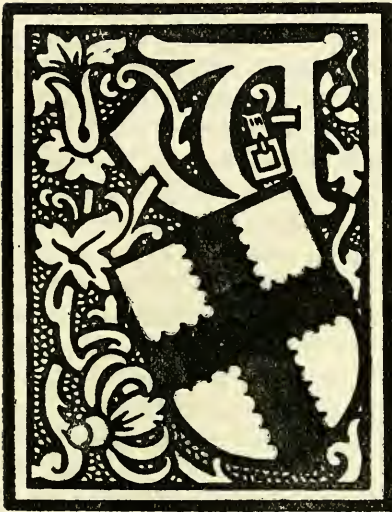
[J. M<sup>c</sup>G.]





Sinclair

## SINCLAIR, LORD SINCLAIR



WILLIAM SINCLAIR, Earl of Orkney and Caithness, was apparently the first to be styled LORD SINCLAIR.<sup>1</sup>

II. WILLIAM SINCLAIR of Newburgh, commonly known as 'The Waster,' was the eldest son of the said William, Earl of Caithness, by his first marriage with Elizabeth Douglas, daughter of Archibald, fourth Earl of Douglas.<sup>2</sup> He was disinherited by his father,

who, on 7 December 1476, resigned his lands of the earldom of Caithness in the hands of the King, from whom he obtained a new grant with remainder to William, the eldest son of his second marriage.<sup>3</sup> His father was a Lord of Parliament as Lord Sinclair so far back as 1449, and the use of that title by him and by his eldest son and grandson<sup>4</sup> sufficiently disproves the contention that he had divested himself of the barony along with the earldom of Caithness, and that when Parliament in 1488 declared that the grandson was rightful heir to that dignity it conferred on him a new title of honour.<sup>5</sup> On 26 November 1459 he had a charter to himself and his spouse of the lands of Newburgh,<sup>6</sup> in which he was seised 1 March

<sup>1</sup> Cf. *Antiq. Aberdeen and Banff*, iii. 98. <sup>2</sup> Cf. vol. ii. 333. <sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> *Acta Parl. Scot.*, ii. 143; *Antiq. of Aberdeen*, iii. 102. <sup>5</sup> *Exch. Rolls*, viii. p. xlvi. <sup>6</sup> *Reg. Mag. Sig.*

1459-60.<sup>1</sup> In 1456 he forcibly took the price of the terce of Mar from William Seton of Echt on behalf of the Earl of Orkney,<sup>2</sup> and in 1466 he imprisoned William Tulloch, Bishop of Orkney. With consent of Christian Leslie, his spouse, he sold certain fishing rights of Ithane to Sir James Ogilvy of Deskford, a grant which was confirmed 15 April 1478.<sup>3</sup> He disputed the right of succession with his brother Sir Oliver, and after sundry procedure the parties entered into an agreement, dated 9 February 1481, whereby Sir Oliver resigned to William, Lord Sinclair, the lands of Cousland in the sheriffdom of Edinburgh, the lands of Dysart, with the castle and lands of Ravenscraig, Dubbo, Carberry and Wilston in Fife, and, on the other hand, William, with the consent of his son Henry, renounced his interest in the barony of Roslin with the castle thereof, patronage of the college or provostry, the lands of Pentland, Pentlandmure, Morton and Mortonhall and the barony of Herbertshire. This agreement was ratified 18 February 1481, and Lord Sinclair was thereupon seised in the said lands.<sup>4</sup> On 29 March 1482 a brieve was issued from Chancery for the trial of William Sinclair, and on 17 April the jury found him *non compos mentis et fatuus*, and that he had been a waster of his lands and goods for sixteen years previously.<sup>5</sup>

He was alive 14 July 1487,<sup>6</sup> but died shortly thereafter, and was buried at Dunfermline. He married (dispensation dated 29 April 1458<sup>7</sup>) Christian Leslie, daughter of George, Earl of Rothes, who survived him, and was alive 22 February 1492-93.<sup>8</sup> He had issue:—

1. HENRY, third Lord Sinclair.
2. *Sir William* of Warsetter, called 'my Lordis brother' in the 'rental of my Lord Sinclair that deit at Flodden.' He died before 13 May 1527, when his widow had a charter.<sup>9</sup> He married Helen Gordon, a lady whose parentage is not known, and who has been stated variously to have been a daughter of George, second Earl of Huntly, and of Adam Gordon, Earl of Sutherland. He had issue.

<sup>1</sup> *Antiq. of Aberdeen*, iii. 97. <sup>2</sup> *Exch. Rolls*, vi. 268. <sup>3</sup> *Reg. Mag. Sig.*  
<sup>4</sup> *Exch. Rolls*, ix. 680, 681. <sup>5</sup> *Rosslyn Writs*; cf. vol. ii. 334. <sup>6</sup> *Reg. Mag. Sig.* <sup>7</sup> *Rosslyn Writs*. <sup>8</sup> *Acta Audit.*, 168. <sup>9</sup> *Reg. Mag. Sig.*

3. *Magnus*, a witness to an assignation of the redemption of the two Haddochis 29 September 1487.<sup>1</sup>
4. *Elizabeth*, married, as his second wife, to John Glendonwyn.

III. HENRY, third Lord Sinclair, had an Act of Parliament recognising him after his father's death as 'Chief of yat blude' and therefore that he be called Lord Saintclair in time to come, 26 January 1488-89.<sup>2</sup> He sat as a Baron in Parliament 14 January 1488-89. On his own resignation he had a royal charter to himself and Margaret Hepburn, his spouse, of the lands of Cousland and Ravenscraig and others on 4 December 1488,<sup>3</sup> and further, on 28 May 1489, three charters granting him a thirteen years lease of Orkney and Zetland, the custody of Kirkwall Castle and the offices of Justiciar, Foud and Bailie of Orkney and Zetland,<sup>4</sup> of which he had a regrant on 1 May 1501 for nineteen years, under payment of the sum of 550 merks annually.<sup>5</sup> On 9 January 1493-94 he had, on his own resignation, a charter to himself and Margaret Hepburn, his spouse, of the baronies of Dysart and Ravenscraig. In 1503 he had sasine of the lands of Newburgh.<sup>6</sup> On 14 May 1504 he was served heir to his father at Aberdeen in said lands,<sup>7</sup> and on 3 March 1508-9 he had a new grant of the same, which had fallen to the King by recognition,<sup>8</sup> erecting the town of Newburgh into a free burgh of barony.<sup>9</sup> He was created Master of the Artillery, with a salary of £100 a year, 13 March 1510-11,<sup>10</sup> and in 1512 was appointed captain of the ship *Great Michael*. At his request Gavin Douglas, Bishop of Dunkeld, translated the *Aeneid* into Scots, and shortly before his death he sold to the King eight pieces of ordnance called 'serpents' for £100, which was paid to his widow. He was killed at Flodden 9 September 1513.<sup>11</sup> He married, before 4 December 1488,<sup>12</sup> Margaret, daughter of Adam Hepburn, Master of Hailes, and sister of Patrick, first Earl of Bothwell. She

