

# SCOTTISH SURNAME;

A

## CONTRIBUTION TO GENEALOGY.

BY

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THE following Genealogical facts, illustrative so far of some of our National Surnames, are from notes of Searches made for parties during the last six or seven years. They may be of interest, if not to those who have a taste for such inquiry generally, at least to individuals of similar patronymics.

OCTOBER, 1866.

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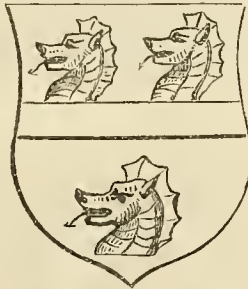
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# SCOTTISH SURNAMES.

## FERNIES OF FERNIE CASTLE.

FFERNY OF YAT ILK, 1542.



THE first of the name of Fernie in Scotland, apparently, were the Fernies of Wester Fernie, parish of Monimail, Fifeshire. Sibbald, writing in 1739, says—"A mile east of this (Monymeal Church) is Wester Ferney, a well repaired old house, with good gardens and planting. Anciently it was a part of the Earl of Fyfe's estate, and Duncan, the last Earl of Fyfe of the M'Duffs,\* disposed to Johanni del Gleneclerico et Marie de Fyfe sponse sue consanguinee mee; totam terrarum meum de Wester Ferny, cum pertinentijs, infra vicecometatum de Fyfe; necnon forrestam meam de Kilface ex parte boreali montium de Ferneys adjacentem, in liberum maritagium. He, by another charter, gave him officium forrestarij de Falkland, et constabularj castri nostri de Cupro in Fyfe. These became afterwards the property of Fernyes of that Ilk: then it was the Arnots: and is now the heritage of Colonel John Balfour, brother to the Lord Burleigh." Sibbald adds—"East of Wester Ferney is Easter Ferney: it belonged formerly to Auchmutie of that Ilk, now to Hope of Rankilor." The house of Wester Fernie originally consisted of a square tower, but it has undergone various al-

\* Duncan, 13th Earl of Fife, died in 1353.

terations, and with the additions made from time to time is now a commodious and handsome mansion.

Sibbald, it will be observed, does not hazard any opinion as to *the origin of the Fernies*. There is a charter of confirmation in the reign of David II. (1330–71) of the lands of Wester Fernie, given in marriage by the Earl of Fife to John Skeen.\* This is no doubt the “Johanni del Gleneclerico” of the charter referred to by Sibbald; but whether this party changed his name to Fernie, or a new proprietor assumed it, is unknown. The first of the Fernies on record was

*William de Ferny*. He is mentioned as one of a jury in a question as to the holding of the lands of Balmadyside and Pettachop, 5th July 1390.† He had a charter of confirmation from Robert III., 2d April 1391, “officium majoris feodi baronie de Carale,” with the lands of Martoun, and an acre of land called Pulterlande, with the pertinents, &c., which belonged to Nicholas Herwart. Charter dated at Dunfermline. A William de Ferny (the same person, no doubt,) is mentioned as a witness in a charter to Johnne de Ramsay de Caluthy, 7th April 1392. That the patronymic is local, and of more recent date than the thirteenth century, is presumable from the fact that no such name occurs in the Ragman Roll.

[Two generations may be supposed to have elapsed before the time of the next Fernie who appears in the public records. The blank, however, might probably be made up by reference to the old titles of the property, if they are in existence.]

*William Ferny of Ferny* deceased before 1543. He had an illegitimate son, Alexander, “Legitimatío Alexandri Farny, bastardi filij naturalis quond. Williclmi Farny de eodem,” 11th Aug. 1543.

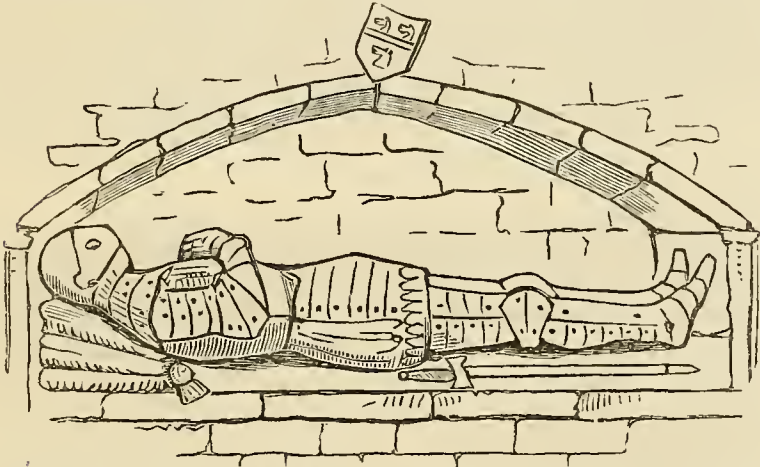
This Alexander probably became proprietor of *Nig*. “Feb. 12, 1600, Fynlay Fernie, sone to vmlqle Alexander Fernie of Nig,” was tried and found guilty along with others of forging a charter in name of his father, dated 20th March 1575.‡

It must have been this Laird of Fernie whom James V., when meditating his escape from the hands of the Douglasses, at Falkland,

\*† Robertson's Index.

‡ Pitcairn's Criminal Trials.

in May 1528, called to issue orders for a hunting party next morning. Tytler, in his History of Scotland, erroneously says the King called for "Balfour of Fernie, the Keeper of Falkland Forest and Chamberlain of Fife." There were no Balfours of Fernie at that time. It is probable, also, that this is the Knight of Fernie whose tomb in the old Church of Cupar is indicated by a marble figure in mail. It has no inscription; but the Fernie Arms, cut out upon a shield



above the outstretched warrior, sufficiently attest the family to which the effigy belongs, and the style agrees precisely with that of the period. He seems to have resigned the lands of Wester Fernie, probably to his brother, some time before his death,

*Andrew Ferny of that Ilk*, who had a charter of the lands of Wester Ferny, together with the forest of Kilface, and the offices of Forester of Falkland and Constable of Cupar, &c., in the barony of Wester Ferny united, by James V., dated 12th February 1527. He and his wife, Barbara Logane, had a charter of the third part of the lands of Wester Ferny, the lands and forest of Kilface, with the offices, already mentioned, dated 19th December 1540. The same parties had a charter of the King's Mill of Falkland from James V., 29th September 1541. Andrew Ferny of that Ilk had a charter of confirmation from James V., 29th April 1541, of the lands of the Myre of Ferneis, and swardzard of the same; and another (29th Sept. 1543) of the lands of Balinbla, and croft within the burgh of Falk-



land, also of one-half of the King's lands of Balinbla; 10th August 1543. He appears to have had issue:

1. William Fernie, his heir.
2. George Fairny of Foxtoun. "Georgio Fairny, filio Andræ Fairny de Eodem," had a charter of the lands of Foxtoun, &c., 27th October 1573. Foxtoun was an appanage of the family, which usually went to the eldest or second son.
3. Robert Fairny. *Legitimatio Andræ Fairny bastardi filij naturalis quond. Roberti Fairny, qui fuit legitimus filius Andræ Fairny de Eodem,* 1st December 1580.
4. Christian. "Cristinæ Farne, filiæ Andræ Farnæ de Eodem," had a charter of liferent of the lands of Woodmyln, 31st March 1553.
5. Elizabeth. "Elizabethæ Farny et David Philp, suo filio [Andræ] de particata terræ vocat. cometerium Divi Christopher, sivo antiquæ ecclesiæ in Cupro de Fife," had a charter of confirmation from James VI., 19th December 1569.
6. Grissel, "gudwyf of Bonyntoun."

*William Farny*, son of Andrew Farny of that Ilk, had a charter from James V., dated 17th Jan. 1541, of one-half of the lands of Foxtoun. William Farny and Margaret Ramsay, his spouse, had a charter of two parts of the lands of Foxtoun from Mary, 29th November 1546. The same parties had another, of the same date, of the entire lands of Foxtoun. William Fairny, heir apparent of Fairny, had a charter of the barony of Wester Fairny, &c., from Mary, 22d March 1552. He died 11th August 1582, and according to his latter will, "Gristle Fairny, gudwyff of Bonyntoun, his lauchtfull sister," was appointed his executrix dative. From this it would appear that he had no children of his own.

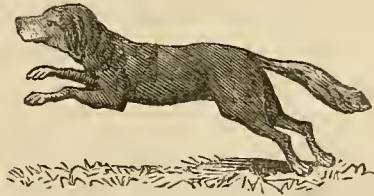
*William Fairny de Foxtoun*, son probably of George Fernie of Foxtoun, had a charter of the barony of Wester Fairny, &c., 3d Nov. 1590. He had a charter of half of the King's lands of Ballinbla, 10th July 1595. "Willielmo Fairny de Eodem, Beatrice Douglas, suæ sponsæ, et Jacobo Fairny, eorum filio," had a charter of the lands of Burntunk, 16th December 1607. In the Particular Register of Sasines for Fifeshire, 1608-9, there is embodied a renunciation of the sowme of three thousand and fyve hundred merkis in favour of Robert Arnot. The contract, dated 16th July 1603, was between Alexander Wedderburne, burgess of Towy, on the one part, and William Ferney, then of that Ilk, Beatrice Douglas, his spouse, vml. William Ferney, zounger, thair son and appeirand air, as

principalls, on the other, &c.—the bond having been given on their lands of Wester Ferney, “callit the bruntring,” &c. Robert Arnot of Newton, on the alienation of Wester Ferney to him, took upon him the bond, which he paid at Fernie, 18th March 1608-9. William Fernie of that Ilk, and Beatrice Douglas, his spouse, had issue—

1. William, heir apparent, who predeceased his father, as intimated above, between 1603 and 1608-9. He married Mariot Wemyss, who died at Dysart, 18th March 1619. Her testament is recorded in the Commissary Books of St. Andrews. She is there styled “Ladie Fernie.” She left, between jewels, household furniture, debts, &c., £367 Scots. She had a daughter, *Cecil*, married to David Fernie of Westertonn, by whom the inventory was made and given up in behalf of *John Melville*, his lawful eldest son, and Lady Fernie’s oy.
2. James, of whom afterwards.
3. Elspeth. She married James Lovell, son of William Lovell of Ballnmbie, and along with her husband had sasine of Cunyeoquhie, 28th July 1628.

*James Fairny*, son of William Fairny of that Ilk, had a charter of confirmation of the barony of Wester Fairny, and the lands of Drumlochop, &c., 17th December 1607. It would thus appear that William had resigned the lands of Wester Fernie to his son, James, more than a year before the payment of the bond and acquisition of the property by Robert Arnot. James, of course, ceased to be styled of Wester Fernie after 1608-9. In April, 1618, he had sasine, as heir to his brother, William, of the lands of Cunquehesque (Cuncochie), in the vicinity of Wester Fernie. He seems to have died soon after, without leaving any family—the property devolving apparently on his sister, Elspeth, who was married to James Lovell.

QUIESCENS AT VIGILANS.



CREST OF THE FERNIES.

The main branch of the Fernie family seems thus to have died out in the male line. Wester Fernie, as we have seen, went to the



Arnots, by purchase, not by marriage, as Leighton states in his letter-press to Swan's Views of Fife, though there may have been intermarriages between the families. It also passed from the Arnots in consequence of financial embarrassments. In 1674, George Lord Melville had sasine of the whole lands, including Fernie Mill and Myre, and the lands of Weddersbie, from James Arnot, in satisfaction of 2000 merks and expenses. Jean Balfour, Lady Fernie, daughter of Lord Burghlie, had, in 1668, resigned Wester Fernie into the hands of her husband, in order to afford the necessary security. She had been infeft in the property by matrimonial contract. Soon after this Wester Fernie came into the hands of the Balfours, who still retain it. 26th September, 1729, Mr Robert Middleham, Rector of St Mary's, in Colchester, had sasine of an annual rent of 130 merks 10s. 8d. fiuth of the lands of Wester Fernie, on a disposition by Arthur Balfour, proprietor of Foodie, and Isabel Wemys, his spouse.

Cunyoquhie and Burnturk, to which James, and subsequently his sister Elspeth, succeeded, passed into other hands before the close of the seventeenth century. 18th June 1691, George Schaw, son of Lanchlane Schaw, Dean of Guild of Cupar, had sasine of the houses and lands of Cunnoquhie, as heir of his late mother, Margaret Manson, which lands formerly belonged to William Lovell, of Cunnoquhie; they were sold, by decree of Chancery, at the instance of the late George Manson, *prefecti* of Coupar, and a disposition made in favour of the late Margaret, which disposition was dated 6th November, 1682. It afterwards became the property of a family named Auchinleck. 16th June, 1708, Anna Paterson, relict of the deceased George Porteous, of Craiglockart, was seized in an annual rent upon the principal sum of three thousand merks, in, amongst others, the lands of Cunnoquhie in Monimail parish, belonging to Mr Alexander Auchinleck, of Cunnoquhie, with the security of James and George Arnot, elder and younger, in Woodmih,\* and Mr James Auchinleck, merchant in Dundee. Cunnoquhie now belongs to a family of the name of Paterson, the first of whom was an architect in Edinburgh. Burnturk is in the parish

\* These lands formerly belonged to the Fernies.

of Kettle. In the St Andrew's Commissary Record there is the will of *Janet Fernie*, spouse to Henry Daw, *Burnturk*, dated 3d August 1687; who this Janet Fernie was it is impossible to say. This property seems to have been acquired from the Fernies, or Lovells, by Sir John Aytoun of that Ilk, who, getting into difficulties, it was sold by decret of Chancery, and is now in the possession of Alexander Lawson, Esq.

From the *Fernies of that Ilk* there can be no doubt that all who bear the name are derived; and they were at one time very numerous. But it would be difficult, if not impossible, to trace the precise order in which they spread out from the original family seat. They were to be found on all sides of it. There was a large branch at *Falkland*, the first of whom, apparently, *William*, died in 1620. They had portions of the family Crofts of Ballinbla. A John Fernie, belonging to Falkland, had gone to London, where he died in 1676, leaving 900 merks to buy land for the poor of the name of Fernie in his native parish. The Kirk-Session added 100 merks to the bequest, and bought two acres of laud from the Laird of Drums, the rental of which continues to be divided among the poor of Falkland. At Strathmiglo, Auchtermuchtie, Pitcairlic, Newburgh, Abernethy, St Monace, Pittenweem, Anstruther, Largo, Newtown, Kilconquhar, Dysart, Kirkcaldy, and even Dundee, the name of Fernie might be found in considerable numbers during the seventeenth century; but in most of these places it is now rare. From *Thomas Fernie*, in the farm of Auchendounie, Largo parish, sprung *Thomas*, born in 1715, appointed one of the ministers of the Abbey Church, Dunfermline, in 1744. He died in 1788, and was succeeded by his son, *John*, who wrote a history of Dunfermline. He had other two sons, *James* and *Andrew*, whose sons are in the north of England.

In the vestry of Camberwell, Surrey, there is a record to the effect that *Robert Fernie*, clerk of the Avenery of King James, married Rebecca, sixth daughter of Sir Francis Cherry, London. He was no doubt one of the Castle Fernie family, who were keepers of the Forest of Falkland, and had gone to London in the train of the Scottish King when he ascended the throne of Elizabeth in 1603.

The *Fernies*, ship-builders and shippers, Liverpool, are originally from Fife. So is *Thomas Fernie*, ship-builder, Foot's Cray, Kent. At Edgware Road, London, there is a *James Fernie*, baker, whose great-great-grandfather, James Fernie, was shepherd to James VI. at Falkland, before the union of the Crowns.