<sup>1</sup> *Antiq. of Aberdeen*, iii. 103. <sup>2</sup> *Acta Parl. Scot.*, ii. 213. <sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> *Ibid.* <sup>5</sup> *Ibid.* <sup>6</sup> *Exch. Rolls*, xii. 714. <sup>7</sup> *Antiq. of Aberdeen*, iii. 103. <sup>8</sup> Decree of Recognition of a third part 14 December 1506; *Antiq. of Aberdeen*, iii. 104. <sup>9</sup> *Reg. Mag. Sig.*; *Antiq. of Aberdeen*, i. 373. <sup>10</sup> *Reg. Sec. Sig.*, i. 2221; *Exch. Rolls*, xiii. 417-418. <sup>11</sup> *Ibid.*, xiv. 610. <sup>12</sup> *Reg. Mag. Sig.*

survived him, and succeeded him in the lease of Orkney and Zetland, the accounts for which she rendered to Exchequer till her death.<sup>1</sup> She was alive on 11 June 1542, when she, being *in extremis*, renounced the devil and all the pomps of this world.<sup>2</sup> He had issue:—

1. WILLIAM, fourth Lord Sinclair.
2. *Catherine*, married (indenture dated 27 January 1511-12) to Sir David Wemyss of that Ilk,<sup>3</sup> and died before 1526.
3. *Helen*, married to James, fourth Lord Ogilvie of Airlie, and died before 2 January 1562.<sup>4</sup>
4. *Jean*, married to Alexander Lindsay, Master of Crawford, and died before 1562.
5. *Agnes*, married, in 1533 or 1534, to Patrick Hepburn, third Earl of Bothwell, by whom she was divorced before 16 October 1543,<sup>5</sup> called 'Lady Moram' on 3 June 1557,<sup>6</sup> and died 1572,<sup>7</sup> leaving issue.
6. *Elizabeth*<sup>8</sup> had a gift of the marriage of Walter Drummond, grandson and heir-apparent of John, Lord Drummond, to be married with the said Elizabeth, 12 February 1511-12.<sup>9</sup> The marriage, however, did not take place, and he married, in 1513-14, his cousin Elizabeth Graham, daughter of William, first Earl of Montrose.<sup>10</sup>

He had a natural son

*Mr. William*, who had letters of legitimation under the Great Seal 20 February 1539-40, was rector of Odrig previous to 1584, afterwards vicar of Latheron, and died before 1585, leaving issue.

IV. WILLIAM, fourth Lord Sinclair, succeeded to the title on the death of his father, but apparently not to the estates until the death of his mother. In 1515 the Orcadians elected Sir James Sinclair, natural son of Sir William Sinclair of Warsetter, as their leader, withheld the rents due to Lady Sinclair, and forced Lord Sinclair to surrender the Castle of Kirkwall and to flee into

<sup>1</sup> *Exch. Rolls*, xiii. 32 *et seq.* <sup>2</sup> *Records of Dysart*, 8. <sup>3</sup> *Family of Wemyss*, ii. 135. <sup>4</sup> *Reg. Mag. Sig.*, 31 December 1548. <sup>5</sup> *Hamilton Papers*, ii. 110. <sup>6</sup> *Acts and Decrees*, xv. 84. <sup>7</sup> *Edin. Tests.*, 22 January 1574-75. <sup>8</sup> *Lord High Treasurer's Accounts*, iv. 324. <sup>9</sup> *Reg. Sec. Sig.*, i. 2370. <sup>10</sup> *Cf. vol. vii.* 43.



Caithness; but in 1529 he received a letter from the King instructing him to invade Orkney and deprive Sir James of his usurped governorship. With the assistance of John, Earl of Caithness, he collected a force, landed in Orkney, and encountered the Islesmen at Summerdale, where the Earl was killed with five hundred of his men, and he himself taken prisoner.

On his own resignation he had a charter of confirmation to him and his spouse Elizabeth Keith of the lands of Newburgh and fishings of Eythan on 17 April 1524,<sup>1</sup> in 1543 he had sasine in the baronies of Dysart and Ravenscraig,<sup>2</sup> and, on his own resignation, a charter to him and his spouse of the lands of Wiltstoun, Carberry, and Balbeggy in Fife, on 28 June 1547.<sup>3</sup> He had a remission under the Privy Seal, on 23 October 1542, for assisting George, Lord Home, and David Home of Wedderburn in their rebellion.<sup>4</sup> In 1544 he signed the agreement to support the authority of the Queen-Mother as Regent against the Earl of Arran. He died in 1570.<sup>5</sup> He married, first, Elizabeth Keith, daughter of William, third Earl Marischal, and relict of Colin, Master of Oliphant,<sup>6</sup> and secondly, Mariota Bruce.<sup>7</sup> Issue by first marriage:—

1. HENRY, fifth Lord.

2. *Margaret*.

Issue by second marriage:—

3. *Magnus*, who had a charter of the lands of Kinninmonth in Fife, as son of William, Lord Sinclair, and Mariota Bruce on 14 November 1561,<sup>8</sup> and died at Dysart 16 July 1586. He married Marion, daughter of Sir David Bruce of Clackmannan, and widow of Robert Bruce of Airth. She died in July 1575.<sup>9</sup>

V. HENRY, fifth Lord Sinclair, born in 1527, had, on his father's resignation, two charters of the baronies of Dysart, Newburgh, Ravenscraig, and others, as son and apparent heir of his father on 24 November 1549.<sup>10</sup> He supported the Reformation, was one of the barons and gentle-

<sup>1</sup> *Reg. Mag. Sig.*; *Antiq. of Aberd.*, iii. 110. <sup>2</sup> *Exch. Rolls*, xviii. 379.

<sup>3</sup> *Reg. Mag. Sig.* <sup>4</sup> *Reg. Sec. Sig.*, xvii. 63. <sup>5</sup> *Edin. Tests.*, 12 March 1575-76. <sup>6</sup> *Cf.* vol. vi. 543. <sup>7</sup> *Edin. Tests.*, 28 June 1577. <sup>8</sup> *Reg. Mag. Sig.*, 6 December 1561. <sup>9</sup> *Edin. Tests.*, 11 August 1575; *Bruces of Airth*, xv

<sup>10</sup> *Reg. Mag. Sig.*

men of Fife who, on 12 September 1565,<sup>1</sup> at St. Andrews, signed a bond to serve the King and Queen. He was one of the Lords of Convention at Perth 27 July 1569, and voted against the Queen's divorce 30 July 1569.<sup>2</sup> He was a member of the Privy Council before 1573, supported King James VI. on his escape from the Ruthvens, and was one of the Barons of the North who signed the bond to that monarch on 2 September 1574.<sup>3</sup> A pedigree of the family, purporting to be drawn up by him in 1590, is preserved in the Lyon Office. He died 21 October 1601.<sup>4</sup> He married, first, Janet, daughter of Patrick, Lord Lindsay of the Byres. She died 8, and her testament was confirmed at Edinburgh 15, April 1569. He married, secondly, Elizabeth, daughter of William, seventh Lord Forbes. She had a charter from John, Master of Forbes, of the lands of Idvies and Auchlyne, to her and Elizabeth her daughter, confirmed under the Great Seal on 16 August 1591, of the lands of Crosbie in Elgin 2 September 1600, and of a tenement in Dysart 20 February 1601.<sup>5</sup> He had issue by his first wife:—

1. JAMES, Master of Sinclair, had charters as son and apparent heir of his father, of the baronies of Ravenscraig, Dysart, Newburgh, and others on 24 July 1577,<sup>6</sup> and of the barony of Dysart 5 July 1592.<sup>7</sup> He was present at the Privy Council 26 February 1592-93, and died *vitâ patris* 9 May 1593,<sup>8</sup> aged thirty-six. He married Isabella Leslie, daughter of Andrew, fourth Earl of Rothes. She had a charter of one-sixth of the lands of Wester Lochore and others 22 May 1595.<sup>9</sup> He had issue:—

(1) HENRY, sixth Lord.

(2) JAMES, seventh Lord.