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#### FERNIE OF HIGHFIELD, HERTFORDSHIRE.

The immediate ancestor of this family, was the *Rev. David Fernie*, who settled in the north of England about the middle of last century. He came from Fife, and was evidently of the same branch as the Dysart and Largo Fernies, descended, in all probability, from David Fernie, of Westerton, who administered the will of Lady Fernie, in 1619. The *Rev. David Fernie* was born in 1700, and died at Stockton-on-Tees in 1789, aged 89. He left five sons and one daughter.

*David*, the eldest, born in 1750, became a merchant, shipowner, and government contractor in London, under the firm of Fernie and Richards, George Yard. His private residence was at Stamford Hill, Middlesex. He married Jane, daughter of Thomas (or Edward) Gosnell, of the Gosnells of Pembrokeshire. He died in 1807, and was buried in the family vault at Stoke Newington. His only son, who had children, was

*Ebenezer Fernie* (now deceased), born 5th October 1782, at Stamford Hill, a magistrate of the county, and Deputy-Lieutenant. He married Mary, daughter of John Waugh, of Katesgrove, Berkshire, on the father's side, a descendant of the Waughs of Liftingstain, Selkirk; on the mother's, of the Witheringtons of Northumberland. The eldest son of this union is

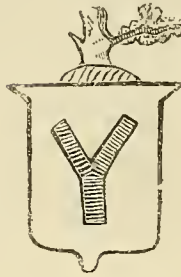
*Ebenezer Waugh Fernie*, of Highfield, Berkhamstead, Hertfordshire. He married Margaret Ellis, daughter of James Dunlop, of Glasgow, a descendant, on the mother's side, of Robert the Bruce, through his great-granddaughter, Mary Stewart Edmonstone. They have two sons and a daughter.

*Ebenezer Fernie*, elder, had three other children:—

1. *Marianne Witherington*, wife of Vernon Bell, M.D., great-great-grandson of Thomas Bell, the last of Blacket House, mentioned by Sir Walter Scott as the representative of the Bells of Kirkconnell, Annandale.
2. Kirwan Joseph Fernie, Drontheim, unmarried.
1. Janet Mary, widow of Charles Tennant Dunlop, of Glasgow, a descendant, on the father's side, of the Wallaces of Craigie, originally of Riccarton, from whom sprung the patriot, Sir William Wallace.

There are several other Fernies in England, descended of the Rev. David Fernie. The name of *Ferne* also occurs, though rarely, both north and south of the Tweed, but this patronymic appears to be derived from the monastery of Ferne, in Forfarshire, and is quite distinct from Fernie.

## CUNINGHAMES OF BRIDGEHOUSE AND LAINSHAW.



NON OBSTANTE DEO.

THE Cuninghames, Lords of Kilmaurs, afterwards Earls of Glencairn, are one of the oldest families in Scotland, being traceable back as far as the beginning of the twelfth century. The first of them who assumed the name of Cuninghame is supposed, on good grounds, to have been *Robert*, grandson of *Wernebald*, who possessed the manor-place as early as 1130 or 1140. It has been questioned, but it seems probable, that they adopted the surname from the district. One of the oldest branches of this ancient stock was that of CAPRINGTON. Thomas Cuninghame, younger son of William, lord of Kilmaurs, had a charter from his father, with consent of his elder brother, William, of the lands of Bedlan, 9th May 1385. Caprington is situated on the Kyle side of the Irvine, within a few yards of the stream, and originally belonged to a branch of the Wallaces of Riccarton. Bedlan acquired this property by marrying one of the co-heiresses of Wallace, and from thence Caprington became his chief designation. The older portion of the castle—a square tower—was probably built by the Wallace family. It is incorporated with the modern building, and manifests its antiquity by the thickness of the walls, which are at least ten feet thick. The foundation is a rock, jutting up into a gentle knoll above the surrounding plain, and



encircled, as it most likely was originally, by a moat, must have been a place of considerable strength. About the beginning of the seventeenth century, a pretty extensive addition was made to the tower, in what is called the Scottish style. A print, in which the rocky foundation is conspicuous, is preserved at Caprington with this addition. Another change was effected by the late Sir William Cuninghame, but not of so graceful a character. A new and handsome addition, however, was made on the accession of the present family, which, while it extends, retains all the ancient characteristics of a baronial residence.

The *Cuninghames of Bridgehouse* are an offshoot from the Caprington branch. The first of them who appears was—

I. Adam Cuninghame of Bridgehouse. His precise relationship to the Caprington family is uncertain, but that he was nearly connected is beyond question. In 1653 (29th January) Sir William Cuninghame of Caprington (the last of the old race), gave a bond for £3000 Scots over the mains of Caprington, household furniture and crops, to William Cuninghame, burghess of Ayr.\* £2000 of this sum he had borrowed before, for which he gave his bond in security, he as principal, and "*Adam Cuninghame his servitor*," as cautioner. The word *servitor* did not, in former times, imply the modern meaning of servant, but rather of assistant; and the party so designed—especially if of the same surname as the baron—was invariably a cadet of the house. Sir William had got into deep pecuniary difficulties, in consequence of the civil wars, having been fined in £15,000 for joining Montrose, and he died soon afterwards. In 1654 (24th January), the Commissioners for the administration of Justice in Scotland, at the instance of Lieut.-Col. Osburne,† grant a decret against Dame —— Drummond, relict of Sir Wm. Cunynghame of Caprington, *Adam Cunynghame in Caprington*, and William Cunynghame, late Bailie in Ayr. This has reference to the bond for £2000, for which Adam Cuninghame, *servitor* to Sir William, was security, and identifies him as the

\* Record of Council and Session, vol. 596.

† Caprington charter chest.



same person afterwards designed *in Caprington*.\* In 1663, Adam Cuninghame acquired the lands of Kirkland, in Riccarton parish, from William Wallace of Burnbank. In the sasine of this property he is designed "Adamus Cunynghame, *in Caprington*," leaving no doubt whatever of his identity. In 1673 (12th April) he had a charter of these lands from John Earl of Glencairn,† the superior, in which he is designed "Adamus Cunynghame *in close de Caprington*," of Kilmarnock. From this it would appear that he had a house in Kilmarnock, from which the close—still in existence—took its name of Caprington, a circumstance which corroborates the fact of his immediate connection with the family.

The lands of Little Bridgehouse, also in the parish of Riccarton,‡ were acquired in 1673. In the Crown charter of these lands he is still designed *in Caprington*,|| and it narrates that they formerly belonged to the Campbells of Cessnock, next to Hugh Wallace, from whom he purchased them. This was probably not long before his death, which occurred in March 1677. His testament dative was made and given up by his widow, *Janet Baird*, as lawful executrix to him. By contract of marriage passed between them, dated 18th November 1653, it was agreed that all he then possessed or might acquire during their lives, should fall to her at his death. This testament is dated "Att the boat of Caprington, within the parochin of Riccartoun." There were several "Eiks" made to the testament, which showed that he had left considerable sums of money as well as property. It is probable that he was much older than his wife, and may have been born about the beginning of the seventeenth century. The *Boat* of Caprington, where he had a house as well as in Kilmarnock, was so called from the circumstance of a boat having been moored at a bend of the river, not far from the castle, for the purpose of fishing salmon—which were very plentiful in the Irvine in old times—and ferrying the inhabitants across the river. To this house land was attached, and more, perhaps, was rented. Adam Cuninghame, as we have

\* Par. Reg. of Sasines for Ayrshire, vol. 1, p. 30.

† Do., vol. iii., fol. 101.

‡ Great Seal Reg. B. 63, No. 172, 25th July 1673.

|| Glasgow Commissary Record. 20th October 1677.

seen, was living at the castle with Sir William when he became his security to the bond, already mentioned, for £2000 Scots; but he appears to have removed to the Boat on becoming married to Janet Baird, in 1653; for, in the decret of 1554, he is designed "in Caprington." He was evidently of the old stock of Caprington, not of the Brownhill branch, which came in by purchase after Sir William had been divested of his estates by his creditors.

Janet Baird, his widow, continued in the management of affairs, and acquired the lands of Templecroft, and a tenement of land and yeard in Knowehead of Riccarton. The sasine is dated 29th Nov. 1579, and says, "compeirit personallie George Cunynghame, eldest lawfull sone to vnyple Adam Cunynghame of Little Bridgehouse, as actorney, and in name and behalf of Jonet Baird, his mother, upon the ground of the lands and others under-written." From the expression, "eldest lawfull sone," it would seem that there had been other and younger sons; but if so they must have died young, for George appears to have been the only one who came to maturity. From records the family left by Adam Cuninghame stood thus:

1. George.
2. Margaret.
3. Elizabeth.
4. Agnes.
5. Diana, born in 1671. Died young.\*

The two eldest daughters had sasine of the lands of Braehill and Byrehill in 1678. They were acquired from John Hamilton of Inchgothrick, in security of £773, 13s. 4. Scots, given upon a bond by their father, to himself in life, and to his two eldest daughters after his death. The bond was dated 13th May 1675.

II. George Cuninghame of Bridgehouse. He died unmarried in August 1696, and his testament dative was made and given up by his mother, "Jonet Baird, relict of the deceast Adam Cunynghame of Bridgehouse," † as his chief creditor. In corn, cattle, horses (amongst which were "ane bluid mare and foall, worth xv.

\* Kilk. Par. Reg., 12th Nov. 1671.

† Glasgow Com. Record, 4th June 1697.

lib.), "some insight and plenishing of ane chamber, and ane sword, worth £96," &c., he left £433, 3s. 4d. Scots. From the inventory he seems to have been, at least partially, engaged in agriculture. Although living a bachelor, it appears from a document on record, that he had intended marriage. The nuptials were arranged with a party "suitable for him;" but by his "casual (accidental) death," the intention was never carried through. The lady, however, bore a posthumous son to him,

Alexander.

Who the mother of Alexander was does not appear on record; but in Robertson's "Ayrshire Families," George is said to have "married Sarah, daughter of — Miller, Esq."

On the death of the old lady, the property came to heirs portioners.

*Margaret*, the eldest daughter, had been led to form an improper connection with a person of the name of Johnston, *alias* Bowston, with whom she lived, and had a son, but never was married, his wife being still alive.

*Elizabeth* was married to John M'Math, merchant in Belfast, who afterwards removed to New England (America). There were two sons, *John* and *William*, by this marriage.

*Agnes* was married to Cornet John Norrie, who resided at Robertland, near Kilmarnock, and they had at least one daughter, Janet, married to Robert Paterson, writer in Kilmarnock.\* Janet was served heir-portioner to her grandfather, Adam Cuninghame of Bridgehouse, in Bridge-house and Gateside, and £1843, 14s. Scots over Cambuskeith, &c., 25th March 1727.

John M'Math, the eldest son of Elizabeth, had gone to sea, and been absent for many years. William, the second son, presuming that he was dead, attempted to serve himself as heir-portioner to his grandfather, with the view of disposing of his half of the property to Robert Paterson, husband of Janet Norrie; meanwhile

III. Alexander Cuninghame, son of George Cuninghame of Bridgehouse, became a flourishing merchant in Kilmarnock, aided

\* Service Records.

probably by capital supplied by the friends of his mother. Seeing how matters were going with the Bridgehouse property, he opposed the pretensions of William M'Math, on the ground that Johnston, son of Margaret, was entitled to an equal share, but his opposition was about to fall to the ground, on account of the circumstances already stated, when *John M'Math*, the eldest son of Elizabeth, happened to arrive with his ship in London, and an embargo having been laid upon the shipping, he had leisure to make a run down to see his friends in Scotland. Indignant at the conduct of his brother and the Norries, he at once made over his portion of the inheritance to Alexander, as a free gift, accepting only of £100 sterling as a present. John having immediately afterwards sailed to the West Indies,\* Alexander brought an action of adjudication in the Court of Session, to compel John M'Math to complete his titles, which the Court could do in the usual way with parties furth of the kingdom. This action was opposed by Janet Norrie and her husband, on the ground that John M'Math was a mere pretender; but, after both parties were heard, the Court found the identity of John M'Math thoroughly proved, and gave decret in favour of Alexander accordingly. He thus acquired the equal half of the following properties :

40s. land of Bridgehouse.

6s. 8d. land of Gateside.

13s. 4d. land of Kirkland.

6s. 8d. land of Templecroft.

Tenement of land and houses in Knowehead of Riccarton.

Teinds, parsonage, &c.

Also, equal half of ane annual rent of ane hundred and ten pounds 12s. 4d. Scots, or interest of £1843 Scots, furth of the lands of Cambuskeith.

Alexander thus regained one-half the property which had belonged to his grandfather. He married Barbara Hodgert, daughter to Bailie Robert Hodgert, apothecary in Kilmarnock. She was a widow. The ceremony took place at her house on Friday, 2d June 1727. They had a numerous family :

1. Alexander, born in 1728.†

2. John, 1729.

3. William, 1731.

\* Record of Decrees, 3d Feb. 1741.

† Kilmarnock Parish Register.

4. Charles, 1732.
5. Janet, 1734.
6. Barbara, 1738.
7. James, 1740.
8. Alexander, 1741.

Alexander Cuninghame seems to have been very successful as a merchant in Kilmarnock, and became one of the bailies. He still retained the old designation, "*in Caprington.*" He is so designed in a sasine, 11th July 1726, "of certain houses and yards, lying within the town of Kilmarnock."\* He is also mentioned by the same designation as presenter of a sasine in 1724. He died intestate in 1748. He was succeeded by his eldest surviving son,

IV. John Cuninghame of Bridgehouse. He was served heir to his father, 1st Feb. 1754,† and from the terms of the service, "theologiæ studentis," he was then a student of divinity. After obtaining his license he was ordained minister of Dalmellington in 1756, and of Monkton and Prestwick, 1st July 1762.‡ Having purchased the other half of the lands of Bridgehouse from Robert Paterson, writer in Kilmarnock, he had a Crown charter of adjudication and resignation of Bridgehouse, 6th August 1755.¶ Proceeding upon this charter, he had sasine of these lands, 13th Jan. 1756. Mr Cuninghame died unmarried at Kilmarnock, 28th May 1774, aged 45.§ He was succeeded by his next brother,

IV. William Cuninghame of Bridgehouse and Lainshaw. He was brought up to a mercantile life, and went out early to America. In a letter, written to his third son, William,¶ dated 8th Feb. 1794, he says, "During the whole time I was in business, say from 1748 to the 1762 in America, and again from thence to the 1780 in Glasgow, when I retired from business. . . . I went out an igno-

\* Par. Reg. of Sasines, Ayr, 1726.

† Register of Services.

‡ Tombstone in Monkton Church-yard.

¶ Great Seal Reg. B. 103, No. 45.

‡ Tombstone in Monkton Church-yard.

¶ The late William Cuninghame, Esq. of Lainshaw.



rant, raw boy to Virginia in 1746, covenanted as an apprentice for three years. In 1750 I was appointed to a distinct charge by the company, and in 1752 was appointed to the supreme charge of all the company's settlements in Virginia. In 1762 (after having appointed and installed my brother, Alexander, by authority of the company, in my place) I returned to Glasgow, became a principal partner in the trade, and assumed the sole and entire management and control thereof, which was, in the course of thirteen years (because the American rebellion commenced in 1775), attended with such success that it enabled me to retire to the country with the estate and property I now enjoy. . . . My father (the worthiest of mankind) I had the misfortune to lose in June 1748, a few months after my leaving him. My first advice from my mother was that my father had died intestate, and had left behind him, exclusive of his landed estate, which fell by law to my elder brother, about £1800 in money—£300 of which fell to my share."