(3) PATRICK, eighth Lord.

(4) *Catherine*.

(5) *Margaret*, married to William, Lord Berriedale, eldest son of George, fifth Earl of Caithness.

2. *Patrick* of Balgriggie, admitted burghess of Dysart 1 February 1580,<sup>10</sup> married *Catherine*, daughter of James Boswell of Balmuto, who survived him and married,

<sup>1</sup> *P. C. Reg.*, i. 368. <sup>2</sup> *Ibid.*, ii. 8. <sup>3</sup> *Ibid.*, 408. <sup>4</sup> *Edin. Tests.*, 17 January 1602. <sup>5</sup> *Reg. Mag. Sig.* <sup>6</sup> *Ibid.* <sup>7</sup> *Ibid.* <sup>8</sup> Sir George Mackenzie's MS. <sup>9</sup> *Reg. Mag. Sig.* <sup>10</sup> *Records of Dysart*, 40.

secondly, before 25 June 1628, Patrick Murray of Williamston.<sup>1</sup> He was ancestor of the Balgriggie family, which failed in the male line in the person of John Sinclair of Balgriggie, and is now represented in the female line by Aytoun of Inchdairnie.

3. *Sir Andrew*, member of the Danish Rigsraad, died 1625, married Kirstine Kaas, a Danish lady, and had issue.
4. *Magnus*.
5. *Helen*, married (contract dated 5 November 1570) to Andrew Kinninmont of that Ilk,<sup>2</sup> and died before 19 March 1580,<sup>3</sup> without issue.

Issue by second marriage:—

6. *Henry*, buried at Dysart 17 May 1589.
7. *Captain Laurence*, served heir to his mother Elizabeth Forbes in property in Dysart<sup>4</sup> 7 January 1626, complained to Privy Council of intended assault on him and his wife by Patrick, Lord Sinclair, 20 May 1613.<sup>5</sup>
8. *William*, mentioned as a creditor in the testament of Grissel Meldrum, spouse to John Melville of Raith, 26 September 1598;<sup>6</sup> slain at Ostend 1608.
9. *Elizabeth*, married (contract dated 7 and 20 October 1597<sup>7</sup>) to Sir Duncan Campbell of Glenorchy, and died in October 1654.<sup>8</sup>
10. *Jane*.
11. *Barbara*, who with her sister Jane and their mother entered into a contract, on 26 March 1588, for purchase of the lands of Corskie and others, with John Innes of Leuchars.<sup>9</sup>

VI. HENRY, sixth Lord Sinclair, born March 1581, succeeded his grandfather in 1601, and died, unmarried, in 1602.

VII. JAMES, seventh Lord Sinclair, succeeded his brother in 1602, was served heir to his father 12 March 1606,<sup>10</sup> and died in 1607.<sup>11</sup>

<sup>1</sup> *Reg. Mag. Sig.*, 24 December 1628, 24 July 1630. <sup>2</sup> Macfarlane's *Gen. Coll.*, ii. 547. <sup>3</sup> *Ibid.* <sup>4</sup> *Retours, Fife*, 367. <sup>5</sup> *P. C. Reg.*, x. 58. <sup>6</sup> *The Melvilles*, iii. 144. <sup>7</sup> *Reg. of Deeds*, 19 September 1598. <sup>8</sup> Perth Tests., 15 December 1654. <sup>9</sup> *Reg. Mag. Sig.*, 2 September 1608. <sup>10</sup> *Retours, Fife*, 165. <sup>11</sup> Edin. Tests., 16 April 1608; St. Andrews Tests., 26 February 1614.

VIII. PATRICK, eighth Lord Sinclair, succeeded his brother, to whom he was served heir 30 April 1613.<sup>1</sup> On 17 May 1608 the Privy Council ordered his uncle Patrick to deliver to him the fortalice of Ravenscraig.<sup>2</sup> For certain debts a warrant was issued for his apprehension by the Privy Council on 10 February 1614,<sup>3</sup> and a further warrant on 22 December following, to ward him in the Castle of Edinburgh.<sup>4</sup> He died in 1615 or 1617. He married Margaret, eldest daughter of Sir John Cockburn of Ormiston, Lord Justice-Clerk, and had issue:—

1. JOHN, ninth Lord.
2. *Colonel Henry*, died unmarried, at Dysart, 5 September 1670.<sup>5</sup>

IX. JOHN, ninth Lord Sinclair, baptized at Edinburgh 29 October 1610,<sup>6</sup> had a charter under the Great Seal, on the resignation of Sir William Murray of Touchadam and Sir George Hamilton of Blackburn, on 30 July 1631, of the baronies of Ravenscraig, Newburgh, and others, and a charter of the lands of Balhouffie in Fife, to him and Mary Wemyss, his spouse, on 26 June 1637.<sup>7</sup> He was one of the Covenanting Lords who took the Regalia from Dalkeith to Edinburgh, 22 March 1639. He was appointed a Privy Councillor 18 November 1641,<sup>8</sup> a member of the Committee of Estates in 1641, 1644 and 1645, and colonel of the Fife-shire Regiment of Horse. On 22 January 1646 he was charged with 'truncatting'<sup>9</sup> at Hereford but was exonerated of the charge against him by Parliament. He entered into the engagement for the rescue of King Charles I. in 1648, attended King Charles II. into England, was taken prisoner at the battle of Worcester in September 1651, and was imprisoned at Windsor Castle until March 1660, when he was liberated by General Monck.<sup>10</sup> He died 10 November 1674, aged sixty-four.<sup>11</sup>

He married (contract dated 13 and 15 July 1631) Mary, eldest daughter of John, first Earl of Wemyss. She had a charter from her husband, on 5 September 1642, of the

<sup>1</sup> *Retours, Fife*, 1531. <sup>2</sup> *P. C. Reg.*, viii. 89. <sup>3</sup> *Ibid.*, x. 209. <sup>4</sup> *Ibid.*, 295. <sup>5</sup> *Lamont's Diary*, 220. <sup>6</sup> *Edin. Baptisms*. <sup>7</sup> *Reg. Mag. Sig.* <sup>8</sup> *P. C. Reg.*, 2nd ser., vii. 142. <sup>9</sup> Presumably 'turncoating,' or going over to the enemy; *Acta Parl. Scot.*, vi. pt. i. 544. <sup>10</sup> *Lamont's Diary*, 12. <sup>11</sup> *Greyfriars Burials*; *Edin. Tests.*, 12 May 1682.

lands and barony of Ravenscraig and others in liferent,<sup>1</sup> and was buried in the High Kirk of Glasgow 1 July 1657. He had issue :—

1. *Catherine*, served heir to her mother 10 May 1662, married, at Glasgow, on 15 April 1659, in the house of Mr. Patrick Gillespie, Principal of the College, to John, eldest son of John Sinclair of Herdmanston.<sup>2</sup> She died in childbed 13, and was buried at Dysart 24, July 1666,<sup>3</sup> and had issue :—

(1) HENRY, afterwards tenth Lord Sinclair.