*William Cuninghame* was served heir to his brother, 28th Feb. 1777. "Quod quand. Mr Joannes Cuningham, nanunquam prædicator Evangelij in Kilmarnock, postea minister apud monckton filius legitimus natu maximus demortui Alexandre Cuningham, mercatoris in Kilmarnock, frater germanus Gulielmi Cuningham, mercatoris in Glasgow, obiit ultimo vestit et saset ut de feodo ad fidem et pacem S.D.N. Georgij testij Regis, In totis et integris Quadraginta solidatus terris antiqui extentus de Bridgehouse," &c. He purchased the estate of Lainshaw in 1779. He was three times married. By his first wife, Jean Dunmore, daughter of Thomas Dunmore, merchant in Glasgow, he had two sons and four daughters—

1. Thomas.
2. Alexander.
1. Helen.
2. Jean.
3. Elizabeth.
4. Maria.

By his second marriage, with Elizabeth Campbell, daughter of James Campbell, merchant in Glasgow, a son of Campbell of Glendaruel in Argyleshire, he had issue one child—

William.



By his third marriage, with Margaret Nicolson Cranston, he had issue.

1. George, born 1780.\*
2. Maria, baptised in Glasgow by the Rev. William Thom of Govan, † 1782.
3. Margaret Nicolson Cranston, 1784.
4. Ann Salby, 1785. "Thos. Cuninghame and Alexander Cuninghame, both sons to the said William Cuninghame," were present at the baptism.
5. Darcy Maxwell, 1786.
6. Louisa, 1788.
7. Isabella, 1791.
8. John, 1794.

*William Cuninghame* of Bridgehouse and Lainshaw died in April 1799. He disinherited his two eldest sons, *Thomas* and *Alexander*, leaving his Ayrshire and Peebleshire estates to his third son, *William* (afterwards designed of Lainshaw), and his property in the Stewartry of Kirkcudbright to his youngest son, *John*.

V. *Thomas Cuninghame*, the eldest son, became a Captain in the 45th Regiment. He married, in London, June 1795, Helen, daughter of Albert Innes, and had issue one child—

William Alexander, born 1796.

VI. *William Alexander Cuninghame*, born in Edinburgh, was a Lieutenant in the 95th Regiment. He was wounded at the taking of Guadaloupe, June 1814. This injury laid the foundation for disease, which eventually caused his death in Nov. 1827. He married, 18th June 1823, Mary, third daughter of James Shawe of Branerpeith, in the county of Durham, and had issue—

1. Helen Harriet, born 30th March 1824, and married, in 1851, to James H. Whiteside, M.D., Stockton-on-Tees, from whom issue two sons and two daughters.
2. William, born 14th January 1826.
3. Thomas James, Lieutenant Durham Artillery, born 11th Sept. 1827.

VII. *William Cuninghame*, a Captain in the 79th Highlanders, married, 20th April 1854, Louisa Frances, daughter of John Ormond of Bath, who died in 1862, and has issue—

1. William, born 31st Dec. 1855.

\* Stewarton Parish Register.

† Note to this effect by her father in the parish Register of Stewarton.

2. Louisa Ormond, 27th Oct. 1857.
3. Alexander Kennedy, 15th Nov. 1858.
4. Thomas Handyside, 14th June 1861.
5. John Whiteside, 23d Nov. 1862.

Captain Cuninghame was with his regiment when it landed in the Crimea, and served with it till February 1855. He has the Crimean medal, with clasps for Alma, Balaclava, and Sebastopol. He has also the Turkish medal.

## WAUCHOPE OF NIDDRIE-MERSHELL.



STA PROMISSIS.

THE Mansion-House of Niddrie-Merschell stands in the vicinity of the ruins of Craigmillar Castle, in the parish of Libberton, and is distant about three and a quarter miles south-east of Edinburgh. The barony is not very extensive, but it is compactly situated, and the soil is fertile. In charters and other documents it is described as consisting of the "twa pairt and third pairt" lands of Niddrie-Merschell—these divisions having formed different possessions in remoter times. A small stream, having its source in the Pentland Hills, winds past the house, and contributes much to the beauty of the undulating grounds which form the park. It drives the mill of Niddrie, as well as those of Brunstain, and empties itself into the Forth, at the Magdalene Bridge, bounding the Regality of Musselburgh on the west.

Around the old Mansion-House, which stood on the rising ground east of the rivulet from the present, a hamlet had grown up, called the village of Niddrie. It occupied both sides of the stream, and the public road passed through it. It contained at one time three hundred families, three breweries, and fourteen houses which sold liquor.\* This village has altogether disappeared, though some of the houses existed until a few years ago. The only hamlets now in

\* Rev. Thomas Whyte's Account of the Parish of Libberton.

the barony are the Mill-town and Whitehill, which latter is chiefly inhabited by colliers.

A chapel, called "Capella de Nudry-Merschale," stood on the north side of the rivulet, at the west end of the present Mansion. It was one of the two chapels which, besides the parish kirk, existed in the parish of Libberton in former times. It was dedicated to God and the Virgin Mary, "in honorem sancte crucis," and held of the Abbey of Holyrood. The clergyman who officiated on its foundation, in 1502, when Archibald Wauchop de Nudry-Merschale, with the consent of his spouse, Euphame Skowgale, made a mortification, "ad sustentationem unius capellani in divinis celebrantis, et in perpetuum celebraturi ad magnum altare capelle," was styled "Dominus Wilhelmus Werok," and had a manse, an acre of ground for a glebe, the privilege of having two cows fed in the common pasture, and twelve merks paid him yearly, at the usual terms of Whitsunday and Martinmas, from the lands of Pylmuir, in the parish of Currie, which, with Ravelrig, at that time belonged to the barony of Niddry-Merschell.\* "There was, in Catholick times, an organ loft in the chapel. Three priests lived in the village for serving it, one at the east end of it, one at the west, and one in the middle, just over against the House."† The chapel was destroyed by a mob from Edinburgh, after they had demolished the royal chapel at Holyrood House, in 1688. Nothing of it now remains save what is used as the burying-vault of the family. It is neatly enclosed, and secured by an iron gate. On a tomb inside, near where the great altar is supposed to have stood, there is the following inscription:—

"This tome ves biggit be Robert Vauchop of Nydrymarischal, and enteris heir, p.p., 1587."‡

This Robert is said by Mr Whyte, in his account of the Parish of Libberton, and repeated by Chalmers in his *Caledonia*, to have been the founder of the chapel, and they quote the date as 1387. The second figure is somewhat defaced, and might be taken for a 3; but

\* Great Seal Register.

† M.S. Notes, 1700.

‡ The tomb is a rude building, about 10 ft. by 8 ft. 8 in., and 3 ft. deep. The inscription occupies a large slab—removable when required—set in the west end of the structure. The meaning of the letters "p.p." before the date is rather a puzzle. We cannot hazard a satisfactory solution.

circumstances lead us to the conclusion, after mature consideration, that it is a 5, and that the real date is 1587. In that year William Wauchope died, and was buried in the tomb. A large stone, placed horizontally above it, records the fact in the following terms: "Haer. lyes . ane honorabil . man . William . Wauchop . Nidre . Merschil . quha . deceast . ye . vi . day . of . Februar . 1587." This William's son and heir was *Robert*, who, it seems probable, built the tomb for the reception of his father's remains, and as a place of sepulture for the family in time coming. The reading of the inscription we would therefore render thus: "This tomb was built by Robert Wauchope of Niddrie-Merschell, and inters here, p.p. 1587." Not that he himself was interred there, but that he *inters* there. In other words, it is his, or his family's place of burial. This is the most grammatical reading of the inscription.

It is thus clear from the charter of mortification that the chapel was founded by Archibald in 1502.\* There could be no chapel without a great altar, of which he was the undoubted founder; and as the tomb is built near where the great altar stood, there could have been no such tomb in 1387, when neither chapel nor altar existed.

It would be interesting to learn how the name of Niddrie came to be given to the lands. The word is evidently of the British form of the Celtic, and is sometimes spelled *Nidrof* and *Nidraif* in old documents. The historian of Libberton parish—the Rev. Mr Whyte—derives it from the Gaelic *Niadh* and *Ri*—which compound word would signify the King's Champion. Unlike that of Craigmillar, immediately adjacent, the name is not derived from any peculiar topographical feature; and there is an upright weather-worn stone, of large dimensions, in a field immediately west of Niddrie House, which in all likelihood marks the scene of some important conflict during the British period of our history. The etymology of the King's Champion might thus be supposed to receive some countenance; but there are other two Niddries within the bounds of the Lothians, so that to account for so many King's Champions is out of the question.

The addition of *Merschell*, *Marischal*, or *Marshal* (we prefer the first and oldest spelling), to the name, we are told by Sir George

\* This charter is dated 2d Feb. 1502.



Mackenzie, Nisbet, and others, arose from "the heads of this family of Wauchop of Niddrie [having been] hereditary Bailies to Keith Lords Marischal, and Marischal-Deputes in Mid-Lothian: from the Lords Marischal they had the lands of Niddry designed Niddry Marischal." The Rev. Mr Whyte repeats this statement, with the verbal confirmation of Lord Hailes—no mean authority; but we must confess we have not met with anything like proof of the fact. No doubt Gilbert Wauchope of Niddrie repeatedly held the office of deputy-marshal in the reign of James V., but this is of too recent a date to have much weight. At the same time it seems to have been the traditional belief of the Wauchope family that such was the case.

There had been a family, who assumed the name of *Nudrie*, in possession of at least a portion of the lands of Niddrie-Merschell prior, though only by a short period, to any notice of the Wauchopes in the charters of these lands—the first of which is to *Gilbert Wauchope* in the reign of Robert III. The rolls of our early charters, however, are very imperfect. It must be kept in mind, at the same time, that the demesne of Gilmerton was cultivated or farmed out by David I., both when Prince of Cumbria, and after his succession to the Scottish throne, and it remained in possession of the crown till the time of Robert the Bruce, so that no charters of these lands exist of an earlier date than his reign. Those to whom they were farmed, or by whom they were held, were called the King's tenants. For example, in August 1296, according to Prynn, Alan de Libertoun, and David de Libertoun, the *tenants of the King*, in Edinburghshire, swore fealty to Edward I. The first of the Wauchopes may, therefore, have come in upon this title.\* It thus seems doubtful as to the origin of the addition of *Merschell* to the name—though it is extremely probable that, as in other instances, it was derived from the Keith Marischals in some way or other.

Wauchope is a local patronymic. There is a Wauchopdale in Roxburghshire, and a small stream called the Wauchope runs into the Rule. Wauchope is also the name of an ancient parish, river,

\* According to Nisbet, the Heriots were at one time proprietors of Niddrie-Merschell. John Heriot, who has a charter from Archibald, Earl of Douglas, of the lands of Trabroun, is styled "filius et heres dilecti confederati nostri Jacobi de Heriot de Nidrie Marischel." This charter was confirmed by James I., 1443.



and vale, in Dumfries-shire, which now forms part of the modern parish of Langholm. Chalmers describes it as pleonastic, derived from the Gaelic *uagh*, a den, and the Gothic *hope*, a short valley. Wauchope Castle, in Dumfries-shire, the ruins of which are still traceable, was the first home of the Lindsays in Scotland. Wauchope House, the "gudewife" of which corresponded with Burns, is also in that district; but the Wauchopes of Niddrie-Merschell, and all of the name, are known to have belonged originally to Roxburghshire.

It would be futile to hazard a guess as to whether the first of them came from Normandy with William the Conqueror, or from the *Dane-law* in England, during the reigns of Malcolm Caenmore or David I., or sprang from the old British race, by whom the independence of the kingdom of Strathclyde was so long maintained against numerous foes. The patronymic, at all events, appears to have been derived from the lands, as was that of the Douglasses, of which powerful race the Wauchopes became vassals. Mackenzie, in his "Lives of Eminent Scotsmen," says they "had their first rise in the reign of Malcolm Caenmore, about the year 1062," and that they came from France. Of their antiquity there can be no doubt, but their advent with the Conqueror seems matter of conjecture. In the list of foreign settlers, during the reigns we have mentioned, the name does not appear. It used to be, and probably still is, fashionable to trace families from the Normans; but the truth is, the Scandinavians of Cumberland, Northumberland, Lincoln, and Yorkshire, from whence most of the feudal settlers in Scotland were drawn by Malcolm and David, were a kindred people, and quite as warlike and honourable. Nor were the ancestors of those of native origin less so. The great Randolph of the Bruceian wars, according to Chalmers, was of Celtic and Border descent.

"They of the name of *Wauch*, by our old books of blazon," says Nisbet, "carry the same with Wauchope, sometimes adding a *fess*;" and the writer of the ms. notes already referred to, was of opinion that "Wauchtoun, or Wauchoptoun, in E. Lothian, belonged to this family" [the Wauchopes]. This, however, is supported by no evidence. The earliest notice of these lands occurs in a charter by Robert II. to "William de Lindsay, of the lands of Drem, in the

constabulary of Haddington, vic. de Edinburgh, which pertained to Johana de Erth of Wauchton, and which William de Gourlay, her son and heir, resigned.”\*

The first we find of the patronymic of *Wauchope* is *Ada de Waleuhope*, who witnesses a charter by Symon de Lyndsay to the Abbey of Melrose,† in the reign of William the Lyon, who ascended the throne in 1165. *Dominus Ada de Waleuhope*, evidently the same person, also witnesses another charter to the Abbey in the same reign; and *Ada de Walchope* is witness to a charter in the succeeding reign of Alexander II. In this reign (8th Feb. 1247), Wauchope, as a locality is thus mentioned in one of the Melrose documents—“*Et eciam pasturam ad octo boues et octo vacas in Wauchop.*” In 1389, Robert II. confirmed a charter of James, Earl of Douglas, to *Alexander de Walchope*, of the lands of *Walch-ope*, and to the heirs of his body; whom failing, to Sir Adam de Glendonwin, who had married his daughter, and to his heirs.‡ Thus it is established that the Wauchopes were originally settled in Roxburghshire, and that they were vassals of the Douglasses.

There was an old branch of the Wauchopes, who possessed the lands of Culter, in Aberdeenshire. According to a transumpt of a charter,§ in the charter chest of Cumming of Culter, these lands were confirmed by Alexander II. to Robert Wauchop, son to Allan Wauchop—“*nos dedisse concessisse et hac nostra charta confirmasse Roberto de Waluchop filio Alani de Waluchop pro homagio et servicio suo terram de Tulmacboy per has divisas,*” &c. This charter is dated 16th October, in the 33d year of his reign—1247. *Robertus de Walohop*, and *Dominus Robertus de Walichope*, who witness charters by Alexander Cumming, Earl of Buchan, to the Priory of St Andrews, || were probably one and the same person. The lands of Culter, went with a daughter of Sir Adam Wauchop to Cummin of Inverlachie, “of whora,” says Nisbet, “is lineally descended Cummiu of Culter.”

\* Robertson's Index.

† Cart. of Melrose.

‡ Douglas' Baronage.

§ A copy of this charter, published in Whyte's Account of Libberton parish, is amongst the Niddrie papers.

|| The charters in the cartulary of the Priory of St. Andrews are all dated prior to 1413.

Mackenzie, in his "Lives of Eminent Scotsmen," derives the Wauchopes of Niddrie-Merschell from the Aberdeen branch, but neither he nor Nisbet offer any proof of the fact, although it is probable enough. Both the properties in the south and north passed by heirs female; but as these were the only known branches of the family,\* they must have sprung from the one or the other; and are now unquestionably the chief of the name.

The difficulty of tracing the first of the *Wauchopes of Niddrie-Merschell* has been aggravated by the destruction of their more ancient muniments. "The family of Nidrie Marshal," says the m.s. notes, "was forfeited in James the 2d's time, for making an inroad into England, so that by that means most of the old charters and evidents were lost." The estate was again forfeited in Queen Mary's time, the lairds, elder and younger, having espoused her cause; and the house was afterwards burned by their neighbours, who were at feud with them—"at which time a fatal blow was given to our charters. The few that were left were afterwards destroyed, when the English came to Scotland in Cromwell's time. They were closed up partly in a cellar, built up with stone and lime, which an old rug discovered, partly were carried to Dundee by my grandfather, Sir John, and after the town was taken by General Monk, were lost or destroyed. Sir John kept only bonds." In corroboration of this statement, it may be mentioned that there is a small bundle of charters and other documents in the charter chest at Niddrie House, which have evidently been recovered from the flames, most of them being partially burned and blackened, and otherwise injured. The oldest of these, in direct connection with the family, is a charter of the two merk lands of Gilmerton, from Patrick Hering, in favour of Archibald Wauchop of Niddrie-Merschell, and is dated 4th Feb. 1498.

As already stated, a family of the name of Nudrie appears to have preceded the Wauchopes in at least the three part lands of Niddrie-Merschell—the date of their last charter of confirmation being 18th Oct. 1364. Yet the Wauchopes may have been contemporaneous in the "twa pairt lands." The first to whom a charter appears is

\* The Aberdeen Wauchopes were no doubt transplanted, like the Gordons, Frasers, Lindsays, &c., from the south.

*Gilbert Wauchop*, who had a charter of "the lands of Niddery," from Robert III., who began to reign in 1390. It is possible that he was not the first of the family in possession of lands in Niddrie. His immediate predecessors may have been King's or ecclesiastical tenants.\* *Thomas Wauchope*, mentioned in the Ragman Rolls in 1296, for instance, is described as a holder from the Bishop of St Andrews, *in the county of Edinburgh*; and the idea might be still farther pushed. In "the Lawis of the Merchis betuix Scotland and England," 1249, the name of *Robertus de Walewhope* occurs along with *Henricus de Brade*, *Alanus de Newbigging*, &c., parties evidently belonging to the county of Edinburgh. Thus the Robert of 1249 might have been the father of *Thomas* of 1296, and *Thomas* the father of *Gilbert* of 1390.†

Whatever conjectures may be indulged in as to the more remote ancestors of the Wauchopes of Niddrie-Merschell, there can be no doubt as to the existence of

I. *Gilbert Wauchope*, who had a charter "of the lands of Niddery" from Robert III., whose reign extended from 1390 to 1406.‡

II. *Patric de Wachope* and *Isabel* his spouse are mentioned in the Acts of the Lords Auditors, 6th Nov. 1470, as pursuing *George Lord Setoun* "for the spolicion and takin of twa oxin of the lands of Gredediks pertaining to the said *Isabell*, be resoun of terce and thrid, and takin be the said lord for the malis of the said lands, be resoun of gift made to him of the warde of the said lands," &c. The Lords Auditors found that *Lord Setoun* had done wrong, and ordained him to return the oxen.§ Though not designed by the

\* It may be worth noticing here that the teinds of Niddrie were Bishop's teinds. By the erection of the See of Edinburgh, in 1633, part of the Bishop's patrimony was "Totas et integras parochias ecclesiasticas de Whitekirk, St. Cuthberts, Libertoun," &c. There is a discharge by Mr James Aikenhead, factor to the Rev. Father in God, *George*, Bishop of Edinburgh, to Sir John Wauchope of Niddrie for teind tack duties, 1666, 67, 68, and 1669, dated 15th Nov. 1670. *George Wisheart* was consecrated Bishop of Edinburgh, 1st June 1662, and died 1671. Mr Aikenhead, who grants the discharge, was his factor.

† A *Thomas Walchope* had a charter from Robert II. "Carta Thomae de Walchope, de decem libris sterlinen. annuatim, per manus camerarij." Methven, 4th Sept. 1378. This *Thomas* was most likely of the Aberdeen branch of the Wauchopes.

‡ *Robertson's Index*. Only a few of the charters in this Index now exist. Had this charter been accessible it might have thrown some light on the ancestry of *Gilbert*.



property, there is every probability that they were of Niddrie-Merschell. They could not be of Wauchope in Dumfriesshire, for that belonged to the Lindsays, nor of Wauchope in Roxburghshire, for that property had passed to the Glendonwius. The lands of *Greenside*, which may be the modern variation of *Greendiks*, are in the vicinity of Niddrie-Edge, and the inheritance of the Setons lay chiefly in Edinburghshire, and not far distant. The lands of Greendiks belonged to Isabel in life-rent, and Lord Seton was her ward, or guardian.

III. Archibald Wauchope of Niddrie-Merschell had sasine of the Crown lands of Pilmer, in favour of himself, and Gilbert, his son and heir, and Isabella his (Gilbert's) spouse, 3d June 1489.\* He was tutor to Archibald Quhitlaw, and at his instance James Hering of Tulybole was ordained by the Lords Auditors, 28th April 1491, to pay to Quhitlaw xii merks of mail. He was, about the same time, (16th March 1490,) in a suit before the Lords Auditors, against the Laird of Waughton, respecting the lands of Houston, in Haddingtonshire, which were claimed by both, the one in virtue of an assedation from "frier Alexander Blith," and the other of one from "frier Thomas Dickson."† Niddrie seems ultimately to have gained his point. He had a tack of the teind sheafs, or tithes, of the lands of Nudry-Merschell, from Robert, Abbot of Holyrood, dated 11th June 1493.‡ Patrick Hering, *dominus de Gilmertoun*, granted a charter in favour of Archibald Wauchope of Niddrie-Merschell and Eufeme his spouse, of the two merk lands in Gilmer-toun, dated 4th Feb. 1498.§ This charter is witnessed by Mr David and Mr William Wauchope. They are not designed, but they were no doubt, from the title *magister*, ecclesiastics, and connected with the Niddrie family. Archibald, with consent of his spouse, Euphamie Skowgall, granted a charter of mortification of twelve merks yearly from the lands of Pylmure, together with a house and an acre of land, as a glebe and manse, and the pasturage of two cows, for the support of a chaplain of the Holyrood altar

\* Broughton Regality Records.

† Acta Auditorum.

‡ Niddrie charter chest.

§ *Ibid.*

founded in Niddrie, dated 2d Feb. 1502.\* He and Gilbert, his son and heir, had sasine of the office houses, and part of the lands of Houston, 15th Sept. 1502.† He had a crown charter of the three husband lands called Boggisland, in Gilmerton, 27th March 1503;‡ and he had sasine of his part of the lands of Gilmerton, 4th Jan. 1507. Besides his heir,

1. Gilbert, who succeeded,

he probably had

2. Robert, Archbishop of Armagh, who died at Paris, on his way home from the Council of Trent, on the 10th Nov. 1551. Amongst the older documents in the Niddrie charter chest, partially destroyed by fire, there are three which have reference to him. One of them is an instrument of installation to the vicarage of Keith-Humbie (now Humbie parish) in Haddingtonshire, dated 11th April 1527. The other two are connected with his presentation to the prebendary of Ruffil, by George, Bishop of Dunkeld, on the decease or demission of "Magis. David Wauchop, ultimi prebendarij possessoris corund.," who was probably his uncle. The Laird of Niddrie-Merschell acted as his procurator. His Christian name is obliterated, but it was no doubt Gilbert, his brother: ". . . auchop de Nidry-Merschall procuratori et eo nomine venerabilis et egregij viri magistri Roberti Wauchop." The documents are dated in 1529. According to Mackenzie's account of the Archbishop, we would be inclined to think that the most of his time, prior to being called to Rome in 1535, had been passed in Paris, but the documents before us show that this was not the case.
3. Margaret, married to William Dundas of Dundas, who succeeded his father, 16th March 1494.‡

[In the reign of James IV., *Gilbert* and *George* Wauchope are witnesses to a bequest by Bernard Bell, of four merks of annual from the lands of Alan Wilsons, Leith, to the Abbey of Melrose.¶ They were probably sons of Archibald.]

IV. Gilbert Wauchope of Niddrie-Merschell had a charter, as heir-apparent to Archibald 6th Nov. 1504, and a charter of confirmation, from James IV. of the "Villae de Gilmertoun," 15th Dec. 1504.¶ He must have been twice married, first to *Isabella* ———,

\* Register of the Great Seal.

† Broughton Regality Records.

‡ Register of Great Seal.

§ Douglas Baronage.

¶ Cart. of Melrose.

¶ Niddrie charter chest.



mentioned in the sasine of 1489 ; 2dly, to *Janet Ker*, but of what family does not appear.\* In the charter chest there is a discharge from the superior and convent of Kelso, to *Janet Ker*, Lady of Niddrie, of the “malis and fermes” of the Kirk lands of Humbie, and the two parts of the Kirk of Dudingstone, 22d July 1515. Another discharge is from Thomas, Abbot of Kelso, to Janet Ker, spouse of Gilbert Wauchope of Niddrie-Merschell, for the rents of the same lands, dated 30th March 1518. There is an instrument of resignation, by Patrick Hering, of the lands of Ladyland, in the county of Edinburgh, in favour of Gilbert Wauchope of Niddrie, dated 1520.† Gilbert was involved in the feuds with the Edmonstons and Waughtons. In 1534 (3d. Nov.) he had a mandate from Pope Paul III. to the Provosts of the churches of Douglas, Setoun, and Dalkeith, to confirm to him, by apostolic authority, the lands of Qubitinche and others granted to him by the Abbot of Holyrood. In 1534–5 (Jan. 15) Sir Patrick Hepburne of Wauchtoune, knt. and thirty-four others, found security to underly the law for “unbesetting” the highway for the slaughter of Gilbert Wauchope of Niddrie-Merschell. The old feud about the lands of Houstoun property had been whetted by the grant of Qubitinche. In 1535 (28th April) he had a protection for himself and family from James V. He had sasine of Whytrig, Wallaceflat, &c., 25th Oct. 1536 ; also of Overmosshouses, 9th April 1537. In 1539 (21st March) he had to issue a summons of eviction against Hepburne and his tenants, “occupiers of the lands of Qubitinche ;” and Paul III. had again (3d May 1539) to issue a mandate in his favour.‡ Gilbert took an active part in promoting the Reformation, and frequently filled the office of Deputy-Marshal in Parliament, from 1527 to 1535.§

He was dead before 1540. He had issue—

1. Gilbert, who succeeded.

\* From a mutilated document in the Niddrie charter chest, she seems to have been the relict of Richard Lawson in Humby. It is a “Tack of the lands of Cummer, by the Abbot of . . . to Janet Ker, and James Lawson, her son, relict and heir of the late Richard Lawson, in Humby——”

† Niddrie charter chest.

‡ Niddrie charter chest.

§ Acts of Parliament.

2. William, mentioned in a deed respecting the lands of Pointadois in 1540. He was probably the deputy-marshal of Parliament, 11th March 1538.
3. Euphame, married, in 1529, to Sir John Edmonstone, knt. of Edmonstone. In that year (15th Nov.) she had a charter of confirmation of a life-rent from the three-part lands of Niddrie-Merschell. She had another (8th April 1550).

There is a procuratory, dated 18th Sept. 1553, granted by James Dundas of that Ilk, to Robert Spady and James Dawling, to make lawfull intimation to John Edmonstoun of that Ilk, and Euphame Wauchope, his spouse, to compear into Saint Giles' Kirk of Edinr. upon the 10th day of Nov. 1553, and there, upon Saint James's altar the apostle, situate within the same, to receive 700 merks for redemption of an annual rent of £42 money Scots yearly, uplifted out of John Mowbray, ffar of Barnbougall, his lands of Little Barnbougall, to the reversion of which annual rent the said James Dundas acquired right from the said John Moubraif—with intimation on the back thereof, dated 26th Sept. 1553.

4. Katherine, mrrried to William Liddail of Halkerston, was, we should suppose, another of Gilbert's daughters: "Willielmo Liddaill de Halkerston, et Katharinæ Wauchop, ejus sponsæ," had a charter of the lands of Alybank, in Selkirkshire, 12th Jan. 1552.\*

V. Gilbert Wauchope of Niddrie-Merschell, and Alisone Hamilton, his spouse, had, as heir to Gilbert his father, sasine of the lands and barony of Niddrie, 18th May 1537. † There is a band anent the ratification of the lands of Pointadois, in the lordship of Stow, by Peter Cornwell of Grenhard, to Gilbert Wauchope, son and heir of the late Gilbert Wauchope of Niddrie, and his brother William, to be held of David, Archbishop of St Andrews, dated in 1540. ‡ He had sasine, as heir to Gilbert, his father, of the lands of Pilmuir, 7th May 1542. § There is a crown charter by Queen Mary, to "Gilberto Wauchope de Nudry-Merschell, et Alisone Hamiltoun, ejus conjugii, de certis partibus terrarum de Nudry," 11th April 1549. The same parties had another charter from Queen Mary, "de parte terrarum de domicilium de Nudry-Merschale," 7th June 1550. || In

\* Great Seal Register.

† Gen. Retours.

‡ Niddrie charter chest.

§ Broughton Regality Records.

|| Great Seal Register.

1556 (28th May) Gilbert Wauchope of Nudry-Marschell was on the assize of John Somerville of Camnethane, tried for oppression, &c.\* He and his spouse had sasine of the lands of Burnhouses and Corbane, 7th Oct. 1566.† There is an instrument of sasine of ten merks of annual rent of the lands of Whitehill, to Gilbert Wauchope of Niddrie-Merschell and Alisone Hamilton, his spouse, and Effame Wauchope, their daughter, dated in 156-.‡ Gilbert and his son and appearand heir, William, had a tack of the teind sheaves of Niddrie and the mains thereof, for nineteen years, from Robert Stewart, Commendator of Holyrood, dated 19th August 1568.§ Alisone Hamilton, spouse of Gilbert Wauchope, was a daughter of Hamilton of Innerwick. He died in August 1571.|| The inventory was made and given up by Alisone Hamilton, whom he constituted his sole executrix. Including the amount of inventory goods, stock, corn, &c.—and debts owing, he left £3054, 2s. 8d. Scots, to be divided according to his latter will, dated “at Nudry the 27th May 1571,” as follows:—“Imprimis, to Margaret Wauchope, his neice,¶ dochter to Gilbert Wauchope, his sone, ane hundreth merks. Item, to Ker, my neice, dochter to vmquhile Katherine Wauchop, my dochter, spous to Robert Ker, her dochter father, ane vther hundreth merks. Item, leive the haill rest of the thrie thousand awand me to Alesoune Wauchope, young Lady Greneherd,\*\* and to Eufame Wauchope, my dochteris, to be equalie dividit betwix thame.” His widow died in 1589. Her will is recorded 13th June 1590. They had issue—

1. William, designed of Houston, who succeeded. In 1554 (8th March), he had sasine of the lands of Niddrie, Pilmuir, Gilmerton, &c., with an annual rent of four merks.†† Jan. 28, 1556, William Wauchop, son and heir apparent of Gilbert Wauchop of Nudry-Merschell, and others, found surety to underly the law for killing wild fowl (game) with culverinis and pistolettis, from May 1552 to November 1556.‡‡

\* Criminal Trials.

† Niddrie charter chest.

‡ Charter chest—document partially destroyed.

§ Niddrie charter chest.

|| His will is recorded 1st December 1573.