### SINCLAIRS OF HERDMANSTON

HENRY DE ST. CLAIR, Sheriff of Richard de Moreville, Constable of Scotland, received from him in 1162 a charter of the lands of Herdmanston in Haddingtonshire, with all the lands which Richard the Chamberlain held of Hugh de Moreville, his father.<sup>4</sup> He further granted to him certain serfs, Edmund son of Bonde, and Gillemichael his brother, with their sons and daughters and all their descendants.<sup>5</sup> He is said to have had a daughter *Ada*, who married Petrus de Haga.<sup>6</sup>

ALLAN DE ST. CLAIR had a charter from William de Moreville, Constable of Scotland, to him and Matilda of Windsor, his wife, and on the death of William de Moreville in 1196 a charter of confirmation of lands on Ledre<sup>7</sup> from Roland Fitz Uchtred, Lord of Galloway, who had married the Constable's sister and succeeded him in his office. In 1244 he took the oath with others that he did not send people to waste the lands of the King of England in Ireland.<sup>8</sup>

JOHN ST. CLAIR of Herdmanston. In 1244 he gave his oath that he was neither of counsel nor aid when any people were sent to attack or lay waste the King of England's

<sup>1</sup> *Reg. Mag. Sig.*, 9 January 1643. <sup>2</sup> *Lamont's Diary*, 115. <sup>3</sup> *Ibid.*; *Edin. Tests.*, 15 March 1667. <sup>4</sup> *Diplomata Scotiæ*, 75. <sup>5</sup> *Ibid.* <sup>6</sup> *Haigs of Bemersyde*, 47. <sup>7</sup> *Father Hay's ms.*, Adv. Lib.. <sup>8</sup> *Cal. of Docs.*, i. No. 2672.

land in Ireland.<sup>1</sup> He is mentioned as being with the King and army in Argyll in 1248.<sup>2</sup>

JOHN ST. CLAIR of Herdmanston swore fealty to King Edward I. of England at Montrose<sup>3</sup> 10 July 1296. He received at Glasgow one hundred shillings for the Earl of Dunbar. He was one of the nobles who assembled at Cambuskenneth after the battle of Bannockburn 6 November 1314.<sup>4</sup>

SIR WILLIAM ST. CLAIR of Herdmanston had a safe-conduct till Pentecost 1307 from King Edward I. in March 1306-7,<sup>5</sup> and on 21 September 1305 and 12 May 1307 a safe-conduct as a hostage for the Earl of Douglas till midsummer.<sup>6</sup> He was a companion of King Robert Bruce, who is said to have presented him with a sword for his services at the battle of Bannockburn with this inscription, 'Le Roi me donne St. Cler me porte.' In 1325 he had a charter under the Great Seal of the barony of Cessworth or Cessford, with the mill, but excepting the lands which Edmond Marshall had lately got.<sup>7</sup>

SIR JOHN ST. CLAIR of Herdmanston was taken prisoner at the battle of Neville's Cross, and entrusted to William Dacre and Warene de Scargehill, 8 December 1346.<sup>8</sup> He had a charter from William, Earl of Douglas and Mar, who calls him his beloved cousin John of St. Clair, of the lands of Herdmanston in free blench for a pair of gilt spurs, and the lands of Carfrae for the customary services, with ward, relief, and marriage, dated 17 June 1377.<sup>9</sup> He married Margaret, daughter of Sir William Sinclair of Roslin, and widow of Thomas Stewart, Earl of Angus,<sup>10</sup> and had issue:—

1. JOHN, his heir.
2. *James*, probably the ancestor of the family of Longformacus.
3. *Sir Walter*, who had a charter of the barony of Cess-

<sup>1</sup> *Cal. of Docs.*, i. No. 2672. <sup>2</sup> *St. Clairs of the Isles*, 311. <sup>3</sup> *Cal. of Docs.*, ii. No. 763. <sup>4</sup> *St. Clairs of the Isles*, 312. <sup>5</sup> *Cal. of Docs.*, iii. 729. <sup>6</sup> *Ibid.*, 707, 736. <sup>7</sup> Robertson's *Index*, 12-57, 21-40. <sup>8</sup> *Fœdera*, Record ed., at date. <sup>9</sup> *Rep. Hist. MSS. Com.*, Milne-Home Papers, 259. <sup>10</sup> Robertson's *Index*, 62-25.

worth or Cessford from King Robert II., on the resignation of John de St. Clair, 8 March 1375-76.<sup>1</sup>

SIR JOHN ST. CLAIR of Herdmanston, the eldest son, resigned the barony of Cessworth to his brother Sir Walter 1375-76. From Margaret Stewart, Countess of Mar, he had a charter of all her lands in Kymmergham, dated at Tantallon 2 January 1378, which was confirmed under the Great Seal on 9 May 1429.<sup>2</sup> He witnessed a charter by George Douglas, Lord of the fee of Angus, *circa* 1393-97.<sup>3</sup> He married Elizabeth, daughter and heiress of Sir Patrick Polwarth of that Ilk, and with her obtained these lands. He had issue a son,

SIR WILLIAM ST. CLAIR of Herdmanston who had a charter from Archibald, Earl of Douglas, confirming him in the lands of Herdmanston and Carfrae 20 January 1401.<sup>4</sup> He was taken prisoner at the battle of Homildon Hill in 1402. He had a safe-conduct to England and back in September 1405, when he was hostage for the Earl of Douglas, and another safe-conduct till midsummer 1407. He wadsetted, with consent of Margaret his wife, for 140 merks, the lands of Carfrae, on 31 January 1413, to David Edmonston of that Ilk, which wadset was confirmed by charter by Archibald, Earl of Douglas, on 31 July 1415.<sup>5</sup> His son,

SIR JOHN ST. CLAIR of Herdmanston, mentioned as a witness in the Register of the Great Seal 12 March 1420,<sup>6</sup> had a notarial transumpt in 1434 of the charter to Henry Sinclair, of the lands of Carfrae in 1162, and a precept of sasine from William of Douglas, Earl of Angus, to give sasine to him of the lands of Kymbegham (Kimmerghame) as heir of his deceased father, dated at Tantallon 15 May 1437.<sup>7</sup> In 1444 he had investiture of the barony of Polwarth, and in 1446 received payment from Exchequer of £13, 6s. 8d., being his expenses at the siege of Edinburgh Castle.<sup>8</sup> He died 20 December 1466.<sup>9</sup> He married a lady whose Christian

<sup>1</sup> *Reg. Mag. Sig.*, folio vol. 133. <sup>2</sup> *Rep. Hist. MSS. Com.*, Milne-Home Papers, 256-257. <sup>3</sup> *Laing Charters*, 379, No. 9. <sup>4</sup> *Rep. Hist. MSS. Com.*, Milne-Home Papers, 259. <sup>5</sup> *Ibid.*, 260. <sup>6</sup> *Reg. Mag. Sig.*, 8 December 1440. <sup>7</sup> *Rep. Hist. MSS. Com.*, Milne-Home Papers, 257. <sup>8</sup> *Exch. Rolls*, 221. <sup>9</sup> *Rep. Hist. MSS. Com.*, Milne-Home Papers, 258.

name was Isobel, who survived him, and on 4 October 1471 she got leave to pursue George of Borthwic and Jeffray Fleming for destroying her corn and meadow, and for striking her chaplain, Sir William Stevenson.<sup>1</sup> He had issue:—

1. *John* had a precept from Adam of Hepburn, Lord of Hailes, to give sasine to him, as son and heir of his father, and to Katherine his spouse and the survivor of them, of the lands of Polwarth, dated 1 January 1443-44. He died *vitâ patris*. He married Katherine, daughter of Sir Thomas Home of that Ilk, and sister of Alexander, first Lord Home, and had issue:—

- (1) *Marion*, retoured heir to her grandfather in Kimmerghame 7 April 1467,<sup>2</sup> and seised in Polwarth 10 November 1475. She was married to George Home of Wedderburn.<sup>3</sup>
- (2) *Margaret*, retoured heir to her maternal grandfather 1476, was married to Patrick Home, brother of Wedderburn, and was ancestress of the Marchmont family.<sup>4</sup>

2. SIR WILLIAM.

3. *Alexander*.