¶ She was not his *neice*, but his grandchild. In the same way *nephew* was employed to signify grandchild as well as brother's son.

\*\* The same property, no doubt, mentioned in the ratification of 1540.

†† Niddrie charter chest.

‡‡ Pitcairn's Criminal Trials.

2. Gilbert. There is a crown charter from James VI. to "Gilberto Wauchope de Stottencleuch, et Jonetæ Symson, ejus sponsæ, terrarum de Stottencleuch, Haddingtonshire, and Edinburgh, 25th June 1592."\* Gilbert seems to have been succeeded by his son, William, whose brother, Gilbert Wauchope in Goddiscroft, was set upon on a Sunday night in Aug. 1608, when he was without arms, and slain by William Nisbet in Newton Leyis, and others.<sup>1</sup> His widow, Marion Heislop, and William, his brother, were the pursuers of Nisbet before the Lords of Council and Session, 9th Sept. 1608.† He had also a daughter, Margaret, mentioned in the legacy of his father. The will of Alexander Wauchope of Stottencleuch is recorded 29th June 1647.‡ Another Alexander Wauchope of Stottencleuch appears in 1695; and Alexander Wauchope of Stottencleuch occurs as one of the heritors of East Lothian, in a petition, May 27, 1700.§ Wauchope, elder and younger, of Stotincleugh, are in the Commission of Supply for Haddingtonshire, 1704.¶ The descendants of this branch of the Wauchopes are said to have kept a toy shop in Edinburgh.¶¶
3. Abraham. There is an instrument of redemption of an annual rent of ten merks, furth of the lands of Niddrie, from Abraham Wauchope, by William Wauchope of Niddrie-Merschel "suo fratre" 1574.\*\* He appears as a witness, and is styled "Abrahamo Wauchop, filio Dominio Gilberti Wauchop," in a charter by Gilbert to his daughter Eufamie, of the lands of Burnhouses, in 1566.††
4. John Wauchope, in Niddrie, (brother of William Wauchope of Niddrie-Merschell) and Eliza Dundas, his spouse, had sasine of an annual rent from the lands of Niddrie, 22d April 1582.‡‡ There is a lease of the vicarage teinds of Newbigging, belonging to the vicar of Pennyquick, by William Pennyquick, parson and vicar of Pennyquick, to John Wauchope, baillie of Nudry-Merschele and his heirs, 29th Dec. 1593;§§ and he had an assignation of the teinds of Niddrie from Sir James Sandilands of Slamanno, 3d July 1599. "The Baillie of Nudrie's sons were nocht to supply him"—that is, they were not to assist James Wauchope, son of Gleghorne, in his duel with Auchmuttie. "William Wauchope, sone lauchfull to unquihle John Wauchope, baillie of Nudrie," was dilatit for the slaughter of John Symson, messenger in Edinburgh, &c., Nov. 19, 1602. The Niddrie family were under forfeiture at the time, and it is probable that this slaughter arose out of the legal proceedings and irritation consequent thereon. William was tried for the offence, and beheaded at the cross of Edinburgh.¶¶¶
5. Adam, who acquired the property of Caikmuir, in Berwickshire. He was an advocate. Adam Wauchope of Caikmuir appears as one of the *prolocutouris* in the trial of Alexander and Olipher Sinclair, for the slaughter of the Earl of Bothwell's servant, 17th Dec. 1565: and he and others were "continued to the Justice Aire of Edinburgh," for abiding from the Raid of Leith in 1571. He died in 1578: his will is recorded 4th July of that year. He was succeeded by his son, Adam, who had a charter of the lands of Little Blackburn, 10th Dec. 1576.¶¶¶ In that document he is styled heir-apparent of Adam Wauchope of Caikmuir. He came under the law for abiding from the Raid of Dumfries in 1587.\*\*\* His will, made up by himself in 1647, is recorded 1st May 1649. Agnes

\* Great Seal Register. † Pitcairn's Criminal Trials. ‡ Com. Records.  
 § Acts of Parliament. ¶ Ibid. ¶¶ Family Tree. \*\*\* Niddrie Ch. Chest.  
 †† Niddrie Ch. Chest. ‡‡ Broughton Reg. Rec. §§ Niddrie Ch. Chest.  
 ¶¶ Criminal Trials. ¶¶¶ Great Seal Register. ¶¶¶ Criminal Trials.



Murray, his relict, was executrix for Walter and Isabella, their two youngest bairns. Mention is made of Margaret, dochter natural to Knight Robert Wauchope,\* and another daughter, named Agnes. In a deed † of George Wauchope of Penicle, dated 23d Feb. 1664, he is said to be brother german to Patrick Wauchope of Caikmuir, which Patrick was probably father of "John, the macer," so styled from being a macer in the Court of Session. He had a charter from Charles II. of certain lands in Eyemouth, Berwickshire—"Carta confirmationis Joanni Wauchope, clavigeri, terrarum in Eyemouth, 28th Jan. 1669." He died in 1684. His will is recorded 15th April of that year; and that of Jonet Aikenhead, relict of John Wauchope of Kaikmure, 16th Aug. 1701.‡ His son, Frances, was served heir to him in 1684.

6. George, a merchant and baillie in Edinburgh. In the sasine of the lands of Burnhouses and Corbane given by "George Wauchop, baillie in that part," to Gilbert Wauchope and Alisone Hamilton, in 1566, he describes himself as son to Gilbert Wauchop: "Insuper delecti meis Georgeo Wauchop, filio Gilberti Wauchop de Nidry-Merschell." He had a charter of the lands of Gleghorne, Haddingtonshire, in 1592:—"Carta confirmacio Georgii Wauchop, mercatoris burgensis de Edinburgh, terrarum de Gleghorne, Had. et Edin. 25th June 1592."§ One of his sons, James, was slain, "at the combat, in St Leonard's Hill, on the 20th April 1600 (a Sunday), by Robert Auchmuttie, barber" (barber-chirurgeon). Each of the combatants had two followers. The "Baillie of Niddrie's sons" were James Wauchope's seconds. The duel, originating in some insulting words, while in company in the city, was fought without license. Auchmuttie was tried, condemned, and beheaded.
6. Alesoune, Lady Grencherd.
7. Eupheme, married to Henry Halyburton of Merton.

VI. William Wauchope of Niddrie-Merschell. He married, 1st, Anne, daughter of Hepburn of Wauchton, by whom he had Robert, his heir; and 2dly, 1560, Margaret, widow of Sir James Dundas of Dundas,|| daughter of Sir James Sandilands of Calder, and sister of the first Lord Torphichen. He probably succeeded before the death of his father. There is a precept of *clare constat*, by Adam, Bishop of Orkney and Zetland, for infesting William Wauchope of Nudry-Merschell in the four merk lands of the barony of Ahammer, or Quhitinch, in the constabulary of Haddington, 1563.¶ As grandson of Gilbert Wauchope of Niddrie, he had sasine of the four merk lands of Ahammer, 6th April 1577.\*\* On the 15th June of the same year, he was one of the assize on the trial of John Seuple of Bel-

\* This is probably the individual alluded to in Chambers' recent work, "The Domestic Annals of Scotland," which says:—"Robert Wauchope of Caikmuir, a suspected Papist, was accused before the Presbytery of the crime of going yearly bare-footed in pilgrimage to the cross of Peebles, meaning possibly the church of the Holy Cross there. He confessed that he had been accustomed to do so formerly, but for some years had given up the practice, as a rite unprofitable and ungodly."—*Presbytery Records*, 1591.

† General Register. ‡ Com. Records. § Niddrie Ch. Chest.

|| Broughton Regality Records. ¶ She was a widow in 1556. \*\* Niddrie Ch. Chest.



trees.\* Though William's name does not occur in connection with any of the feuds at the time, yet he had a protection from Queen Mary, dated 8th May 1555. He died in 1587, as appears from the inscription on his tomb in the vault at Niddrie House—"Haer · lyes · ane · honorabil · man · William · Wauchop · of · Nidre · Merschell · quha · deceisit · the · vi · day · of · Februar · 1587." He had issue—

1. Robert, who succeeded. He seems to have been styled of Houston, before his father's death.
2. Gilbert. "Precept of seisin of the lands of Qubitinche, in Haddingtonshire, to Gilbert, son of William Wauchope of Nidrie-Merschell, by Adam, Bishop of Orkney and Commendator of Holyrood," 1576.
3. George, Professor of Civil Law at Caen, in Normandy, was, in all likelihood, a son of this Niddrie.

VII. Robert Wauchop of Niddrie-Merschell married, 1st, in 1558, Margaret Dundas, daughter of his step-mother, by whom he had—

1. Archibald, his heir.
2. Mary, married 1583, to Gavin Sandilands of Lumfodda.

He married, secondly, Margaret, daughter of Sir James Douglas of Drumlanrig, ancestor of the Duke of Queensberry, widow of William, Earl of Menteith, and of Edward Crichton of Sanquhar,† by whom he had probably—

1. William, tutor of Niddrie.
2. George Wauchope, "brother to vniquhile Archibald Wauchope, appearand of Nudrie-Marschell.

The Laird of Niddrie was a zealous supporter of Queen Mary; and he and his son, Archibald, were deeply engaged in the feuds of the times. Both of their names appear in the "charge aganis personis denunceit rebellis," 12th June 1587.‡ Robert Wauchope must have died before 1601, on the 16th January of which year William is mentioned as "tutor of Niddrie" in a horning against William Fenton, maltman, Canongate.§

Archibald, his heir, died before him. He was of a bold and reckless humour, and took up the feud against the Edmonstouns with great keenness. While in concealment in Skinner's Close, Edinburgh, his servant gave the alarm that his enemies had surrounded the house. With the view of escaping, or destroying himself, rather than be taken, he sprang out of a storm-window, and, in falling, broke his neck. This must have occurred before 1598, in which

\* Criminal Records.

‡ Acts of Parliament.

† Douglas' Peerage.

§ Canongate Records.

year he is spoken of as the late Archibald. He therefore predeceased his father, and, of course, never succeeded to the property. He married, in 1584, Rachel M'Gill, daughter of Sir James M'Gill, Knt. of Rankeilor, and widow of Stewart of Rosyth. He was under forfeiture in 1592, when, on the petition of his spouse, Parliament passed an Act in her favour, by which she was allowed her portion and "conjunct fee and terce of the levying of Rosyth," and also what she was infeft in by her marriage with Archibald Wauchope. He had at least one son,

Francis, who succeeded.

Meanwhile the forfeited estate of Niddrie was conferred on the Edmonstouns—the feudal enemies of the family. Andrew Edmonstoun of Edmonstoun had a crown charter of "binæ partis Baroniæ de Nuddre-Mershiell et terrarum de Gilmertoun," 23d March 1597; and another of the lands of Gilmertoun, &c., 1st Dec. 1603.\* In 1603 the lands of Niddrie-Merschell were acquired from Edmonstoun by Sir James Sandilands of Slamanno.

VIII. Francis Wauchope of Niddrie-Merschell was rehabilitated, or restored, in 1603. The letter of James VI., addressed to Sir David Murray, comptroller, for this purpose, is dated the 29th September 1603. He was served heir of his grandfather, 11th January 1604. The family MS. notes say, that, "after Sir† Archibald's forfaulture, Sir Francis, his son to get back the estate, married Secretary Sandiand's daughter, and engaged for him and his friend's cautioner to the value of 200,000 merks, which distressed him so as he was forced to quit the coun'ry." This must have been in consideration of the estate, which was not, at least formally, restored to him till 1608. Sir Francis died at Holy Island, on his way home from Holland where he had a commission in the Dutch service, but in what year we have not discovered. Dame Jean Sandilands, widow of the Laird of Niddrie, was alive in 1631, in which year she is mentioned in a contract between John Wauchope, her son, and Mr James Sandilands, commissary of Aberdeen, in reference to the lands of Niddrie-Merschell, which had been comprised from Sir Francis Wauchope, Knight, in favour of Sir James Sandilands, in 1612. Mr Sandilands resigns all claim to Niddrie-Merschell, with

\* Great Seal Register.

† He does not appear ever to have been knighted.

consent of his wife, Katherine Paterson, and their son, Thomas Sandilands, 9th Aug. and 8th Sept. 1631.\*

Sir Francis and his lady had seven children, the eldest of whom was—

1. Sir John, who succeeded.
2. Francis, a captain in the army.
  1. John, a Colonel in the army. "Colonel Wauchop's regiment" is repeatedly mentioned in the public documents of 1688-9.† In *Fountainhall's Notes*, alluding to the Privy Council—it is said, "15th Maij 1688," the Chancellor produced among others, "ane letter [from the King] reducing two companies out of Douglass's regiment, and adding them to Collonell Wauchop's." He took part with King James, and fought against King William in Ireland. He was one of the principal officers under Sarsfield. After the Treaty of Limerick, he went abroad and distinguished himself both in the French and Spanish service. He was killed in the war of Catalonia in 1694.
  2. Francis was also in the army, and followed the fortunes of his royal master.
  3. Helen, married to Captain Robert Young. Died in 1694.
  4. Elizabeth, married, first to George Willes, quarter-master of his Majesty's Life-Guard. The contract of marriage is dated in 1665.‡ She married, 2dly, into the Riddell family.
  5. Margaret, married to John Maxwell of Carss.
  6. Francis seems to have lived chiefly at Niddrie, and to have acted as Bailie over the barony.
3. William.

IX. Sir John Wauchope of Niddrie-Merschell, was a person of great prudence and sagacity, and managed to restore the broken fortunes of the family. He at the same time continued to take an active part in public affairs, down almost to the very close of a long and useful life. He succeeded his father, Sir Francis, probably about 1632, in which year (21st Jan.) he had a charter from Charles I. of the lands and barony of Niddrie-Merschell, which charter was ratified by Act of Parliament in 1641.§ In 1642 he married Anna, daughter of Sir Andrew Hamilton of Redhouse, next brother to Thomas Earl of Haddington. By this marriage there were—

1. Andrew, who succeeded.
2. John of Edmonston. He was christened, it is said, when Charles I. was in Scotland, in 1633. The King, it is added, was present at the ceremony, and took from his own neck a beautiful gold and enamel chain, which he

\* Niddrie Charter Chest.

† Acts of Parliament.

‡ Niddrie Charter Chest—Petition to the Lords of Council and Session, 1695.

§ Acts of Parliament.

placed round that of the child. It is still in the possession of the family. He was bred to the bar, and promoted to the bench, by the title of Lord Edmonston, 14th Nov. 1682. He married *Anne*, only daughter of James Raith of Edmonston, and succeeded to the estate, of which he had a crown charter in 1671.\*

3. Margaret, married to Andrew Ker of Cavers.
4. Anna, married to Francis Scott of Gorrenberrie.

On the 18th Dec. 1643, Sir John resigned "the lands and barony of Niddrie-Merschell, and tennandrie of Tounyettam," in favour of himself and his son, Andrew; † and on the 6th Dec. 1644, there was a charter by Charles I. "in favour of Sir John Wauchope of Niddrie-Merschell, Knight, in life-rent, and Andrew Wauchope, his eldest son, and the heirs male," &c. of the lands and barony of Niddrie-Merschell, with the house, gardens, orchards, mill, miltures, coals and coal-works connected with it, and the patronage of the chapel adjacent. Also the lands of Tounyettam, Chirrietreets," &c. The instrument of sasine, following upon this charter, is dated 10th December 1644. ‡

While active in public affairs, Sir John exercised great judgment in the management of his estate, and was in the course of time enabled to repair the inroad which had been made upon it.