4. *James*.

5. *Patrick*, a witness to a precept of sasine by his father to his brother William 6 March 1462.<sup>5</sup>

SIR WILLIAM ST. CLAIR of Herdmanston was seised in the lands of Kimmerghame on 11 March 1462, on precept granted by his father,<sup>6</sup> and as heir-male of his father in a temple tenement in the town of Kimmerghame on 20 November 1461.<sup>7</sup> He, as heir-male, was engaged in litigation with his nieces Marion and Margaret and their husbands, concerning the said lands of Kimmerghame,<sup>8</sup> 10 August 1471, which was settled by his getting Herdmanston and the nieces Polwarth and Kimmerghame.

JOHN ST. CLAIR of Herdmanston was seised in these lands in 1481.<sup>9</sup> On 14 January 1484 George Home of Wedderburn and Patrick Home his brother were accused by him before the Lords of Council of the wrongous taking and withholding of the house of Herdmanston and the goods therein,

<sup>1</sup> *Acta Audit.*, 16. <sup>2</sup> *Rep. Hist. MSS. Com.*, Milne-Home Papers, 258. <sup>3</sup> *Ibid.*, 27, 257. <sup>4</sup> *Ibid.* <sup>5</sup> *Ibid.* <sup>6</sup> *Ibid.* <sup>7</sup> *Ibid.* <sup>8</sup> *Acta Audit.*, 13, 15, 16, 17. <sup>9</sup> *Exch. Rolls.*, ix, 682.



and were ordained to restore them.<sup>1</sup> He had a charter under the Great Seal on his own resignation of the lands of Herdmanston with castle, fortalice, and mill, patronage of the chapel of St. John the Evangelist, the lands of Carfrae and barony of Wester Pencaitland, which had fallen to the King through the non-entry of John, Lord Maxwell, on 3 March 1504-5,<sup>2</sup> and a further charter erecting Wester Pencaitland into a burgh of barony 20 April 1505.<sup>3</sup> He was probably killed at Flodden, his testament being confirmed at Edinburgh 1 January 1514. He married Marion Cockburn, against whom William Sinclair of Herdmanston raised letters before the Lords of Council 17 January 1516.<sup>4</sup> He had issue:—

1. WILLIAM, his heir.
2. *Alexander*.
3. *James*, a witness with his brother Alexander to a charter by their brother William to Elizabeth Home 2 January 1530-31.

John St. Clair had two natural children:—

- James*, who had a tack of the lands of Hiemurcroce or Caldschell 8 April 1546.<sup>5</sup>
- John*, who had a legitimation under the Privy Seal 20 August 1545.<sup>6</sup>

SIR WILLIAM ST. CLAIR of Herdmanston was seised in these lands 25 October 1513,<sup>7</sup> and had a charter under the Great Seal, on his own resignation, in favour of himself and Beatrix Renton his spouse, of the dominical lands of Herdmanston, Myltoun, and Wester Pencaitland in East Lothian, and Myddyll in Berwickshire on 30 July 1522.<sup>8</sup> He granted a charter to Elizabeth Home, Lady Hamilton, of the lands of Friariness, which had belonged to her grandfather George Ker of Samuelston, and had been adjudged from him by the said Sir William on 2 January 1530-31. His seal, which is attached to the said charter, bears a cross engrailed with a griffin's head and neck as crest. He died at Candlemas 1530.<sup>9</sup> He married Beatrix Renton, probably a daughter of David

<sup>1</sup> *Acta Dom. Conc.*, 93\*. <sup>2</sup> *Reg. Mag. Sig.* <sup>3</sup> *Ibid.* <sup>4</sup> *Acta Dom. Conc.*, xxix. 16, 69. <sup>5</sup> *Ibid.*, ii. 65. <sup>6</sup> *Reg. Sec. Sig.*, xix. 28. <sup>7</sup> *Exch. Rolls*, xiv. 516. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *Lord High Treasurer's Accounts*, v. 402; *Acta Dom. Conc.*, xliii. 67.

Renton of Billie, and had issue. She survived him and married, secondly, William Orichton of Drylaw, from whom she was divorced on account of adultery with his brother James Orichton of Cranston Riddell, captain of Edinburgh Castle ;<sup>1</sup> thirdly, before 23 April 1551, Edward Sinclair of Dryden.<sup>2</sup> Sir William had issue :—

1. JOHN.

2. *Margaret*, who raised an action against John, her brother, David Renton of Billie and John Sinclair of Blans, to refund her 400 merks on 28 May 1557.<sup>3</sup>

3. *Elizabeth*, who, with her sister, raised an action by Mr. Robert Galbraith, their tutor, against Beatrix Renton their mother, for taking them away from the school within the Abbey of Haddington to the place of Drylaw 1531.<sup>4</sup>

JOHN ST. CLAIR of Herdmanston was in minority when he succeeded his father, his curators being John Sinclair of Blans and Mr. Robert Galbraith, parson of Spott ;<sup>5</sup> seised in Herdmanston in 1544-45,<sup>6</sup> was a witness to a resignation of the lands of Roslin and Pencaitland in 1542. He had a charter under the Great Seal on his own resignation to him and Margaret Sinclair his spouse, of the lands of Herdmanston on 27 June 1545.<sup>7</sup> On 10 July 1546 he granted a precept for infesting George, Lord Home, in the lands of Friariness, and he had sasine of the lands of Milton and mill thereof 4 November 1555.<sup>8</sup> He died before 12 January 1565-66, when his testament was confirmed.<sup>9</sup> He married Margaret Sinclair, who survived him, and married James Ormiston of that Ilk before 7 September 1567, on which date she was charged by the Regent and Privy Council to deliver the house of Herdmanston to her husband's executors.<sup>10</sup> He had issue :—

1. WILLIAM, his heir.

2. *John*.

3. *Oliver*, a witness with his brother John to a charter by their brother William on 4 May 1569.<sup>11</sup>

4. *Alexander*, denounced rebel on 7 December 1565, with

<sup>1</sup> *Liber Officialis Sancti Andree*. <sup>2</sup> *Acta Dom. Conc.*, xxvi. 137. <sup>3</sup> *Acts and Decrees*, xv. 34, 219. <sup>4</sup> *Acta Dom. Conc.*, xliii. 67. <sup>5</sup> *Acts and Decrees*, i. 514. <sup>6</sup> *Exch. Rolls*, xviii. 383. <sup>7</sup> *Reg. Mag. Sig.* <sup>8</sup> *Exch. Rolls*, xviii. 594. <sup>9</sup> *Edin. Tests*. <sup>10</sup> *P. C. Reg.*, i. 564. <sup>11</sup> *Reg. Mag. Sig.*

his brother Oliver, for not underlying the law for the slaughter of Walter Murray, servant of James, Earl of Bothwell, on 25 August 1565.

5. *Beatrice*, mentioned with her three sisters in letters raised at the instance of their brother Sir William against them, for suspension of letters raised by them for their *legitim* 7 November 1586.<sup>1</sup>
6. *Margaret*.      7. *Jane*.      8. *Alison*.

SIR WILLIAM ST. CLAIR of Herdmanston was one of those delated for the slaughter of Walter Murray on 8 December 1565 before mentioned, but was acquitted twelve days after. He was served heir to his father April 1569,<sup>2</sup> and was seised in Herdmanston on 7 March 1568-69.<sup>3</sup> He granted a charter to Mary Maitland, daughter of Sir Richard Maitland of Lethington, of 110 merks payable from the said barony, on 4 May 1569.<sup>4</sup> He was one of those who signed the secret bond in which the Raid of Ruthven originated in 1582;<sup>5</sup> on 8 November 1586 a commission of Justiciary was issued to him and John his son and apparent heir.<sup>6</sup> He died 2 June 1594.<sup>7</sup> He married (contract dated 26 February 1566<sup>8</sup>) Sibyl, daughter of John Cockburn of Ormiston, Secretary of State: she had a charter in liferent, on his resignation, of the lands of Cotdykes, Mains of Pencaitland and others, 24 April 1569,<sup>9</sup> and of the lands of Carfrae in liferent 23 March 1580.<sup>10</sup> She survived him, and married, secondly, John Cockburn of Clerkington.<sup>11</sup> He had issue:—

1. JOHN, his heir.
2. *George*.
3. *William*, who had a licence to travel 6 June 1615.<sup>12</sup>
4. *Mary*, eldest daughter, married (contract 10 September 1583) to David M'Gill of Cranston Riddell, Senator of the College of Justice. They had a charter on their marriage-contract of Cranston Riddell in September 1585,<sup>13</sup> and again on 30 September 1586.<sup>14</sup> She died in February 1606.<sup>15</sup> He died 10 May 1607.

<sup>1</sup> *Acts and Decrees*, cix. 16.    <sup>2</sup> Steven's Protocol Book, ii. 41 and 81.  
<sup>3</sup> *Exch. Rolls*, xx. 394.    <sup>4</sup> *Reg. Mag. Sig.*, 16 May 1569.    <sup>5</sup> *P. C. Reg.*, iii. 507.    <sup>6</sup> *Exch. Rolls*, xxi. 533.    <sup>7</sup> M. I. at Herdmanston; Edin. Tests., 16 January 1595-96.    <sup>8</sup> *Acta Dom. Conc.*, lx. 11.    <sup>9</sup> *Reg. Mag. Sig.*    <sup>10</sup> *Ibid.*, 11 December 1581.    <sup>11</sup> Haddington Sheriff Court Book, November 1606.  
<sup>12</sup> *P. C. Reg.*, x. 332.    <sup>13</sup> *Reg. Mag. Sig.*, 6 December 1585.    <sup>14</sup> *Ibid.*, 16 August 1607.    <sup>15</sup> Edin. Tests.

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|--------------------|----------------------|---------------------|
| 5. <i>Sibyl.</i>   | 6. <i>Jean.</i>      | 7. <i>Margaret.</i> |
| 8. <i>Euphame.</i> | 9. <i>Elizabeth.</i> |                     |

SIR JOHN ST. CLAIR of Herdmanston was served heir to his father in that barony 5 August 1594,<sup>1</sup> and seised in the same 23 October 1594,<sup>2</sup> was appointed Sheriff of Haddington 23 August 1615;<sup>3</sup> died about 1630. He married Mary, daughter of Sir James Richardson of Smeaton,<sup>4</sup> and had issue:—

1. SIR JOHN, his heir.
2. *James.*<sup>5</sup>
3. *Robert*, designed 'gentleman,' married, 20 September 1638, Helen Rae,<sup>6</sup> and had issue:—

(1) *Jean*, baptized 9 November 1643.<sup>7</sup>

SIR JOHN ST. CLAIR of Herdmanston, Knight, was member of Parliament for the county of Haddington 1644-45. He had a charter to himself and Elizabeth Sinclair, his future spouse, of the lands of Carfrae, on his father's resignation, on 12 June 1629;<sup>8</sup> of the lands of Blans, etc., on the resignation of Elizabeth Vaus, on 29 January 1631,<sup>9</sup> and of the lands of Roslin, Leypark and others, on the resignation of Sir William Sinclair of Roslin, 30 November 1652.<sup>10</sup> He married (contract dated 3 June 1629<sup>11</sup>) Elizabeth, second daughter of Sir John Sinclair of Stevenston, merchant burgess, and one of the bailies of Edinburgh. She was buried in the Greyfriars Churchyard 9 April 1686, having had issue:—

1. JOHN, his heir.
2. *William* of Carfrae, baptized 22 April 1633, married Christian Sinclair, and had issue:—

(1) *Elizabeth*, baptized 11 March 1660.

(2) *Christian*, baptized 22 August 1668.<sup>12</sup>

3. *Elizabeth*, baptized 27 December 1634.
4. *Marion*, baptized 2 December 1636.
5. *Margaret*, baptized 18 March 1638.

<sup>1</sup> *Retours Spec.*, Haddington, 433. <sup>2</sup> *Exch. Rolls*, xxii. 504. <sup>3</sup> *P. C. Reg.*, x. 381. <sup>4</sup> Birth Brief, Lyon Office. <sup>5</sup> *Reg. Mag. Sig.*, 11 December 1630. <sup>6</sup> Edin. Marriage Reg. <sup>7</sup> Edin. Baptisms. <sup>8</sup> *Reg. Mag. Sig.* <sup>9</sup> *Ibid.* <sup>10</sup> *Ibid.* <sup>11</sup> *Ibid.*, 14 July 1638. <sup>12</sup> Edin. Baptisms.

6. *Robert*, baptized 21 January 1641, Governor of Tilbury. Died in 1702, leaving a daughter.
7. *George*, baptized 1 April 1642, apprenticed to William Mitchelson on 10 April 1661;<sup>1</sup> became a merchant and bailie of Edinburgh. He married, 5 September 1678, Isabella, daughter of John Cunningham Durham of Piltoun and Luffness. She was buried 5 December 1686, and had issue:—
- (1) *John*, baptized 5 October 1679, was a doctor in Haddington, where he died, without male issue, 26 August 1742.<sup>2</sup>
- (2) *Barbara*, baptized 25 January 1681.
- (3) *Isobel*, baptized 3 February 1683.
8. *Thomas*, baptized 18 June 1643.
9. *Matthew*, baptized 4 February 1645, died young.
10. *Matthew*, baptized 25 November 1647, was buried at Herdmanston 11 November 1728. He married Margaret, daughter of Sir Thomas Carre of Cavers. She died about 28 September 1742, when her mortcloth dues were paid. They had issue:—
- (1) CHARLES, who ultimately succeeded as Lord Sinclair.
- (2) *Andrew*, took his degree in medicine at Angers 10 July 1720, licensed to practise 25 February 1724, admitted Fellow of the Royal College of Physicians, Edinburgh, 3 November 1724, appointed Professor of the Institutes of Medicine in the University of Edinburgh 9 November 1726, Physician to the King 24 February 1733. He resigned his chair on account of ill-health in 1747, and died at Carlowrie 25 October 1760, having married, 7 November 1736, Elizabeth, daughter of James Drummond of Blair Drummond.<sup>3</sup>
- (3) — a daughter, married to William Mollison, merchant, London, and had a daughter Helen.
11. *Helen*, baptized 22 April 1649.<sup>4</sup>

JOHN ST. CLAIR of Herdmanston, baptized 14 February 1632,<sup>5</sup> was taken prisoner at Worcester 1651, and was excepted out of Cromwell's Act of Grace and Pardon. He died in Todrick's Wynd, Edinburgh, 13, and was buried in the Greyfriars Churchyard 17, July 1666. He married, 14 April 1659, Catherine, only daughter of John, ninth Lord Sinclair (see p. 577). She died in July 1666, and had issue:—

1. HENRY, his heir.

2. *John*, born 23 January 1663.<sup>6</sup>

<sup>1</sup> Edin. Apprentice Reg. <sup>2</sup> Edin. Tests., 4 April 1743. <sup>3</sup> Edin. Marriage Reg. <sup>4</sup> The baptisms of all these children are in the Edinburgh Register.