His first lady being dead, Sir John married, secondly, Dame Jeane Ker, relict of Sir John Ker of Lochtour. The contract of marriage is dated 16th June 1652. By this contract she was to have one thousand merks yearly after the death of Sir John, independent of any other provision that might be made for their children. She had sasine of the manor place of Lochtour, and of a yearly annual rent of 1200 merks, to be uplifted out of the lands and barony of Lochtour, 19th Dec. 1642.§ By this marriage there was a son.

James, who was served heir of provision of his father, by the second marriage, 22d October 1685. ¶

The lands of Lochtour were acquired chiefly through wadset. The Kers got so overwhelmed with debt and law expenses, that it became impossible for them to retain the property.

\* Elizabeth Raits, younger, lawful daughter of umquhille James Raits of Edmonstone, had sasine of an annual rent of six hundreth merks yearly, from the lands of Niddrie-Merschell, granted by Sir John Wauchope and his sons Andrew and John, 4th April 1667. This was no doubt as a provision for the younger sister of the heiress of Edmonstone.

† Niddrie Charter Chest.

‡ Ibid.

§ Ibid

¶ Gen. Retours



Sir John died in January 1682.\* By his will, dated 24th of April 1665, he ordained his "corps to be buried in [his] awine buriall place in Niddrie Chapell." Before his death he had, by a regular disposition, conveyed the estate to his son and heir.

X. Andrew Wauchope of Niddrie-Merschell. He married, in 1656, Margaret, eldest daughter of Sir John Gilmour, Knight, of Craigmillar, President of the Court of Session. The "contract of marriage, betwixt Andro Wauchope, fiar of Niddrie, and Margaret Gilmor, daughter of Sir John Gilmor, advocate," is dated 4th Sept. 1656. This proceeded upon a comprising by Scott of Thirlstane.† Andrew, who unlike his father, was a Roman Catholic, managed his affairs with much prudence, and generally had considerable sums out at interest on bonds.

Andrew Wauchope died on the 10th February, leaving only three sons out of nine. His spouse Margaret Gilmour, pre-deceased him, having died 22d October 1705.

1. William, who succeeded.
2. James, a merchant in Edinburgh.
3. Doctor Gilbert.
4. Barbara, married to Sir George Seton of Garlton, or Garmilton, Haddingtonshire.
5. Elizabeth, married to Sir William Wallace of Craigie, Bart. She was Sir William's *third* wife. James, her brother, as he himself states in his notes, married a daughter of the Knight of Craigie by his *second* union. Between the Craigie and the Niddrie families there was a strong bond, originating in the political feelings of the times—both being attached to the Cavalier party. Sir William fought under the banner of Dundee at Killiecrankie.
6. Agnes. She was alive, and had a house at Silver Craigs, near Glasgow, in 1711, when she and her husband had a decret of aliment against Andrew Wauchope of Niddrie and his tutors.‡

XI. William Wauchope of Niddrie-Merschell. He married, 25th April 1705, Margaret, eldest daughter of Gilbert Menzies of Pitfoddles. The contract of marriage is dated the 3d and 24th April of that year.§

William does not seem to have possessed robust health, and he died rather suddenly, on the 18th June 1711, in his thirty-fourth year. His lady predeceased him on the 5th April of the same year. They left a son—

\* Niddrie Charter Chest.—Extract of his will from the Com. Records.

† Niddrie Charter Chest.

‡ Ibid.

§ Ibid.



Andrew, only five years of age at the time, having been born on the 22d August 1706. He was taken to Edmonston, on the Monday following his father's death, where his youthhood was passed. He was killed, it is said, in a duel, while abroad, in the 20th year of his age.

Before his death William granted a disposition and assignation *omnium bonorum* in favour of his son, dated 3d May 1711; and on the 27th June he made his testament, nominating ten tutors, "whereof fyve Protestants and fyve Papists."\* This gave rise to a new difficulty, in consequence of the Act against Papists formerly mentioned. James, the uncle of the young Laird, who resided at Niddrie House, was one of the Popish tutors. The latter were legally incompetent. The opinion of counsel was that the Protestant trustees, forming a quorum, were entitled to act, just as if the others had refused or died; and on the 2d July 1711, Sir William Baird of Newbyth, and John Baird, younger thereof; John Wauchop of Edmiston; Andrew Wauchop, his brother-german; and John Don of Altenburn, petitioned the Lords of Council and Session to be empowered to act as tutors of "Andrew Wauchop, now of Niddry."† This petition was of course granted.

With the view, no doubt, of making a settlement as to the moveables, most of the effects at Niddrie were disposed of by public sale at this time.

XII. Andrew Wauchope, son of James, the brother of William, and grandson of Andrew, the old laird, succeeded his cousin in 1726. The precept of George I. "in favour of Andrew Wauchope of Niddrie-Marshall, as heir of the deceased Andrew Wauchope of Niddrie-Marshall," is dated 11th March 1726.

The young laird was not of age when he succeeded. He would be in his fifteenth year.

Andrew Wauchope married Helen daughter of the Hon. Sir Andrew Home of Kinnerghame, son of Patrick first Earl of Marchmont. The contract of marriage is dated in 1734.‡ The issue of this marriage were—

\* Charter Chest.

† The other parties nominated by the deceased were—Charles, Earl of Traquair, James Wauchop, merchant in Edinburgh. "Mr Gilbert Wauchop, Doctor of Medicine, my brother-german." "Margaret Irving, Lady Pitfoddels, my mother-in-law," "William Menzies of Pitfoddels, my brother-in-law," ("the said James Wauchop, my brother, being always onc.")

‡ Niddrie Charter Chest.

1. Andrew, the heir.
2. William. He entered into a contract of wadset with his father, in September 1763, by which he advanced £4000 on the lands of Frogden, &c.
3. John, W. S. He carried on business for many years in Edinburgh.
4. Jean, married to Dr John Walker, Professor of Natural History in the University of Edinburgh.
5. Margaret.

Andrew Wauchope died 22d August 1784. His lady predeceased him. In the burial vault of the family at Niddrie, a marble tablet, inscribed with a long and warm eulogium, records her death at Bath, where she had been for her health, and where she was interred, 30th September 1780. She had been married 45 years, and bore 15 children. He was succeeded by—

XIII. Andrew Wauchope of Niddrie-Merschell. He was a captain in the 1st regiment of dragoon guards, and fought at the well known battle of Minden. In the ballad composed by Sir Walter Scott, when George IV. visited Scotland in 1822, entitled, "Carle, now the King's come," he is thus alluded to—

"Come stately Niddrie auld and true,  
Girt with the sword that *Minden* knew,  
We have o'er few sic lairds as you,  
Carle now the King's come."

He had a precept firth of the Chancery for infetting him as heir to his father in the lands of Halterburnhead and Frogden, 17th October 1786. He married, 26th September 1776, Alicia, daughter of William Baird, Newbyth, and sister of General Sir David Baird, Bart., by whom he had—

1. Andrew, killed at the battle of the Pyrenees, in command of the 20th foot.
2. William who succeeded.
3. John.
4. George, merchant in Leith, of the firm of Wauchope and Moodie. He had a charter of the lands of Frogden from his father in 1811.
5. Robert.
  1. Alice.
  2. Helen, married to John Spottiswoode, of Spottiswoode. The contract of marriage is dated 26th October 1809.
  3. Jane.
  4. Anne, married to the Rev. David Wauchope, of the Edmonston family.

Andrew Wauchope had sasine of the lands and barony of Niddrie-Merschell, &c., 2d March 1808; and in 1811 he resigned them in

favour of himself, in life-rent, and of "Andrew Wauchope, armiger," his son, in fee, upon which sasine was given the same year. He was succeeded by his second son—

XIV. William Wauchope of Niddrie-Merschell, Lieut.-Colonel in the army. He had a special retour as heir of his brother, Andrew, who was killed at the battle of the Pyrenees in 1813, and an instrument of sasine thereon, 21st January 1817. He married in that year, Elizabeth, eldest daughter of Robert Baird of Newbyth, and niece of the Marchioness of Breadalbane. The contract of marriage is dated 9th November 1816. He had issue—

1. Andrew, the present Laird.
2. Hersey-Susan-Sydney, married, in 1842, to George Elliot, Capt. R.N., eldest son of the Hon. Admiral Elliot.

XV. Andrew Wauchope of Niddrie-Merschell, the present proprietor, succeeded in 1826, being then a minor. He married, 26th March 1840, Frances-Maria, daughter of Henry Lloyd, of Lloydsborough, Co. Tipperary, by Harriet-Amelia, his wife, youngest daughter of Sir John Craven Carden, Bart., of Templemore, and has issue—

1. William, born in September, 1841.
2. Harriet-Elizabeth-Frances.
3. Andrew-Gilbert.
4. Hersey-Mary-Josephine.

Mrs Wauchope died at Harrowgate, 25th June 1858.

## THE SURNAME OF "PATERSON."

THE PATERSONS, though they do not appear to have at any time formed a clan in Scotland, are nevertheless a numerous tribe. According to the Registrar-General's Report for 1865, they stand as one of the most numerous name in Scotland. They are to be found spread over the Highlands and Lowlands, and occasionally in England and Ireland. They are numerous in the district called the Black Isle, in Cromarty; they abound in Ayrshire; they are found in the middle counties, and also on the border. Like wild weeds, the race has grown up and become plentiful without the fostering hand of any potent chief—as in the case of most of the other national names of Scotland. No illustrious "magnate," or notorious levier of *black mail*, stands at their head, either as an honour or a disgrace to their escutcheon. Escutcheon! did we say? They have no *generic* escutcheon—like the great patronymics of Scotland. They appear to have been always a sort of "every one for his own hand" kind of people; but, though destitute of titled honours, not altogether a penniless race, as title-deeds and commissary documents show—many of them ranking amongst the smaller proprietary, and most of them being "comfortable" tenantry.

But as to their origin—whether Gothic or Celtic? The etymology is simply *Peter's son*. Now there are many *Petersons* among the Norwegians—no doubt the same name. From which, as many of our Scottish ancestors unquestionably came from the north, it may be inferred that the Petersons were derived from a common ancestry with the Patersons. Circumstances, however, render such a deduction very questionable. If from Scandinavia at all, the advent is likely to have taken place long before surnames were in fashion—hence it is impossible to say whether they were indigenous or a foreign race. If conjecture were to have sway, we should imagine,

from the colour of the hair and complexion of the Patersonian tribe, that the Celtic blood predominates.

If we go back to authorities, the oldest historian of the tribe we find is Ossian!—It appears that *Peter's son* was called in Gaelic *MacPhadrig*, and that the ancestor, of the Highland Patersons at least, was no less a personage than a little *bodach*, or body of a tinker. But we beg pardon, *cheard*, the Gaelic for *caird* (“Donald Caird,” for example) may have meant, in the time of the Fingalians, a respectable smith! But listen to Ossian, or, at all events tradition, rendered into English:—

Bow of the yew of Essrakin,  
Feather from the eagle of Lochtreig,  
Yellow wax of Balenageloin,  
And an (arrow) head from the smith MacPeteran.

To equip a proper archer in the Highlands it was necessary, it seems, that the materials should be obtained—the bow, feather, and wax—from the localities above indicated, and the *cean* (head) from the *son of Peter*, the smith or tinker. But the termination *ean* or *an*, in Gaelic, as well as Lowland Scotch, is a diminutive, so that the arrow-maker was not only the son, but the *little* son, of his father. Well, honour to whom honour is due, whether a tinker or not, *Peter's son* was the best maker of arrow-heads in the broad Highlands, and that was something in those days. In corroboration, it may be mentioned that the surname *MacPhedries*, which still lingers in Carrick, is just another mode of spelling *MacPhadrig* or *MacPheideirean*. Having thus shown *satisfactorily*, we hope, the origin of the Highland Patersons, let us proceed to the Lowland representatives of the name.

Fortunately we can here lay our hands upon charters, or their indices, which are always satisfactory in proving a position. In Perthshire, then, in the reign of Robert II., the lands of “the Brewland of Methven” were granted to “William filio Willielmi,” by resignation of “Roger filio Patricii,” the Latin form of *Peter* or *Patrick*. It would thus appear that the “Brewland of Methven” was in the possession of a family of *Peter's sons* in the reign of Robert II. (1371-90); and how long before that no one can tell. Next, in the same



reign, we have a charter from the crown, "confirming a grant by James de Douglas of Dalkeith, to David *filio Petri*," of the lands of Garmyltoundunyng, in the constabulary of Haddingtoun." Here we see the name in the form of *filio Petri*, or *Peterson*. These are the oldest, and we may add, the principal instances in which the name occurs in connection with charters under the great seal; for, as already stated, the Patersons, comparatively, might have sung with the Macgregors, "landless, landless, landless Gregorath." As in the case of the good men of the lands having the euphonious name of Garmyltoundunyng, the Patersons were evidently vassals to the great house of Douglas; and this accounts for their also being in Lanarkshire, the original seat of the Douglasses, and where they appear, from the old rhyme of names, to have conducted themselves in a truly *tinker-like* manner, having become pre-eminent for their recklessness in feudal raids, or in misdeeds of a less reputable character.—

" The worthy Watsons,  
The gentle Neilsones,  
The jingling Jardines,  
The muckle-backit Hendersons,  
The fause Dicksons;  
Ae Broun is enow in a toun;  
Ae Patersone in a parochine, a parochine—  
They brak a !"

From the Patersons of "Dalkeith of old" have no doubt sprung the border, Galloway, and most of the Ayrshire Patersons. Of the border-offshoots, all we know is, that several of them figure in Pitcairn's Criminal Trials, for "aiding the Englishers," or, in other words, taking part in some of those feudal misunderstandings with the Crown, which sometimes led the gentlemen rieviers of the "debatable land" to fraternise with "our auld enemies of England," when they conceived the "liberty of the subject" to be unduly interfered with in the suppression of their forays. Of the Galloway branch, and their forwardness under the banners of the covenant, they are even yet commemorated in the popular air and rhyme of "Paterson's filly gaes foremost ;"

" The Black and the Brown gaed through the town,  
But Paterson's filly gaes foremost !"

which doggerel alludes to Paterson of Ballaird and his Gallo-way associates on their way to the gathering at Bothwell Brig. Robert Paterson, the world-renowned "Old Mortality" of Sir Walter Scott, is well known to have been a humble scion of the same race, whose ignoble blood now mixes with that of the imperial family of France. The earliest record we find of the Ayrshire Patersons refers to "Allan Paterson, a provident man, late burghess of Ayr, who died the 4th day of the month of December, in the year of our Lord, 1519, and "who resigned six shillings and eightpence of yearly rent, money of Scotland," from certain property in the burgh, for a perpetual obit, to be annually celebrated by the chaplains of the choir of Ayr, on the day of the death of the said Allan, with a mass in chant, in all time coming."\* Some few years later we find another of the surname, Robert Paterson, in the honourable position of teacher of music in Ayr. He was not a teacher in the ordinary sense, but the "feitservande" of the burgh, whose duty it was "to play on the organ, sing in quier, and to teiche *ane sang schule*." From this it would appear that he had been the first teacher of a song school, or profane music, in the ancient and "gude town." In Kilmarnock, in 1745, Boyd Paterson was town-clerk, and chamberlain to the unfortunate Lord Kilmarnock.

But enough of minor details. Let us see what the heraldists say as to the chivalric devices of the sons of Peter. As we have already said, they do not seem to have had any *generic* achievement. Nevertheless, it appears that there were two distinct heraldic branches of them, the Northern, or Highland, and the Southern, or Lowland. Balfour, in his blazons gives the name of Paterson, "sable, on a cross cantoned with four lions' heads erased *argent*, five eaglets† displayed of the first." This we take to be the arms of the northern sept. The southern, if not more civilized, had, as described by Mackenzie, at least a more peaceful insignia; viz.:—*Argent*, three pelicans feeding their young, *or*, in nests *vert*." Nisbet (quoting

\* "Obit-Book of the Church of St. John the Baptist."