<sup>5</sup> Edin. Baptisms. <sup>6</sup> *Ibid.*

3. *Mary*, born 11 July 1666,<sup>1</sup> married to George Wilson, son of Thomas Wilson, merchant, Edinburgh.<sup>2</sup> Her testament was confirmed at St. Andrews 8 November 1721.

X. HENRY ST. CLAIR of Herdmanston, afterwards tenth Lord Sinclair, baptized at Edinburgh, 3 June 1660, had a charter under the Great Seal on 1 June 1677 in terms of a settlement by his maternal grandfather and in consideration of the loss that John, Lord Sinclair, had suffered from the 'late usurper,' who had seized his estates and closely detained him in prison until the Restoration, confirming the honours with the former precedency, to him and the heirs-male of his body, whom failing, to John his brother-german and his heirs-male, whom failing, to Robert, George, and Matthew successively, his father's brothers-german and the heirs-male of their bodies, whom all failing, to the said Henry's nearest heir-male whatsoever. He was the only Peer who protested against William, Prince of Orange, coming to the throne of the Stuarts. He died in March 1723 and was buried at Dysart the 14 of that month. He married, 30 December 1680,<sup>3</sup> Barbara, daughter of Sir James Cockburn of that Ilk, and had issue:—

1. JOHN, Master of Sinclair, baptized 5 December 1683,<sup>4</sup> was elected member of Parliament for the Dysart Burghs in 1708, but the election was declared void, he being declared ineligible as a Peer's eldest son. He entered the Army as captain-lieutenant in Preston's Regiment in 1708, but had to resign in consequence of two duels he fought with Ensign Schaw and Captain Alexander Schaw of that regiment, both of whom he killed. He was recommended by Marlborough to the King of Prussia, and remained in his service until pardoned by Queen Anne. Engaging in the rising of 1715, he was present at the battle of Sheriffmuir, where his conduct has been adversely commented on. For his participation in this he was attainted, and fled to Orkney, where he took refuge in Kirkwall Castle, whence he escaped to the Continent. He was afterwards pardoned so far as

<sup>1</sup> Edin. Baptisms. <sup>2</sup> Birth Brief, Lyon Office, 32, 360. <sup>3</sup> Edin. Marriage Reg. <sup>4</sup> Edin. Reg.

concerned his life, but this did not affect the forfeiture of the title, which he never assumed. He wrote an account of the rising, which is now preserved at Wemyss Castle, and was published by the Abbotsford Club. He died, without issue, at Dysart 2 November 1750.<sup>1</sup> He married, first, 16 August 1733, Margaret Stewart, daughter of James, Earl of Galloway, and relict of James, Earl of Southesk. She died at Edinburgh 22 July 1747. He married, secondly, at Arnhall, 24 April 1750, Amelia, daughter of Lord George Murray, who survived him, and married, secondly, 18 April 1754, James Farquharson of Invercauld, and died 24 April 1779, at Marlee.

2. JAMES, eleventh Lord.
3. *William*, of Skedduay, ensign in the First Royals 1 November 1708; captain Grenadier Company of the Cameronians 3 May 1711; major in 1st Royal Scots 10 July 1737; died in London, unmarried, and was buried at St. Andrew's, Holborn, 20 May 1762.<sup>2</sup>
4. *David*, died *vitâ patris*, at Aix-la-Chapelle, 1712.
5. *Henry*, died unmarried; buried at Dysart 21 January 1756.
6. *Matthew*, buried at Dysart 3 April 1747.
7. *Grizel*, baptized 27 December 1681;<sup>3</sup> ultimately became the heir of line of the Earls of Orkney and Lords Sinclair, and died 22 August 1737.<sup>4</sup> She was married to John Paterson of Prestonhall, eldest son of John, Archbishop of Glasgow, and had issue:—

- (1) *Colonel James*, who succeeded his uncle in the estates of Dysart and Roslin, assumed the name of St. Clair, and died, unmarried, at Dysart, 14 May 1789.
- (2) *Barbara*, died unmarried.
- (3) *Margaret*, married, 23 April 1744, John Thomson of Charlton, Fifeshire, and had issue a daughter, *Grizel Maria*, who married Colonel John Anstruther.<sup>5</sup>

8. *Catherine*, baptized 14 July 1685;<sup>6</sup> married to Sir John Erskine of Alva, Baronet, Advocate, and had issue:—

*Sir Henry Erskine*, who married Janet, sister of Alexander

<sup>1</sup> Edin. Tests., 29 July 1752. <sup>2</sup> *Ibid.*, 16 February 1764. <sup>3</sup> Edin. Reg.  
<sup>4</sup> Edin. Tests., 19 November 1737. <sup>5</sup> Edin. Reg. <sup>6</sup> *Ibid.*

Wedderburn, Lord Chancellor and Earl of Rosslyn, and had issue:—

*Sir James*, who succeeded in terms of a special remainder to the earldom of Rosslyn and to the estates.

9. *Margaret*, born at Edinburgh 23 January 1688;<sup>1</sup> died 23 October 1756; married, as second wife, to Sir William Baird, Bart., of Newbyth, but had no issue.
10. *Elizabeth*, married, July 1716 (contract dated 3 July 1716), to David, third Earl of Wemyss, and had issue.
11. *Ann*.

XI. JAMES ST. CLAIR, who but for the attainder would have been eleventh Lord Sinclair, entered the Army when but a child, being an ensign in the Royal Regiment 22 May 1694; was on half pay in 1713; a captain 19 December 1714; and exchanged into the 3rd Foot Guards, of which he was first major in 1725, though brevet-colonel in 1722; had command of 22nd Foot 8 August 1734; became colonel Royal Scots 27 June 1737, which he commanded until his death; appointed brigadier-general 2 July 1739; major-general 15 August 1741; he became quartermaster-general of the British Forces in Flanders 1745, and lieutenant-general 4 June 1745. He was Commander-in-chief of a force which embarked at Spithead to attack Quebec, but owing to various delays that project was abandoned, and instead they sailed from St. Helen's 5 August 1746, were landed at Port L'Orient in Brittany, where, after various operations, they re-embarked, 28 September 1746; proceeded to Quiberon, where they landed on 4 October, and having destroyed the forts, re-embarked on 17, and returned to Britain. On 10 March 1761 he was gazetted general in the Army. He was also a distinguished diplomatist, and was sent on an embassy to Vienna and Turin. He represented in Parliament the Dysart Burghs 1722-34, Sutherlandshire 1736-47; Dysart Burghs 1747-54; and Fifeshire 1754-62. In 1735 he purchased the lands of Rosslyn Castle, Ravenscraig, and Dysart, which he entailed, failing issue of his own body, on the heirs-male of his sisters, and died, without issue, at Dysart, 30 November 1762, aged seventy-four.<sup>2</sup> He married Janet, youngest daughter of the Hon. Sir David Dalrymple of Hailes, and widow of Sir John

<sup>1</sup> Edin. Reg. <sup>2</sup> Edin. Tests., 24 April 1765.