† The eagle or eaglets, when *displayed* without beaks and feet, are called in heraldry alerions, and said to be carried as marks of voyages beyond seas, and of wounded soldiers. We know not whether the eaglets in this case were so mutilated.

Pont's MS.) adds—"The Patersons designed of Dalkeith, *of old*, carried the same with a chief, *azure*, charged with three mullets, *argent*." The only titled scions of the clan, if clan it may be called, were the Patersons of Dunmuir, Eccles, Bannockburn, and Granton. They were baronets, now extinct we believe. Prince Charles, in 1745, lodged in the house of Sir Hugh Paterson of Bannockburn, with whose daughter the gallant Chevalier fell in love. If heraldry, "in aught can be believed," the Bannockburn branch were of the Dalkeith family, for Nisbet describes their arms as "*Argent*, three pelicans vulned *gules*, on a chief embattled *azure*, as many mullets of the field; crest, a dexter hand, holding a quill, proper: motto, *Hinc orier* (Hence I rise)."

"Captain Robert Paterson," continues Nisbet, "second brother to the Laird of Dunmure, *Argent*, three pelicans feeding their young ones, *or*, in nests, *vert*, and a crescent, to difference him from Dunmure; crest, a branch of palm, proper: motto, *virtute viresco*" (by virtue I flourish): so the Lairds of Dunmure, an old family in Fife, must also have sprung from the still older house of Dalkeith. The first of the Dunmure Patersons is designated, in the charter to the landas as "servitour" to James IV., from whom he had a gift of the property. A branch of this family became lawyers in Edinburgh, and rose to considerable distinction; as, for example, Sir Hugh Paterson, Bart., of Bannockburn, and Sir William Paterson, Bart., of Granton, whose diploma of Baronetcy, is dated 2d July 1687. He and his spouse had a charter of Wester Granton in 1688. Robert Paterson was "Commission-Clerk of Peebles" in 1684, and under-keeper of His Majesty's Signet in 1685. Among the witnesses at the baptism of his son, Alexander, in the former year, were Hugh Paterson, of Bannockburn, elder (he had not obtained the baronetcy at that time), and Hugh Paterson, fiar thereof, and Mr Alexander Paterson of Caverhill, merchant. Captain Andrew Paterson, late deacon of the wrights, had a daughter baptized in 1686, at which Sir Hugh of Bannockburn, Sir William, afterwards of Granton, Mr Alexander of Caverhill, Robert Paterson, keeper of the Signet, and Hugh Paterson, apothecary, were witnesses.

If the Patersons never attained a very high position as laymen, it

must be admitted that they stood well up in the church ; not less than two of them, father and son, having been bishops in Scotland at one and the same time. Keith tells us that " John Paterson, minister first at Foverham, next at Aberdeen, was advanced to the see of Ross, 18th January, 1662, where he sat till his death in the year 1679." Again, " John Paterson, the son of John Paterson, Bishop of Ross, was formerly Dean of Edinburgh, and soon after preferred to the see of Galloway (Feb. 11, 1676). From thence he was translated to the see of Edinburgh, anno 1679 ; and, upon Archbishop Cairncross's deprivation, to the see of Glasgow, to which he was recommended by the King's Letter of January 21st 1687, where he continued until the Revolution in 1688. He died in the city of Edinburgh the 9th day of December, anno 1708, in the 76th year of his age."

Referring again to Nisbet, it would appear that these dignitaries of the church were also of the Dalkeith stock. " Mr George Paterson of Seafield," he says, " Commissary of Ross, a second son of John, Bishop of Ross, *argent*, three pelicans feeding their young, *or*, in as many nests, *vert*, on a chief, *azure*, a mitre of the second, between two mullets of the first : crest, a hand grasping a sword erect, proper : motto, *Pro Rege et Grege* (for King and People). His younger brother, Mr Robert Paterson, one of the Regents of the Marischal College of Aberdeen [about 1722] carries the same, but places a mitre, *azure*, in the centre ; crest, a pelican's head couped, proper : motto, *Pro Rege et Grege*." The Bishop is one of the chief of the northern tribe, and, unluckily for the credit of the clan, he seems to have been no better than many others of the churchmen of that day, if we must accept M'Crie's testimony as to his character. The body of his brother, the Bishop of Ross, lies in the old churchyard of Kilmuir, in the Black Isle, under a lordly tomb, on which are his arms and motto. This picturesque burying-ground overlooks one of the finest landscapes in Scotland. The Bishop lies surrounded by a guard of clansmen ; for all the dead buried around him were Patersons in their day. But if the northern branch of the Paterson clan have a bishop to boast of, the old leaven had also a contemporary specimen. Quoting from a MS. history of the Frasers,



Mr Carruthers in his "Highland Note-Book, says:—

"1662. There came to Inverness one Mr Paterson, who had run over the kingdom for trial of witches, and was ordinarily called the Pricker, because his way of trial was with a long brass pin. Stripping them naked, he alleged that the spell-spot was seen and discovered. After rubbing over the whole body with his palms, he slipt in the pin; and its seems, with shame and sorrow being dashed, they felt it not, but he left it in the flesh, deep to the head, and desired them to find, and take it out. It is said some witches were discovered; but many honest men and women were blotted and broke by this trick. In Elgin, there were two killed; in Forres, two; and one Isabel Duff, a rank witch, burned in Inverness. This Paterson came up to the church of Wardlaw; and within the church, pricked fourteen women and one man, brought thither by the Chisholm of Comar, and four brought by Andrew Fraser, chamberlain of Ferrintosh. He first polled all their heads, and amassed the heap of hair together, hid it in the stone dyke, and so proceeded to pricking. Several of those died in prison, being never brought to confession. This villain gained a great deal of money, having two servants. At last he was discovered to be a woman disguised in men's clothes. Such cruelty and rigour was sustained by a vile varlet impostor!"

But of all the Patersons, he of Dumfries—WILLIAM PATERSON, founder of the Bank of England, and the originator of the glorious though unfortunate Darien scheme, deservedly takes precedence. He was an original and philosophical thinker—entertained the most comprehensive views of mercantile adventure—and was the best financier of his age. He was born in 1656 and died in 1719. But we shall not further trespass upon the province of Mr Bannister, who is about to publish the "Life and Writings" of this truly great and worthy man.\*

Amongst the lesser stars who have shed a dim lustre on the name, there are not wanting several in the various paths to fame. Amongst the earliest we have "William Patersonne, Priest," who, taking part in the great religious struggle of the sixteenth and seventeenth centuries, published in 1620, "The Protestant's Theology; containing the true solution and grounds of religion, maintained and intricated betwixt the Protestants and Catholics." "John Paterson, M.A.," minister at Aberdeen, was the author, amongst other writings, of "Caudem bona causa triumphant; or Scotlands misery bewailed," a sermon preached before the Scots Parliament in 1661. "James Paterson," who produced a valuable school-book called "The Scots'

\* This was written prior to the publication of Mr Bannister's work.



Arithmetician; or Arithmetick in all its Parts," published at Edinburgh in 1685, and which continued to be a standard class-book for many a day. Thus we see the church and the school were not without their Patersonian ornaments.

Next come the disciples of Esculapius. William Paterson published, in 1772, "De Febribus Intermittentibus;" David of the Royal Navy, afterwards surgeon in Montrose, a "Treatise on Scurvy," &c., Edin. 1795; and Patrick, surgeon, 28th Light Dragoons, a "Case of Gangrenous Stomach, with Dysphagia, from Lightning," in Med. Tract. 1800.

Samuel Paterson, born in London in 1728, was one of the most famous bibliographers of his own or any other time. He was first brought into repute by his sale, as auctioneer, of the celebrated collection of Sir Julius Cæsar. He was the author of "Bibliotheca Universalis Selecta," "Joineraria; or Book of Scraps," &c. Lieut. David Paterson was amongst the first, if not the first, of our modern guide-book writers. He produced, in 1771, what was called "A Travelling Dictionary," giving a "Description of all the Direct and Principal Cross Roads of England and Wales, and Scotland." This work went through numerous and improved editions down to 1802.

Nor are the Patersons without poets. "Ninian" was the author of *Epigrammatum libri Octo, cum Aliquat Psalmorum Paraphrasi Poetica*, published at Edinburgh in 1678; also of "The Fanatik Indulgence granted anno 1679"—a prose work, published at London in 1683: and stranger still, a dramatist, "William," who wrote "Arminius; a Tragedy," published at London in 1740, of whom, and of which, few people we suspect know much about.

"Poems; English and Scottish," by John Paterson, M.D., Dundee; and "The Legend of Iona; a Metrical Romance, with other Poems;" by "Walter Paterson, 1814," may still be met with occasionally on the book-stands.

Amongst the Patersons there are of them who spell their name with two *ts*—*Patterson*—according to the hard English pronunciation, but this is chiefly if not wholly confined to such branches as have been naturalized in England or Ireland. The double *tted*

branch are not without a niche in literature and science. In catalogues you find "*Jus Terrestris Nobilitatis et Jura Municipalia Terrarum Prussiae*, Dant, 1685," by Dan. Patterson: "*Viusorium Nemus, Carmen*, Lond. 1758," Gullielmi Patterson\* stands forward conspicuously in the *Transactions of the American Society* as the author of the following papers: "An easy method of finding a true meridian line, and thence the variation of the Compass"—"of a Singular Phenomenon"—"New Notation of Music"—"An improvement on Metallic Conductors, or Lightning Rods"—and method of Adjusting the Glasses of Hadley's Quadrant on Land for the Back Observation." We may add, "Captain Patterson, who took part in the Peninsular war, and wrote a narrative of his adventures.

"Patison" and "Patinson," both of which names are more or less common in England, are considered by some as mere variations of *Paterson*. This, we should think, is not the case. They seem to be derived from *Paton*, of which surname there are branches in England, and which, in old writings is sometimes to be met with in the form of *Patten* and *Patin*. *Patison*, therefore, is just the son of *Patin* or *Paton*. In charters under the great seal in Scotland we have found it in the Celtic form *MacPaton*, from which it is probable that the name was originally *MacPhadream*.

So much for the tribe.

\* Query—Descended of "Old Mortality?"



## CAMPBELLS OF LOCHDOCHART,

## A BRANCH OF THE CAMPBELLS OF BREADALBANE.

The Manor-house, or place of Lochdochart, stands on an Island in the Loch.

I.—Alexander Campbell, fourth son of Sir Robert Campbell of Glenorchy, Bart., had sasine of the lands of Innerhagernie beg, with the Miln and Multures thereof, the lands of Innerherrive, Crenlarich, and the shealing of Corinich, the hail lands of Leirigan, the lands called the Port of Lochdochart, with Loch and Isle of Lochdochart, and pertinents, lying within the barony of Glenfalloch, &c., proceeding on a charter from his father, dated 28th March 1650.\* He acted as “actornay for his sister, Mary, future spouse of Robert Robertson of Fascallie,” in a sasine of certain lands 20th August 1650.

II.—John Campbell, lawful son of Alexander Campbell of Lochdochart, had sasine of the lands of Leragen, Port of Lochdochart, &c., proceeding upon a Disposition granted by the said Alexander Campbell, recorded 14th March 1691.† In 1705 (27th Oct.) John Campbell of Lochdochart, and Robert Campbell of Auchlyne, had sasine of the lands of Glenfalloch, comprehending the lands of Over and Nether Kylleters, &c., lying within the parish of Killin, for their security and relief of 632 lib. 10s. Scots, proceeding upon a bond of relief by Robert Campbell of Glenfalloch. In 1712 (2d Sept.), John Campbell of Lochdochart, eldest lawful son to the deceased Alexander Campbell of Lochdochart, had sasine of the lands of Larigan, Port of Lochdochart, with the Loch and Isle of Loch-

\* Par. Reg. of Sas. Perthshire, Vol I. fol 40.

† *Ibid* 1691. 80 leaf.

dochart, and manor-place situate therein, the lands miln thereof, multures, sequels, and others, proceeding upon a precept of *clare constat*, granted to him as heir to his said father, by John, Earl of Breadalbane. He had a brother Patrick, who grants him a discharge,\* having reference to some money transactions, in 1707. He appears to have married a lady of the name of Stewart, for, according to the parish register of Killin, "John Campbell of Lochdochart, and Margaret Stewart, "had their lawful child baptized, called *Anna*," 8th April 1711. † The testament dative, confirmed in 1735, proves that he was the father of William his successor.

III.—William Campbell of Lochdochart had a sasine of all and whole the lands of Innerhagerine more, and Innerhagerinie beg, the lands of Innerherrive, Crenlarick, Leirigan, Port of Lochdochart, with the Loch and Isle &c.; also; all and haill the lands of Egich, Brewaries and Crofts of Innerheriff and Allanrioch, the lands of Downich, Stronowa, and Corryeutran, with the pertinents lying within the lordship of Lochdochart, &c., dated 16th January 1743,‡ proceeding upon a precept of *clare constat*, granted to him by John Lord Glenorchy. He had afterwards (13th March) a Crown Charter of the same lands, including "fodinarum et mineralium."§ He married Katherine Cameron, and had issue—

1. Isobel, baptized 4th April 1729.
2. Alexander, baptized 21st March 1730.
3. John, baptized, 28th September 1731.
4. Ewen, baptized 29th October 1732.
5. Ann, baptized, 25th May 1735.
6. Ann, baptized, 17th March 1738.

IV.—Charles Campbell of Lochdochart, had sasine of the lands of Leirigan, Port Lochdochart, and manor-place in the said island; as also of the lands of Innerhagerinie more, and Innerhagerinie beg, &c., 1st and 2d May 1765, as eldest lawful son now in life of the late William Campbell, his father. Date of precept, at Holyrood House, 25th October 1763.||

\* Sheriff Court Books of Perth.

† Parish Register of Killin.

‡ Par. Reg. Sas. Perth. Leaves 230 and 231. 1743.

§ Great Seal, B. 98, No. 140.

|| Parish Register of Sasines, Crown Charter. &c.

V.—Charles Campbell of Lochdochart. “Agnes Campbell, spouse of Charles Campbell of Lochdochart, Esq.,” had sasine of an annuity of fifty pounds, in payment to her yearly after her husband’s decease, furth of these parts of Lochdochart called Innerhagernie more, Innerhagernie beg, &c., dated 5th September 1776. She was a daughter of William Campbell of Glenfalloch. Contract of marriage dated 18th October 1776.\* The following year (25th September 1777), he had sasine (dated 20th September last), of Lochdochart and other lands, proceeding on a charter from the Crown. He married a second wife, Mrs Catherine Buchanan, by whom he had a son.†

VI.—Charles Archibald Campbell, M.D., Montreal, the present representative of the family. His birth is thus recorded in the parish register of Callander: “Charles Campbell, Esq., of Lochdochart, and Mrs Cathrine Buchanan, Mansfield, had a son born the 31st August, and baptized the 30th September 1814, called Charles Archibald.”

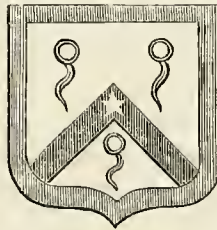
The property of Lochdochart has long ago passed into other hands, but Dr Campbell is one of the heirs of entail to the Breadalbane estate.

\* William Erskine Campbell, younger of Glenfalloch, and Miss Susanna Campbell, Lochdochart, both of the parish of Killin, gave in their names for marriage, 8th November 1800.

† Par. Reg. of Callander.



RUSSELLS OF KINGSEAT AND SLIPPERFIELD, PEBBLES-  
SHIRE.



The Russells are understood to have come from Normandy with William the Conqueror, and in England the Bedford family are universally admitted to be the chief.\* But *Alanus Russell* appears as a witness in the cartulary of Melrose, in the reign of William the Lion, before the advent of the Conqueror; and *Johannes filius Roberti Russel* of Doncunlaw, gave a charter "dimidium bonatam terre cum tofto in dimidea bonata terre," &c., to the religious House of Saltre, in the reign of Malcolm. It is thus evident that there were individuals of the name of *Russell* in Scotland before the battle of Hastings, and like the Frissels (now Frasers) seem to have settled chiefly in the South.

There are many early notices of the Russells.

In *Rymer's Fœdra* it is stated that *John Russell* became bound, with others, to assist in fulfilling the agreement by which Henry III. of England married his sister to Alexander, King of Scots, in 1220.† *Robertus Russell* does homage to Edward I., with "Burgenses

\* Ann Wightman, wife of James Russell, Esq., used to relate that her husband, and two of his brothers, waited on the (second) Duke of Bedford, and acknowledged him as head of the family, not as an Englishman, but as a Norman.

† *Fœdra*, vol. 1. p. 241.

et cives" of Berwick, in June 1296.\* From *Robertson's Index of charters* we learn that "Johannis de Carrikis, *fillii Willielmi dicti Russell*, had a charter from Robert I., "totam terram de Dorsquen, infra vicecom. de Dumfries;" also that Robert Russell had a charter of the lands of Sympleland, in the same county, from David II. William Russell was Bishop of the Isles of Manx, and Abbot of Rushen, 1348.† Johannes Russell, armiger, is joined with several others in a commission to restrain practices contrary to a truce between England and Scotland, A.D. 1389 ‡; and the same parties are appointed (p. 651,) to settle the public accounts relative to the ransom of David the Bruce, King of the Scots. The continuator of Fordun lived in the beginning of the fifteenth century; and the Harleian Catalogue states that the author's name was Patrick Russell, Monk of Scone. Hume, in his History of the House of Douglas,§ quotes a deed, in which John Russell appears as the husband of the Countess of Strathern.

Although the Bedford family are acknowledged to be at the head of the race, yet it appears that the Scottish branch had a chief as well. This appears from a book on Heraldry in the Harleian Collection, which states that "Russell of the Ilke," has for arms, "Ar. a  $\Lambda$  between 3 feoffoyles, slippped, sa."|| The designation of "that Ilk" is applicable only to Scotland, but the fact seems to have been lost sight of long ago.¶

\* Fœdra, vol. 2. p. 568; also Rymer, vol. 2. p. 659, and Nisbet—Ragman Roll, p. 40.

† Beatson calls him a manksman—Political Index, vol. 11.

‡ Rymer, vol. 11. p. 650.

§ Vol. 1. p. 9.

|| Harleian MS.

¶ In a MS. collection by Balfour, Lyon King of Arms, 1630,\* the Russell arms are "Argent, a cheveron between three greinplouers, sable," which is precisely the same as given in the Harleian MS. The arms of the Russells of Kingseat were "Argent, a cheveron between three powets, within a border, all sable. *Crest*—a fountain proper. *Motto*—*Agitatione Purgatur*." The inference is thus strong that they were originally of that Ilk. We are aware that there are other claimants to the honour of "that Ilk." Russell of Aden, Aberdeenshire, it is said, sprung from one Rozel or Russell, who accompanied Edward III. to the siege of Berwick and battle of Halidon Hill, in 1333, and settled in Scotland, assuming the designation of Russell of that Ilk. He left one daughter, who married a cadet of the family of

\* Advocates' Library.

It is extremely probable that the Russells of Kingsseat and Slipperfield were directly descended from *Robert* and *William* of the thirteenth and fourteenth centuries. The prevailing Christian names in the family, as well as the locality, bear us out in this supposition. The first we find, however, in possession of these properties is at a much later period.

I.—James Russell has sasine of “ane oxengait of land in Lintoun” in Jan. 1632;\* and of “the Kirklands of Westerhoupro and others,” Jan. 1634. He had sasine at the same time of the lands of *Kingsyde*. In this document he is thus designed, “Jacobus Russell, in Drava, vna cum probo viro Willichno Porteous, in Nether Stewartoun, balliti in hac parte dni. Alexandri Murray de Blackbarrane, milites, Baronette, superioris, &c. In June 1642, he had sasine of the lands of *Middlethird*. Sasine was given on this occasion by William Sinclair, in Canonmylus, as Baillic Depute of the Regality and Barony of Brochtoun, to “James Russell of Kingsyde.”

Several parties of the name of Russell, connected with Peeblesshire, appear in the public records at this time. John Russell, in Wester Claprew (?) had sasine of an annual rent of 44 lb. furth of the lands of Handilshop, 19th April 1662. “In 1592, Sir John Melville, yr. of Cambee, and Alison, his spouse, sold the lands of Granton to one Mr John Russell, who, in 1603, alienated them for £1277, 5s. 6 $\frac{3}{4}$ d, to Sir Alexander Gibson of Durie, in Fife.”† Mr John Russell was an advocate in good practice. His first wife’s name was Grissell Armstrong. In 1609 (4 Nov.), Mr Robert Boyd, advocate, pursued his mother, and *Mr John Russell*, then her spouse, for his heirship, and the case was decided in his favour.‡ A branch of the Boyd family were early settled in Peeblesshire, and *Mr John Rus-*

Ramsay, who adopted the name and arms of Russell. In 1600, Alexander Russell, of this family, purchased property near Elgin, and his son, Patrick Russell, (who married a sister of Archbishop Sharp), bought part of the lands of Monciffer, Banffshire, in 1680, which were again sold by his grandson, Alexander Russell, who purchased Aden in Aberdeenshire. Now, this Rozel or Russell could not properly have been at the head of his name, since there were Russells in Scotland at least 280 years previously. Besides, the arms of this family are totally different from the arms of Russell of that ilk, as given in the Harleian and Balfour MSS. They are *argent*, a lion, gules, and in chief two crescents, sa. *Crest*—a dexter hand issuing from a cloud, brandishing a sword proper. *Motto*—*Promptus*.

\* Gen. Reg.

† Wood’s History of Cramond.

‡ Morriou’s Decisions. 338

*sell* may have been a brother, or near relation of James Russell of Kingseat. Besides his heir, who succeeded James Russell, appears to have had two daughters :

1. Lillie Russell, married to Sir William Douglas of Garvaldfoot.
2. Agnes, married to William Scott, *far* of Moffenan.

II.—William Russell, of Slipperfield, had sasine of the lands of Middle third, April 1649, and of the lands of Braer, 19th Feb. 1655. He, and Margaret Lawson, his spouse, had sasine of lands in Linton, Brighthouse Mylne, &c., Dec. 1668.\* Margaret Lawson was probably of the Carnmure family. In May 1670, the same parties, and their son, *James Russell*, had sasine of two oxgate of land and miln of Linton. In June 1673 they had also sasine of “the oxgate of land in Lintoun, and proportional part of the commontie thereof, and of the mylne of Lintoun, called the Bridge House Mylne, and astricted multures of the toune of Lintoun, and hail baronie thereof.” Besides *James Russell*, who succeeded, they had at least one daughter, *Mary*, who in June 1683, had sasine of an annual rent of £80 Scots, “agreeable to the principal soume of 450 merks, furth of the lands of Scots-toun. She was married to James Nasmyth, Depute Clerk of Session, and a proprietor in Peeblesshire. The baptism of their first child is thus recorded.† “12th Nov. 1693. James Nasmith, one of the Clerks of Session, and Marie Russell, a son, named Michael. Witnesses—James Nasmith of Posso, Mr James Nasmith of Daick, John Russell, elder and younger, merchants,‡ and James and John Russells, writers.” She had several children, but must have died before 1701 in which year James Nasmith, clerk-depute, and Jean Denniston, have a child baptized.

III.—James Russell, “sone and air to umquhile William Russell of Kingside,” had sasine of “Middlethird of Slipperfield, and Yow-third of Slipperfield, with the teyuds and hail other pertinents,” July 1690. He married Margaret Lockhart of Braidshaw, in Lanarkshire. “Margaret Lockhart, spouse to James Russell of Kingseat,” had sasine “of the mansion house of Middlethird and pertinents, and

\* General Register of Sasines.

† Par. Register of Sasines.

‡ Edinburgh Parish Register. The elder John was, in all probability, a son of James, first of Kingsyde.

of ane annual rent of fyve hundred merks furth of the lands of Yow-third and Middlethird of Skipperfield, with the teynd and pertinents," July 1690. They had a numerous family :

1. William (tho Rev.), minister of Stobo. The parish register of Linton goes back no farther than 1657.\* He must have been born, however, about 1655.
2. Katherine, born 1st June 1667.† Married to Alexander Christie, writer, and had issue.
3. James, born October 12, 1668.
4. Isobell, born 4th September 1670. Died unmarried.
5. John, born 8th December 1672.
6. Alexander, born 14th March 1675.
7. Francis, born 17th June 1677.

IV. Mr William Russell of Kingsyde, "minister of Northolme," succeeded his father, and had sasine of the "lands of Middlethird and Yewthird of Slipperfield, with the teynd and pertinents," dated 22d November 1698.‡ He would be thus forty-three years of age. He had been a trooper in his early days, and, as minister of Stobo, to which parish he was subsequently translated, gave considerable trouble to the ecclesiastical courts, by his reluctance to acknowledge the authority of King William.§ He married and had issue:

1. Eleazer, who died unmarried.
2. William, who succeeded.
3. Grissel, married Oswald of Spittal.
4. Margaret, died s. p.
5. , married John Mathie, and had issue.
6. Mary, died s. p.

V.—William Russell of Slipperfield, who succeeded to the family property, married, 24th December 1732, Elizabeth, daughter of the then deceased Captain John Skene of Halyard, and had issue:

1. Jean, married to Robert Blyth.
2. Janet, married to the Rev. Alexander Kennedy, minister of Paisley, and had issue.
3. Bell, died s. p.
4. Mary, married to ——— Heriot, and had issue.

William Russell sold the properties of Kingseat and Slipperfield to Lord Bankton.

\* In this record for 1664, William Russell of Slipperfield, is amongst the heritors who recommend a schoolmaster for the parish. There had been no functionary of this kind previously. John Russell, elder, and Alexander Russell, one of the Collectors, are mentioned contemporaneously.

† Linton Parish Register.

‡ General Register of Sasine.

§ Chambers's History of Peebles.



## BRANCHES OF THE SLIPPERFIELD FAMILY.

I.—*James Russell*, second son of James, No. 3, of the foregoing Genealogy. He followed the profession of the law—was a W.S. and Procurator-Fiscal for Edinburgh. He married, 1st., Katherine Murray, and had issue :

1. Jean, born, 24th January 1699.
2. Katherine, born 4th April 1700.

2dly, Anna, daughter of Robert Wightman of Nauldslic, and had issue:

1. Anna, born 26th April 1704.
2. Mary, born 30th June 1706. Married to R. Inglis.
3. James, born 23d April 1708.
4. John, born 5th August 1709. Married Rachel, &c.
5. William, born 18th March 1711.
6. Katherine, born 14th August, 1712.

*John Russell*, third son of James, No. 3, was styled of Braidshaw, in Lanarkshire, which property he seems to have acquired on the death of his mother, Margaret Lockhart.\* He followed the legal profession in company with his elder brother, James, who seems to have died about . He was for many years Clerk to the Signet. He was thrice married—1st, to Marion Russell, daughter of Andrew Russell of Rotterdam, by whom he had four children, who all died young :

1. James, born 28th July 1700.
2. Andrew, born 5th July 1702.
3. Margaret, born 18th July 1704.

He married, 2dly., Ursula, daughter of Claud Alexander of Newton, in Renfrewshire, and had issue:

1. Jean, born 24th October 1708.
2. John, born 12th December 1710.
3. Robert, born 25th September 1712.
4. Alexander, born 9th September 1714.
5. Francis, born 24th September 1716.

Ursula Alexander, died in childbed, 4th December 1717.

\* He is first styled of Bradshaw, in 1708.

Mr Russell married, for the third time, on the 15th October 1719, Mary Anderson, only daughter of the Rev. John Anderson, minister at West Calder, by whom he had the following children :

1. David, accountant, born 8th August 1722.
2. Robert, born 26th June 1724.
3. Patrick, born 6th February 1726.
4. Thomas, born 30th September 1727. Died in infancy of small-pox.
5. James, born 5th July 1730. Died in infancy of small-pox.
6. Claud, born 7th October 1732.
7. Balfour, born 20th October 1733.

Mr Russell died 28th January 1759, aged 87.

II.—*John Russell*, of *Roseburn*, county of Edinburgh, clerk to the Signet, and F.R.S. He married Bethia Campbell, daughter of Daniel Campbell of Wester Greenyards, secretary to the Royal Bank of Scotland; she was born 14th September 1728. Issue :

1. John, born 22d January 1753.
2. Elizabeth, born 20th September 1754. Married Andrew Wood.
3. Daniel, born 27th February 1757.
4. William, surgeon in Edinburgh, born 3d September 1758.
5. Alexander, born 13th July 1760.
6. Mary, born 28th February 1767.
7. Claud, born 15th July 1769.
8. Patrick, born                    married Rebecca Thomas Carmichael, daughter of Maurice Carmichael of East End, and had a son, Michael Patrick, who died in India.
9. William, surgeon E.I.C.S., created a Baronet in 1832, &c.

III.—*John Russell*, Clerk to the Signet, F.R.S. He married Eleanora Robertson, daughter of Principal Robertson, by whom he had :

1. Mary, born 23d March 1779.
2. Bethia, born 23d July 1781.
3. Eleanora, born 19th May 1783.

He appears to have married for his second wife, Cecilia Murray, and had two sons :

1. John, born 19th March 1811.
2. William, born 1st March 1813.

IV.—*William Russell*, surgeon in E.I.C.S. He was created a Baronet in 1832. He married, 1st., *Sophia Russell*, daughter of *Claud Russell*, of Beinfield Manor House, Berkshire, son of *John Russell* of Roseburn—and had two daughters:

1. *Bethia*.
2. *Eleanora*.

2dly, *Jane Eliza Sherwood*, eldest daughter of Major-General *James Duddingston Sherwood*, and had issue:

1. *Mary-Anne*.
2. *Sophia*.
3. *Emma*.
4. *William*.

V.—*Sir William Russell*, second Baronet, born in 1822, married *Margaret Wilson*, only daughter of *Robert Wilson, Esq.*,—descended probably from *William Wilson*, one of the clerks of Session, who had a son *George*, born 18th June 1704—and has one son:

*William*, born 28th September 1865.

*Sir William* is M.P. for *Norwich*, and a Colonel in the army.

*Seat*.—*Charleton Park, Gloucestershire*.

*Arms*.—

*Alexander Russell*, fourth son of *James, No. 3*, was born 14th March, 1675, and studied for the Medical profession. He and his younger brother, *Francis*, are designed as “*Chirurgeons in Edinburgh*,” in 1698. He went to sea, in the capacity of surgeon, and was lost. He left no issue.

*Francis Russell*, fifth son of *James, No. 3*, was, as above stated, a surgeon apothecary, in company with his brother. He carried on the business for a length of time, and his name appears frequently as a witness in the parish and other records.