Baird, second Baronet of Newbyth. She was born 3 March 1690, and died in Greek Street, Soho, 8 January 1766. He was succeeded in the estates by his nephew Colonel James Paterson St. Clair, but the right to the title fell to

XII. CHARLES ST. CLAIR, *de jure* twelfth Lord Sinclair, son of Dr. Matthew Sinclair (page 585), born 25 January 1692. He never assumed the title. He was admitted Advocate 24 July 1722; matriculated arms as Charles St. Clair of Herdmanston 27 July 1730; died at Edinburgh 4, and was buried at Herdmanston 9, January 1775. He married (contract dated 1 April 1731) Elizabeth, daughter of Sir Andrew Hume of Kimmerghame, one of the Senators of the College of Justice.<sup>1</sup> She died at Edinburgh 12 March 1784, and had issue:—

1. *Matthew*, born 17 March 1732; died young.
2. ANDREW, thirteenth Lord.
3. *Elizabeth*, born 11 January 1738, died at Edinburgh 13 November 1811, married, 28 September 1773, to Lieut.-Colonel James Dalrymple of the Royal Regiment, third son of Sir James Dalrymple, Bart., of Hailes, but had no issue.

XIII. ANDREW, *de jure* thirteenth Lord Sinclair, born 30 July 1733, merchant in Edinburgh, died there 16, and was buried at Herdmanston 24, December 1775. He married, 28 December 1763, Elizabeth, daughter of John Rutherford, younger of Edgerston, and had issue:—

1. CHARLES, fourteenth Lord.
2. *Matthew*, commander in the Royal Navy, was appointed to the *Martin* sloop of war, sixteen guns, which sailed from Yarmouth for Heligoland in 1800, and was never again heard of.
3. *Eleanor*, died, unmarried, at Herdmanston, 12 September 1796.<sup>2</sup>

XIV. CHARLES ST. CLAIR of Herdmanston, born 30 July 1768, had his claim to the Peerage established on 25 April 1782 by the House of Lords,<sup>3</sup> entered the Army in 1784 as

<sup>1</sup> Edin. Mar. Reg. <sup>2</sup> Edin. Tests., 25 April 1800. <sup>3</sup> It is pointed out by G. E. C., in the *Complete Peerage*, that as his great-grandfather Matthew was fraternal uncle to Henry, tenth Lord Sinclair, who had a confirmation of the title in 1677 in consequence of his maternal descent, Charles St. Clair had no descent whatever from the older line of Barons.

ensign in 1st Royal Scots; lieutenant 17th Foot; raised an independent Company in 1790, which was reduced and exchanged into 15th Foot; captain 1791; major 1795; lieutenant-colonel 1799, retiring in 1802; was afterwards appointed lieutenant-colonel of the Berwickshire Militia. He sat in Parliament as a Representative Peer for the long period of fifty-two years without interruption, from 1807 to 1859, and died at Pilmuir, in Torquay, 30 September 1863. He married, first, at Portland Place, Marylebone, 13 February 1802, Mary Agnes, only daughter of James Chisholme of Chisholme—she died at Nisbet House 16 July 1814; and secondly, 18 September 1816, Isabella Mary, youngest daughter of Alexander Chatto of Mainhouse, Roxburghshire—she died 5 January 1875. Issue by first marriage:—

1. JAMES, fifteenth Lord.
2. *Matthew*, born 2 April 1808; lieutenant 84th Regiment; died at Port Royal, Jamaica, 11 August 1827.
3. *Charles*, born 11 October 1809, died in 1810.
4. *Charles (secundus)* of St. Ella's Lodge, Eyemouth, co. Berwick, commander in Royal Navy; born 8 June 1811, died 8 February 1863; married, first, 29 September 1840, Isabella Jane, fourth daughter of William Foreman Home of Paxton, Berwickshire—she was born 1817, and died 22 June 1852, leaving issue; and, secondly, 1 July 1854, Ann Crawford, fourth daughter of Sir John Pringle, Bart., of Stichell—she died 15 December 1899, and had issue.
5. *Elizabeth*, born 5 November 1804, died 30 September 1812.
6. *Susan*, born 14 June 1806, died 17 September 1856; married, 6 August 1829, to Francis Dennis Massy-Dawson. He died 16 November 1870.

Issue by second marriage:—

7. *John*, born 12 July 1820, died 31 March 1842.
8. *Eleanor*, born 19 September 1818, died 16 September 1898.
9. *Jane Elizabeth*, born 2 June 1822, died 1 July 1904; married, 6 September 1853, to the Reverend William Leyland Feilden, Rector of Rolleston, and Honorary Canon of Liverpool—he died 16 January 1907, and had issue.

XV. JAMES, fifteenth Lord, born 3 July 1803; captain in the Grenadier Guards; elected a Representative Peer December 1868 to April 1880; died at Pera, near Constantinople, 24 October 1880. He married, at Chipstead, 14 September 1830, Jane, eldest daughter of Archibald Little of Shabden Park, Surrey; she died at Ramleh, Egypt, 12 June 1887, aged seventy-five, and had issue:—

1. CHARLES WILLIAM, sixteenth Lord.
2. *Archibald*, commander Royal Navy; born 2 October 1833, died 2 March 1872.
3. *James Chisholme*, born 21 November 1837; in Madras Civil Service 1857-82; died 23 September 1902, unmarried.
4. *Lockhart Matthew*, born 25 July 1855; educated at Wellington College and at Cooper's Hill; late Superintending Engineer Public Works Department and Secretary to the Government, Central Provinces, India, Public Works Department, C.I.E. 26 June 1902; married, 30 July 1881, Ellen Mary Margaret, daughter of Surgeon Major-General William Roche Rice, C.S.I., M.D., and has issue.
5. *Mary Agnes*, born 4 July 1840.
6. *Helen*, born 10 July 1842, died 19 August 1849.

XVI. CHARLES WILLIAM, sixteenth Lord, born at Shabden Park 8 September 1831; educated at Royal Military College, Sandhurst; entered the Army in 1848; served in the 57th Foot in the Crimea 1854-55, being severely wounded in the attack on the Redan; and as Assistant Adjutant-General to the Forces on the Bosphorus 1855-56, served in India during the Mutiny, and also in the New Zealand War 1861-62, as acting Assistant Military Secretary; Representative Peer since 1885; married, 6 October 1870, Margaret Jane, younger daughter of James Murray of Bryanston Square, London, and has issue:—

1. *Archibald James Murray*, Master of Sinclair, captain 2nd Dragoons, Royal Scots Greys; served in South Africa 1899-1902; born 16 February 1875; married, 31 January 1906, Violet Frances, only child of John Murray Kennedy, M.V.O., of Knocknalling, Kirkcubright.

2. *Charles Henry Murray*, born 19 December 1878; captain Seaforth Highlanders; served in South Africa 1899-1902.
3. *Ada Jane*, born 27 July 1871.
4. *Margaret Helen*, born 23 April 1873, married, 1 October 1902, to Alick Christian Fraser, second son of Alexander Caspar Fraser of Mongewell Park, Oxford, and has issue:—
  - (1) *Sheila Helen*, born 23 February 1904.
  - (2) *Brenda Margaret*, born 16 January 1907.
5. *Georgina Violet*, born 29 March 1877, married, 19 January 1910, to Major Harry Miller Davson, R.A.

CREATION.—Lord Sinclair about 1449, confirmed 26 January 1488-89.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, azure, a lymphad sails furled and oars in saltire, within a double tressure flory counterflory or, *for Orkney*; 2nd and 3rd, azure, a full-rigged three-masted ship under sail or, sails proper, *for Caithness*; on an escutcheon *en surtout*, argent, a cross engrailed sable, *for Sinclair*.

CREST.—A demi eagle, wings expanded, proper.

SUPPORTERS.—Two griffins sable, armed, beaked and winged or.

MOTTO.—*Feight*.

[F. J. G.]

END OF VOL. VII.

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